1121. Adopting Local Law No. -2009, A Charter Law to increase Legislative oversight of RFP process.  (Romaine) WAYS & MEANS

1122. Adopting Local Law No. -2009, A Local Law to ensure fire hydrant operability and safe water pressure levels in Suffolk County.  (Eddington) PUBLIC SAFETY

1123. Adopting Local Law No. -2009, Amending Local Law No. 53-2008, to provide parking for “clean pass” vehicles at County facilities.  (Horsley) PUBLIC WORKS & TRANSPORTATION

1124. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 313.  (Co. Exec.) BUDGET & FINANCE

1125. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 314.  (Co. Exec.) BUDGET & FINANCE

1126. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 803-2009).  (Co. Exec.) BUDGET & FINANCE

1127. Approving the appointment of John Carney to the Suffolk County Citizens Corp Council.  (Co. Exec.) PUBLIC SAFETY

1128. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Frank J. Santo and Irene Santo, his wife (SCTM No. 0902-004.00-02.00-067.000).  (Co. Exec.) WAYS & MEANS

1129. Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for the construction of right turn lanes, C.R. 3, Wellwood Avenue, Town of Babylon, Suffolk County, New York (CP 5521).  (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1130. Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for the intersection improvements on C.R. 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip, Suffolk County, New York (CP 5065).  (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1131. 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 Lillian Gonzales, a/k/a Lillian A. Gonzalez, a/k/a Lillian Gonzales by administrator Patricia Gonzales, a/k/a Patricia Gonzalez, f/k/a Patricia Ramon (SCTM No. 0200-925.00-03.00-053.000).  (Co. Exec.) WAYS & MEANS
1132. To adopt the amended Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on January 14, 2009. (Co. Exec.) PUBLIC SAFETY

1133. Amending the 2009 Adopted Operating Budget to accept and appropriate additional 100% State Aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) and to transfer funding from current appropriations to the Long Island Home D/B/A South Oaks. (Co. Exec.) HEALTH & HUMAN SERVICES

1134. Amending the 2009 Adopted Operating Budget to accept and appropriate additional 100% State Aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) for Long Island Gay and Lesbian Youth, Inc. and Pederson-Krag Center. (Co. Exec.) HEALTH & HUMAN SERVICES

1135. 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 Sid Farber a/k/a Sidney Farber by Nadia Farber, as Administrator (SCTM No. 0200-973.90-01.00-020.000). (Co. Exec.) WAYS & MEANS

1136. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 804-2009). (Co. Exec.) BUDGET & FINANCE

1137. To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 802-2009). (Co. Exec.) BUDGET & FINANCE

1138. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (Lang property – Town of Shelter Island) (SCTM NO. 0700-018.00-030.00-004.000). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1139. Adopting Local Law No. -2009, A Local Law to ensure safe operations of helicopters. (Romaine) PUBLIC WORKS & TRANSPORTATION

1140. Reappointing member of the Suffolk County Water Authority (Bernard Brady). (Losquadro) ENVIRONMENT, PLANNING & AGRICULTURE

1141. Authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Ronkonkoma Bowl, Inc. by Eleanor DeBear, President (SCTM No. 0200-688.00-02.00-010.000). (Co. Exec.) WAYS & MEANS

1142. Sale of County-owned real estate pursuant to Local Law No. 13-1976 Delson Equities Corp. (SCTM No. 0200-960.00-02.00-043.000). (Co. Exec.) WAYS & MEANS

1143. Approving the re-appointment of Vincent Bologna, Jr. as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. (Co. Exec.) PUBLIC SAFETY
1144. Approving the re-appointment of Kenneth Capon as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. (Co. Exec.) PUBLIC SAFETY

1145. Approving the re-appointment of Richard Keller as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. (Co. Exec.) PUBLIC SAFETY

1146. Approving the re-appointment of Scott Thebold as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. (Co. Exec.) PUBLIC SAFETY

1147. To appoint member of County Planning Commission (Joseph B. Potter). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1148. To appoint member of County Planning Commission (Michael F. Kelly). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1149. Approving the appointment of Dylan Skolnick to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1150. To reappoint Lenny Stucker to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1151. To reappoint Susan Gatti to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1152. To reappoint Lora Fox to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1153. To reappoint Robert Beuka to the Suffolk County Motion Picture/Television Film Commission. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1154. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with the owner of Royal Health and Racquet Club, Inc. (BR-1565). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1155. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with the owner of Sons Coram, LLC (BR-1599). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1156. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 13 – Windwatch with the owner of Islandia Village Center (IS-1602). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1157. To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 315. (Co. Exec.) BUDGET & FINANCE
1158. Authorizing the extension of a lease of County premises located at the Honor Farm in the Town of Brookhaven, NY for use by Long Island Lighting Company D/B/A LIPA. (Co. Exec.) WAYS & MEANS

1159. Accepting and appropriating grant funds received from the State of New York Unified Court System, 10th Judicial District, and Suffolk County Sex Offense Court. (Co. Exec.) PUBLIC SAFETY

1160. Extending authorization to construct a skate park in the Town of Brookhaven. (Browning) PARKS & RECREATION

1161. Authorizing use of Southaven County Park property in 2009 for a 5K Race. (Browning) PARKS & RECREATION

1162. Making a SEQRA determination in connection with the proposed purchase of replacement equipment at established tower sites, (CP 3017) – GPS System. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1163. Making a SEQRA determination in connection with the proposed (CP 8239) Phase III – Storm Drain Pollution Remediation Program installation of stormwater treatment systems on various County roads. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1164. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Clark’s Beach – Village of Greenport property, Town of Southold. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1165. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Wickham Creek – Dawson and Holland property, Town of Southold. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE

1166. Making a SEQRA determination in connection with the proposed stormwater remediation to CR 80, Montauk Highway at Oceanview Road, (CP 8240), Town of Southampton. (Pres. Off.) ENVIRONMENT, PLANNING & AGRICULTURE


1169. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1) (b)] for the Shanchuk property – Pine Barrens Core – Town of Brookhaven (SCTM No. 0900-199.00-01.00-002.000 and 0900-199.00-01.00-006.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1171. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the McGahey and Kilfeather property – Sagaponack Woods – Town of Southampton – (SCTM No. 0900-055.00-01.00-001.003). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1172. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1) (b)] for the Joachim property – Pine Barrens Core – Town of Riverhead (SCTM No. 0600-137.00-03.00-015.001). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1173. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Valiant Rock, LLC property – Saw Mill Creek addition – Town of Riverhead – (SCTM No. 0600-109.00-02.00-008.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1174. Authorizing acquisition of land under the Old Suffolk County Drinking Water Protection Program [C12-5(E) (1) (b)] for the Kunz and Stuart property – Pine Barrens Core – Town of Southampton (SCTM No. 0900-306.00-03.00-028.000, 0900-306.00-03.00-038.000 and 0900-306.00-04.00-018.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1175. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Brodmerkel property – Wading River Wetlands – Town of Riverhead – (SCTM No. 0600-029.00-02.00-013.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1176. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Salvatore Norberto property – Tuthills Creek/Pine Lake – Town of Brookhaven – (SCTM No. 0204-003.00-01.00-026.005). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1177. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Pokorny property – Southaven County Park addition – Town of Brookhaven – (SCTM No. 0200-744.00-03.00-006.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1178. Authorizing the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) – open space component – for the Dowling College property – Mastic/Shirley Conservation area – Town of Brookhaven – (SCTM No. 0200-982.10-04.00-009.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1180. Amending the 2009 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 19, Patchogue-Holbrook Road to Old Waverly Avenue, Town of Brookhaven (CP 5040). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1181. Appropriating funds in connection with strengthening and improving County roads (CP 5014). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1182. Amending the 2009 Operating Budget by eliminating partial funding for legislative newsletters. (Co. Exec.) BUDGET & FINANCE

1183. Appropriating funds in connection with the application and removal of lane markings (CP 5037). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1184. Appropriating funds in connection with the reconstruction of drainage systems on various County roads (CP 5024). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1185. Amending the 2009 Capital Budget and Program and appropriating funds in connection with the County share for reconstruction of CR 57, Bay Shore Road from Route 27 to Route 231, Town of Islip (CP 5523 PIN 0756.69). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1186. Appropriating funds in connection with the reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington (CP 5560). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1187. Authorizing a license agreement with the Chamber of Commerce of the Greater Ronkonkomas for Raynor Beach County Park, Lake Ronkonkoma. (Co. Exec.) PARKS & RECREATION

1188. Approving a license agreement for Shannon Barr to reside in Prosser Pines County Park, Middle Island. (Co. Exec.) PARKS & RECREATION

1189. Approving a license agreement for Tina Armstrong to reside in Southaven County Park, Shirley. (Co. Exec.) PARKS & RECREATION

1190. Authorizing a cooperative management agreement with the Nature Conservancy, Inc. (Co. Exec.) PARKS & RECREATION

1191. Establishing May as “Perinatal Mood Disorders Awareness Month” in Suffolk County. (Browning) HEALTH & HUMAN SERVICES

1192. Authorizing cultural tourism funding for 2009. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1193. Authorizing funding for Suffolk County Cultural Programming for 2009. (Co. Exec.) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY
1194. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 Thomas property – Town of Huntington (SCTM No. 0400-228.00-02.00-015.002 p/o). (D’Amaro) ENVIRONMENT, PLANNING & AGRICULTURE

1195. Authorizing certain technical corrections to the 2009 Adopted Operating Budget for the Family Counseling Services. (Schneiderman) WAYS & MEANS

1196. Appropriating funds in connection with intersection improvements on CR 19, Patchogue-Holbrook Road at Furrows Road (CP 5128). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1197. Appropriating funds in connection with improvements to County environmental recharge basins (CP 5072). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION

1198. Authorizing the lease of premises located at 3500 Sunrise Highway, Great River, NY for use by the Department of Social Services. (Co. Exec.) WAYS & MEANS

1199. Amending the Adopted 2009 Operating Budget and transfer funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program, and appropriating funds in connection with USGS monitoring of waterways for mosquito control products (CP 8710.126). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1200. Amending the Adopted 2009 Operating Budget and transfer funds from Fund 477 Water Quality Protection, amending the 2009 Capital Budget and Program, and appropriating funds in connection with analysis of stormwater drainage to Long Island Sound between Mt. Sinai and the Village of Shoreham (CP 8240.117). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1201. Directing the Department of Public Works to hold public hearings on new bus fares in order to implement Sunday bus service. (Schneiderman) PUBLIC WORKS & TRANSPORTATION

1202. Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007 (North Fork Preserve property – Town of Riverhead). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE

1203. Modifying the investment objective for the Vanderbilt Museum Endowment Trust Fund to preserve the $8.2 million corpus while maximizing income to provide for the future revenue needs of the museum. (Lindsay) PARKS & RECREATION

1204. Approving new operating agreement between Suffolk County and Suffolk County Community College. (Horsley) ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY

1205. Enhancing Administrative budget deficit control. (Co. Exec.) BUDGET & FINANCE

1206. To suspend the publication of newsletters. (Pres. Off.) WAYS & MEANS
HOME RULE MESSAGES

HR.1 Requesting the State of New York to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel efficient, alternative fuel, “Clean Fuel”, or electric motor vehicle (Assembly Bill A. 3159). (Romaine) BUDGET & FINANCE

HR.2 Requesting the State of New York to adopt an act to amend the Tax Law, in relation to the allocation of revenues from sales and use taxes to villages wholly or partially contained within Suffolk County (Assembly Bill A.1902). (Romaine) BUDGET & FINANCE

HR.3 Requesting the State of New York to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent light bulb (Assembly Bill A. 3149). (Romaine) BUDGET & FINANCE
RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, "A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS"; now, therefore be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

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 County departments are, increasingly, issuing Requests for Proposals (RFP) for consultant services.

This Legislature also determines that significant County manpower and resources are required to prepare a Request for Proposals.

This Legislature further finds that the issuance of a Request for Proposals and the subsequent hiring of a consultant often has the effect of advancing policy objectives that have not been embraced or endorsed by the County Legislature.

This Legislature finds and determines that County departments are presently required to notify the Clerk of the Suffolk County Legislature when they circulate a Request for Proposals involving a County contract in excess of $20,000.

This Legislature further finds that the County Legislature, as the policy making arm of Suffolk County Government, must exercise stronger control of the RFP process.

Therefore, the purpose of this local law is to require legislative approval for any contract in excess of $50,000 which results from a RFP process.

Section 2. Amendment.

Article 38 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

ARTICLE XXXVIII RFP PROCESS

* * *
C38-3. Legislative Approval.

A. Any County contract, contract amendment, contract extension or contract modification in excess of $50,000, resulting from the utilization of a Request for Proposals (RFP) shall require the approval of the County Legislature by duly enacted resolution.

[A.]B. Any County contract, contract amendment, contract extension or contract modification in excess of $20,000, resulting from the utilization of a[n] RFP process in which only one person responds to the RFP shall require the approval of at least two-thirds of the entire membership of the County Legislature by duly enacted resolution.

[B.]C. Any County contract, contract amendment, contract extension or contract modification that does not comply with Subsection A and B of this section shall be deemed null and void ab initio.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of 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: FEBRUARY 6, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: A CHARTER LAW TO INCREASE LEGISLATIVE OVERSIGHT OF RFP PROCESS

SPONSOR: LEGISLATOR ROMAINE

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

This proposed charter law would amend the County’s Request for Proposals (RFP) process to require that any County contract in excess of $50,000, resulting from the utilization of a RFP, receive the approval of the County Legislature by a duly enacted resolution. Presently, the County Legislature acts on contracts resulting from the RFP process only in those instances in which one person responds to a RFP.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-refile-oversight-rfp-process
RESOLUTION NO. -2009, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW TO ENSURE FIRE HYDRANT OPERABILITY AND SAFE WATER PRESSURE LEVELS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009, a proposed local law entitled, "A LOCAL LAW TO ENSURE FIRE HYDRANT OPERABILITY AND SAFE WATER PRESSURE LEVELS IN SUFFOLK COUNTY," now, therefore, be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENSURE FIRE HYDRANT OPERABILITY AND SAFE WATER PRESSURE LEVELS 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 ensuring the proper functioning of fire safety equipment in Suffolk County is essential to protecting public safety.

This Legislature also finds and determines that at a recent fire in a private co-operative community in Selden, firefighters experienced difficulty in performing their duties due to inadequate water flow coming from a fire hydrant.

This Legislature further finds and determines that fire hydrants and the water flow from hydrants in private residential communities within Suffolk County are not maintained by towns and villages, but are instead the responsibility of the private owner.

This Legislature finds that, pursuant to the New York State Fire Code §508.5.3, private fire hydrants are to be tested for operation and flow each year.

This Legislature determines that, while the towns and villages are the entities primarily involved in the inspection and maintenance of fire hydrants, Suffolk County has a role to play in making certain that all the necessary parties have the information they need to fight fires as safely and efficiently as possible.

Therefore, the purpose of this law is to require private residential communities to annually file a certification with Suffolk County that they have performed the required annual test of their fire hydrants and have provided the results of those tests to their town or village fire marshal and local fire department.
Section 2. Amendments.

Chapter 294 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 294, FIRE PREVENTION

* * * *

ARTICLE II, Testing of Fire Hydrants in Private Communities


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

DEPARTMENT -- the Suffolk County Department of Fire Rescue and Emergency Services.

PRIVATE RESIDENTIAL COMMUNITY -- a residential community containing apartments, condominiums, townhouses, co-operative housing, and one or two family homes that utilize a private community water system, as defined in the Suffolk County Sanitary Code §760-601, and which is required to annually inspect and test fire hydrants pursuant to §508.5.3 of the New York State Fire Code.

OWNER -- the person(s) and/or corporation(s) that hold a possessory interest in a parcel of real property on which a private residential community is built, the person(s) or corporation(s) hired for the purpose of providing day to day management of a private residential community, or the person(s) responsible for ensuring that the annual fire hydrant testing is performed under the New York State Fire Code §508.5.3 for that specific property.


A.) The owner of a private residential community shall submit a copy of the report generated from its annual fire hydrant testing performed pursuant to the New York State Fire Code §508.5.3 to the town or village fire marshal and local fire department within thirty (30) days of receiving the original report. The aforementioned report shall include, but not be limited to, the water pressure level coming out of each hydrant as measured by pounds per square inch (psi) and a calculation of the number of gallons of water per minute from each hydrant based on a reading of 20 psi of flowing pressure.

B.) The owner of a private residential community shall submit a complete sworn affidavit, the form of which shall be established by the Department, with the Department that said owner has performed the fire hydrant testing which must be conducted annually under the New York State Fire Code §508.5.3, and has filed a report containing the information described in Subsection (A) with its local town or village fire marshal and local fire department. This affidavit shall be filed with the Department within 15 days after the report described in Subsection (A) is filed with the town or village fire marshal or the local fire department.
§ 294-10. Penalties.

A.) Owners who fail to file a report or an affidavit as required in Section 3 shall be subject to a civil penalty in an amount of not less than two hundred fifty dollars ($250) and not more than one thousand dollars ($1,000) for each day beyond December 31st that the affidavit remains unfiled with the Department. Each violation shall constitute a separate offense.

B.) Any owner who submits a false, fictitious, or fraudulent statement to the Department shall be guilty of a Class A misdemeanor, punishable by a fine of not less than five hundred dollars ($500) and not more than two thousand dollars ($2,000), six (6) months' imprisonment, or both. Each violation shall constitute a separate offense.


The Department shall promulgate such rules and regulations as it deems necessary for the implementation and enforcement of any provisions of this chapter. Such rules shall govern the conduct of adjudicatory proceedings relating to the assessment of civil penalties herein authorized and such other penalties authorized under this article. Such rules shall further provide for due process procedural mechanisms and any other mechanisms deemed necessary by the Department.

ARTICLE III, [II] Servicing of Portable Fire Extinguishers and Automatic Fire Extinguishing Systems


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§294 [12] 16. Minimum requirements to qualify for license and/or limited license.

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§294 [14] 18. Term of licenses; renewal: conditions; display required.
**Section 3. Applicability.**

This law shall apply to all fire hydrant operability tests required pursuant to the New York State Fire Code §508.5.3 for the calendar year 2009 and all such tests for each subsequent year.

**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 on the ninetieth (90th) day immediately subsequent to its’ filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language
___ Underlining denotes addition of new language
DATE: February 11, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO ENSURE FIRE HYDRANT OPERABILITY AND SAFE WATER PRESSURE LEVELS IN SUFFOLK COUNTY

SPONSOR: LEGISLATORS EDDINGTON AND BEEDENBENDER

DATE OF RECEIPT BY COUNSEL: 2/11/09  PUBLIC HEARING: 3/24/09

DATE ADOPTED/NOT ADOPTED:  CERTIFIED COPY RECEIVED: 

This proposed local law would require the owners of private residential communities to submit a copy of their annual fire hydrant tests, performed pursuant to NYS Fire Code §508.5.3, to the town or village fire marshal and their local fire department within 30 days of its receipt. The proposed law would also require owners to submit a sworn affidavit to the Suffolk County Department of Fire, Rescue and Emergency Services stating that said report was properly filed with the appropriate authorities by December 31st each year.

Failure to file a report or affidavit as described above would be punishable by a civil fine of not less than $250 and not more than $1,000 dollars per day. The filing of a fraudulent affidavit shall be a Class A misdemeanor punishable by a fine of not less than $500 and not more than $2,000, or six months' imprisonment, or both.

This law will be enforced by the Suffolk County Department of Fire, Rescue, and Emergency Services, with the same promulgating all rules and regulations necessary to implement this law. This law will apply to all fire hydrant tests in private residential communities from the 2009 calendar year forward.

This law takes effect ninety days after its filing with the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on __________, 2009, a proposed local law entitled, "AMENDING LOCAL LAW NO. 53-2008, TO PROVIDE PARKING FOR “CLEAN PASS” VEHICLES AT COUNTY FACILITIES" now, therefore, be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

AMENDING LOCAL LAW NO. 53-2008, TO PROVIDE PARKING FOR “CLEAN PASS” VEHICLES AT COUNTY FACILITIES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 53-2008 set aside parking spaces at all County facilities for “clean pass” certified vehicles.

This Legislature also finds and determines that enforcement of this law is carried out through the Suffolk County Police Department and the Suffolk County Sheriff’s Office.

This Legislature further finds and determines that this law should be amended to authorize Suffolk County Park Police to enforce the provisions of this law in County parks.

Therefore, the purpose of this law is to authorize the Suffolk County Park Police to enforce the “Clean Pass” law.

Section 2. Amendments.

Section 5 of Local Law No. 53-2008 is hereby amended as follows:

Section 5. Enforcement.

Provisions of this local law shall be enforced by the Suffolk County Police Department, [and] the Suffolk County Sheriff, and the Suffolk County Park Police.
Section 3. Applicability.

The amendment contained in this law shall take effective immediately upon the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect immediately upon 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\ll-amend green spaces
DATE: February 18, 2009

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. 1123 -2009; AMENDING LOCAL LAW NO. 53-2008, TO PROVIDE PARKING FOR "CLEAN PASS" VEHICLES AT COUNTY FACILITIES

SPONSOR: LEGISLATOR HORSLEY

DATE OF RECEIPT BY COUNSEL: 02/18/09  PUBLIC HEARING: 03/24/09

DATE ADOPTED/NOT ADOPTED:              CERTIFIED COPY RECEIVED: 

This proposed local law would amend Local Law No. 53-2008 to allow the Suffolk County Park Police to enforce the "Clean Pass" law.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-local law amending clean pass vehicle enforcement
RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #313

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

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

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

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Year</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback or Refund, if paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brookhaven:</td>
<td></td>
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<tr>
<td>0200-946.00-03.00-020.001</td>
<td>2007/08</td>
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<td>Item # 8529994</td>
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<tr>
<td>0200-946.00-03.00-020.001</td>
<td>2008/09</td>
<td>$9917.75</td>
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<tr>
<td>Item #8529994</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Dated: Approved By:

Suffolk County Executive

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

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

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

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

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

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

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

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

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

9. Timing of Impact
   - Variable

10. Typed Name & Title of Preparer
    Angie M. Carpenter
    County Treasurer

11. Signature of Preparer
    Angie M. Carpenter

12. Date
    1/30/09
Additional back-up material regarding I.R. 1124 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #314

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

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

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

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Year</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback or Refund, if paid</th>
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<tbody>
<tr>
<td>SMITHTOWN:</td>
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<td>2008/09</td>
<td>$9966.58</td>
<td>0.00</td>
<td>$9966.58</td>
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</tbody>
</table>

Dated: 

Approved By:

__________________________________________________________________________
Suffolk County Executive

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

1. Type of Legislation
   ResolutionXXX Local Law Charter Law

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

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

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

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

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

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

9. Timing of Impact
   Variable

10. Typed Name & Title of Preparer
    Angie M. Carpenter
    County Treasurer

11. Signature of Preparer
    Angie M. Carpenter

12. Date
    2/03/09
Additional back-up material regarding I.R. 1125 is on file in the
Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. # 2009
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 803-2009)

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

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

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

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

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to
the respective TOWN as provided by law.
### RESOLUTION NO.  
**CONTROL#: 803-2009**

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

<table>
<thead>
<tr>
<th>Key</th>
<th>Town</th>
<th>Year</th>
<th>Item No.</th>
<th>S.C. Tax Map No.</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback Refund, if Tax Paid</th>
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<td>A</td>
<td>SHELTER ISLAND</td>
<td>08/09</td>
<td>N/A</td>
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<td>5357.71</td>
<td>2010.60</td>
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<td>A</td>
<td>SOUTHAMPTON</td>
<td>07/08</td>
<td>N/A</td>
<td>900 841 8.16</td>
<td>12830.12</td>
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<td>07/08</td>
<td>N/A</td>
<td>900 841 8.14</td>
<td>12830.12</td>
<td>6175.65</td>
<td>6654.47</td>
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<td>A</td>
<td>SOUTHAMPTON</td>
<td>07/08</td>
<td>N/A</td>
<td>900 841 8.12</td>
<td>12028.10</td>
<td>6175.65</td>
<td>5852.45</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:  

Page 2 of 2
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution  X  Local Law  Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation  Yes  No

SEE NO. 2 ABOVE

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

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

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

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

   N/A

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

   N/A

8. Proposed Source of Funding

   N/A

9. Timing of Impact

   2009

10. Typed Name & Title of Preparer  R. Motschenbacher  RPAT. I
11. Signature of Preparer
12. Date February 4, 2009
Additional back-up material regarding I.R. 1126 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 1127-2009, APPROVING THE APPOINTMENT OF JOHN CARNEY TO THE SUFFOLK COUNTY CITIZENS CORP COUNCIL

WHEREAS, Resolution No. 1283-2004 authorized the creation of the Suffolk County Citizens Corp Council to develop and coordinate volunteer programs to assist in emergency response activities; and

WHEREAS, pursuant to Resolution No. 1283-2004 the Suffolk County Executive has appointed John Carney, residing in Bay Shore, New York 11706, as a member of the Suffolk County Citizens Corp Council; now, therefore be it

1st RESOLVED, that the appointment of John Carney as a member of the Suffolk County Citizens Corp Council is hereby approved, said appointment effective the date of enactment of this resolution; and be it further

2nd RESOLVED, that the term of this initial appointment shall be three years, consistent with the provisions of Resolution No. 1283-2004.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:
John J Carney
Bay Shore, New York 11706

CAREER OBJECTIVE
To obtain a position at the Long Island MacArthur Airport that will continue to enhance my technical proficiency in the area of airport firefighting and rescue and provide me with diversified challenges and a solid work experience in airport fire rescue management.

WORK EXPERIENCE

May 1998 to present
Town of Islip, Department of Aviation and Transportation - Maintenance Mechanic 3 assigned to Fire Rescue Program – Long Island MacArthur Airport

Responsibilities include: aircraft firefighting; responding to aircraft emergencies; emergency medical care within the airport; acting as Emergency Medical Coordinator that involves maintaining medical response equipment, ordering supplies, quality assurance of pre-hospital reports, and overseeing the Public Access Defibrillation Program; hazmat calls at the airport; daily runway inspections; manning the Radio Room and console area; monitoring the aircraft and fire radios; and snow removal at the airport grounds.

Also managed all responsibilities handled by Chief Fire Safety Officer in his absence from 2004 through present.

1994 - 1998
Town of Islip, Department of Aviation and Transportation – Maintenance Mechanic 1 assigned to Fire Rescue Program of the Long Island MacArthur Airport

Responsibilities included: aircraft firefighting; responding to aircraft emergencies, fuel spills, hazmat calls; participating in the snow removal program at the airport; daily runway inspections and monthly fuel truck inspections.

1993 – present
Town of Islip Hazmat Team – Hazmat Team Leader/Hazmat Specialist

Appointed as a member of the Town of Islip Hazmat Team in 1993. Has been acting as Hazmat Team Leader since 2000 to the present.

Responsibilities include: responding to scenes of all hazmat incidents in the Town of Islip; evaluating a hazmat situation and determining emergency response actions; assisting the Hazmat Coordinator with his responsibilities and assumes the position of Hazmat Coordinator.

1989 – 1990
Coram Fire Department, Coram, New York – Radio Dispatcher

Responsibilities included: Dispatch of fire and rescue alarms via computer-aided dispatch system; filling out New York State fire reports and pre-hospital care reports and telecommunications
1988 – 1989  Holbrok Brook Fire Department, Holbrook, New York –
Radio Dispatcher

Responsibilities included: Dispatch of fire and rescue alarms via computer-aided
dispatch system; filling out New York State fire reports and pre-hospital care reports and
telecommunications

1988  Jamaica Hospital Trauma Center, Jamaica, New York –
Emergency Medical Technician

Responsibilities included: Responding to emergency rescue alarms dispatched via the
911 system; providing emergency patient care and transport to hospital as an
Emergency Medical Technician

1987  New York City Emergency Medical Services, Maspeth, New York –
Emergency Medical Specialist I

Responsibilities included: Responding to emergency rescue alarms dispatched via the
911 system; providing emergency patient care and transport to hospital as an
Emergency Medical Technician

VOLUNTEER ACTIVITIES

2003 - present  Brentwood Fire Department – current Chief of Department; previously served two-year
positions of each of the following ranks: First Assistant Chief, 2nd Assistant Chief, and 3rd
Assistant Chief

Oversees response and acts as the Incident Commander to all fires and emergency
incidents in the Brentwood Fire District including structure fires, vehicle fires, EMS
assists, hazardous materials incidents, technical rescues; brush fires, and any other
incidents requiring the Department response. Responsible for working closely with the
Brentwood Fire District in ensuring compliance of the 175 members of the Department’s
to federal, state, and local codes and regulations. Responsible for ordering and issuing
firefighting equipment; chairs the Department Hazmat Committee, Department
Recruitment Committee;

2008 – present  2nd Vice President - Suffolk County Fire Chiefs’ Council
Sergeant-of-Arms – 2007-2008
Corresponding Secretary – 2006-2007
Member of Executive Board – since 2006
Member of Suffolk County Joint Council

2006 - 2008  President of the Town of Islip Chiefs Council
Chairman of the Town of Islip Chiefs Emergency Management Committee
Chairman of the Town of Islip Tactical Rescue Committee
Representative to Suffolk County Homeland Security/Hazmat Committee
Representative to Suffolk County Joint Chiefs’ Council

1984 – present  Member - Brentwood Legion Ambulance
President of Brentwood Legion Ambulance – 1991-1993
CERTIFICATIONS

ICS 100  Introduction to Incident Command Systems
ICS 200  ICS for Single Resources and Initial Action Incidents
ICS 300  Incident Command System Training
ICS 400  Advanced Incident Command System Training
ICS 700  NIMS Awareness
ICS 800  National Response Plan

2006  Introduction to Hurricanes
2006  Hurrevac/SLOSH Course
2006  Hurricane Readiness Course
2005  Hazardous Materials – 14 CFR 139 Section 321
2005  WMD Response (100)
2005  Airport Rescue Firefighter School – 40 hrs – Northeast Fire Training Center
2003  Patient Decon & Administration of Chemical Agent Antidote
1995  Emergency Response to Hazardous Material Incidents

New York State

2003  Hazardous Materials Specialist
1998  Computer Aided Management of Emergency Operations
1998  Construction Related to Building Failure
1998  Medium Construction Related to Building Failures
1998  Medium Structural Collapse Operations: Tools
1999  Intermediate Rope Rescue
1998  Initial Response to Terrorism: Basic Concepts
1998  Basic Structural Collapse Operations
1997  Confined Space: Rescue Operations 2
1996  Rescue Operations I & II
1996  Terrorism Awareness
1994  Hazardous Materials First Responder Operations
1993  Hazardous Materials Incident Command

Suffolk County

2005  Suffolk County Hazmat/ICS
2001  Fire Officer’s Training
1999  Firefighter I Upgrade
1999  Basic Trench Concepts and Collapse
1997  Arson and Bomb Recognition Seminar
1995  Volunteer Fire Service Management
1995  Heavy Rescue Course
1995  Cause and Origin Determination
1995  Fire Behavior and Arson Awareness
1993  Advanced Firefighters Certificate
1993  Incident Command Systems
1. Type of Legislation

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

2. Title of Proposed Legislation

APPROVING THE APPOINTMENT OF JOHN CARNEY TO THE SUFFOLK COUNTY CITIZENS CORP COUNCIL

3. Purpose of Resolution: Same as 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): Community College</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

NO IMPACT

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

N/A

8. Proposed Source of Funding

N/A

9. Timing of Impact

UPON APPROVAL

<table>
<thead>
<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
<th>11. Signature of Preparer</th>
<th>12. Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>STEVE R. TRICARICO COUNTY EXECUTIVE ASSISTANT</td>
<td>[Signature]</td>
<td>February 11, 2009</td>
</tr>
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SIN FORM 175b (10/95)
RESOLUTION NO. - 2009, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 FRANK J. SANTO and IRENE SANTO, his wife (SCTM NO. 0902-004.00-02.00-067.000)

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 Incorporated Village of Quogue, Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0902 Section 004.00 Block 02.00 Lot 067.000 and acquired by Tax Deed on July 26, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at Page 302 and described as follows, being and intended to be that parcel of land carried on the tax rolls of the Incorporated Village of Quogue, Town of Southampton, under SCTM # 0902-004.00-02.00-067.000; and

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

WHEREAS, Frank J. Santo and Irene Santo, his wife, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $4,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,300.00, 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 his designee, has received and deposited the sum of $4,500.00, 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 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 his designee, be and he hereby is authorized to execute and acknowledge a Bargain and Sale Deed, with Planning Restrictive Covenant to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Frank Santo and Irene Santo, 1135 84th Street, Brooklyn, New York 11228.

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. 0902-004.00-02.00-067.000

<table>
<thead>
<tr>
<th>ADJOINING OWNER</th>
<th>BID</th>
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<tr>
<td>Frank J. &amp; Irene Santo</td>
<td>$4,500.00</td>
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<tr>
<td>1135 84th Street</td>
<td></td>
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<td>Brooklyn, New York 11228</td>
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<tr>
<td>Michael &amp; Wendy Lubin</td>
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<td>425 East 58th Street</td>
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<tr>
<td>New York, New York 10022</td>
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<td>Harold &amp; Mary Smith</td>
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</tbody>
</table>

SIZE OF PARCEL: 49' x 120' x 25' x 162'  
APPRAISED VALUE: $2,300.00  
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

   2009

10. Name & Title of Preparer   Signature of Preparer   Date

    Lori Bertone- LMS II   ____________________   2/5/09
Ben Zwirn  
Deputy County Executive  
Intergovernmental Relations  
H. Lee Dennison Bldg. 11th Flr.  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, NY 11788  

Re: Tax Map Number: 0902-004.00-02.00-067.000

Dear Mr. Zwirn:

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,

Christopher E. Kent  
Director of the Division of Real Property Acquisition and Management

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

Copy to: Brendan Chamberlain, County Executive Assistant (2 hard copies)  
Thomas A. Isles, Director of Planning  
CE Reso Review, via e-mail
RESOLUTION NO. -2009, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE CONSTRUCTION OF RIGHT TURN LANES, C.R. 3, WELLWOOD AVENUE, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK (C.P. 5521)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled “MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE CONSTRUCTION OF RIGHT TURN LANES, C.R. 3, WELLWOOD AVENUE, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK”, and

WHEREAS, on February 15, 2002, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 91-2002 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution Numbers 1029-2003 and 127-2006, the Department of Public Works was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the South Shore Press and the Smithtown News, said newspapers being the current official County newspapers of the County of Suffolk; and the Babylon Beacon, the official town newspaper situated in the locality where the public project is located; and

WHEREAS, a public hearing was duly held on October 24, 2008, for the following purposes:

A. To inform the public
B. To review the public use to be served by the above-entitled project.
C. To determine the impact upon the environment and upon residents of the locality of the project.
D. To review possible alternative locations.
E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on December 3, 2008, pursuant to pursuant to Adopted Resolution Numbers 1029-2003 and 127-2006; and
WHEREAS, a brief synopsis thereof was duly published in two successive issues in the South Shore Press and the Smithtown News, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the Babylon Beacon, which, at the time of publication was the current official town newspaper situated in the locality where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on December 3, 2008, pursuant to Adopted Resolution Numbers 1029-2003 and 127-2006; now therefore, be it

1st RESOLVED that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on December 3, 2008, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd RESOLVED, that the maps entitled “MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE CONSTRUCTION OF RIGHT TURN LANES, C.R. 3, WELLWOOD AVENUE, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK”, being the maps heretofore filed with the Clerk of the Suffolk County Legislature on December 3, 2008, pursuant to Adopted Resolution Numbers 1029-2003 and 127-2006, be and the same are hereby approved and adopted; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the “one offer” system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent
Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

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>
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</table>

2. **Title of Proposed Legislation**

RESOLUTION NO. 2009-2, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE CONSTRUCTION OF RIGHT TURN LANES, C.R. 3, WELLWOOD AVENUE, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK (C.P. 5521)

3. **Purpose of Proposed Legislation**

SEE NO. 2 ABOVE

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

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

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

(circle appropriate category)

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

6. **If the answer to item 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.

9. **Timing of Impact**

2009

10. **Typed Name & Title of Preparer**

CARMINE CHIUSANO
PRINCIPAL FINANCIAL ANALYST

11. **Signature of Preparer**


12. **Date**

SCIN FORM 175b (10/95)
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Gilbert Anderson, P.E., Commissioner

DATE: February 5, 2009

RE: APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE CONSTRUCTION OF RIGHT TURN LANES, C.R. 3, WELLWOOD AVENUE, TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK (C.P. 5521)

Attached is a draft resolution and one duplicate copy approving the Findings & Maps and authorizing the County to condemn properties situated in the Town of Islip, Suffolk County, New York. Also attached are SCIN Forms 175a and 175b.

The purpose of this resolution is to approve the Hearing Officer's Findings and authorize the acquisition of land for this DPW project.

Approval of this resolution is required by the New York State Eminent Domain Procedure Law before the Condemnation may proceed.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "Reso-DPW-CR 100 Intersection Improvements – CP 5065."

Should you have any questions or require further information, please feel free to contact Geoff Mascaro, Property Management Administrator at (631) 852-5321.

GA:WH:gm
Attach. (4)
cc: Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
RESOLUTION NO. 1130-09, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR INTERSECTION IMPROVEMENTS ON C.R. 100, SUFFOLK AVENUE AND BRENTWOOD ROAD / WASHINGTON AVENUE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK (C.P. 5065)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled “MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS TO C.R. 100 SUFFOLK AVENUE AT BRENTWOOD ROAD / WASHINGTON AVENUE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK”; and

WHEREAS, on December 20, 2002, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 1184-2002 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution Numbers 915-2004 and 127-2006, the Department of Public Works was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the South Shore Press, said newspapers being the current official County newspapers of the County of Suffolk; and the Islip Bulletin, the official town newspaper situated in the locality where the public project is located; and

WHEREAS, a public hearing was duly held on November 28, 2008 for the following purposes:

A. To inform the public
B. To review the public use to be served by the above-entitled project.
C. To determine the impact upon the environment and upon residents of the locality of the project.
D. To review possible alternative locations.
E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on January 9, 2009, pursuant to Adopted Resolution Numbers 915-2004 and 127-2006; and
WHEREAS, a brief synopsis thereof was duly published in two successive issues in the
Smithtown News and the Smithtown Messenger, said newspapers at the time of publication being
the current official County newspapers of the County of Suffolk; and the Islip Bulletin, which, at the
time of publication was the current official town newspaper situated in the locality where the public
project is located, together with the publication thereof in two successive issues of Newsday, a
daily newspaper of general circulation; and

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County
Legislature on January 9, 2009, pursuant to Adopted Resolution Numbers 915-2004 and 127-
2006; now therefore, be it

1st RESOLVED that the Findings and Determinations heretofore filed with the Clerk of the
Suffolk County Legislature on January 9, 2009, and the recommendations contained therein be
and the same are hereby adopted and approved; and be it further

2nd RESOLVED, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED
FOR INTERSECTION IMPROVEMENTS TO C.R. 100 SUFFOLK AVENUE AT BRENTWOOD
ROAD / WASHINGTON AVENUE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK", being the
maps heretofore filed with the Clerk of the Suffolk County Legislature on January 9, 2009, pursuant
to Adopted Resolution Numbers 915-2004 and 127-2006 be and the same are hereby approved
and adopted; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is
authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New
York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make
offers to the Condemnees by means of the "one offer" system as set forth in the Rules,
Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the
New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is
authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in
the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said
lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is
authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by
negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of
Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is
hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent
Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain
Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they
hereby are authorized to appear for and represent the County of Suffolk in all courts having
jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, his Deputies and Assistant County Attorneys be and
they hereby are authorized and permitted to compromise, adjust, and settle any claims for
compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent
Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

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. 2009-001, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR INTERSECTION IMPROVEMENTS ON C.R. 100, SUFFOLK AVENUE AND BRENTWOOD ROAD / WASHINGTON AVENUE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK (C.P. 5065)

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 Economic Impact
Town
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

CARMINE CHIUSANO
PRINCIPAL FINANCIAL ANALYST

11. Signature of Preparer

12. Date

SCIN FORM 175b (10/95)
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS
GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner
DATE: February 5, 2009

RE: APPROVING MAPS AND AUTHORIZING THE ACQUISITION
OF LANDS TOGETHER WITH FINDINGS AND
DETERMINATIONS PURSUANT TO SECTION 204 OF THE
EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION
WITH THE ACQUISITION OF PROPERTIES FOR
INTERSECTION IMPROVEMENTS ON C.R. 100, SUFFOLK
AVENUE AND BRENTWOOD ROAD / WASHINGTON
AVENUE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW
YORK (C.P. 5065)

Attached is a draft resolution and one duplicate copy approving the Findings & Maps and
authorizing the County to condemn properties situated in the Town of Islip, Suffolk County,
New York. Also attached are SCIN Forms 175a and 175b.

The purpose of this resolution is to approve the Hearing Officer’s Findings and authorize the
acquisition of land for this DPW project.

Approval of this resolution is required by the New York State Eminent Domain Procedure Law
before the Condemnation may proceed.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title
“Reso-DPW-CR 100 Intersection Improvements – CP 5065.”

Should you have any questions or require further information, please feel free to contact Geoff
Mascaro, Property Management Administrator at (631) 852-5321.

GA:WH:gm
Attach. (4)
cc Jim Morgo, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst

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. 1131-09

AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT

ESTATE OF LILLIAN GONZALES, a/k/a LILLIAN A. GONZALES, a/k/a LILLIAN GONZALES by Administrator Patricia Gonzales, a/k/a Patricia Gonzalez, f/k/a Patricia Ramon
0200-925.00-03.00-053.000

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 925.00, Block 03.00, Lot 053.000, and acquired by tax deed on January 10, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 24, 2007, in Liber 12488, at Page 875, and otherwise known as and by Town of Brookhaven, known and designated as Lot No. 7 on a certain map entitled “Map of Swan Lake Hills, Section 1” filed in the Office of the Clerk of the County of Suffolk on January 11, 1960 as Map 3107; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on January 10, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on January 24, 2007 in Liber 12488 at Page 875.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ESTATE OF LILLIAN GONZALES, a/k/a LILLIAN A. GONZALES, a/k/a LILLIAN GONZALES by Administrator Patricia Gonzales, a/k/a Patricia Gonzalez, f/k/a Patricia Ramon, has made application of said above described parcel and ESTATE OF LILLIAN GONZALES, a/k/a LILLIAN A. GONZALES, a/k/a LILLIAN GONZALES by Administrator Patricia Gonzales, a/k/a Patricia Gonzalez, f/k/a Patricia Ramon, has paid the application fee and will be paying $62,717.28 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; 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 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 Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF LILLIAN GONZALES, a/k/a LILLIAN A. GONZALES; a/k/a LILLIAN GONZALES by Administrator Patricia Gonzales, a/k/a Patricia Gonzalez, f/k/a Patricia Ramon, 17 Circle Drive East, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED:

APPROVED BY: ________________________________

    County Executive of Suffolk County

Date of Approval: ________________________________

50.1
SUFFOLK COUNTY
DIVISION OF REAL PROPERTY
ACQUISITION AND MANAGEMENT
CLOSING STATEMENT

January 26, 2009

Tax Map No.: 0200-925.00-03.00-053.000
Name of Last Legal Fee Owner: ESTATE OF LILLIAN GONZALES, a/k/a LILLIAN A. GONZALES,
a/k/a LILLIAN GONZALES by Administrator Patricia Gonzales,
a/k/a Patricia Gonzalez, f/k/a Patricia Ramon

TREASURER’S COMPUTATION........... $56,016.02
Taxes..................2008/2009.........................$ 6,701.26
Recording Fees collected for County Clerk.. N/A
License Fee ............................................. OPEN
Repairs...................................................... N/A
Interest..................................................... N/A
Miscellaneous Expenses.......................... N/A

TOTAL........................................ $62,717.28

Monies to be Received.........................$62,717.28

RESOLUTION AMOUNT...........................$62,717.28

APPROVED:

PREPARED BY:

Diane Bishop
Redemption Unit
(631) 853-5932

Karen Slater
Accounting
DB:sc
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
Resolution X
Tax Map Number 0200-925.00-03.00-053.000

2. Title of Proposed Legislation
Authorizing the Director of the Division of Real Property Acquisition and Management and/or his 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
2009

10. Typed Name & Title of Preparer  Signature of Preparer  Date
Diane Bishop   Diane Bishop  1/26/09
### COMPUTATION BY SUFFOLK COUNTY TREASURER

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>SECTION</th>
<th>BLOCK</th>
<th>LOT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0200</td>
<td>925.00</td>
<td>03.00</td>
<td>053.00</td>
</tr>
</tbody>
</table>

A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

- 2001/02: 5503.20
- 2003/04: 9567.98
- 2004/05: 9280.95
- 2005/06: 8750.10
- 2006/07: 8080.37
- 2007/08: 6185.12

**2002/03 PROPERTY TAXES PAID BY THE ESTATE OF LILLIAN GONZALES**

**TOTAL:** 47367.72

B. INTEREST DUE: 5980.87
C. TOTAL: 53348.59
D. 5% LINE C: 2667.43

---

H. TOTAL DUE: $56,016.02

---

### CERTIFICATION BY COUNTY TREASURER

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

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

16-Dec-08

Diane M. Stuke
Deputy County Treasurer

**Interest and penalty computed to and including 06/14/09**

dz
## Town of Brookhaven
### Department of Tax Receiver

<table>
<thead>
<tr>
<th>COUNTY OF SUFFOLK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item Number: 3125730</td>
</tr>
<tr>
<td>SCTM: 0210-925-00-03-053-000</td>
</tr>
<tr>
<td>Status: ACTIVE</td>
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<tr>
<td>City: PATCHOGUE</td>
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<tr>
<td>Zip: 11772-0000</td>
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</table>

### Statement of Taxes

#### With Exemptions

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<thead>
<tr>
<th>BANK + MORTGAGE NO.:</th>
<th>STAR SAVINGS</th>
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<tbody>
<tr>
<td>CURRENT AS OF:</td>
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<table>
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<tr>
<th>Levy Description</th>
<th>District Taxable Value</th>
<th>District Tax Amount</th>
<th>Prior Year % Change</th>
<th>Exempt Code</th>
<th>Taxable Value Adjusted by Exemption</th>
<th>Tax Rate Per $100</th>
<th>Tax Amount</th>
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<tbody>
<tr>
<td><strong>SCHOOL TAX</strong></td>
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<td></td>
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<td>6,128.71</td>
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<tr>
<td>CHS - PATCHOGUE</td>
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<td>74,580,049.74</td>
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<td>2,925</td>
<td>193.014</td>
<td>5,645.60</td>
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<td>13,193,230.20</td>
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<td>DUNNY OF SUFFOLK - POLICE</td>
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<td><strong>OTHER TAX</strong></td>
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<td>574.55</td>
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<td>CM BOND ACT OF 2004</td>
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<td>SMOKEHAVEN REFUSE-RECYCLING IMP 2 FAM</td>
<td>22,285,764</td>
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<td>DE DIST - NORTH PATCHOGUE</td>
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<td>RE DIST - ORCH 1 DISTRICT</td>
<td>430,878,023</td>
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<td>IAL PROPERTY TAX LAW - ARTICLE 7</td>
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<td>IAL PROPERTY TAX LAW</td>
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<td>S</td>
<td>4,757</td>
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</table>

### Total Tax

- **FIRST HALF TAX**: 3,350.63
- **SECOND HALF TAX**: 3,350.63
- **TOTAL TAX**: 6,701.26
- **TOTAL TAX RATE**: 297.324
RESOLUTION No. 2009 - TO ADOPT THE AMENDED SUFFOLK COUNTY PRE-DISASTER MITIGATION PLAN AS APPROVED BY FEMA ON JANUARY 14, 2009.

WHEREAS, Resolution No. 184-2006 accepted and appropriated 75% federal pass-through grant funds from the NYS Emergency Management Office (SEMO) through the Federal Emergency Management Agency (FEMA) to the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) for a FY2005 Pre-Disaster Mitigation Planning (PDMC) Grant; and

WHEREAS, FEMA approved the initial Suffolk County Pre-Disaster Mitigation Plan “pending local adoption”; and

WHEREAS, this Legislature adopted, on August 20, 2008, in Resolution 730-2008 the initial Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on March 26, 2008 and voted that additional county legislative approval would be sought following FEMA’s approval of the enhanced and amended final plan as described herein in 2009; and

WHEREAS, the Plan was able to be prepared by Suffolk County and its participating municipalities under budget, and as a result, FEMA has approved additional scope items for inclusion into the Plan under the original grant funding in a letter dated June, 16, 2008; and

WHEREAS, additional scope items were added to the approved plan including the addition of the Towns of Brookhaven and East Hampton into the Plan, the addition of an Earthquake Hazard, an update of the Plan for a new FEMA loss estimation software package (HAZUS MH3), and inclusion of a cost estimating catalog; and

WHEREAS, FEMA has extended the FY2005 PDMC grant through May 13, 2009; and

WHEREAS, FEMA approved the Amended Suffolk County Pre-Disaster Mitigation Plan "pending local adoption" on January 14, 2009; and

WHEREAS, the amended scope must be re-adopted by the Suffolk County Legislature, following FEMA’s re-approval of the Plan, to be eligible for FEMA Grant funding; now, therefore be it

1st RESOLVED, that the PDMC Grant has been amended to reflect the total grant funds available to FRES (001-FRE-4374) of $1,137,735, Planning (001-PLAN-4374) of $7,385 and ITS (001-ITS-4374) of $12,022 over the life of the Grant; and be it further

2nd 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; and be it further
3rd RESOLVED, that this Legislature adopts the Amended Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on January 14, 2009; and be it further

4th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the Federal Emergency Management Agency and New York State Emergency Management Office and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality’s participation in the above referenced project.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

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

1. Type of Legislation
   Local Law: __________  Charter Law: __________  Resolution: __X__

2. Title of Proposed Legislation:
   Resolution to adopt the Amended Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on January 14, 2009.

3. Purpose of Proposed Legislation:
   This Resolution is needed to adopt the Amended Hazard Mitigation Plan which was approved by the Federal Emergency Management Agency (FEMA) on January 14, 2009. Resolution 184-2006 accepted and appropriated 75% federal pass-through grant funds from the NYS Emergency Management Office through FEMA to the Suffolk County Dept of FRES for a FY2005 Pre-Disaster Mitigation Planning (PDMC) Grant and to execute grant related agreements. The plan was established under budget and as a result FEMA has extended the grant expiration to May 13, 2009 and, with original grant funds, FEMA is allowing Brookhaven and East Hampton Towns to be added as well as the following scope items: (1) Addition of an Earthquake Hazard; (2) Update of the Plan for a new FEMA loss estimation software package (HAZUS MH3); and (3) Inclusion of a cost estimating catalog. Resolution 730-2008 amended the 2008 Operating Budget for the FEMA approved grant extension and additional scope items.

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

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

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

   Library District  Fire District

6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact.
   Revised Fiscal impact was addressed in Resolution 730-2008.

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

8. Proposed Source of Funding
   Federal Grant: Revenue 001-FRE-4374 and 001-PLN-4374 and 001ITS-4374

9. Timing of Impact Immediate

10. Typed Name & Title of Preparer
    Joseph F. Williams
    Commissioner

11. Signature of Preparer

12. Date
    January 28, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. 184-2006, ACCEPTING AND APPROPRIATING 75% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS EMERGENCY MANAGEMENT OFFICE TO THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES FOR A FY2005 PRE DISASTER MITIGATION PLANNING (PDMC) GRANT AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the NYS Office of Emergency Management has awarded 75% federal grant funds to the Department of Fire, Rescue and Emergency Services for a FY2005 Pre-Disaster Mitigation Planning Grant in the amount of $1,117,904.25; and

WHEREAS, these funds will be used to engage in the process of multi-jurisdictional mitigation planning and produce a local multi-jurisdictional mitigation plan satisfying the requirements of 44 CFR Part 201 for Suffolk County and its local communities including the Town of Babylon; Town of Huntington; Town of Riverhead; Town of Shelter Island; Town of Smithtown; Town of Southold; Village of Asharoken; Village of Bellport; Village of Huntington Bay; Village Lake Grove; and Village of Northport; and

WHEREAS, Suffolk County and its town and villages have experienced numerous natural and man-made losses including six (6) presidential declared disasters costing over $16 million dollars since 1985 and according the National Flood Insurance Program, Suffolk County ranks second in New York State in repetitive losses; and

WHEREAS, it is the desire of the County of Suffolk and all participating municipalities to fully conform with the United States Disaster Act of 2000, which calls for each political subdivision within the United States to have a pre-approved mitigation plan prior to federal mitigation fund awards; and

WHEREAS, this FY2005 PDMC grant is for a two (2) year period beginning September 14, 2005 through September 13, 2007 in which the County will received 75% funding in the amount of $1,117,904.25; and

WHEREAS, the remaining 25% local match in the amount of $372,634.75 is identified as pre-existing costs, leaving no additional costs to the County ($151,217) or any of the municipal partners ($221,417.75); and

WHEREAS, $1,097,852.25 of said funds have not been included in the 2006 Operating Budget, and $20,052 has been included in the 2006 Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $1,117,904, including $20,052 in 001-PLN-8020-110 and fringes and appropriate said grant funds as follows:

<table>
<thead>
<tr>
<th>REVENUES:</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-FRE-4374 Pre-Disaster Mitigation Grant</td>
<td>$1,097,852.25</td>
</tr>
</tbody>
</table>
001-PLN-4374 Pre-Disaster Mitigation Grant

$20,052.00

ORGANIZATIONS:

Department of Fire, Rescue & Emergency Services
Pre-Disaster Mitigation Grant
001-FRE-3408 - $1,072,988.25

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000</td>
<td>Personal Services</td>
<td>$70,767.00</td>
</tr>
<tr>
<td>1100</td>
<td>Permanent Salaries</td>
<td>$70,767.00</td>
</tr>
<tr>
<td>4000</td>
<td>Contractual Expenses</td>
<td>$1,002,221.25</td>
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<tr>
<td>4560</td>
<td>Fees for Services-Non Employees</td>
<td>$337,968.00</td>
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<td>4980</td>
<td>Contracted Agencies</td>
<td>$664,253.25</td>
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<td>XXXX - Town of Huntington</td>
<td>$108,299.25</td>
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<td></td>
<td>XXXX - Town of Riverhead</td>
<td>$82,191.75</td>
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<td>XXXX - Town of Shelter Island</td>
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<td>XXXX - Town of Smithtown</td>
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<td>XXXX - Village of Huntington Bay</td>
<td>$22,601.25</td>
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<td>XXXX - Village of Lake Grove</td>
<td>$16,642.50</td>
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<td>XXXX - Village of Northport</td>
<td>$22,601.25</td>
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Employee Benefits
Social Security
001-EMP - 9030 - $5,414

Employee Benefits
8330 – Social Security

Employee Benefits
Retirement
001-EMP-9010 – $9,363

Employee Benefits
8280 – Retirement

Employee Benefits
Welfare Fund
001-EMP-9080 - $1,281

Employee Benefits
8380 – Welfare Fund Contribution

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - $8,806

Employee Benefits
9600 Transfer of Funds

$8,806
2nd RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R0001 Transfer from General Fund $8,806

ORGANIZATION

Employee Benefits
Major Medical Claim
039-EMP-9060

Employee Benefits $8,806
8360 - Health Insurance $8,806

3rd RESOLVED, that the following position be and they hereby are created in the Department of Fire, Rescue & Emergency Services as follows:

Department of Fire, Rescue & Emergency Services
Pre-Disaster Mitigation Grant
001-FRE-3408

<table>
<thead>
<tr>
<th>Position No.</th>
<th>Spec No.</th>
<th>Position Title</th>
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<th>Grade</th>
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<tbody>
<tr>
<td>3408-0100-0001</td>
<td>1510</td>
<td>Planning Aide</td>
<td>C</td>
<td>17</td>
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</tr>
</tbody>
</table>

and be it further

4th RESOLVED, that the County Executive's Budget Office is authorized to assign appropriate pseudo codes as necessary; and be it further

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

6th 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; and be it further

7th RESOLVED, that the Reporting Category for the County Integrated Financial Management System (IFMS) is EM21.

DATED: March 14, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
RESOLUTION NO. 730 -2008, AMENDING THE 2008 OPERATING BUDGET IN CONNECTION WITH APPROPRIATING 75% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS EMERGENCY MANAGEMENT OFFICE TO THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES FOR A FY2005 PRE-DISASTER MITIGATION PLANNING (PDMC) GRANT AND TO EXECUTE GRANT RELATED AGREEMENTS AND TO ADOPT/ACCEPT THE SUFFOLK COUNTY PRE-DISASTER MITIGATION PLAN AS APPROVED BY FEMA ON MARCH 26, 2008

WHEREAS, Resolution No. 184-2006 accepted and appropriated 75% federal pass-through grant funds from the NYS Emergency Management Office through the Federal Emergency Management Agency (FEMA) to the Suffolk County Department of Fire, Rescue and Emergency Services for a FY2005 Pre-Disaster Mitigation Planning (PDMC) Grant; and

WHEREAS, FEMA has approved the Suffolk County Pre-Disaster Mitigation Plan “pending local adoption of this resolution”; and

WHEREAS, the Plan was able to be prepared by Suffolk County and its participating municipalities under budget, and as a result, FEMA has approved additional scope items for inclusion into the Plan under the original grant funding in a letter dated June 16, 2008; and

WHEREAS, additional scope items include the addition of the Towns of Brookhaven and East Hampton into the Plan, the addition of an Earthquake Hazard, an update of the Plan for a new FEMA loss estimation software package (HAZUS MH3), and inclusion of a cost estimating catalog; and

WHEREAS, the Village of Lake Grove withdrew from the program in a letter dated February 2, 2007; and

WHEREAS, the position of Planning Aide created in the Suffolk County Dept. of FRES (001-3408-0100-0001) shall continue through the newly extended grant expiration period; and

WHEREAS, the amended Pre-Disaster Mitigation Planning Grant is $1,157,122, an increase of $39,218 in Grant Aid; and

WHEREAS, FEMA has extended the FY2005 PDMC grant through May 13, 2009; and

WHEREAS, the amended scope must be re-adopted by the Suffolk County Legislature, following FEMA’s re-approval of the Plan, to be eligible for FEMA Grant funding; now, therefore be it
1st RESOLVED, that the PDMC Grant has been amended to reflect the total grant funds available to FRES (001-FRE-4374) of $1,137,735, Planning (001-PLAN-4374) of $7,365 and ITS (001-ITS-4374) of $12,022 over the life of the Grant, and be it further

2nd RESOLVED, that the 2008 Operating Budget be and hereby is amended as follows;

REVENUES:

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<th>Grant Description</th>
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<td>001-ITS-4374 Pre-Disaster Mitigation Grant</td>
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ORGANIZATIONS:

Department of Fire, Rescue and Emergency Services
Pre-Disaster Mitigation Grant
001-FRE-3408

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<th>Budget Item</th>
<th>Current Budget</th>
<th>Amended Budget</th>
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<tbody>
<tr>
<td>1000 – Personnel Services</td>
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<tr>
<td>1100 – Permanent Salaries</td>
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4000 – Contractual Expenses

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<tr>
<td>4560 – Fees for Services-Non Employees</td>
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4980 – Contracted Agencies

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<th>Amended Budget</th>
<th>Change</th>
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<td>$5,707</td>
<td>($92,250)</td>
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<td>HUH1 – Town of Riverhead</td>
<td>$82,192</td>
<td>$54,881</td>
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<td>HUI1 – Town of Shelter Island</td>
<td>$42,492</td>
<td>$12,496</td>
<td>($29,995)</td>
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<td>HUJ1 – Town of Smithtown</td>
<td>$82,579</td>
<td>$16,516</td>
<td>($66,063)</td>
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<td>HUK1 – Town of Southold</td>
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<td>$12,166</td>
<td>($100,921)</td>
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<td>HUL1 – Town of Babylon</td>
<td>$100,314</td>
<td>$16,285</td>
<td>($84,029)</td>
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<td>HUM1 – Village of Asharoken</td>
<td>$22,601</td>
<td>$750</td>
<td>($21,851)</td>
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<td>HUN1 – Village of Bellport</td>
<td>$17,502</td>
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<td>HUO1 – Village of Huntington Bay</td>
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<td>HUP1 – Village of Lake Grove</td>
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<td>JEH1 – Town of East Hampton</td>
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Employee Benefits
Social Security
001-EMP-9030

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<th>Benefit Item</th>
<th>Current Budget</th>
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<th>Change</th>
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<tbody>
<tr>
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Employee Benefits
Retirement
001-EMP-9010

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<th>Amended Budget</th>
<th>Change</th>
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</thead>
<tbody>
<tr>
<td>8280 - Retirement</td>
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Employee Benefits
Welfare Fund
001-EMP-9080

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<tr>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Change</th>
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</thead>
<tbody>
<tr>
<td>9080 - Welfare Fund Contribution</td>
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<td>$2,594</td>
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Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039

<table>
<thead>
<tr>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>9600 - Transfer of Funds</td>
<td>$0</td>
<td>$26,981</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES:

039-IFT-R0001
Transfer from General Fund

<table>
<thead>
<tr>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$26,981</td>
<td>$26,981</td>
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</tbody>
</table>

ORGANIZATION:

Employee Benefits
Major Medical Claim
039-EMP-9080

<table>
<thead>
<tr>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Change</th>
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<tbody>
<tr>
<td>8360 - Health Insurance</td>
<td>$0</td>
<td>$26,981</td>
</tr>
</tbody>
</table>
and be it further

4th RESOLVED, that the County Executive's Budget Office is authorized to assign appropriate pseudo codes as necessary; and be it further

5th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the position extended in this Resolution at the conclusion of the grant funding; and be it further

6th 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; and be it further

7th RESOLVED, that this Legislature accepts the Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on March 26, 2008. Additional county legislative approval will be sought following FEMA's approval of the enhanced and amended final plan as described herein in 2009; and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the Federal Emergency Management Agency and New York State Emergency Management Office 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: August 20, 2008

APPROVED BY

[Signature]

County Executive of Suffolk County

Date: 8-20-08
# Review and Approval Status

**Jurisdiction:** Suffolk County, NY – Annexes: Town of Brookhaven, Town of East Haven; Villages of Belle Terre, Dering Harbor, East Hampton, Greenport, Lake Grove, Lloyd Harbor, Old Field, Poquott, Port Jefferson, Sag Harbor, Shoreham

**Title of Plan:** Suffolk County Multi-Jurisdictional All Hazards Mitigation Plan - Annexes

**Date on Plan (Draft):**
- (a) December 2007 (1st Draft)
- (b) October 2008 (Annexes)

**Local Plan submitted by:** Tom O'Hara
- **Consultant:** Jonathan Raser

**Address:**
- Suffolk Co. Dept. of Fire Rescue, Emergency Services
  - Building CO 110
  - Yaphank Avenue
  - Yaphank, NY 11980-0127

**Agency:** Suffolk Co. Fire Rescue, Emergency Services
- **Tetra Tech**

**Phone Number:** (631) 852-4908

**E-Mail:** thomas.o'hara@co.suffolk.ny.us
- jonathan.raser@tetra.com

**State Reviewer:** R. L. Ecuyer
- Richard J. Minogue
- John Fishbein

**Title:** Public Assistance Liaison
- Disaster Preparedness Program Representative
- Mitigation Planner

**Date:** October 2007
- January 25, 2008
- October 2008

**FEMA Review:**
- Michael F. McHale, Reviewer
- Audrey Massa, QA/QC

**Annexes Review:**
- Michael McHale, Reviewer
- John Krol, QA/QC
- Audrey Massa, Annexes QA/QC Review

**Title:**
- Hazard Mitigation Planner
- Natural Hazard Mitigation Specialist

**Date:**
- March 10, 2008
- March 26, 2008
- December 24, 2008
- January 13, 2009
- January 14, 2009

**Date Received in FEMA Region 2**
- February 7, 2008 (1st Draft)
- November 12, 2008 (Annexes)

**Plan Not Approved**
- 1st Draft is approved pending adoption.

**Plan Approved Pending Adoption**
- Annexed jurisdictions are approved pending adoption.

**Date Approved**
June 16, 2008

Mr. John R. Gibb
Executive Director
New York State Emergency Management Office
1220 Washington Avenue
Building # 22, Suite 101
Albany, NY 12226-2251

Re: FY 2005 Pre-Disaster Mitigation
Competitive (PDMC) – Suffolk County
PDMC-PL02-NY-2005-016

Dear Mr. Gibb:

This is in response to letters received from Mr. Agostino and Mr. Olazagasti, of your staff, which requests approval to utilize expected cost under runs from the FY 2005 Suffolk County PDMC Planning grant for additional work items. As a result of our review, approval is being granted to implement some of the enhancements to your initial planning grant effort, as detailed below:

Approval **is granted** for the following work items that fall within eligibility criteria for a mitigation planning grant under the Pre-disaster mitigation grant program:

- Expansion of the plan to include the Towns of Brookhaven and East Hampton and all of the respective villages as follows:
  - Brookhaven – Villages of Belle Terre, Bellport, Lake Grove, Old Field, Patchogue, Poquott, Port Jefferson, & Shoreham.
  - East Hampton – Villages of East Hampton & Sag Harbor
- Inclusion of the earthquake hazard as well as other recommendations identified in the Local Hazard Mitigation Plan Review Crosswalk.
- Update of the HAZUS default general building stock (GBS) inventory and values for utilization in the new HAZUS MH3 model.
- Preparation of a catalog of cost estimates for potential mitigation projects to be included within the Suffolk County MH Mitigation Plan.

Approval **is NOT granted** for the following work items requested by the state:

- Providing assistance to interested partner communities in maximizing their Community Rating System points.
- Completing a county-wide debris management plan.
- Providing training for Benefit Cost Analysis methodology.
- Aerial mapping across Suffolk County.
The new expiration date for this PDMC planning grant is now May 13, 2009, which is allowing an additional eight (8) months for completion of the enhanced scope of work, including all necessary reviews at the state and Federal level, as well as sufficient time for adoption of the final plan. While May 13, 2009 is the final date the grant will expire, the following milestones need to be met by the sub-grantee to ensure the project will be completed on time and funding will not be jeopardized:

- Submit information to NYSEMO of all costs incurred to date for the current plan, which received approval pending adopting from FEMA, and realized cost under runs within one month of the date of this letter;
- Submit a cost estimate to NYSEMO for the four additional work items approved for funding within one month of the date of this letter;
- Submit a detailed work schedule to NYSEMO for the four additional work items approved for funding within one month of the date of this letter;
- Submit a copy of the new/amended contract(s) to NYSEMO for the four additional work items approved for funding within one month of the date of this letter;
- Submit the final draft of the multi-jurisdictional multi-hazard (MH) Mitigation Plan for Suffolk county by October 31, 2008.

Please be aware that it is imperative that your office remain involved to ensure that this grant progresses according to schedule. All activities for this grant must be completed within the extended timeframe, as there will be no further extensions granted. Receipt of this letter is the official correspondence related to your request. As such, this document should be retained in your official grant file.

While approval is granted to update the current Mitigation Plan, FEMA strongly encourages that the communities that have already participated in the current plan (which has received approval from FEMA pending adoption) move forward and have that plan adopted. With the new Unified Hazard Mitigation Assistance grant programs expected to be announced in the upcoming weeks, it is important that these communities make themselves eligible to apply for mitigation project funding. An approved, adopted MH Mitigation Plan is a requirement for most of FEMA’s mitigation grant programs.

Should you have further questions regarding this matter, the FEMA project officer, Michael Foley, can assist you with any programmatic inquiries. For administrative and financial concerns, feel free to contact Cynthia Patterson. These two individuals can be reached at (212) 680-3634 and (212) 680-3648 respectively.

Sincerely,

[Signature]

Stephen Kempf, Jr.
Regional Administrator

Cc: Richard Lord, Chief of Mitigation Programs, NYSEMO
    Michael P. Foley, PDM Program Coordinator, FEMA Region 2
    Scott Duell, Chief of Risk Analysis Branch, FEMA Region 2
    Cynthia Patterson, Grants Assistance Officer, FEMA Region 2
TO: Ben Zwirn, Deputy County Executive
    Intergovernmental Relations

FROM: Joseph F. Williams
    Commissioner

DATE: January 29, 2009

SUBJECT: Request for Introductory Resolution: Adopt Amended Hazard Mitigation Plan

Enclosed for processing is an introductory resolution and its supporting documents to adopt the Amended Hazard Mitigation Plan.

Resolution 184-2006 accepted and appropriated 75% federal pass-through grant funds from the NYS Emergency Management Office through the Federal Emergency Management Agency (FEMA) to the Suffolk County Dept of FRES for an FY2005 Pre-Disaster Mitigation Planning (PDMC) Grant and to execute grant related agreements.

The Suffolk County Pre-Disaster Mitigation Plan was established under budget and as a result FEMA has extended the grant expiration to May 13, 2009 and, with original grant funds, FEMA is allowing Brookhaven and East Hampton Towns to be added as well as the following scope items: (1) Addition of an Earthquake Hazard; (2) Update of the Plan for a new FEMA loss estimation software package (HAZUS MH3); and (3) Inclusion of a cost estimating catalog.

Resolution 730-2008 adopted the initial FEMA approved Hazard Mitigation Plan, amended the 2008 Operating Budget for the FEMA grant extension and identified the need to re-adopt the Amended Hazard Mitigation Plan upon FEMA’s approval.

Please be aware that this plan is a requirement in order to be eligible for future FEMA mitigation funding.

Please contact my office at x24850 if you have any questions regarding this resolution.

JFW:ras
Enclosures

cc: Jim Morgo, Chief Deputy County Executive
    Donald Fahey, Federal & State Aid Claims Unit
RESOLUTION NO. – 2009, AMENDING THE 2009 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) AND TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS TO THE LONG ISLAND HOME D/B/A SOUTH OAKS

WHEREAS, the approved New York State Budget for Fiscal Year 2009 includes funding in Aid to Localities for the provision of chemical dependence, prevention, gambling prevention and treatment programs; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has allocated $175,000 in additional 100% State aid funding with a local match of $175,000 to The Long Island Home d/b/a South Oaks for a Community Mobilization Program that will serve as a County-wide Prevention Resource Center; and

WHEREAS, this additional 100% State aid from NYS OASAS is not currently included in the 2009 Adopted Operating Budget; and

WHEREAS, the unallocated local match funding is already included in the 2009 Adopted Operating Budget and needs to be transferred to The Long Island Home d/b/a South Oaks; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate $175,000 in additional State aid as follows:

REVENUES:
001-HSV 3486 State Aid: Narcotics Addiction Control $175,000

and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to transfer funds as follows:

ORGANIZATIONS

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

From:

001-HSV-4310-4980 Contracted Services -$175,000
To:

<table>
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<tr>
<th>XORG</th>
<th>OBJECT NAME</th>
<th>2009 Adopted Budget</th>
<th>Increase/Decrease</th>
<th>2009 Modified Budget</th>
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</thead>
<tbody>
<tr>
<td>HKC1</td>
<td>The Long Island Home/South Oaks</td>
<td>$181,831</td>
<td>+$350,000</td>
<td>$531,831</td>
</tr>
</tbody>
</table>

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with The Long Island Home d/b/a South Oaks; and be it further

4th RESOLVED, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

HSV # 6-2009
February 9, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2009 Adopted Operating Budget to accept and appropriate additional 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) and to transfer funding from current appropriations to The Long Island Home d/b/a South Oaks. These additional funds will be allocated to The Long Island Home d/b/a South Oaks, along with a local match, to be used for a Community Mobilization Program that will serve as a County-wide Prevention Resource Center.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-MH South Oaks.doc”.

Sincerely yours,

[Signature]
Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/1w

C:  Jim Morgo, Chief Deputy County Executive  
Margaret B. Bemel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Thomas O. MacGilvray, Director of Community Mental Hygiene Services  
Mary K. Howe, Chief Management Analyst  
Sheila Reagan, Senior Program Examiner  
Donald Murphy, Principal Auditor  
Diane E. Weyer, Principal Financial Analyst
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X Local Law Charter Law

Title of Proposed Legislation
AMENDING THE 2009 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) AND TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS TO THE LONG ISLAND HOME D/B/A SOUTH OAKS

3. Purpose of Proposed Legislation
   To accept and appropriate additional 100% State aid from NYS OASAS and transfer appropriations to provide a local match and allocate them to The Long Island Home d/b/a South Oaks for a Community Mobilization Program that will serve as a County-wide Prevention Resource Center.

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:
   Not applicable

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

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

9. Timing of Impact
   2009

10. Typed Name & Title of Preparer
    Diane E. Weyer
    Principal Financial Analyst

11. Signature of Preparer
    [Signature]

Date 2/16/09

SCIN FORM 175b (10/95)
January 14, 2009

Mr. Thomas MacGillvray, Director
Suffolk County Department of Health Services
Division of Community Mental Hygiene
North County Complex, Building C928
P.O. Box 6100
Hauppauge, NY 11788-0099

Re: 2009 Approval Letter for Community Chemical Dependency and Problem Gambling Treatment, Prevention, Recovery Services

Dear Mr. MacGillvray:

The enclosed State Aid Funding Authorization (SAFA) for the 2009 local fiscal period reflects your tentative base funding levels for Office of Alcoholism and Substance Abuse Services (OASAS) supported chemical dependency and problem gambling prevention, treatment, and recovery services in your County. As you are aware, the 2009-10 State Budget has not yet been enacted and, therefore, final approved funding will be determined after the Budget is passed.

Tentative base funding levels are the result of the Program Performance Review process, which has just recently been completed by OASAS Field Operations and Budget Management staff and actions recommended in the Governor’s 2009-10 Budget. In some cases, the SAFA may indicate that State Aid has been unallocated as a result of Performance Review, prior year management plans, or other issues. If you have not received a management plan letter or have any questions regarding these actions, please contact your Field Office representative regarding required actions.
The enclosed SAFA reflects the following adjustments for the 2009 local fiscal period (as applicable):

- The return to appropriate base funding for programs which had one-time adjustments during the 2008 local fiscal period.
- The correction of Funding Source codes to identify State and/or Federal funding for treatment and prevention services (please see enclosed listing of Funding Source Codes), as well as the inclusion of initiative codes to identify specific services and/or revenues.
- The annualization of funding for the 2008-09 Cost of Living Adjustment (COLA) outlined in the May 2008 letter from OASAS. If the Governor’s 2009-10 Executive Budget Recommendation to reduce the 2008-09 COLA by 1% effective January 1, 2009 is enacted, OASAS will notify you of the required reductions necessary to implement this decision.
- The inclusion of the OASAS share of the extra $25,000, for those counties with a population under 200,000, into State Aid for the 0890 LGU Administration program. This action does not affect the amount of State Aid funding received by eligible counties, but does result in a corresponding reduction to local share and a funding code change from 001 to 013.
- The annualization of funding for awards under the 2008 Problem Gambling Planning Supplement.
- Reductions in State Aid funding consistent with the Governor’s Executive Budget recommendations, as outlined in the December 16, 2008 letter from OASAS (see attached listing).
- Effective January 1, 2009, Long Island Gay & Lesbian Youth will be allocated through Suffolk County and no longer funded by direct contract.

As in the past, funding for Safe and Drug-Free Schools and Communities (SDFSC), Road to Recovery and Problem Gambling services cannot be transferred to any other OASAS programs.

**Outstanding Budget Issues**

There may be programs on the 2009 SAFA marked with an X-restriction. This restriction indicates that there are unresolved budget/contract issues with the program. No advance payments can be made for programs with an X-restriction until the pending issues are resolved and the restriction is removed. Please contact your Field Office representative to discuss the outstanding issues and required actions.

**2008 Program Codes, Funding, Funding Source, Restriction and Initiative Codes/Timeline**

Enclosed are a listing of updated program codes and an updated listing of funding, funding source, restriction and initiative codes used on the 2009 SAFA, as well as an updated OASAS State Aid Timeline. The Timeline outlines OASAS’ requirements for submission of documents and payment of State Aid advances, including when advances will be withheld for failure to submit required documents to OASAS.
Policy Change for Submission of Claims

To better manage available funding, OASAS has established deadlines for submission of claims and subsequent revisions that are being implemented over a three year period as indicated below.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Calendar Year Period</th>
<th>Claims Are Due By (see note below)</th>
<th>Claims Submitted After the Following Dates Will Not be Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>2007</td>
<td>May 1, 2008</td>
<td>December 31, 2009</td>
</tr>
<tr>
<td>Two</td>
<td>2008</td>
<td>May 1, 2009</td>
<td>June 30, 2010</td>
</tr>
<tr>
<td>Three</td>
<td>2009 and beyond</td>
<td>May 1 of the following calendar year</td>
<td>December 31 of the following calendar year</td>
</tr>
</tbody>
</table>

Please note that advance payments will continue to be withheld if a claim is not submitted by the May 1 deadline.

OASAS State Aid Funding Requirements

The enclosed OASAS STATE AID FUNDING REQUIREMENTS is affixed to the SAFA and communicates OASAS and Federal requirements and restrictions on the use of State Aid funding. This enclosure, or the information contained therein, must be included as part of your contracts with local service providers.

Federal Funding Notification

Provider agencies receiving Federal funding as identified on the SAFA must be notified by the County that they are receiving such funding and the source of this funding (i.e., Federal SAPT Block Grant, etc.). Please see the enclosed SAFA code document for a listing and description of these Federal funding codes.

After reviewing the enclosed 2009 SAFA, please sign it indicating your acceptance, and return a copy to the OASAS Bureau of Financial Management at 1450 Western Avenue - 4th Floor, Albany, New York 12203-3526. Should you have a concern with the amounts identified on the 2009 SAFA, please contact your Field Office representative, indicate your concern on the authorization (or attach a letter describing your concerns) and sign and return the Authorization. Failure to return the signed SAFA by March 1, 2009 will result in the withholding of future advance payments.

As is the usual practice, OASAS will withhold advance payments if a completed mid-year claim is not received by August 15th or a final claim is not received by May 1st.
Please contact your OASAS Field Office representative if you have any questions concerning the enclosed SAFA document.

Sincerely,

Kevin Doherty
Director of Financial Management

Enclosures

cc/w/encs.: Angie Carpenter
Lisa Lite-Rottmann
Edward Freeman
Steve Rabinowitz
Kathy Bergeron
Additional back-up material regarding I.R. 1033 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. – 2009, AMENDING THE 2009 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR LONG ISLAND GAY AND LESBIAN YOUTH, INC AND PEDERSON-KRAG CENTER

WHEREAS, the approved New York State Budget for Fiscal Year 2009 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment programs; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has allocated $50,000 in 100% State aid to Long Island Gay and Lesbian Youth, Inc. (LIGALY) to provide educational services for specialized chemical dependence related support, effective January 1, 2009; and

WHEREAS, the NYS OASAS has allocated an additional $30,394 in 100% State aid to the Pederson-Krag Center for the provision of a Problem Gambling Prevention Initiative; and

WHEREAS, this unallocated additional 100% State aid from NYS OASAS is not currently included in the 2009 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $80,394 in additional State aid as follows:

REVENUES:
001-HSV 3486 State Aid: Narcotics Addiction Control $50,000
001-HSV 3488 State Aid: Compulsive Gambling $30,394

ORGANIZATIONS

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

<table>
<thead>
<tr>
<th>XORG</th>
<th>OBJECT NAME</th>
<th>2009 Adopted Budget</th>
<th>Increase/Decrease</th>
<th>2009 Modified Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXXXX</td>
<td>Long Island Gay &amp; Lesbian Youth</td>
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<tr>
<td>ANL9</td>
<td>Pederson-Krag Compulsive Gambling</td>
<td>$116,408</td>
<td>+$30,394</td>
<td>$146,802</td>
</tr>
</tbody>
</table>

and be it further
2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Long Island Gay and Lesbian Youth, Inc (LIGALY) and Pederson-Krag Center; and be it further

3rd RESOLVED, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

4th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:

HSV # 5-2009
1. Type of Legislation

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

Title of Proposed Legislation
AMENDING THE 2009 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR LONG ISLAND GAY AND LESBIAN YOUTH, INC. AND PEDERSON-KRAG CENTER

3. Purpose of Proposed Legislation
To accept and appropriate State aid from NYS OASAS for Long Island Gay and Lesbian Youth, Inc. (LIGALY) to provide educational services for specialized chemical dependence related support ($50,000) and additional State aid to Pederson-Krag Center for the provision of a Problem Gambling Prevention Initiative ($30,394).

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

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

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

6. If the answer to item 4 is “yes”, Provide Detailed Explanation of Impact:
Not applicable

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

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

9. Timing of Impact
2009

10. Typed Name & Title of Preparer
Diane E. Weyer
Principal Financial Analyst

11. Signature of Preparer

Date 2/4/09

SCIN FORM 175b (10/95)
MEMORANDUM

To: Humayun J. Chaudhry, D.O., M.S.
Commissioner, Department of Health Services

From: Thomas O. MacGilvray, LCSW, CASAC
Director, Division of Community Mental Hygiene Services

Date: February 2, 2009

Subject: Request for Legislative Resolution to Accept and Appropriate Additional 100% State Aid for Long Island Lesbian and Gay Youth, Inc., (LIGALY) and the Pederson-Krag Center

The approved New York State Budget for Fiscal Year 2009 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment services. The most recent State Aid Funding Authorization from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) includes $50,000 in additional 100% state aid for Long Island Gay and Lesbian Youth, Inc. (LIGALY) and $30,394 in additional 100% state aid for Pederson-Krag Center that is not included in the County 2009 Adopted Operating Budget.

We have attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2009 Adopted Operating Budget to accept and appropriate $80,394 in additional state aid from the NYS OASAS. We are also attaching a copy of the 2009 State Aid Funding Authorization dated January 12, 2009 for your information and review.

Thank you.

TOM: pm
Attachments

cc: M. Howe, L. Wright, S. Reagan, G. Terry, C. Cullity, P. Manos, D. Weyer, B. Abrams
February 9, 2009

Ben Zwirn, Deputy County Executive
Office of the County Executive, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2009 Adopted Operating Budget to accept and appropriate additional 100% State aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) for Long Island Gay and Lesbian Youth, Inc. and Pederson-Krag Center. This resolution is needed to accept and appropriate State aid from NYS OASAS and allocate it to Long Island Gay and Lesbian Youth, Inc. (LIGALY) to provide educational services for specialized chemical dependence related support ($50,000) and additional State aid to Pederson-Krag Center for the provision of a Problem Gambling Prevention Initiative ($30,394).

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is “Reso-HSV-MH LIGALY & PK.doc”.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive
Margaret B. Bermel, M.B.A., Director of Health Administrative Services
Matthew Miner, Deputy Commissioner
Thomas O. MacGilvray, Director of Community Mental Hygiene Services
Mary K. Howe, Chief Management Analyst
Sheila Reagan, Senior Program Examiner
Donald Murphy, Principal Auditor
Diane E. Weyer, Principal Financial Analyst
January 20, 2009

Kevin Doherty, Director of Financial Management
NYS Office of Alcoholism and Substance Abuse Services
1450 Western Avenue
Albany, NY 12203-3526

Dear Mr. Doherty,

As per your letter, dated January 14, 2009 enclosed please find the State Aid Funding Authorization (SAFA) for the 2009 local fiscal period, which reflects the tentative base funding levels for OASAS supported chemical dependency and problem gambling prevention, treatment and recovery services in Suffolk County. Thomas O. MacGillvray, Director of the Division of Community Mental Hygiene Services, has signed the Authorization.

Sincerely,

Mary K. Howe
Chief Management Analyst
Division of Community Mental Hygiene Services

MKH:es
Enc. T. MacGillvray, J. Best, S. Reagan
January 14, 2009

Mr. Thomas MacGilvray, Director
Suffolk County Department of Health Services
Division of Community Mental Hygiene
North County Complex, Building C928
P.O. Box 6100
Hauppauge, NY 11788-0099

Re: 2009 Approval Letter for Community Chemical Dependency and Problem Gambling Treatment, Prevention, Recovery Services

Dear Mr. MacGilvray:

The enclosed State Aid Funding Authorization (SAFA) for the 2009 local fiscal period reflects your tentative base funding levels for Office of Alcoholism and Substance Abuse Services (OASAS) supported chemical dependency and problem gambling prevention, treatment, and recovery services in your County. As you are aware, the 2009-10 State Budget has not yet been enacted and, therefore, final approved funding will be determined after the Budget is passed.

Tentative base funding levels are the result of the Program Performance Review process, which has just recently been completed by OASAS Field Operations and Budget Management staff and actions recommended in the Governor’s 2009-10 Budget. In some cases, the SAFA may indicate that State Aid has been unallocated as a result of Performance Review, prior year management plans, or other issues. If you have not received a management plan letter or have any questions regarding these actions, please contact your Field Office representative regarding required actions.
The enclosed SAFA reflects the following adjustments for the 2009 local fiscal period (as applicable):

- The return to appropriate base funding for programs which had one-time adjustments during the 2008 local fiscal period.
- The correction of Funding Source codes to identify State and/or Federal funding for treatment and prevention services (please see enclosed listing of Funding Source Codes), as well as the inclusion of initiative codes to identify specific services and/or revenues.
- The annualization of funding for the 2008-09 Cost of Living Adjustment (COLA) outlined in the May 2008 letter from OASAS. If the Governor’s 2009-10 Executive Budget Recommendation to reduce the 2008-09 COLA by 1% effective January 1, 2009 is enacted, OASAS will notify you of the required reductions necessary to implement this decision.
- The inclusion of the OASAS share of the extra $25,000, for those counties with a population under 200,000, into State Aid for the 0890 LGU Administration program. This action does not affect the amount of State Aid funding received by eligible counties, but does result in a corresponding reduction to local share and a funding code change from 001 to 013.
- The annualization of funding for awards under the 2008 Problem Gambling Planning Supplement.
- Reductions in State Aid funding consistent with the Governor’s Executive Budget recommendations, as outlined in the December 16, 2008 letter from OASAS (see attached listing).
- Effective January 1, 2009, Long Island Gay & Lesbian Youth will be allocated through Suffolk County and no longer funded by direct contract.

As in the past, funding for Safe and Drug-Free Schools and Communities (SDFSC), Road to Recovery and Problem Gambling services cannot be transferred to any other OASAS programs.

Outstanding Budget Issues

There may be programs on the 2009 SAFA marked with an X-restriction. This restriction indicates that there are unresolved budget/contract issues with the program. No advance payments can be made for programs with an X-restriction until the pending issues are resolved and the restriction is removed. Please contact your Field Office representative to discuss the outstanding issues and required actions.

2008 Program Codes, Funding, Funding Source, Restriction and Initiative Codes/Timeline

Enclosed are a listing of updated program codes and an updated listing of funding, funding source, restriction and initiative codes used on the 2009 SAFA, as well as an updated OASAS State Aid Timeline. The Timeline outlines OASAS’ requirements for submission of documents and payment of State Aid advances, including when advances will be withheld for failure to submit required documents to OASAS.
Policy Change for Submission of Claims

To better manage available funding, OASAS has established deadlines for submission of claims and subsequent revisions that are being implemented over a three year period as indicated below.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Calendar Year Period</th>
<th>Claims Are Due By (see note below)</th>
<th>Claims Submitted After the Following Dates Will Not Be Accepted</th>
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<tr>
<td>One</td>
<td>2007</td>
<td>May 1, 2008</td>
<td>December 31, 2009</td>
</tr>
<tr>
<td>Two</td>
<td>2008</td>
<td>May 1, 2009</td>
<td>June 30, 2010</td>
</tr>
<tr>
<td>Three</td>
<td>2009 and beyond</td>
<td>May 1 of the following calendar year</td>
<td>December 31 of the following calendar year</td>
</tr>
</tbody>
</table>

Please note that advance payments will continue to be withheld if a claim is not submitted by the May 1 deadline.

OASAS State Aid Funding Requirements

The enclosed OASAS STATE AID FUNDING REQUIREMENTS is affixed to the SAFA and communicates OASAS and Federal requirements and restrictions on the use of State Aid funding. This enclosure, or the information contained therein, must be included as part of your contracts with local service providers.

Federal Funding Notification

Provider agencies receiving Federal funding as identified on the SAFA must be notified by the County that they are receiving such funding and the source of this funding (i.e., Federal SAPT Block Grant, etc.). Please see the enclosed SAFA code document for a listing and description of these Federal funding codes.

After reviewing the enclosed 2009 SAFA, please sign it indicating your acceptance, and return a copy to the OASAS Bureau of Financial Management at 1450 Western Avenue - 4th Floor, Albany, New York 12203-3526. Should you have a concern with the amounts identified on the 2009 SAFA, please contact your Field Office representative, indicate your concern on the authorization (or attach a letter describing your concerns) and sign and return the Authorization. Failure to return the signed SAFA by March 1, 2009 will result in the withholding of future advance payments.

As is the usual practice, OASAS will withhold advance payments if a completed mid-year claim is not received by August 15th or a final claim is not received by May 1st.
Please contact your OASAS Field Office representative if you have any questions concerning the enclosed SAFA document.

Sincerely,

Kevin Doherty
Director of Financial Management

Enclosures

cc/w/encs.: Angie Carpenter
Lisa Lite-Rottmann
Edward Freeman
Steve Rabinowitz
Kathy Bergeron
<table>
<thead>
<tr>
<th>Program Category</th>
<th>Program Code</th>
<th>Program Index</th>
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<td>3039</td>
<td>00-99</td>
<td>Medically Supervised Withdrawal Services - Residential</td>
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<td>Crisis</td>
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<td>Medically Supervised Withdrawal Services - Outpatient</td>
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<td>00-99</td>
<td>Medically Managed Detoxification</td>
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<td>Crisis</td>
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<td>Medically Monitored Withdrawal</td>
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<td>Residential CDY (Short-Term)</td>
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<td>3550</td>
<td>00-99</td>
<td>Inpatient Rehabilitation Services</td>
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<td>Methadone Maintenance</td>
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<td>Methadone to Abstinence</td>
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<td>Methadone Maintenance Residential</td>
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<td>KEEP Units Prison</td>
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<td>Methadone to Abstinence Residential</td>
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<td>Methadone to Abstinence Day Service</td>
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<td>Outpatient Chemical Dependence Youth</td>
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<td>Medically Supervised Outpatient</td>
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<td>Enhanced Medically Supervised Outpatient</td>
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<td>Residential CDY (Long Term)</td>
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<td>Residential Rehabilitation Services for Youth (RRSY)</td>
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<td>Intensive Residential</td>
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<td>Community Residential</td>
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<td>Residential</td>
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<td>Supportive Living</td>
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<td>Residential</td>
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<td>00-99</td>
<td>NY NY III: Post-Treatment Housing</td>
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<tr>
<td>Residential</td>
<td>3370</td>
<td>00-99</td>
<td>NY NY III: Housing for Persons at Risk for Homelessness</td>
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<tr>
<td>Gambling</td>
<td>2780</td>
<td>00-99</td>
<td>Compulsive Gambling Treatment</td>
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<tr>
<td>Treatment Support</td>
<td>0465</td>
<td>00-99</td>
<td>Job Placement Initiative</td>
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<td>Treatment Support</td>
<td>0810</td>
<td>00-99</td>
<td>Case Management</td>
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<td>0890</td>
<td>00-99</td>
<td>LGU Administration</td>
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<td>Shelter Plus Care</td>
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<td>Managed Addiction Treatment Services (MATS)</td>
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<td>Dual Diagnosis Coordinator</td>
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<td>Vocational Rehabilitation</td>
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<td>DASNY Bonding (OASAS Internal Use Only)</td>
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<td>Prevention</td>
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<td>Underage Dring Prevention</td>
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<td>Prevention</td>
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<td>Community Mobilization</td>
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<tr>
<td>Prevention</td>
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<td>00-99</td>
<td>Regional Prevention Resource Centers</td>
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<td>Prevention</td>
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<td>Chemical Dependence Prevention Services</td>
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<tr>
<td>Gambling</td>
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<td>Compulsive Gambling Prevention Services</td>
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<td>Criminal Justice Intervention/DWI</td>
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<td>Road to Recovery Supplemental Payments</td>
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<td>Intake, Outreach &amp; Referral Units</td>
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<td>Support Services - Medical/Legal/Psych</td>
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<td>Support Services - Educational</td>
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<td>4075</td>
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<td>Children of Substance Abusers (COSA)</td>
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<td>Program Support</td>
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<td>00-99</td>
<td>AIDS Resource</td>
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<tr>
<td>Program Support</td>
<td>4778</td>
<td>00-99</td>
<td>Legislative Member Items</td>
</tr>
</tbody>
</table>
Additional back-up material regarding I.R. 1134 is on file in the
Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 1135-09

AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT

ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as
Administrator
0200-973.90-01.00-020.000

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 973.90, Block 01.00, Lot 020.000, and acquired by tax deed on May 15,
1985, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and
recorded on May 15, 1985, in Liber 9791, at Page 20, and otherwise known as and by Town of
Brookhaven, known and designated as Lots 48-50 inclusive, in Block 78 on a certain map entitled
“Map of New York and Brooklyn Suburban Investment Co., Number 3” and filed in the Office of the
Clerk of the County of Suffolk as Map No. 444; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on May 15, 1985, from General L. Rains, the Deputy County Treasurer of Suffolk County,

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has
been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, NADIA FARBER, as Administrator of the Estate of Sid Farber a/k/a
Sidney Farber, has made application of said above described parcel and NADIA FARBER, as
Administrator of the Estate of Sid Farber a/k/a Sidney Farber, has paid the application fee and
$5,344.74, as payment of taxes, penalties, interest, recording fees, and any other charges due the
County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2009; 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 his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator, 10 Farber Drive, Suite 50, Bellport, New York 11713, 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

December 17, 2008

Tax Map No.: 0200-973.90-01.00-020.000
Name of Last Legal Fee Owner: ESTATE OF SID FARBER a/k/a SIDNEY FARBER by Nadia Farber, as Administrator

TREASURER'S COMPUTATION................. $5,135.02
Taxes..........2008/2009................................. $ 209.72
Recording Fees collected for County Clerk. . N/A
License Fee............................................. N/A
Repairs.................................................. N/A
Interest................................................. N/A
Miscellaneous Expenses......................... N/A

_____________________________________
TOTAL............................................... $5,344.74

Monies Received..................................... $5,344.74

_____________________________________
RESOLUTION AMOUNT........................... $5,344.74

APPROVED:

[Signature]

PREPARED BY:

[Signature]
Diane Bishop
Redemption Unit
(631) 853-5932

[Signature]
Accounting
DB:sc
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

Resolution X
Tax Map Number 0200-973.90-01.00-020.000

2. Title of Proposed Legislation

Authorizing the Director of the Division of Real Property Acquisition and Management and/or his 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

2008

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

Diane Bishop 2/9/09
A. PRINCIPAL AMOUNT DUE ON ALL UNPAID TAXES:

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<th>Amount</th>
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**TOTAL:** 3025.85

B. INTEREST DUE

C. TOTAL 1864.65

D. 5% LINE C 4890.50

E. FEE 244.52

F. MISC

G. MISC

H. TOTAL DUE $5,135.02

CERTIFICATION BY COUNTY TREASURER

I, Diane M. Stuke, Deputy County Treasurer of the County of Suffolk, in the State of New York, do

hereby certify that the above monies are now due and owing upon the real property sought to be redeemed and that

such sums are applied by law and taken from official books and records in my custody.

IN TESTIMONY WHEREOF, I have hereunder set my hand and affixed my official seal at Riverhead, County

of Suffolk and State of New York. 02-Dec-08

Diane M. Stuke
Deputy County Treasurer

** interest and penalty computed to and including 05/31/09**

RESOLUTION NO. 2009
TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #804-2009)

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

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

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

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

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.
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**RESOLUTION NO.**

**CONTROL#:804-2009**

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

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<th>Corrected *-Tax</th>
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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:

Page 2 of 2
1. Type of Legislation

Resolution  X   Local Law   Charter Law

2. Title of Proposed Legislation

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

3. Purpose of Proposed Legislation  Yes   No

SEE NO. 2 ABOVE

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

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

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

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

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   2009

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

11. Signature of Preparer

12. Date February 9, 2009
Additional back-up material regarding I.R. 1136 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2009
TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGE-BACKS ON REAL
PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #802-2009)

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
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**RESOLUTION NO.**

**CONTROL#802-2009**

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

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

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
# Statement of Financial Impact

## Of Proposed Suffolk County Legislation

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

2. **Title of Proposed Legislation**
   
   **To Readjust, Compromise, and Grant Refunds and Charge-backs on Real Property Correction of Errors**

3. **Purpose of Proposed Legislation**
   - Yes: ___
   - No: ___

   **See No. 2 Above**

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

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

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

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

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

9. **Timing of Impact**
   - 2009

10. **Typed Name & Title of Preparer**
    - Jeanne Cush, Appraiser Tech II

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

12. **Date:** 2/9/09
Additional back-up material regarding I.R. 1137 is on file in the Legislative Clerk’s Office, Hauppauge.
RESOLUTION NO. 2009, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (LANG PROPERTY – TOWN OF SHELTER ISLAND)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

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

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

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 11.57 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

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

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

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

DATED:

APPROVED BY:

____________________________________
County Executive of Suffolk County

Date:

s:\res\r-lang-open-space-drinking-water-plan-steps
<table>
<thead>
<tr>
<th>PARCEL</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
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<tr>
<td>1</td>
<td>District: 0700</td>
<td>±11.57</td>
<td>Maureen Lang</td>
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<tr>
<td></td>
<td>Section 018.00</td>
<td></td>
<td>PO Box 935</td>
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<tr>
<td></td>
<td>Block 03.00</td>
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<td>Shelter Island, NY 11964</td>
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<tr>
<td></td>
<td>Lot 004.00</td>
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</tr>
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</table>

EXHIBIT “A”
RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2009, A LOCAL LAW TO ENSURE SAFE OPERATIONS OF HELICOPTERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2009 a proposed local law entitled, “A LOCAL LAW TO ENSURE SAFE OPERATIONS OF HELICOPTERS”; now, therefore be it

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

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENSURE SAFE OPERATIONS OF HELICOPTERS

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

Section 1. Legislative Intent.

This Legislature finds and determines that low flying helicopters have become a public nuisance in Suffolk County and threaten life or property of its residents.

This Legislature further finds and determines that the Federal Aviation Administration has failed to regulate the operations of helicopters.

This Legislature further finds and determines that the operation of helicopters at low altitudes is presumed to be a hazard to persons and property on the surface and constitute careless and reckless operation.

This Legislature further finds and determines that other municipalities, including the City of New York, have established regulations for helicopter operations within their jurisdictions.

Therefore, the purpose of this law is ensure safe operation of helicopters passing through the air boundaries of Suffolk County and to preserve and promote the health, safety and general welfare of the residents of Suffolk County without prohibiting safe passage of helicopters.

Section 2. Definitions.

As used in this law, the following terms shall have the meaning indicated:
HELICOPTER – an aircraft, the support of which in the air is normally derived from airfoils mechanically rotated about an approximately vertical axis.

CARELESS OR RECKLESS MANNER – failing to take all actions reasonably necessary for safe operation or operating at an altitude that creates a hazard or undue hardship for persons and property on the surface.

Section 3. Prohibitions.

A.) It shall be unlawful to operate, or for the owner to permit the operation of, any type of helicopter in a careless or reckless manner so as to endanger the life or property of others.

Section 4. Exemptions.

This law shall not apply to:

A.) Helicopters used exclusively in the governmental service of the United States of America, the State of New York, or any municipal corporation of the State of New York; and

B.) Helicopters used exclusively for agricultural operations; and

C.) Helicopters actively engaging in aerial photography and videography, search and rescue operations, medevac, flight training, environmental testing and surveying, firefighting, or the inspection of towers, buildings, or power lines; and

D.) Helicopters operated within “controlled airspace” as that term is defined by Section 3-2 of the Federal Aviation Administration Aviation Information Manual.

Section 5. Penalties.

Any person who violates the provisions of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1,000) and/or one year in prison per offense.

Section 6. Applicability.

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

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 immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

_______________________________
County Executive of Suffolk County

Date:
DATE: February 20, 2009
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2009

TITLE: I.R. NO. -2009; A LOCAL LAW TO ENSURE SAFE OPERATIONS OF HELICOPTERS

SPONSOR: LEGISLATOR ROMAINE

DATE OF RECEIPT BY COUNSEL: 2/20/09  PUBLIC HEARING: 3/24/09
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED: 

This proposed local law would make it illegal for helicopters to be operated in a careless or reckless manner. "Careless or reckless manner" is defined as failing to take all actions reasonably necessary for safe operation or operating at an altitude that creates a hazard or undue hardship for persons or property on the surface.

This law shall not apply to helicopters being used for 1) agricultural operations, 2) exclusively in the governmental service of the United States of America, the State of New York, or any municipal corporation of the State, 3) aerial photography and videography, search and rescue operations, medevac, flight training, environmental testing and surveying, firefighting, or the inspection of towers, buildings or power lines, or 4) helicopters being used within "controlled airspace" as defined by Section 3-2 of the Federal Aviation Administration Information Manual.

Violators of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1,000) and/or up to one year in prison per offense.

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

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-helicopter safe operation
RESOLUTION NO. -2009, REAPPOINTING MEMBER OF THE SUFFOLK COUNTY WATER AUTHORITY (BERNARD BRADY)

WHEREAS, Resolution No. 473-2004 appointed Bernard Brady as a member of the Suffolk County Water Authority, with a term to expire March 29, 2009; now, therefore be it

RESOLVED, that Bernard Brady, currently residing at Nesconset, New York, 11767, is hereby reappointed as a member of the Suffolk County Water Authority, commencing March 30, 2009 and expiring March 29, 2014, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER.

S:\res'r-reappt-scwa-brady
Bernard T. Brady

Nesconset, NY 11767

Experience

Secretary of the Board of Directors-Suffolk Water Authority – 2004 to present
Business Teacher and Work Coordinator – West Babylon School District – 35 years
Administrator Officer Manufactures Hanover Trust Company NY – 10 years

Military Experience

U.S. Army Confidential Clearance – 2 years

Education

Long Island University – B. S. Degree in Management
Adelphi University – M. A. in Business
Stony Brook University - Masters Degree in Continuing Education

Personal Data

Married, Three Children, Four Grandchildren

Activities

Negotiate West Babylon Teacher’s Contracts – 10 years
President of West Babylon Teacher’s Association – 2 years
Vice President West Babylon Teacher’s Association – 2 years
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
RONKONKOMA BOWL, INC. by Eleanor DeBear, President
0200-688.00-02.00-010.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements
thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State
of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency
as District 0200, Section 688.00, Block 02.00, Lot 010.000, and acquired by tax deed on
October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York,
and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by
Town of Brookhaven, known as Suffolk County Tax Map Number: District 0200, Section 688.00,
Block 02.00, Lot 010.000; and

FURTHER, notwithstanding the above description, it is the intention of this
conveyance to give title only to such property as was acquired by the County of Suffolk by Tax
Deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New
York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

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, RONKONKOMA BOWL, INC., by Eleanor DeBear, President, has
made application of said above described parcel and RONKONKOMA BOWL, INC., by Eleanor
DeBear, President, has paid the application fee and $56,163.41, 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, 2008; 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 his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to RONKONKOMA BOWL, INC., by Eleanor DeBear, President, 297 Liberty Street, Deer Park, New York 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:  

50.1
February 10, 2009

Tax Map No.: 0200-688.00-02.00-010.000
Name of Last Legal Fee Owner: RONKONKOMA BOWL, INC., by Eleanor DeBear, President

TREASURER'S COMPUTATION.......... $56,183.41

Taxes........2008/2009......................... OPEN

Recording Fees collected for County Clerk. . N/A

License Fee.................................. N/A

Repairs........................................ N/A

Interest...................................... N/A

Miscellaneous Expenses.................. N/A

TOTAL........................................ $56,183.41

Monies Received.................................. $56,183.41

RESOLUTION AMOUNT........................ $56,183.41

APPROVED:

[Signature]

PREPARED BY:

Diane Bishop
Redemption Unit
(631) 853-5932

[Signature]

[Date] 11/09
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X
   Tax Map Number 0200-688.00-02.00-010.000

2. Title of Proposed Legislation
   Authorizing the Director of the Division of Real Property Acquisition and Management
   and/or his 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
   2009

10. Typed Name & Title of Preparer  Signature of Preparer  Date
    Diane Bishop  Diane Bishop  2/1/09
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**TOTAL:** $49,025.82

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

**H. TOTAL DUE**  

**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.  

07-Jan-09  

Diane M. Stuke  
Deputy County Treasurer

**Interest and penalty computed to and including 07/06/09**
RESOLUTION NO. 2009, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW No. 13-1976 DELSON EQUITIES CORP. (SCTM NO. 0200-960.00-02.00-043.000)

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 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 960.00 Block 02.00 Lot 043.000 and acquired by Tax Deed on April 21, 1982 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 21, 1982 in Liber 9171 at Page 219 and described as follows, Town of Brookhaven, known and designated as Lots 21 & 22 in Block 42 on a certain map entitled “Map of New York & Brooklyn Suburban Investment Co., Section 2”, and filed in the Office of the Clerk of the County of Suffolk on November 19, 1889 as Map No. 70; and

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

WHEREAS, Delson Equities Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $5,500.00. 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 $4,500.00, 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 his designee, has received and deposited the sum of $5,500.00, 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 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 his designee, be and he 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 Delson Equities Corp., 290 Exeter Street, Brooklyn, New York 11235.

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  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
   2009

10. Name & Title of Preparer  Signature of Preparer  Date
    Lori Bertone- LMS II
SUFFOLK COUNTY, NEW YORK
DIVISION OF REAL PROPERTY ACQUISITION AND MANAGEMENT
H. Lee Dennison Building
100 Veterans Memorial Highway - 2nd Floor
Post Office Box 6100
Hauppauge, New York 11788

SUMMARY STATEMENT

DIRECT SALE:
Suffolk County Local Law No. 13-1976
Tax Map No. 0200-960.00-02.00-043.000

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<th>BID</th>
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SIZE OF PARCEL: 50’ x 100’
APPRaised VALUE: $4,500.00
COMMENT: Direct Sale to Adjacent Owner

Wayne R. Thompson
Property Manager
(631) 853-5971
February 6, 2009

Ben Zwirn
Deputy County Executive
Intergovernmental Relations
H. Lee Dennison Bldg. 11th Flr.
100 Veterans Memorial Highway
P.O. Box 6100
Hauppauge, NY 11788

Re: Tax Map Number: 0200-960.00-02.00-043.000

Dear Mr. Zwirn:

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,

Christopher E. Kent
Director of the Division of Real Property Acquisition and Management

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

Copy to: Brendan Chamberlain, County Executive Assistant (2 hard copies)
Thomas A. Isles, Director of Planning
CE Reso Review, via e-mail
RESOLUTION NO. - 2009, APPROVING THE RE-APPOINTMENT OF VINCENT BOLOGNA, JR. AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Vincent Bologna, West Babylon, NY 11704, as a representative of the Fire Chiefs’ Council of Suffolk County on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2009 and expiring December 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
Vincent A. Bologna Jr.
West Babylon, New York 11704

Curriculum Vitae

BACKGROUND INFORMATION:

Fire Marshal, Melville Fire District, 531 Sweet Hollow Road, Melville
New York. 11747 (1984 to Present.)

Captain, Crash Fire Rescue, Republic Airport, Rt.110, East
Farmingdale, New York. 11767 (1972 to 1984)

ORGANIZATIONS:

Active member of the following Fire Related Organizations:
National Fire Protection Association
Fire Marshal’s Of North America
Suffolk County Fire Marshal’s Association (Past President)
New York State Association Of Fire Chiefs
International Association Of Fire Chiefs
Suffolk County Fire Districts Association
Suffolk County Fire Chiefs Association
New York State Fire Marshal’s And Inspectors Association
American Society Of Safety Engineers, Long Island Chapter
Fire Inspectors Association Town Of Huntington
Town Of Babylon Fire Chiefs Association

ACCREDITATION/ CERTIFICATIONS:
Certified by New York State, Department of State as a Code Enforcement
Officer.
Nassau Community College (1969-1970)

Have attended numerous Seminars and Courses on Fire Inspection,
Prevention, and Investigation.
Suffolk County Fire Training Academy

New York State Academy of Fire Science

Active Member, West Babylon Fire Department, 28 years.

Presently Commissioner, West Babylon Fire District

EX-Chief, West Babylon Fire Department (1990-1992)
To: Commissioner Joseph Williams  
From: Steven White, President FMASC  
Date: November 21, 2008  
Subject: Representatives

Dear Commissioner Williams,

This is a response to your recent letter in regards to our representatives from the Fire Marshals Association of Suffolk County (FMASC) which serve on the Suffolk County Fire, Rescue and Emergency Services Commission.

As per the decision of the members of FMASC, vote held on November 18, 2008, we would like to nominate Vincent Bologna Jr. as our primary representative and Thomas Ryan as the alternate (same slate and position that is currently in).

If you should have any questions, please call Kevin Peterson at 631-852-4855

Thank you.

Steven White  
President

SW: kp
1. Type of Legislation

2. Title of Proposed Legislation
   Re-appointment of Vincent Bologna, Jr., as a member of the Suffolk County Fire, Rescue and Emergency Services Commission.

3. Purpose of Proposed Legislation
   Re-appointment of Vincent Bologna, Jr. 171 Ecker Avenue, West Babylon, NY 11704, as a representative of the Fire Marshal’s Association of Suffolk County, on the Suffolk County Fire, Rescue & Emergency Services Commission for the term ending December 31, 2011.

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.

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
   January 1, 2009 – December 31, 2011

10. Typed Name & Title of Preparer
    Joseph F. Williams, Commissioner

11. Signature of Preparer

12. Date
    January 22, 2009

SCIN FORM 175b (10/95)
SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Kenneth Capon, Shelter Island, NY 11964, as a representative of the Shelter Island Fire Department on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2009 and expiring December 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
Resume For Kenneth E. Capon

Born September 10, 1932 on Shelter Island, New York 11964
Attended Shelter Island Union Free School, for 12 years
Worked in watch factory 3 years.
Worked in frozen food factory 2 years
Worked in nursery for 1 year.
Served 22 months in army.
Worked in car dealer for 39 years.

Joined Shelter Island Fire Department 5-04-52
Served as Lieutenant.
Served as Captain.
Served as Chief.
Department Secretary at present time
Department Deputy Treasurer at present time

Worked for Fire District for 10 years
Served as Deputy Secretary & Treasurer for 6 years.
District representative to all meetings.
Member L. I. Fire Dist. Legislative Committee
Member Suffolk County Fire Dist. Executive Board

Member North Fork Volunteer Firemen Association.

Member South Fork Fire Police Association.

Member Suffolk County Firemen Association

Member Suffolk County Chief Association

Delegate to F. R. E. S. C.
   Sub-Committee: Combine Radio
   Arson Task Force
   Building and Grounds
   Recruitment Retention
   Haz Mat Homeland Security

Member Peconic Chiefs Assoc.

Member Southampton Chiefs Assoc.

Member Southold Chiefs Assoc.

Member N. Y. S. Fire Chiefs Assoc.

Member Eastern Chiefs Assoc.

Member inter-national Chiefs Assoc.
Member Firemens Assoc. State of N. Y.
Member Southern N. Y. Vol. Firemens Assoc.
Member of Fire Police Assoc. Area-7 (Long Island)
Member Fire Police Southern N. T.
Member Fire Police State New York.
Member of N. F. P. A.
Member Island Vol. Exempt Firemen's Benevolent Assoc.
Secretary Island Vol. Exempt Firemen's Benevolent

Member Shelter Island Vol. Exempt Firemen's Benevolent Assoc.
Secretary Shelter Island Volunteer Exempt Firemen's Benevolent Assoc.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Local Law: _______ Charter Law: _______ Resolution: _______

2. Title of Proposed Legislation
   Re-appointment of Kenneth Capon, as a member of the Suffolk County Fire, Rescue and
   Emergency Services Commission.

3. Purpose of Proposed Legislation
   Re-appointment of Kenneth Capon, P.O. Box 82, Shelter Island, NY 11964, as a representative
   of the Shelter Island Fire Department, on the Suffolk County Fire, Rescue & Emergency
   Services Commission for the term ending December 31, 2011.

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.

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
   January 1, 2009 – December 31, 2011

10. Typed Name & Title of Preparer
    Joseph F. Williams, Commissioner

11. Signature of Preparer
    [Signature]

12. Date
    January 22, 2009

SCIN FORM 175b (10/95)
October 16, 2008

Joseph F. Williams
Box 127
Yaphank
New York 11980

The Shelter Island Fire Department wish to submit the name of Kenneth Capon as representative on the Suffolk County Fire Rescue & Emergency Services Commission.

Firematixaly Yours:

Earl Reiter, Chief
RESOLUTION NO. 1145-09, APPROVING THE RE-APPOINTMENT OF RICHARD KELLER AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Richard Keller, Smithtown, NY 11787, as a representative of the Smithtown Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2009 and expiring December 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
Richard Keller

Smithtown, New York 11787
28 November 2005

To Whom it may concern,

I respectfully request to be reappointed as a member of the Suffolk County Fire, Rescue and Emergency Services Commission. As requested I submit my resume.

- Smithtown Resident for 40 years
- Active member of the Smithtown Fire Department for 39 years
- Retired from the FDNY, assigned to the Hazardous Materials Unit
- Through the ranks of the Smithtown Fire Department to Chief of Department
- Active member and past President of the Smithtown Township Chief's Council
- Active member of the Suffolk County Fire Chief's Council
- Past member of the Suffolk County Fire Advisory Board
- Past Chairman and active member of the Suffolk County Fire, Rescue and Emergency Services Commission
- Past Deputy Fire Coordinator for Smithtown Township
- Safety Officer with the Smithtown Fire Department
- Active member of the Suffolk County Arson Task Force
- Past Chairman of the Suffolk County Hazardous Materials Task Force
- Active member of the Suffolk County Terrorism Awareness Committee
- Past Chairman and active member of the Smithtown Board of Fire Commissioners
- Past Chairman of the Smithtown Township Fire District Officers Association
- Active member of the Suffolk County Fire District Officers Association

Respectfully Submitted,

Richard Keller
FIRE CHIEF’S COUNCIL
SMITHTOWN TOWNSHIP - ORGANIZED 1952
P.O. Box 1196 • Smithtown, New York 11787
chiefsCouncilsmithtown@hotmail.com

FIRE DEPARTMENTS
Commack
Hauppauge
Kings Park
Nesconset
Nissequogue
Smithtown
Saint James

4 November 2008
Joseph F. Williams, Commissioner
Suffolk County Department of Fire, Rescue & Emergency Services
P.O. Box 127
Yaphank, N.Y. 11980-0127

Commissioner Williams,

At the last meeting of the Smithtown Township Fire Chief’s Council it was decided that Mr. Richard Keller will be this organization’s primary representative to the FRES Commission. Mr. Keller’s alternate will be Mr. Vincent Puleo. As requested, please find attached Mr. Keller’s resume and listed below both Mr. Keller’s and Mr. Puleo’s addresses

Mr. Richard Keller
Smithtown, NY 11787

Mr. Vincent Puleo
Nesconset, NY 11767

Thank You,

Charles Duffy, President
Smithtown Fire Chief’s Council
**STATEMENT OF FINANCIAL IMPACT**
OF PROPOSED SUFFOLK COUNTY LEGISLATION[

1. Type of Legislation

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

2. Title of Proposed Legislation
Re-appointment of Richard Keller, as a member of the Suffolk County Fire, Rescue and Emergency Services Commission.

3. Purpose of Proposed Legislation
Re-appointment of Richard Keller, 120 Plymouth Boulevard, Smithtown, NY 11787, as a representative of the Smithtown Town’s Fire Chiefs’ Council, on the Suffolk County Fire, Rescue & Emergency Services Commission for the term ending December 31, 2011.

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

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

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

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

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
   January 1, 2009 – December 31, 2011

10. Typed Name & Title of Preparer
    Joseph F. Williams, Commissioner

11. Signature of Preparer

12. Date
    January 22, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. - 2009, APPROVING THE RE-APPOINTMENT OF SCOTT THEBOLD AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Scott Thebold, Middle Island, NY 11952, as a representative of the Fire Chiefs’ Council of Suffolk County on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2009 and expiring December 31, 2011, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
SCOTT A. THEBOLD

Middle Island, NY 11953

Objective: To secure a position as a member of the Suffolk County Fire, Rescue & Emergency Services (FRES) Commission. Due to my background and experience, I would consider myself to be an asset to the FRES Commission and make a significant contribution.

Experience:

- Presently hold position of 2nd Vice President of Suffolk County Fire Chiefs' Council.
- Also hold position as Suffolk County Fire Coordinator.
- Presently involved with various committees within Brookhaven and Suffolk Fire Chiefs' Councils.

1982 – present: An active member of the Middle Island Fire Department. Served in every available office including Chief in 1996-1997.


1998 – 2002: Elected to the Board of Fire Commissioners. Was Chairman of the Board for two (2) years.
November 20, 2008

Joseph F. Williams, Commissioner
SCFRES
P. O. Box 127
Yaphank, New York 11980

Dear Commissioner Williams:

Please let this letter serve as our response to your letter dated October 20, 2008. At our meeting held on Friday, November 14th, a motion was made and duly seconded with all in favor to nominate Scott Thebold to continue to serve as our representative to the SCFRES Commission for a two year term from January 1, 2009 to December 31, 2011.

It is our understanding, after speaking with Scotty, that you have a resume for him on file.

Sincerely,

Richard Van de Kieft
Corresponding Secretary
1. Type of Legislation

|-----------------|--------------|-------------|---|

2. Title of Proposed Legislation
Re-appointment of Scott Thebold, as a member of the Suffolk County Fire, Rescue and Emergency Services Commission.

3. Purpose of Proposed Legislation
Re-appointment of Scott Thebold, 421 Lake Pointe Drive, Middle Island, NY 11952, as a representative of the Fire Chiefs' Council of Suffolk County, on the Suffolk County Fire, Rescue & Emergency Services Commission for the term ending December 31, 2011.

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

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

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

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

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

8. Proposed Source of Funding
N/A

9. Timing of Impact
January 1, 2009 – December 31, 2011

10. Typed Name & Title of Preparer
Joseph F. Williams, Commissioner

11. Signature of Preparer

12. Date
January 22, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2008 TO APPOINT MEMBER OF COUNTY PLANNING COMMISSION (JOSEPH B. POTTER)

WHEREAS, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

WHEREAS, the term of office of the member from the Town of East Hampton, Thomas M. Thorsen, remains vacant due to his resignation: and

WHEREAS, Steve Levy, the County Executive of Suffolk has appointed Joseph B. Potter, currently residing at Amaganset, NY 11930, as a member of the County Planning Commission, now, therefore be it

1st RESOLVED, that Joseph B. Potter, currently residing at Amaganset, NY 11930, is hereby appointed as a member of the Suffolk County Planning Commission to complete the term of Mr. Thorsen, said term to expire December 31, 2012, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
RESUME  01/09

Joseph B. Potter  ("Job")   Amagansett NY 11930

Born November 8, 1948. Married and have two children; Cary is a freshman at NYU and Ben is a sophomore at the Ross School. Attended Wesleyan University and Connecticut College (B.A. '75, major in botany)

Late 1970's to early 1980's. Various employment in marine industry; boat yards, charter sailboats, limited time commercial fishing. During that period managed family-owned real estate, including rental properties.

Late 1980's to 1990's. Coordinated family-owned real estate including sales, small subdivisions, limited development plan of family horse-farm with easements, development rights gifting, conservation sales to neighbors. Worked closely with Peconic Land Trust, local planning officials.

Late 1980's to 1996. Worked as a certified Residential Real Estate Appraiser for Clark and Marshall, East Hampton, New York, appraising vacant land, homes, and some commercial properties.

Early 1990’s. Volunteered as a piping plover recovery program coordinator with The Nature Conservancy. Ran twice for Town Trustee and lost, but helped change local beach-driving laws to better protect threatened species nesting on beaches. Spent a lot of time at Cedar Point County Park doing the same, coordinated with park personnel.

1992-1996  Member East Hampton Town Planning Board.

1997-2004 Member East Hampton Town Board. Primarily involved in the following: affordable housing projects; created first four historic districts in the Town; participated in new Town Comprehensive Plan; and Town Board liaison to the CPF Program for eight years, without in-house dedicated staff (from the inception of the program through three Supervisors of two political parties; acquisitions ranging from historic houses, Poxabogue Golf Course, easements, and hundreds of acres of land, parcels large and small). Former member of the Suffolk County Farmland Development Rights Program Committee, and briefly served on the committee looking at underwater leasing for shellfish fisheries.

2004 to Present: Salesperson at Sotheby’s International Realty, East Hampton.

I am working on a book on Charles Darwin’s time in South America in the 1830’s; the changes in the countries he visited, touching on environmental and human issues at present, and their colonial antecedents such as slavery, indigenous peoples, destruction of forests, exploitive land ownership patterns.

Recently accepted a two-year volunteer position on a Budget Advisory Committee appointed by the East Hampton Town Board. Member Amagansett Fire Department, Fire Police.
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PLANNING

THOMAS A. ISLES, A.I.C.P.
DIRECTOR OF PLANNING

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas A. Isles, Director
Department of Planning

DATE: February 4, 2009

RE: Planning Commission

Please find enclosed draft resolutions to appoint two members to the Suffolk County Planning Commission. They are Joseph Potter of East Hampton Town and Michael Kelly of Brookhaven Town. Also enclosed are copies of their resumes.

Please contact me if you require any additional information.

Thank you.

cc; Jim Morgo, Chief Deputy County Executive
**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>
</tr>
</thead>
</table>

**2. Title of Proposed Legislation**
**TO APPOINT MEMBER OF COUNTY PLANNING COMMISSION (JOSEPH B. POTTER)**

**3. Purpose of Proposed Legislation**
Joseph B. Potter to replace Thomas M. Thorsen, due to resignation, as the member from the Town of East Hampton. Term to expire December 31, 2012.

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

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

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

<table>
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<tr>
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<th>Economic Impact</th>
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<td>Other (Specify):</td>
</tr>
<tr>
<td>Library District</td>
<td>Fire District</td>
<td></td>
</tr>
</tbody>
</table>

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

N/A

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

N/A

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

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

**10. Typed Name & Title of Preparer**
Steve R. Tricarico  
County Executive Assistant

**11. Signature of Preparer**

**12. Date**
February 18, 2009

SCIN FORM 175b (10/95)
Intro. Res. No. 1148 -2008

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

RESOLUTION NO. -2008 TO APPOINT MEMBER OF COUNTY PLANNING COMMISSION (MICHAEL F. KELLY)

WHEREAS, Section 14-2(A) of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large: and

WHEREAS, the term of office of the member from the Town of Brookhaven, Edward James pruitt, remains vacant due to his untimely passing: and

WHEREAS, Steve Levv, the County Executive of Suffolk has appointed Michael F. Kelly, currently residing at Stony Brook, NY 11790, as a member of the County Planning Commission, now, therefore be it

1st RESOLVED, that Michael F. Kelly, currently residing at Stony Brook, NY 11790, is hereby appointed as a member of the Suffolk County Planning Commission to complete the term of Mr. Pruitt, said term to expire December 31, 2010, pursuant to Section 14-2(A) of the SUFFOLK COUNTY CHARTER.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
SUMMARY
Over twenty years of successful experience in the financial and real estate industries. Continued education enables application of theory to practical employment issues. Extensive analytical, mentoring, planning customer service and problem solving skills are combined with successful leadership and team building experience. An effective communicator whose dedication and determined work ethic guarantee results.

EDUCATION
MOLLOY COLLEGE
- Energia Regional Leadership Program
  ROCKVILLE CENTRE, NY
  JANUARY 2010

TOURO COLLEGE SCHOOL OF LAW
- Jurist Doctorate
- Admitted NYS Bar
- Awarded 2000 Arthur H. Kuntz Scholarship by the American Association of Planners
  HUNTINGTON, NY
  MAY 2001

UNIVERSITY OF ST. THOMAS
- Masters Business Administration: Finance
  MINNEAPOLIS, MN
  DECEMBER 1994

PROVIDENCE COLLEGE
- Bachelors Science: Finance
  PROVIDENCE, RI
  MAY 1987

PROFESSIONAL EXPERIENCE
PULTE HOMES OF NEW YORK
VICE PRESIDENT
- Developed regional land acquisition strategy focusing on redevelopment of blighted areas of Long Island to develop workforce housing
- Coordinated re-zoning efforts with constant communication by partnering with County and Town officials, civic organizations and Long Island Housing Partnership
- Expanded corporate recognition thru community outreach and active participation within communities of concentration
  MEDFORD, NY
  MAY 2003 – DECEMBER 2008

LONG LAKE CONSTRUCTION
COUNSEL / MANAGEMENT
- Reviewed and negotiated purchase and sales contracts on land acquisitions and the sale of condominium units and represented corporation at closing
- Facilitated construction, land and end loan financing through local and national lenders
- Represented corporation at District Court hearings and liaison with insurance company Compiled information required for Attorney General approval of Offering Plan
  PT. JEFFERSON, NY
  MAY 2000-PRESENT

MEYER, MEYER & KENEALLY, ESQ.
LAW CLERK
- Reviewed and cleared both title and survey issues with attorneys and title companies
- Represented lending institutions by conducting closings, preparing closing documents and explaining closing materials to borrowers; and various other transactional and zoning work
- Increased revenue by marketing closing services to industry contacts
  SMITHTOWN, NY
  FEBRUARY, 1999-APRIL, 2000
GLOBAL PORTFOLIO, LLC
VICE PRESIDENT, OPERATIONS
CARLE PLACE, NY
JANUARY, 1996-JANUARY, 1999
- Performed credit and legal due diligence on A-D credit bulk portfolio sales, recorded results, and calculated purchasing decisions based on risk and cost benefit analysis
- Negotiated commitment letters, purchase agreements, and servicing contracts
- Executed trades of individual and whole loan portfolios with secondary market investors
- Controlled warehouse line, servicing transfer, MORNET and MBS

NEW BUSINESS DEVELOPMENT MANAGER
- Designed, coordinated and implemented product and marketing plans detailing product offerings, target markets and sales incentives
- Expanded revenue base by selling mortgage services to banks and mortgage companies
- Developed training procedures and policy manuals for new employees

ALLIED IRISH BANK
CREDIT ANALYST
NEW YORK, NY
APRIL, 1995-OCTOBER, 1995
- Investigated credit worthiness of profit and non-profit borrowers through detailed analysis of financial statements and industry presented and recommended to credit committee
- Performed feasibility analysis on multi-family projects, on a variety of long and short term financing structures and offered the most cost efficient financing alternative to clients

PRUDENTIAL HOME MORTGAGE
MARKETING TEAM LEADER
MINNEAPOLIS, MN
FEBRUARY, 1992-SEPTEMBER, 1994
- Formulated strategic goals, implemented marketing plan, and researched target areas
- Maintained control systems to ensure productivity by monitoring sales calls and providing immediate, constructive feedback to the marketing force resulting in increased sales of 35%
- Developed scripting aimed at select target markets to optimize cold calling efforts and tracked interest rate movements to properly coordinate products to customer needs

PRODUCTION TEAM LEADER I SENIOR UNDERWRITER
- Managed 14 employees in the processing, underwriting, closing and communication functions, ensuring compliance with secondary mortgage market regulations
- Utilized team building strategies which motivated employees to consistently produce quality products and to meet company service levels of 90% customer approval ratings
- Enhanced client relations by providing needs analysis and follow through on project plans

ACTIVITIES AND AWARDS
- Board of Directors of Down Syndrome Foundation; Treasurer and Brookhaven Committee Co-Chair for Long Island Builders Institute; Board Member for Patchogue Business Improvement District
- Recipient of the Paul S. Miller with Liberty and Justice for All Award – Touro Law Center – 2006; Good Neighbor of the Year – Central Islip Civic Council 2008; Builder of the Year – Long Island Business News 2006 and 2007; Vision Long Island Community of the Year 2007 for Copper Beech (50% Workforce Housing community-Patchogue); Presenter for Suffolk County Planning Commission 2008; Vision Long Island 2008; Long Island Housing Partnership 2007

REFERENCES
- Available upon request
### STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

<table>
<thead>
<tr>
<th>2. Title of Proposed Legislation</th>
<th>TO APPOINT MEMBER OF COUNTY PLANNING COMMISSION (MICHAEL F. KELLY)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>3. Purpose of Proposed Legislation</th>
<th>Michael F. Kelly to replace Edward James Pruitt, due to his untimely passing, as the member from the Town of Brookhaven. Term to expire December 31, 2010.</th>
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</thead>
</table>

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

<table>
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<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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</table>

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

<table>
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<tr>
<th>6. If the answer to item 5 is &quot;yes&quot;, Provide Detailed Explanation of Impact</th>
</tr>
</thead>
</table>

N/A

<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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</table>

N/A

<table>
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<th>8. Proposed Source of Funding</th>
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N/A

<table>
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<tr>
<th>9. Timing of Impact</th>
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</thead>
</table>

N/A

<table>
<thead>
<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
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Steve R. Tricarico
County Executive Assistant

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<tr>
<th>11. Signature of Preparer</th>
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[Signature]

<table>
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<tr>
<th>12. Date</th>
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</table>

February 18, 2009
RESOLUTION NO. –2009,
APPROVING THE APPOINTMENT OF
DYLAN SKOLNICK TO THE SUFFOLK
COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

WHEREAS, the term of Bart Pellegrino as a member of the Motion Picture/Television Film Commission has expired as of January 31, 2009; now, therefore, be it

1st RESOLVED, that Dylan Skolnick, residing Huntington, NY, is hereby appointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire January 31, 2013, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:
Dylan Skolnick is Director of Programming at the Cinema Arts Centre where he programs and supervises the acclaimed "Theater of the Wild" series in addition to the monthly film program. Mr. Skolnick is also a Coordinating Programmer for the Lake Placid Film Festival. A graduate of New York's School of Visual Arts, Mr. Skolnick is a filmmaker and screenwriter. His short films include "The Stones," which is currently in postproduction, and "House of the Sleeping Beauties" based on the novella by Nobel Prize winner Yasunari Kawabata.

Dylan Skolnick

Huntington, NY 11743
Memo

To: Ben Zwirn, Deputy County Executive

From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing

Date: February 17, 2009

Re: APPROVING THE APPOINTMENT OF DYLAN SKOLNICK TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
    Carolyn Fahey, Intergovernmental Relations Coordinator
    Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs
# Statement of Financial Impact

## Of Proposed Suffolk County Legislation

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

2. **Title of Proposed Legislation**
   - APPROVING THE APPOINTMENT OF DYLAN SKOLNICK TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

3. **Purpose of Proposed Legislation**
   - The term of Bart Pelligrino as a member of the Suffolk County Motion Picture/Television Film Commission expired January 31, 2009. Resolution is for new appointment of Dylan Skolnick to a four year term expiring January 31, 2013.

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

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.**
   - N/A

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

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

10. **Typed Name & Title of Preparer**
    - Steve R. Tricarico  
    - County Executive Assistant

11. **Signature of Preparer**

12. **Date**
    - 2-19-09

---

*SCIN FORM 175b (10/95)*

Page 1 of 2
RESOLUTION NO.  –2009, TO
REAPPOINT LENNY STUCKER TO THE
SUFFOLK COUNTY MOTION PICTURE/
TELEVISION FILM COMMISSION

WHEREAS, the term of Lenny Stucker as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of January 31, 2009 and he is currently a holdover member of said Commission: now, therefore, be it

1st RESOLVED, that Lenny Stucker, residing in Fort Salonga, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire January 31, 2013, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:
Lenny Stucker

Lenny Stucker joined the NBC Television Network in 1969. After performing a various amount of functions, he was ultimately promoted to a TV network director and remained with NBC for 23 years. He directed a variety of network shows from entertainment to major sports broadcasts. In 1987, Lenny Stucker formed his own International production company called TalentWorks, Inc. TalentWorks, Inc. went on to have many of the worlds’ leading broadcasters as their clients. TalentWorks, Inc. created and produced television shows around the world. TalentWorks, Inc. acquired broadcast rights for many of the major sports and entertainment broadcasts in the USA for its international clients. TalentWorks, Inc. started licensing products that were connected with the shows that were broadcasted. TalentWorks, Inc. created and co-created shows here in the USA. TalentWorks, Inc. became a multi million-dollar production company. In 1998, Lenny Stucker was asked to come and live in Europe to become Program Director of European TV. Lenny Stucker lived in Europe and helped to change television, as Europeans knew it. Lenny Stucker holds 10 National Emmys for his work in television. Lenny Stucker is Entertainment Chairman of the Carol Baldwin Breast Cancer Foundation and in addition serves as Vice Chairman of the Suffolk County Film Commission in New York.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   TO REAPPOINT LENNY STUCKER TO THE SUFFOLK COUNTY MOTION
   PICTURE/TELEVISION FILM COMMISSION

3. Purpose of Proposed Legislation
   Term of Lenny Stucker as a member of the Suffolk County Motion Picture/Television Commission expired January 31, 2009. Resolution is to reappoint for a four year term expiring January 31, 2013.

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
   - 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.
   
   N/A

8. Proposed Source of Funding
   
   N/A

9. Timing of Impact
   
   N/A

10. Typed Name & Title of Preparer
    Steve R. Tricarico
    County Executive Assistant
    SCIN FORM 175b (10/95)

11. Signature of Preparer
    [Signature]

12. Date
    February 18, 2009
Memo

To: Ben Zwirn, Deputy County Executive

From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing

Date: February 17, 2009

Re: TO REAPPOINT LENNY STUCKER TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
    Carolyn Fahey, Intergovernmental Relations Coordinator
    Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs
RESOLUTION NO. -2009, TO REAPPOINT SUSAN GATTI TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

WHEREAS, the term of Susan Gatti as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of January 31, 2009 and she is currently a holdover member of said Commission: now, therefore, be it

1st RESOLVED, that Susan Gatti, residing in Deer Park, NY, is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire January 31, 2013, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:
Susan Gatti
Babylon NY 11702
Email: susan@queproductions.com

Home address: Deer Park, NY 11729

Experience
QUE Productions, Babylon, NY 10/1990-present
President / creative director
15 years experience producing and directing for film, television, CD-ROM, DVD and web based programming.
Responsibilities include:
• Conceptualize, write and produce multimedia campaigns for mid-large companies in the NY area.
• Manage staff and crew
• Strategizing for branding initiatives
• Client presentations
• Figure all mid-large range budgets
• Direct and coordinate film/video shoots
• Design graphics/animations for TV and electronic media
• Formulate production schedules
• Secure crew, location, insurance, lighting and grip
• Post-production designer/director - experience working with avid, media 100, final cut pro and discreet editing systems.
• Conduct on camera interviews

Additional experience
• Copy writing
• Art direction
• Set design
• Animation design
• Storyboarding
• Script notes
• Scene coordination

1987-1989 Creative Director/RWGS Advertising:
Formulation of total ad campaigns- everything from concept to completion in radio, television and print.
Responsibilities include conceptual branding, design, layout, scripting, storyboarding, comprehensive color illustration, client presentations and delegation of work to art and media departments.

Education:
Parsons School of Design, New York - Advertising Art and Design.
C.W.Post, Old Brookville, New York - Fine Art and Design
SUNY Farmingdale, New York - Marketing Communications
Memo

To: Ben Zwirn, Deputy County Executive

From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing

Date: February 17, 2009

Re: TO REAPPOINT SUSAN GATTI TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
    Carolyn Fahey, Intergovernmental Relations Coordinator
    Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   TO REAPPOINT SUSAN GATTI TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

3. Purpose of Proposed Legislation
   Term of Susan Gatti as a member of the Suffolk County Motion Picture/Television Commission expired January 31, 2009. Resolution is to reappoint for a four year term expiring January 31, 2013.

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.
   N/A

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   N/A

10. Typed Name & Title of Preparer  11. Signature of Preparer  12. Date
    Steve R. Tricarico  [Signature]  February 18, 2009
    County Executive Assistant

SCIN FORM 175b (10/95)

Page 1 of 2
RESOLUTION NO. 2009, TO REAPPOINT LORA FOX TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

WHEREAS, the term of Lora Fox as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of January 31, 2009 and she is currently a holdover member of said Commission; now, therefore, be it

1st RESOLVED, that Lora Fox, residing in East Hampton, NY is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire January 31, 2013, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date:
Professional Experience:

1994 - Present  Producer  East
Hampton, NY
Production/Distribution Consultant
East End Production Services

THE SONG IS YOU  FROM WATERMILL  East
Hampton, NY
TV Series  Pilot for PBS
Host: Bonnie Grise

THE TEN LLC, Feature Film  East
Hampton, NY
Starring Jessica Alba, Winona Ryder

KATIE BROWN WORKSHOP
East Hampton, NY
Life style TV for PBS

FANNY AND ELVIS, Feature Film
London, UK
Starring Ray Winston, David Morrissey

JAWS IN THE MED, Documentary
London, UK
Channel Four, UK

1997- Present  Founding Advisory Board Member
London, UK
British Independent Film Awards

2005  Manager  East Hampton,
NY
Hamptons International Film Festival

1997-2001  Producer/Partner
London, UK
Movie Screen International

ANOTHER LIFE, Feature Film
Starring Tom Wilkinson,
Imelda Staunton, Nick Moran
DIANA: A TRIBUTE TO THE PEOPLE'S PRINCESS
Channel 5, UK

1997-1999
Juror
London, UK
British Independent Film Awards

Lora Fox
Page 2

1995-1997
Managing Director
London, UK
Pinnacle Pictures

PRAGUE DUET, Feature Film
Starring Gina Gershon, Rade Serbedjiwa
SPANISH FLY, Feature Film
Starring Martin Donovan, Daphna Kastner
Miramax Films

1993
Director National/International Productions
Los Angeles, CA
Oregon Public Broadcasting
Executive Producing/Writing/Research for
PBS
Dorling-Kindersley/BBC Co-production

1991-1993
Producer/Writer
Los Angeles, CA
Marty Snyderman Productions
VIEW FROM THE CAGE, Documentary
The Discovery Channel
GREAT WHITES OF CALIFORNIA, Documentary
The Discovery Channel

1989-1991
Executive Director
Los Angeles, CA
International Documentary Association

1987-1989
Director of Acquisitions
Los Angeles, CA
The Samuel Goldwyn Company

1986
Director of Creative Affairs
Los Angeles, CA
Jeff Dowd & Associates
Education:

HARVARD GRADUATE SCHOOL OF EDUCATION
Learning Differences Conference, November 2004
Project Zero, July 2004
COLUMBIA UNIVERSITY
The Reading and Writing Project at Teacher's College, July 2004
LONG ISLAND UNIVERSITY, Southampton
Graduate Program in Secondary Education Certification, 2004, GPA: 4.0
New York State Teaching Certification for English Grades 7-12
STANFORD UNIVERSITY
Bachelor of Arts with Distinction in Communications, 1984, GPA: 3.8

In addition: Directed seminars at numerous international festivals and markets
on story structure, distribution (both international and domestic), and procurement of development and production finance.
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   TO REAPPOINT LORA FOX TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

3. Purpose of Proposed Legislation
   Term of Lora Fox as a member of the Suffolk County Motion Picture/Television Commission expired January 31, 2009. Resolution is to reappoint for a four year term expiring January 31, 2013.

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
   N/A

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   N/A

10. Typed Name & Title of Preparer
    Steve R. Tricarico
    County Executive Assistant

11. Signature of Preparer
    [Signature]

12. Date
    February 18, 2009

SCIN FORM 175b (10/95)
Memo

To: Ben Zwirn, Deputy County Executive
From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing
Date: February 17, 2009
Re: TO REAPPOINT LORA FOX TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
    Carolyn Fahey, Intergovernmental Relations Coordinator
    Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs
RESOLUTION NO. –2009, TO
REAPPOINT ROBERT BEUKA TO THE
SUFFOLK COUNTY MOTION PICTURE/
TELEVISION FILM COMMISSION

WHEREAS, the term of Robert Beuka as a member of the Suffolk County Motion Picture/Television Film Commission has expired as of January 31, 2009 and he is currently a holdover member of said Commission: now, therefore, be it

1st RESOLVED, that Robert Beuka, residing in Huntington, NY is hereby reappointed as a member of the Suffolk County Motion Picture/Television Film Commission for a four year term of office to expire January 31, 2013, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE; and be it further

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

DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date:
Robert A. Beuka, Ph.D.

Huntington, NY 11743

Academic Employment
Bronx Community College, City University of New York:
• Associate Professor, Department of English, 2006-present;
• Assistant Professor, Department of English, 2002-2006

Louisiana State University:
• Postdoctoral Instructor, Department of English, 2000-2002;
• Graduate Teaching Assistant, Department of English, 1995-1999

Long Island University, Brooklyn:
• Adjunct Assistant Professor, English Department, 1993-1994

Pace University, Pleasantville:
• Adjunct Lecturer, Literature/Communications Dept, 1993-1994

Education
Ph.D. English, Louisiana State University, 2000
B.A. English, State University of New York at Albany, 1987

Affiliations
Modern Language Association
American Literature Association
F. Scott Fitzgerald Society (Editor, Fitzgerald Society Newsletter, 2005-present)
Suffolk County (NY) Film Commission
WLIU-FM, Southampton, NY (Host, weekly segment, “Movie Talk”)

Publications
Books


Essays


“Imagining the Postwar Small Town: Gender and the Politics of Landscape in *It’s a Wonderful Life.*” *The Journal of Film and Video* 51 (Fall/Winter 1999/2000): 36-47.

**Forthcoming Essays**


“On the Border: Landscape and Cultural Identity in the Short Story Sequences of Dagoberto Gilb.” Essay accepted by editors for a forthcoming volume on the short story sequence. Robert Luscher (University of Nebraska) and Jeffrey Birkenstein (St. Martin’s University), editors.
Reviews and Reference essays


Invited Lectures, Media Appearances, and Consulting


Host and discussion leader for film screening: “Wonderland,” Stony Brook Humanities Institute, Stony Brook, NY, March 2009.


Conference Participation


References

Furnished upon request
Memo

To: Ben Zwirn, Deputy County Executive

From: Patrick Heaney, Commissioner, Economic Development and Workforce Housing

Date: February 17, 2009

Re: TO REAPPOINT ROBERT BEUKA TO THE SUFFOLK COUNTY MOTION PICTURE/ TELEVISION FILM COMMISSION

I am requesting that subject resolution be introduced to the Suffolk County Legislature.

Cc: Brendan Chamberlain, Director, Intergovernmental Relations
    Carolyn Fahey, Intergovernmental Relations Coordinator
    Michelle Isabelle-Stark, Program Coordinator, Cultural Affairs
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   - TO REAPPOINT ROBERT BEUKA TO THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

3. Purpose of Proposed Legislation
   Term of Robert Beuka as a member of the Suffolk County Motion Picture/Television Commission expired January 31, 2009. Resolution is to reappoint for a four year term expiring January 31, 2013.

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): Fire District

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

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

8. Proposed Source of Funding
   N/A

9. Timing of Impact
   N/A

10. Typed Name & Title of Preparer
    - Steve R. Tricarico
    - County Executive Assistant

11. Signature of Preparer
    - [Signature]

12. Date
    - February 18, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009, AUTHORIZING
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD
OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN
WITH THE OWNER OF ROYAL HEALTH & RACQUET CLUB, INC. (BR-1565)

WHEREAS, Royal Health & Racquet Club, Inc., is located outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Royal Health & Racquet Club, Inc., has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 11 – Selden; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity available in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 – Selden and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection has been approved by the Suffolk County Sewer Agency, Resolution 2-2009; and

WHEREAS, Royal Health & Racquet Club, Inc., will pay $7.06 per gallon per day of the connection fee to the District 11 Venture as part of the agreement for expanding the District and the balance of the $15.00 connection fee ($7.94) per gallon per day ($63,591.46) to the district; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 11 – Selden and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

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. ___-2009, AUTHORIZING EXECUTION OF AGREEMENT BY THE
   ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11- SELDEN
   WITH THE OWNER OF ROYAL HEALTH AND RACQUET CLUB (BR-1565)

3. Purpose of Proposed Legislation
   To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer
   District No. 11 –Selden with the owner of Royal Health and Racquet Club, Inc., a firm seeking to
   permission to discharge 8,009 GPD.

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

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

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
   $7.06 per gallon per day of the connection fee for this project will be paid to the District 11-
   Venture, as per Sewer Agency Resolutions 14-1997 and 6-2006 to expand SCSD #11- Selden and
   the balance of the connection fee of $7.94 per gallon per day ($63,591.46) will be paid to the
   district.

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

8. Proposed Source of Funding
   Connection Fees.

9. Timing of Impact
   2009

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

11. Signature of Preparer

12. Date
    2/23/09

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

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<th>2009 COST TO AVG TAXPAYER</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2009 AV TAX RATE PER $100</th>
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### COMBINED

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<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
<th>2009 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 2007 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
WHEREAS, Royal Health & Racquet Club is an existing health complex in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 449.00, Block 02.00, Lots 5 & 25, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that Royal Health & Racquet Club, Inc. will generate a sewage flow of Eight thousand and nine gallons per day (8,009 GPD), and

WHEREAS, the owner of Royal Health & Racquet Club, Inc. has applied to this Agency for permission to connect Royal Health & Racquet Club, Inc. to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage (the District 11 Venture plant expansion) which is expected to emanate from Royal Health & Racquet Club, Inc., and

WHEREAS, Sewer Agency Resolution 6-2006 (4/17/06), stated that the connection fee was at the rate of $15.00 GPD and established $7.06 GPD as the amount the District 11 Venture could charge the connectees to cover the cost of construction. The District 11 Venture has a right to recover their costs as part of the agreement for expanding the District and the balance of the $15.00 connection fee ($7.94 GPD) is to be paid to the District, and

WHEREAS, the connection of Royal Health & Racquet Club, Inc. to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Royal Health & Racquet Club, Inc. be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2nd RESOLVED, that Eight thousand and nine gallons per day (8,009 GPD), of capacity in the District's sewage treatment plant be allocated to Royal Health & Racquet Club, Inc., and it is further

3rd RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further
4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Royal Health & Racquet Club, Inc., the District, the Suffolk County Department of Public Works (“DPW”), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee to be paid for Royal Health & Racquet Club, Inc. shall be paid upon the execution of the Connection Agreement at the rate of $7.94 per gallon of sewage per day for a total of $63,591.46 and it is further

65th RESOLVED, that Royal Health & Racquet Club, Inc. shall, at its sole cost, expense and effort, construct a sewage collection facility for Royal Health & Racquet Club, Inc., and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

7th RESOLVED, that no Certificate of Occupancy shall be issued for any additional portion of Royal Health & Racquet Club, Inc. until the sewage collection facility for Royal Health & Racquet Club, Inc. has been completed and the Premises have been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

8th RESOLVED, that the developer of Royal Health & Racquet Club, Inc. shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Royal Health & Racquet Club, Inc., as well as for all of the developer's obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Royal Health & Racquet Club, Inc. if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting 1/26/09)
RESOLUTION SUBMITTAL SHEET

Capital Project  NA  Legislative Districts  6
Operating Fund  NA  Federal Aid %  NA
Other  State Aid %  NA

Give a complete description of why we are asking for reso; if aided, state status of aid

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Royal Health & Racquet Club, Inc. (BR-1565), a firm seeking permission to discharge 8,009 GPD.

Previous resolution (list previous reso for the same work)

Resolution
Number  Purpose  Amount

Amounts being requested  Current Funding
Planning  0  Planning  0
Site  0  Site  0
Construction  0  Construction  0
Land  0  Land  0
F&E  0  F&E  0

Project Status
Est. planning completion  NA  Design consultant  Contractor
Est. construction start
Est. construction completion

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

Offset  Leg. District  Comments
MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW
DATE: January 30, 2009
SUBJECT: Introductory Resolution Calling for Approval of the Connection of Royal Health & Racquet Club, Inc. (BR-1565) to Suffolk County Sewer District No. 11 – Selden

Attached is a draft resolution filed as Reso-DPW-SA 2-2009 Royal Health & Racquet Club, Inc. (BR-1565) and appropriate forms with the backup filed as Backup-DPW-SA 2-2009 Royal Health & Racquet Club, Inc. (BR-1565) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Royal Health & Racquet Club, Inc. (BR-1565).

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<thead>
<tr>
<th>Project Facts</th>
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<td>Flow: 8,009 GPD</td>
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<td>Sewer District: SCSO No. 11 - Selden</td>
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<td>Groundwater Zone: III</td>
</tr>
<tr>
<td>SEQRA: Complete</td>
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<td>SC Tax Parcel: 0200-449.00-02.00-005.000 &amp; 025.000</td>
</tr>
<tr>
<td>Legislative District: 6th</td>
</tr>
</tbody>
</table>

TL:BW:cap
cc: Jim Morgo, Chief Deputy County Executive
Gilbert Anderson, P.E. Commissioner, SCDPW
Ben Wright, P.E.
John Donovan, P.E.
Laura Conway
Linda Spahr, Esq.
Debra Kolyer, County Executive’s Office
Brendan Chamberlain
E-mail to CE Reso Review
RESOLUTION NO. 2009, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 – SELDEN WITH THE OWNER OF SONS CORAM, LLC (BR-1599)

WHEREAS, Sons Coram, is located outside the boundary of Suffolk County Sewer District No. 11 – Selden; and

WHEREAS, Sons Coram, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 11 – Selden; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity available in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 – Selden and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection has been approved by the Suffolk County Sewer Agency, Resolution 3-2009; and

WHEREAS, Sons Coram, will pay $7.06 per gallon per day of the connection fee to the District 11 Venture as part of the agreement for expanding the District and the balance of the $30.00 connection fee ($22.94) per gallon per day ($68,820.00) to the district; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 11 – Selden and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

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. ____-2009, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11– SELDEN WITH THE OWNER OF SONS CORAM, LLC (BR-1599)

3. **Purpose of Proposed Legislation**

   To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11–Selden with the owner of Sons Coram, LLC, a firm seeking to discharge 3,000 GPD.

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

   Yes **X**  
   No  

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

   (circle appropriate category)

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

6. **If the answer to Item 4 is "yes," ProvideDetailed Explanation of Impact**

   $7.06 per gallon per day of the connection fee for this project will be paid to the District 11-Venture, as per Sewer Agency Resolutions 14-1997 and 6-2006 to expand SCSD #11- Selden and the balance of the connection fee of $22.94 per gallon per day ($68,820.00) will be paid to the district.

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

   N/A

8. **Proposed Source of Funding**

   Connection Fees.

9. **Timing of Impact**

   2009

10. **Typed Name & Title of Preparer**

    Debra Kolyer  
    Principal Financial Analyst

11. **Signature of Preparer**

    [Signature]

12. **Date**

    2/23/09

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

## 2009 Property Tax Levy

### Cost to the Average Taxpayer

<table>
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<tr>
<th>Fund</th>
<th>Property Tax Levy</th>
<th>Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1000</th>
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<tbody>
<tr>
<td><strong>General Fund</strong></td>
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**Police District and District Court**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Property Tax Levy</th>
<th>Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
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**Combined**

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<th>Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1000</th>
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<td><strong>Total</strong></td>
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<td>$0.00</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**


Page 2 of 2

To be completed by the Executive Budget Office
SUFFOLK COUNTY SEWER AGENCY

RESOLUTION NO: 3 - 2009

AUTHORIZING THE FORMAL APPROVAL FOR THE
CONNECTION OF SONS CORAM, LLC (BR-1599) TO
SUFFOLK COUNTY SEWER DISTRICT No. 11 - SELDEN

WHEREAS, Sons Coram, LLC is a proposed restaurant complex in Coram, New York, on property identified on the Suffolk County Tax Map as District 0200, Section 371.00, Block 08.00, Lots 002.001 & 002.002, and

WHEREAS, the Premises are not located within the boundaries of Suffolk County Sewer District No. 11 – Selden (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, it is anticipated that Sons Coram, LLC, Inc. will generate a sewage flow of Three thousand gallons per day (3,000 GPD), and

WHEREAS, the owner of Sons Coram, LLC, Inc. has applied to this Agency for permission to connect Sons Coram, LLC, Inc. to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage (the District 11 Venture plant expansion) which is expected to emanate from Sons Coram, LLC, and

WHEREAS, Sewer Agency Resolution 6-2006 (4/17/06), stated that the connection fee was at the rate of $15.00 GPD and established $7.06 GPD as the amount the District 11 Venture could charge the connectees to cover the cost of construction. The District 11 Venture has a right to recover their costs as part of the agreement for expanding the District and the balance of the current $30.00 connection fee ($22.94 GPD) is to be paid to the District, and

WHEREAS, the connection of Sons Coram, LLC to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st RESOLVED, that Sons Coram, LLC, Inc. be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

2nd RESOLVED, that Three thousand gallons per day (3,000 GPD), of capacity in the District's sewage treatment plant be allocated to Sons Coram, LLC, and it is further

3rd RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further
4th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the developer of Sons Coram, LLC, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

5th RESOLVED, that the connection fee to be paid for Sons Coram, LLC, shall be paid upon the execution of the Connection Agreement at the rate of $22.94 per gallon of sewage per day for a total of $68,820.00 and it is further

6th RESOLVED, that Sons Coram, LLC, Inc. shall, at its sole cost, expense and effort, construct a sewage collection facility for Sons Coram, LLC, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

76th RESOLVED, that no Certificate of Occupancy shall be issued for any additional portion of Sons Coram, LLC, Inc. until the sewage collection facility for Sons Coram, LLC has been completed and the Premises have been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

8th RESOLVED, that the developer of Sons Coram, LLC, Inc. shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency’s staff, as security for the construction of the sewage collection facility for Sons Coram, LLC, as well as for all of the developer’s obligations under the Connection Agreement, and it is further

9th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Sons Coram, LLC if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency Meeting 1/26/09)
RESOLUTION SUBMITTAL SHEET

Capital Project  NA  Legislative Districts  6  
Operating Fund  NA  Federal Aid %  NA  
Other  NA  State Aid %  NA

Give a complete description of why we are asking for reso; if aided, state status of aid

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Sons Coram, LLC (BR-1599), a firm seeking permission to discharge 3,000 GPD.

Previous resolution (list previous reso for the same work)

Resolution  Number  Purpose  Amount

Amounts being requested

| Planning    | 0   | Planning    | 0   |
| Site        | 0   | Site        | 0   |
| Construction| 0   | Construction| 0   |
| Land        | 0   | Land        | 0   |
| F&E         | 0   | F&E         | 0   |

Current Funding

| Planning    | 0   | Design consultant |
| Site        | 0   | Contractor        |
| Construction| 0   |                  |
| Land        | 0   |                  |
| F&E         | 0   |                  |

Project Status

Est. planning completion  NA  
Est. construction start  
Est. construction completion  

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

Offset  Leg. District  Comments
MEMORANDUM

TO: Ben Zwirn, Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW
DATE: January 30, 2009
SUBJECT: Introductory Resolution Calling for Approval of the Connection of Sons Coram, LLC (BR-1599) to Suffolk County Sewer District No. 11 – Selden

Attached is a draft resolution filed as Reso-DPW-SA 3-2009 Sons Coram, LLC (BR-1599) and appropriate forms with the backup filed as Backup-DPW-SA 3-2009 Sons Coram, LLC (BR-1599) SCIN175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 11 – Selden with Sons Coram, LLC (BR-1599).

<table>
<thead>
<tr>
<th>Project Facts</th>
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<tbody>
<tr>
<td>Type/units: Restaurant Complex</td>
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<tr>
<td>Acreage: 2.1 acres</td>
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<td>Flow: 3,000 GPD</td>
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<tr>
<td>Sewer District: SCD No. 11 - Selden</td>
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<tr>
<td>Groundwater Zone: III</td>
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<tr>
<td>SEQRA: Complete</td>
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<tr>
<td>SC Tax Parcel: 0200-371.00-08.00-002.001 &amp; 002.002</td>
</tr>
<tr>
<td>Legislative District: 6th</td>
</tr>
</tbody>
</table>

TL:BW:cap
cc: Jim Morgo, Chief Deputy County Executive
    Gilbert Anderson, P.E. Commissioner, SCDPW
    Ben Wright, P.E.
    John Donovan, P.E.
    Laura Conway
    Linda Spahr, Esq.
    Debra Koley, County Executive’s Office
    Brendan Chamberlain
    E-mail to CE Reso Review
RESOLUTION NO. -2009, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 13 – WINDWATCH WITH THE OWNER OF ISLANDIA VILLAGE CENTER (IS-1602)

WHEREAS, Islandia Village Center, is located outside the boundary of Suffolk County Sewer District No. 13 – Windwatch; and

WHEREAS, Islandia Village Center, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 13 – Windwatch; and

WHEREAS, it has been determined by the Administrative Head of the District that the District will have wastewater treatment capacity available in excess of its own needs once the Wastewater Treatment Plant of the District is expanded by Motor Parkway Associates; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 13 – Windwatch and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, such connection has been approved by the Suffolk County Sewer Agency, Resolution 1-2009; and

WHEREAS, Islandia Village Center, will pay the connection fee to Motor Parkway Associates as part of the agreement for expanding the District; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 13 – Windwatch and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

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. _____-2009, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 13—WINDWATCH WITH THE OWNER OF ISLANDIA VILLAGE CENTER (IS-1602)

3. Purpose of Proposed Legislation
   To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 13—Windwatch with the owner of Islandia Village Center, a firm seeking to discharge 106,247 GPD.

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
   Village X School District
   Library District X Fire District

6. If the answer to item 4 is "yes," Provide Detailed Explanation of Impact
   The connection fee for this project will be paid to Motor Parkway Associates, as per Sewer Agency Resolution No. 1-2009.

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

8. Proposed Source of Funding
   Connection Fees.

9. Timing of Impact
   2009

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

11. Signature of Preparer
    [Signature]

12. Date
    2/23/09

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

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<th>2009 PROPERTY TAX LEVY</th>
<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
<th>2009 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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<th>2009 PROPERTY TAX LEVY</th>
<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
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### COMBINED

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<th>2009 AV TAX RATE PER $100</th>
<th>2009 FEV TAX RATE PER $1000</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
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<td>$0.00</td>
</tr>
</tbody>
</table>

**NOTES:**

3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

To be completed by the Executive Budget Office
SUDDFOLK COUNTY SEWER AGENCY

RESOLUTION NO. 1 - 2009

ADOPTING A FINDINGS STATEMENT AND AUTHORIZING

THE CONNECTION OF ISLANDIA VILLAGE CENTER (IS 1602)

TO SUFFOLK COUNTY SEWER DISTRICT NO. 13 – WINDWATCH

WHEREAS, Islandia Village Center is a proposed Village Center with 150
Condo units – two hotels, two restaurants, retail & office space, in The Village of Islandia,
New York, situated on property identified on the Suffolk County Tax Map as District 0504,
Section 001.00, Block 01.00, Lots 007.000, 008.000, 009.000, & 010.000 (the "Premises"), and

WHEREAS, the sewage flow from the Islandia Village Center is expected to
be one hundred-six thousand two hundred forty-seven gallons per day (106,247 GPD), and

WHEREAS, Islandia Village Center is not located within the boundaries of
Suffolk County Sewer District No. 13 - Windwatch (the "District"), and

WHEREAS, Islandia Village Center has applied to this Agency for permission
to purchase and connect its one hundred-six thousand two hundred forty-seven gallons per
day (106,247 GPD) of flow to the sanitary sewerage facilities of the District, which volume
is required by the SC Department of Health Standards, and

WHEREAS, the District's sewage treatment plant will have sufficient capacity
to accept the additional sewage which is expected to emanate from Islandia Village Center
once the proposed expansion of the WWTP is complete, and

WHEREAS, the connection of Islandia Village Center to the District will be
financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

1st
RESOLVED, by the Suffolk County Sewer Agency as follows:

The Issuer hereby finds and determines:

(a) The Action is a Type II Action pursuant to SEQR.

(b) The Agency's jurisdiction over the Facility is the connection to Suffolk County Sewer
District #13 – Windwatch.

(c) Based upon an independent review by the Issuer of the DEIS, FEIS, and the Village of
Islandia Board of Trustees Statement of Findings, the Issuer hereby concurs in the Village of
Islandia Board of Trustees findings and decisions contained in the Statement of Findings
and hereby adopts the Statement of Findings attached hereto as Exhibit A as its own
Statement of Findings under SEQR.
(d) Having considered the DEIS, FEIS, the Village of Islandia Board of Trustees Statement of Findings and such other documents as may be necessary or appropriate, the Sewer Agency certifies that:

(i) The requirements of 6 NYCRR Part 617 have been met;

(ii) Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the Action is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including effects disclosed in the environmental impact statement; and

(iii) Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement will be minimized or avoided by incorporating as conditions those mitigative measures which were identified as practicable.

(e) The basis for this decision is set forth in the Statement of Findings attached as Exhibit A hereto and incorporated by reference herein, thus all of the provisions of SEQR have been complied with.

2nd RESOLVED, that Islandia Village Center be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

3rd RESOLVED, that one hundred-six thousand two hundred forty-seven gallons per day (106,247 GPD) of capacity in the District's sewage treatment plant be allocated to Islandia Village Center once the proposed expansion of the WWTP is complete, and it is further

4th RESOLVED, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

5th RESOLVED, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of Islandia Village Center, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

6th RESOLVED, that the connection fee for Islandia Village Center shall be paid to Motor Parkway Associates as a condition of expanding the WWTP, and it is further

7th RESOLVED, that Islandia Village Center shall, at its sole cost, expense and effort, construct a sewage collection facility for Islandia Village Center, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further
RESOLVED, that no Certificate of Occupancy shall be issued for any portion of Islandia Village Center until the sewage collection facility for Islandia Village Center has been completed, the plant expanded, and Islandia Village Center has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

9th RESOLVED, that the developer of Islandia Village Center shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for Islandia Village Center, as well as for all of the developer's obligations under the Connection Agreement, and it is further

10th RESOLVED, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of Islandia Village Center if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

(Suffolk County Sewer Agency meeting 1/26/09)
RESOLUTION SUBMITTAL SHEET

Capital Project  NA  Legislative Districts  12
Operating Fund  NA  Federal Aid %  NA
Other          NA  State Aid %  NA

Give a complete description of why we are asking for reso; if aided, state status of aid

To authorize execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 13 – Windwatch with Islandia Village Center (IS-1602), a firm seeking permission to discharge 106,247 GPD.

Previous resolution (list previous reso for the same work)

<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
</table>

Amounts being requested

| Planning | 0 |
| Site     | 0 |
| Construction | 0 |
| Land     | 0 |
| F&E      | 0 |

Current Funding

| Planning | 0 |
| Site     | 0 |
| Construction | 0 |
| Land     | 0 |
| F&E      | 0 |

Project Status

Est. planning completion  NA  Design consultant  Contractor
Est. construction start  NA  
Est. construction completion  

State required offsets, their Legislative Districts, and a detailed explanation of why we do not need the funds; state if we believe the legislator from the offset district will have a major issue

Offset  Leg. District  Comments
MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW

DATE: January 30, 2009

SUBJECT: Introductory Resolution Calling for Approval of the Connection of Islandia Village Center (IS-1602) to Suffolk County Sewer District No. 13 – Windwatch

Attached is a draft resolution filed as Reso-DPW-SA 1-2009 Islandia Village Center (IS-1602) and appropriate forms with the backup filed as Backup-DPW-SA 1-2009 Islandia Village Center (IS-1602) SCIN 175A. This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 13 – Windwatch with Islandia Village Center (IS-1602).

**Project Facts**

- **Type/units:** Village Center/150 Condo units – two hotels, two restaurants, retail & office space
- **Acreage:** 12.66 acres
- **Flow:** 106,247 GPD – As part of the proposed expansion
- **Sewer District:** SCSD No. 13 - Windwatch
- **Groundwater Zone:** I
- **SEQRA:** Complete
- **SC Tax Parcel(s):** 0504-00100-0100-007000, 008000, 009000, & 010000
- **Legislative District:** 12th

TL:BW:cap

cc: Jim Morgo, Chief Deputy County Executive
    Gilbert Anderson, P.E. Commissioner, SCDPW
    Ben Wright, P.E.
    John Donovan, P.E.
    Laura Conway
    Linda Spahr, Esq.
    Debra Kolyer, County Executive's Office
    Brendan Chamberlain
    E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

(631) 852-4010
FAX (631) 852-4150
RESOLUTION NO. TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #315

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

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

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

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Year</th>
<th>Original Tax</th>
<th>Corrected Tax</th>
<th>Chargeback or Refund, if paid</th>
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</thead>
<tbody>
<tr>
<td>BROOKHAVEN:</td>
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<tr>
<td>0200-162.00-06.00-013.000 Item #0711670</td>
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Dated: Approve By:

Suffolk County Executive

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

1. Type of Legislation
   ResolutionXXX  Local Law  Charter Law

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

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

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

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

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

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

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

9. Timing of Impact
   Variable

10. Typed Name & Title of Preparer
    Angie M. Carpenter
    County Treasurer

11. Signature of Preparer
    Angie M. Carpenter

12. Date
    2/8/09
Additional back-up material regarding I.R. 1157 is on file in the Legislative Clerk's Office, Hauppauge.
RESOLUTION NO. 2009, AUTHORIZING THE EXTENSION OF A LEASE OF COUNTY PREMISES LOCATED AT THE HONOR FARM IN THE TOWN OF BROOKHAVEN, NY FOR USE BY LONG ISLAND LIGHTING COMPANY D/B/A LIPA

WHEREAS, the Long Island Lighting Company d/b/a LIPA ("LIPA") through its agent National Grid Corporate Services, LLC currently leases, uses and occupies a plot or strip of land with dimensions of approximately two hundred feet by three hundred feet (the “leased premises”) which is a part of premises known as Suffolk County Honor Farm, located in the Town of Brookhaven, in Suffolk County, which expired October 31, 2005; and

WHEREAS, the leased premises are used as an electrical substation in connection with the transmission and distribution of electricity for public and private use in Suffolk County, and for transmitting and distributing electricity for use by persons and for lighting streets and avenues, public places and public buildings in the County of Suffolk; and

WHEREAS, LIPA desires to continue the use of the leased premises for the operation of a substation through October 31, 2025, with an annual rent of $17,500.00 in the first year of the extension period and an annual escalation of three (3) percent thereafter; and

WHEREAS, upon the execution of the lease LIPA agrees to pay to the County the amount of $13,425.00 as payment for the balance of rent due for the period of November 1, 2005 through October 31, 2008; and

WHEREAS, the Space Management Steering Committee recommended the approval of this Lease at its meeting on November 21, 2005 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 law constitutes a Type II action pursuant to Section 617.59(c)(20) and (27) of Title 6 of the New York Code of Rules and Regulations (6 NYCRR) and within the meaning of Section 8-109 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2ND RESOLVED, that the County Executive be and hereby is authorized to execute a lease, in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED:

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.  - 2009, AUTHORIZING THE 
EXTENSION OF A LEASE OF COUNTY PREMISES 
LOCATED AT THE HONOR FARM IN THE TOWN OF 
BROOKHAVEN, NY FOR USE BY LONG ISLAND 
LIGHTING COMPANY D/B/A LIPA

3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

The annual rent will be $17,500 in the first year of the extension period and an annual escalation of three percent thereafter. Upon execution of the lease LIPA agrees to pay to the County the amount of $13,425 as payment for the balance of rent due for the period of November 1, 2005 through October 31, 2008.

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

N/A

8. Proposed Source of Funding

Revenue

9. Timing of Impact

Upon adoption.

10. Typed Name & Title of Preparer

Debra Kolyer  
Principal Financial Analyst

11. Signature of Preparer

Debra Kolyer

12. Date

February 23, 2009

SCIN FORM 175b (10/95)
## FINANCIAL IMPACT
### 2009 PROPERTY TAX LEVY
### COST TO THE AVERAGE TAXPAYER

### GENERAL FUND

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<tr>
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<th>2009 Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1000</th>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1000</th>
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### COMBINED

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<tr>
<th></th>
<th>2009 Property Tax Levy</th>
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<th>2009 AV Tax Rate per $100</th>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
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</tr>
</tbody>
</table>

**NOTES:**
3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 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.
AGREEMENT OF LEASE

between

COUNTY OF SUFFOLK

as LANDLORD

and

LONG ISLAND LIGHTING COMPANY d/b/a LIPA

as TENANT

Date: ____________, 2009

Premises located at County Farm, Yaphank, New York
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<tr>
<td>SECTION 22: NOT A CO-PARTNERSHIP</td>
<td>11</td>
</tr>
<tr>
<td>SECTION 23: BROKER</td>
<td>11</td>
</tr>
</tbody>
</table>
AGREEMENT OF LEASE

THIS AGREEMENT OF LEASE ("Lease") made as of the ___ day of ________, 2009, by and between the COUNTY OF SUFFOLK, a municipal corporation with an address at County Center, Riverhead, New York 11901 ("COUNTY"), acting through its duly constituted Department of Public Works, located at 335 Yaphank Avenue, Yaphank, New York 11978, and Long Island Lighting Company d/b/a LIPA ("LIPA"), a New York corporation and wholly-owned subsidiary of the Long Island Power Authority, a corporate municipal instrumentality and political subdivision of the State of New York, by and through its agent, KeySpan Corporate Services, LLC ("KeySpan"), having its principle office at 175 East Old Country Road, Hicksville, New York 11801-4280.

WITNESSETH:

SECTION 1. DESCRIPTION

Section 1.01 In consideration of and subject to the terms, covenants, agreements, provisions, conditions, and limitations set forth in this Lease, COUNTY hereby agrees to lease to LIPA all that plot or strip of land with dimensions of approximately two hundred feet by three hundred feet (200’ x 300’), currently used by KeySpan pursuant to a Lease dated May 1st, 1973 (the "Premises"), which is a part of premises known as Suffolk County Honor Farm, located in the Town of Brookhaven, in Suffolk County, Suffolk County Tax Map number 0200-665-1-1, together with a right of access thereto and underground equipment, fifty (50) plus or minus feet, in width, from Yaphank Avenue.

SECTION 2. PURPOSE

Section 2.01 The parties acknowledge that the COUNTY is a municipal corporation and is entering into and executing this Lease by virtue of the authority of Resolution No. ___-2008 of the Suffolk County Legislature, for use of the Premises as an electrical substation (the "Substation"), in connection with the transmission and distribution of electricity for public and private use in Suffolk County, and for transmitting and distributing electricity for use by persons, and for lighting streets and avenues, public places and public buildings in the County of Suffolk, and more specifically for the operation of a substation at the Premises. LIPA acknowledges and agrees to use the Premises as specified herein.

SECTION 3. TERM

Section 3.01 The "Term" of this Lease and LIPA’s obligation to pay rent shall be deemed to have commenced November 1, 2005 (the "Commencement Date"), and shall expire twenty (20) years later, on October 31, 2025 (the "Expiration Date"), or on such earlier date as 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" means 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 4.  **RENT**

Section 4.01  “Annual Rent” for the Premises for the first year of the Lease Term shall be SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS ($17,500.00) per year, payable by LIPA to COUNTY at COUNTY’s address set forth herein, or at such other place designated by COUNTY in writing. Upon execution of this Lease, LIPA shall simultaneously remit to COUNTY the sum of THIRTEEN THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS ($13,425.00) as payment for the balance of rent due for the period of November 1, 2005 through October 31, 2008 (“Rent”).

Section 4.02 Commencing on November 1, 2007, and on each anniversary date thereafter, Rent shall increase by three percent (3%) over the Rent in the preceding year as set forth in the Rent Schedule attached to this Lease and paid a part hereof.

Section 4.03 Any sums, charges, fees, expenses, or amounts to be paid by LIPA pursuant to the provisions of this Lease, other than Rent, shall be designated as and deemed “Additional Rent” and shall be payable by LIPA to COUNTY within thirty (30) days after COUNTY gives LIPA written notice that such payment is due. COUNTY shall have the same rights and remedies upon LIPA’s failure to pay Additional Rent as for the non-payment of Rent reserved under this Lease. LIPA’s obligation to pay any and all Additional Rent, and COUNTY’s and LIPA’s obligations to make adjustments of Additional Rent referred to in this Lease, shall survive any expiration or termination of this Lease.

Section 4.04 LIPA shall pay all rent without set-off, abatement, deductions, defense or claims, except as specifically set forth herein.

Section 4.05 Acceptance of Rent from other than named LIPA shall in no event be deemed the acceptance and acquiescence to any assignment or subletting of the Premises in whole or in part. No payment by LIPA or receipt by COUNTY of an amount less than the Rent then due shall be deemed to be other than on account of the stipulated rent, nor shall any endorsement or extraneous matter on any check or in any letter accompanying such payment of Rent affect the terms of this Lease or be deemed an accord and satisfaction, and COUNTY may accept such payment without prejudice to any of its rights.

SECTION 5.  **CARE AND REPAIR OF PREMISES**

Section 5.01 LIPA is leasing the Premises in their “as is” condition physical, without any representation or warranty by COUNTY as to the condition or state thereof or its fitness or availability for any particular use or purpose. LIPA represents and warrants that it has examined the Premises and is fully familiar with the physical condition of the Premises.

Section 5.02 It shall be LIPA’s sole obligation to take good care of the Premises. LIPA agrees to pay the cost to restore or repair any damage to the Premises caused by LIPA, either directly or indirectly. LIPA shall perform all work required to accommodate the needs of LIPA, which work shall be carried out at all times in a safe manner. All work is to be conducted in a good and workmanlike manner, in accordance with Section 7 below, at LIPA’s sole cost and expense.

Section 5.03 LIPA shall have the right to cut, trim and remove, from time to time, any shrubs, undergrowth or trees growing or located on the Premises.

Section 5.04 The Premises are currently enclosed with natural screening and a six foot (6’) high chain link fence, together with barbed wire on the top thereof for the protection of LIPA’s
property and the public. LIPA agrees to maintain the screening and fence as they presently exist.

SECTION 6. LIENS

Section 6.01 COUNTY covenants to keep the Premises free of liens and any additional encumbrances which would interfere with LIPA’s use of the Premises.

Section 6.02 In the event it is permissible for any mechanics’ or other liens to be filed against any portion of the Premises by reason of LIPA’s acts or omissions or because of a claim against LIPA, LIPA shall cause the same to be cancelled or discharged of record by bond or otherwise within ninety (90) days after notice from COUNTY. If LIPA shall fail to cancel or discharge said lien or liens within said ninety (90) day period, COUNTY may cancel or discharge the same and upon COUNTY’s demand, LIPA shall reimburse COUNTY for all costs incurred in canceling or discharging such liens.

SECTION 7. ALTERATIONS

Section 7.01 LIPA shall not expand the Substation beyond its current bounds without the prior written consent of COUNTY.

Section 7.02 LIPA may perform any construction, reconstruction, maintenance, repair, physical changes, or alterations, (hereinafter “Alterations”) to the Substation within its current bounds without the prior written consent of COUNTY provided said Alterations do not materially change the purpose of the Substation. Examples of acceptable Alterations are upgrading existing equipment or adding similar substitution equipment, including a new control enclosure, transformers, protective line breakers, disconnect switches, structural steel, electric bus work, and distribution switchgear. LIPA agrees to carry, and to cause LIPA’s contractors and sub-contractors to carry such insurance as set forth under Section 10 hereunder.

SECTION 8. NEGATIVE COVENANTS

Section 8.01 Neither LIPA nor COUNTY shall 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 law; (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; and (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 9. IDEMUNITY

Section 9.01 LIPA agrees that it shall protect, indemnify and hold harmless the COUNTY and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys’ fees, which may be imposed upon, incurred by or
asserted against COUNTY, arising out of the acts or omissions or the negligence of LIPA in connection with LIPA’s use, possession, occupation, operation, and maintenance of the Premises. LIPA shall defend the COUNTY and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or at the COUNTY’s option, pay reasonable attorney’s fees for defense of any such suit arising out of the acts or omissions or negligence of LIPA, its officers, officials, employees, subcontractors or agents, if any, in connection with the duties or obligations described or referred to in this Lease.

Section 9.02 COUNTY agrees that it shall protect, indemnify and hold harmless LIPA, KeySpan Corporation (“KeySpan”) or its successor as manager of LIPA’s electric transmission and distribution system, and the Long Island Power Authority (the “Authority”) and their respective directors, trustees, officers, officials, employees, affiliates, contractors, agents, assigns, successors, representatives, contractors and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys’ fees, arising out of the acts or omissions or the negligence, relating to the Premises, of COUNTY. COUNTY shall defend LIPA and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or at the LIPA’s option, pay reasonable attorney’s fees for defense of any such suit arising out of the acts or omissions or negligence of COUNTY, its officers, officials, employees, subcontractors or agents, if any, in connection with the duties or obligations described or referred to in this Lease.

Section 9.03 The provisions of this Section 9 shall survive the expiration or termination of this Lease.

SECTION 10. INSURANCE

Section 10.01 The risk of loss or destruction from any peril to the facilities, furniture, fixtures, equipment, or other personal property of LIPA, while on the Premises, shall be borne by LIPA. It is further understood that LIPA 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 LIPA while on the said Premises except in cases due to any active or passive negligence of COUNTY, its employees, officers and agents.

Section 10.02 LIPA further agrees to procure, pay the entire premium for, and maintain throughout the term of this Lease insurance in amounts and types specified by COUNTY. Unless otherwise required by 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. LIPA 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(8) (a), (b) of the Workers’ Compensation Law. In accordance with General Municipal Law § 108, this Lease shall be void and of no effect unless LIPA 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 LIPA in the performance of this Lease) in an amount not less than Five Hundred Thousand Dollars ($500,000.00) per person, per accident for bodily injury and not less than One Hundred Thousand Dollars ($100,000.00) for property damage per occurrence.

Section 10.03 All insurance required by this Lease 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 10.04 LIPA shall furnish COUNTY with Certificates of Insurance and Endorsement Pages for each such policy of insurance, evidencing compliance with the aforesaid insurance requirements. In the case of commercial general liability insurance, COUNTY shall be named as an additional insured and LIPA shall furnish a Certificate of Insurance and Endorsement Page evidencing COUNTY’s status as an additional insured on said policy.

Section 10.05 All Certificates of Insurance, Endorsement Pages, and other evidence of insurance shall provide for COUNTY to be notified in writing thirty (30) days prior to any cancellation, nonrenewal, or material change in said policy.

Section 10.06 Any contractors and subcontractors who may at any time be involved with construction or reconstruction of the Premises on behalf of LIPA shall be required to procure and maintain throughout the term of construction insurance in the amounts and types specified in this Section 10.

Section 10.07 Notwithstanding the foregoing, however, LIPA, at its sole option, subject to LIPA being in full compliance with all applicable New York State, local and federal regulations regarding LIPA’s self-insurance program and may elect to be either partially or totally self-insured and thereby assume responsibility for that portion of the liability insurance for which it is insured. In this case, LIPA must notify COUNTY of its self-insured status by a signed writing, indicating that it meets the requirements to self-insure and that its self-insurance program meets the minimum insurance requirements in a manner consistent with that specified in this Section 10.

Section 10.08 In the event that any of the insurance required by this Lease ceases to be in full force and effect, LIPA agrees to cease all operations covered by the terms of this Lease.

SECTION 11. COUNTY’S DEFAULT REMEDIES/DAMAGES

Section 11.01 Upon the occurrence of any one or more of the following events (referred to as “Events of Default”) at any time prior to or during the Term of the Lease, and in addition to any other remedy available to COUNTY at law or in equity, COUNTY may give to LIPA a written notice of default.

Upon receipt of the notice of default, LIPA shall have thirty (30) days to cure the Event of Default or, in the case of a default which for causes beyond LIPA’s reasonable control cannot, with reasonable diligence be cured within such period of thirty (30) days, LIPA shall immediately
upon the receipt of such notice, (a) advise COUNTY of LIPA’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.

Events of Default

(i) if LIPA shall default in the payment when due of any installment of Rent or;

(ii) if LIPA shall default in causing a lien to be cancelled or discharged of record by bond or otherwise; or

(iii) if the Premises become vacant or deserted; or

(iv) if any execution or attachment is issued against LIPA or any of LIPA’s property whereupon the Premises is taken or occupied by someone other than LIPA;

(v) the filing by or against LIPA of a petition in bankruptcy, the taking by LIPA of the benefit of any other insolvency act or procedure, which term includes any form of proceeding for voluntary or involuntary reorganization or arrangement or reorganization under federal bankruptcy laws as well as an assignment for the benefit of creditors, or the appointment of a receiver for LIPA and such receiver is not discharged within forty-five (45) days.

Section 11.02 If this Lease and the Term shall expire and come to an end by or under any summary proceeding or any other action or proceeding, LIPA shall pay to COUNTY Rent and any Additional Rent or a portion thereof payable under this Lease by LIPA to COUNTY to the date upon which this Lease and the Term shall have expired and come to an end.

Section 11.03 Except for the monetary obligations of either party, COUNTY and LIPA 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,” defined below, except as may otherwise be expressly specified in this Lease.

For purposes of this Lease, “Force Majeure” means any delay in performing the obligations under this Lease by reason of strikes, boycotts, labor disputes, embargoes, shortages of material, acts of God, acts of the public enemy or terrorism, acts of superior governmental authority, weather conditions, tides, riots, rebellion, sabotage or any other circumstances for which it is not responsible and which are not within its control; provided that in no event shall the performance of an obligation under this Lease be deemed prevented or delayed by any of the foregoing reasons (collectively “Force Majeure”) if performance can be (or could have been) effectuated by, or any default thereof cured by, the prompt payment of money with respect to any such obligation and in no event shall the inability of either party to make available sufficient funds be deemed to be a Force Majeure. If either COUNTY or LIPA shall be able to perform any of the other party’s obligations hereunder, claimed by the non-performing party to be subject to Force Majeure, then the non-performing party’s claim of Force Majeure shall be ineffective against COUNTY or LIPA, as the case may be.

Section 11.04 No failure by the COUNTY or LIPA to insist upon the strict performance of any covenant, agreement, term or condition of this Lease, or to exercise any right or remedy consequent upon a breach thereof, and no acceptance of full or partial Rent during the continuance of any such breach, shall constitute a waiver of any breach or of such covenant,
agreement, term or condition hereof. No covenant, agreement term or condition of this Lease to be performed or complied with by either party, and no breach thereof, shall be waived, altered or modified except by a written instrument executed by the other party hereto. No waiver of any breach shall affect or alter this Lease but each and every covenant, agreement, term and condition of this Lease shall continue in full force and effect with respect to any other then existing or subsequent breach thereof.

Section 11.05 In the event of any breach or threatened breach by LIPA of any of the covenants, agreements, terms or conditions contained in this Lease, COUNTY shall be entitled to enjoin such breach or threatened breach and shall have the right to invoke any right and remedy allowed at law or in equity or by statute or otherwise.

Section 11.06 Any and all Rent due shall be payable to through the date of any period of continued use and occupancy of the Premises by LIPA.

SECTION 12.  SURRENDER OF PREMISES; HOLDOVER

Section 12.01 On the Expiration Date, or upon the sooner termination of this Lease, LIPA shall, at its expense, quit, surrender, vacate, and deliver the Premises to COUNTY in good order, and condition, together with all improvements therein, except for the electrical substation and related equipment / property and any Alterations. LIPA shall, at its expense, remove from the Premises all LIPA’s personal property and any personal property of Persons claiming by, through or under LIPA, equipment, furniture, wiring and cabling installed by or on behalf of LIPA, and any Alterations not approved by COUNTY, and shall repair or pay the cost of repairing all damage to the Premises occasioned by such removal. Any LIPA’s personal property or Alterations of LIPA, which shall remain 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. If 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.

Section 12.02 If LIPA shall remain in possession of the Premises after the termination of this Lease LIPA, 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 LIPA’s default or preventing COUNTY from suing to obtain possession, shall be deemed to be occupying the Premises as a LIPA from month to month, at a monthly rental equal to one twelfth (1/12) of one hundred and five percent (105%) of the Rent last payable by LIPA hereunder. The aforesaid provisions of the Article shall survive the expiration of the term of this Lease.

Section 12.03 The provisions of this Section 12 shall survive the expiration or earlier termination of this Lease.

SECTION 14. FIRST RIGHT OF REFUSAL

Section 14.01 If, at any time during the Term, COUNTY intends to offer to sell the Premises or any part thereof or interest therein to a third party, or wishes to demolish the Premises, then COUNTY or its successor/assignee shall, prior to any offering of the Premises or such part thereof or interest therein for sale, or proceeding with plans to demolish, deliver to LIPA written notice of the terms and conditions upon which COUNTY intends to offer the Premises or such part thereof or interest therein for sale. Provided that no event of default has occurred and is continuing.
hereunder, LIPA shall have the first right of refusal to purchase the Premises on the terms set forth in the notice from COUNTY by giving written notice to the COUNTY within thirty (30) days after receiving COUNTY's notice, of LIPA's intention to purchase on the terms contained in such notice from COUNTY. In the event that LIPA fails to notify COUNTY within said thirty (30) day period of LIPA's election to exercise its first right of refusal to purchase hereunder, the COUNTY may proceed to sell the Premises (or such part thereof or interest therein) to any third party after the expiration of such thirty (30) day period, but only on substantially the same terms and conditions as were set forth in the notice from COUNTY to LIPA, and any material change in such terms and conditions shall be deemed a new offer and COUNTY shall in such event not consummate any sale to a third party without first submitting all of the changed terms and conditions to LIPA for determination by LIPA in the manner provided above, except that LIPA shall have fifteen (15) days, and not thirty (30) days, after receipt of said notice in which to elect to exercise its right to purchase on the basis of the changed terms and conditions. Upon any sale by COUNTY of the Premises to any third party, provided that, as to such sale the notice required under this Section 11.04 shall have been given to LIPA and LIPA shall have elected not to exercise its right of purchase, LIPA's first right of refusal to purchase shall immediately terminate and be of no further force or effect.

Section 14.02 In the event that COUNTY wishes to assign, transfer, convey, lease or by any other act for agreement grant management or control of the Premises or a portion thereof, in which this leasehold is located to another entity, this lease shall not be subject or subordinate to any such assignment, transfer, conveyance, lease or any other act for agreement and this lease and the rights of LIPA hereunder shall continue in full force and effect and shall not be terminated or disturbed.

SECTION 15. EMINENT DOMAIN

Section 15.01 If the Premises or any part of thereof or any estate therein, or any other part of the Premises materially affecting LIPA'S use of the Premises is taken for any public purpose, or for any reason whatsoever, such that the Premises cannot reasonably or practicably be repaired or reconverted so as to permit the use thereof by LIPA for the purposes permitted hereunder, this Lease shall terminate on the date when title vests pursuant to such taking. 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 LIPA. LIPA shall be entitled to award or payment for the value of its electric substation and for relocation expenses.

SECTION 16. NOTICES

Section 16.01 Any communication, notice or other submission necessary or required to be made by the parties regarding this Lease except with respect to Section 16.02 shall be deemed to have been duly made upon receipt by: (a) if to LIPA, at LIPA's agent at the following address: KeySpan Corporate Services LLC, Real Estate Department, 175 East Old Country Road, Hicksville, New York 11801, and (b) if to COUNTY, Suffolk County Department of Public Works, Attention Chief Deputy Commissioner, 335 Yaphank Avenue, Yaphank, New York 11978 or, (c) at such other address as LIPA or COUNTY, respectively, may designate in writing.

Section 16.02 Any communication or notice regarding indemnification, termination, or litigation by either party to the other shall be in writing and 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); (ii) by nationally recognized overnight courier: or (iii) mailed by registered or certified mail in a postpaid envelope addressed: (a) if to COUNTY,
to Suffolk County Department of Public Works, Attention: Chief Deputy Commissioner, at the address first set forth above, 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 LIPA, at LIPA’s agent’s address first above set forth, or at such other address as LIPA or COUNTY, respectively, may designate in writing.

Section 16.03 Notice shall be deemed to have been duly given (1) if delivered personally, upon delivery thereof on a Business Day or if not a Business Day, then the next succeeding Business Day, (2) if by nationally recognized overnight courier, the first Business Day subsequent to transmittal and (3) if mailed by registered or certified mail, upon the seventh (7th) Business Day after the mailing thereof. Any notice by either party to the other with respect to the commencement of any suit or legal proceeding shall be affected in accordance with Section 16.02 and governed by the New York Civil Practice Law and Rules or the Federal Rules of Civil Procedure, as applicable.

SECTION 17. ASSIGNMENT AND SUBLETTING

Section 17.01 LIPA shall not assign, sublet, or otherwise transfer any portion of the Premises or this Lease without the prior written consent of COUNTY, which consent shall not be unduly withheld or delayed, and upon such reasonable terms and conditions that may then be imposed by COUNTY. Nevertheless, LIPA shall have the right to assign, sublet, or transfer any interest in this Lease to any affiliate, subsidiary or parent company without the consent of COUNTY.

SECTION 18. ENVIRONMENTAL RESPONSIBILITIES

Section 18.01 COUNTY represents and warrants that to the best of COUNTY’s knowledge, the Premises have not been used for the generation, treatment, storage, or disposal of “Hazardous Substances.”

For purposes of this Lease, the term “Hazardous Substances” means (i) asbestos and any asbestos containing material and any substance that is listed in, or otherwise classified pursuant to any “Environmental Laws,” as that term is defined below, or any applicable laws or regulations as “hazardous substance,” “hazardous material,” “hazardous waste,” “infectious waste,” toxic substance,” “toxic pollutant,” or any other formulation intended to define, list or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, toxicity, reproductive toxicity, or “EP toxicity,” (ii) any petroleum and drilling fluids, produced waters, and other wastes associated with the exploration, development or production of crude oil, natural gas, or geothermal resources and (iii) petroleum product, polychlorinated biphenyls, urea formaldehyde, radon gas, radioactive matter, and medical waste. “Hazardous Substance” shall not include normal cleaning and personal household products being used in their intended manner and otherwise in a manner that is in compliance with Environmental Laws.

Environmental Laws shall also include, but are not limited to, any requirements relating to underground storage tanks, the storage and use of gasoline, diesel fuel, waste oil or other petroleum products.

Section 18.02 LIPA shall not use or suffer the use of all or any part of the Premises to treat, generate, store, dispose of, transfer, release, convey or recover any Hazardous Substances, as that term is defined above. Notwithstanding the foregoing, LIPA, its agents, employees, invitees and / or contractors / subcontractors may store, maintain, and use Hazardous Substances and materials reasonably necessary for the performance of the uses permitted by this Lease provided same are maintained in accordance with the applicable regulations.

LIPA shall immediately notify COUNTY of the presence or suspected presence of any Hazardous Substance on or about the Premises, other than those reasonably necessary for the performance of the uses permitted by this Lease and shall deliver to COUNTY any notice received by LIPA with respect to any Hazardous Substance relating thereto.

Section 18.03 LIPA, at its expense, shall comply with all Environmental Laws applicable to the Premises and shall give COUNTY prompt notice of any lack of compliance with any of the foregoing and of any notice it receives of the alleged violation of any Environmental Laws. COUNTY shall cooperate with LIPA’s efforts hereunder.

Section 18.04 The provisions of this Section 18 shall survive the expiration or earlier termination of this Lease.

SECTION 19. NO IMPLIED WAIVER

Section 19.01 No failure or delay by either party to insist upon the strict performance of any provision of this Lease, or to exercise any right, power or remedy consequent upon a breach thereof, and no acceptance of full or partial rent or other performance by either party during the continuance of such breach shall constitute a waiver of any such provision.

SECTION 20. COOPERATION ON CLAIMS

Section 20.01 Each of the parties hereto agrees to render diligently to the other party, without additional compensation, any and all cooperation, that may be required to defend the other party, its employees and designated representatives against any claim, demand or action that may be brought against the other party, its employees or designated representatives in connection with this Lease.

SECTION 21. MISCELLANEOUS

Section 21.01 Legislative Approval: This Lease is subject to the approval of the Suffolk County Legislature and shall not become effective until fully executed.

Section 21.02 Subject to Section 21.06, LIPA warrants that the execution and delivery of this Lease was duly authorized by all necessary action of LIPA, none of which action has been rescinded or otherwise modified. LIPA has full power and authority to execute and deliver this Lease and to perform its obligations under this Lease. No consents, approvals or permits are required for the performance of the terms and provisions herein, or, if any such consents,
approvals or permits are required, they have been or will be obtained in a timely fashion. This
Lease is a legal, valid, and binding obligation of the LIPA, enforceable against LIPA in
accordance with its terms.

Section 21.03 COUNTY is a municipal corporation duly organized and existing under the laws of
the State of New York and is duly authorized and empowered to enter into and perform this Lease
and to execute all documents related thereto.

Section 21.04 Comptroller’s Approval and State Required Clauses: In accordance with Section
112 of the New York State Finance Law, this Lease shall not be valid, effective or binding upon
LIPA until it has been approved by the State Comptroller and filed in said Comptroller’s office;
and the parties agree to be bound by the clauses in Exhibit 3 hereto, which is made a part of this
Lease.

Section 21.05 References contained herein to Sections, Exhibits, and Schedules shall be deemed
to be references to the Articles, Exhibits, and Schedules of and to this Lease unless specified to
the contrary.

Section 21.06 Neither this Lease nor any memorandum thereof shall be recorded, without the
prior written consent of COUNTY.

SECTION 22. NOT A CO-PARTNERSHIP OR JOINT VENTURE

Nothing herein contained shall create or be construed as creating a co-partnership or joint venture
between LIPA and COUNTY or to constitute COUNTY as an agent or employee of LIPA. The
relationship of COUNTY to LIPA is that of landlord-LIPA and LIPA, 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 COUNTY by reason
hereof, and that LIPA, 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 23. BROKER

LIPA and COUNTY each represent and warrant to the other that no broker brought about this
Lease. LIPA and COUNTY hereby agree to indemnify and hold the other harmless against any
claim, demand and judgment which may be made or obtained against one of the parties by any
broker claiming a commission for representing the other, in connection with bringing about this
Lease. LIPA or COUNTY shall forthwith notify other of any such claim, demand or legal action
for purposes of requesting defense against any such claim, demand or legal action.

SECTION 24. CERTIFICATION

The parties to this Lease hereby certify that, other than the funds provided in this Lease and other
valid agreements with COUNTY or LIPA, 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 25.  GOVERNING LAW

This Lease shall be construed and interpreted in accordance with the laws of the State of New York, and without regard to its conflict of laws provisions. Venues shall be designated in Suffolk County, New York or the United States District Court for the Eastern District of New York.

SECTION 26.  SUCCESSORS BOUND

This Lease shall bind, and inure to the benefit of, the parties and their respective heirs, executors, administrators, successors and assigns.

SECTION 27.  LIPA REPRESENTATIVES

It is expressly understood and agreed by and between the parties that the officers, officials, employees and agents of LIPA are acting in a representative capacity for the County of Suffolk and not for their own benefit, and that COUNTY shall not have any claim against them or any of them as individuals in any event whatsoever.

SECTION 28.  COUNTY REPRESENTATIVES

It is expressly understood and agreed by and between the parties hereto that the officers, officials, employees and agents of the are acting in a representative capacity for COUNTY and not for their own benefit, and that neither LIPA nor any occupant of the Premises shall have any claim against them or any of them as individuals in any event whatsoever.

SECTION 29.  CHEMICALS, FUNGICIDES, HERBICIDES AND PESTICIDES

All chemicals, fungicides, herbicides and pesticides (if any) applied to the Premises shall be approved by the Commissioner of County Department Health Services prior to use. LIPA shall comply with Suffolk County Code Chapter 380 (Pest Control) set forth more fully at Exhibit 4. LIPA shall apply for any necessary exemptions from Suffolk County Code Chapter 380. All notice and reporting requirements shall be adhered to.

SECTION 30.  NO CREDIT

LIPA agrees that this Lease shall not be pledged, hypothecated, or put up as security for a loan, credit or for any reason whatsoever.

SECTION 31.  CONFLICTS OF INTEREST

Section 31.01 The parties agree that they will not during the term of this Lease engage in any activity that is contrary to and/or in conflict with the goals and purposes of the other party.

Section 31.02 The parties are charged with the duty to disclose to the other party the existence of any such adverse interests, whether existing or potential. This duty shall continue during the term of this Lease. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the party to whom disclosure is made after full disclosure is obtained.
SECTION 32. GRATUITIES

LIPA 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).

SECTION 33. PARAGRAPH HEADINGS

The paragraph headings in this Lease are included for convenience only and shall not be taken into consideration in any construction or interpretation of this Lease or any of its provisions.

SECTION 34. SEVERABILITY

It is expressly agreed that if any term or provision of this Lease and/or any amendment hereto, or the application thereof to any person or circumstances, 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 provisions 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 35. ENTIRE AGREEMENT

Section 35.01 It is expressly agreed that this instrument represents the entire agreement of the parties and that all previous understandings are merged in this Lease. The foregoing constitutes the entire agreement of the parties on the subject matter hereof. It may not be changed, modified, discharged or extended except by written instrument duly executed by COUNTY and LIPA.

Section 35.02 LIPA agrees that no representations or warranties shall be binding upon COUNTY unless expressed in writing, in this Lease.

Section 35.03 References contained herein to Sections, Exhibits and Schedules shall be deemed to be references to the Sections, Exhibits, and Schedules of and to this Lease unless specified to the contrary.

- SIGNATURE PAGE FOLLOWS -
WHEREOF, the parties hereto have caused this Lease to be executed and delivered as of the date first set forth above.

LONG ISLAND LIGHTING COMPANY d/b/a LIPA
By: __________________________
Name: _________________________
Title: __________________________
Date: __________________________

APPROVED AS TO LEGALITY:
CHRISTINE MALAFI, ESQ.
Suffolk County Attorney
By: __________________________
BASIA DEREN BRADDISH
Assistant County Attorney
Date: __________________________

COUNTY OF SUFFOLK
By: __________________________
Name: _________________________
Title: Deputy County Executive
Date: __________________________

RECOMMENDED:

By: __________________________
GILBERT ANDERSON
Commissioner, Department of Public Works
Date: __________________________
RENT SCHEDULE

**Term: November 1, 2005 – October 31, 2025**

- November 1, 2008 – October 31, 2009 ... $18,565.75
- November 1, 2009 – October 31, 2010 ... $19,122.72
- November 1, 2010 – October 31, 2011 ... $19,696.40
- November 1, 2011 – October 31, 2012 ... $20,287.29
- November 1, 2012 – October 31, 2013 ... $20,895.91
- November 1, 2013 – October 31, 2014 ... $21,522.79
- November 1, 2014 – October 31, 2015 ... $22,168.47
- November 1, 2015 – October 31, 2016 ... $22,833.52
- November 1, 2016 – October 31, 2017 ... $23,518.53
- November 1, 2017 – October 31, 2018 ... $24,224.09
- November 1, 2018 – October 31, 2019 ... $24,950.81
- November 1, 2019 – October 31, 2020 ... $25,699.33
- November 1, 2020 – October 31, 2021 ... $26,470.31
- November 1, 2021 – October 31, 2022 ... $27,264.42
- November 1, 2022 – October 31, 2023 ... $28,082.35
- November 1, 2023 – October 31, 2024 ... $28,924.82
- November 1, 2024 – October 31, 2025 ... $29,792.56
Resolved 2009, Accepting and Appropriating Grant Funds Received from the State of New York Unified Court System, 10th Judicial District, Suffolk County Sex Offense Court

WHEREAS, the State of New York Unified Court System, 10th Judicial District, has awarded a grant in the amount of $38,700.00 to the Office of the Suffolk County District Attorney. The objective of this grant is to develop the most effective Sex Offense Court and Sex Offender Management System. The District Attorney will provide the services of a Sex Offense Expert; and

WHEREAS, said grant is to run for the period 1/1/07 through 5/31/09; and

WHEREAS, no funding has been included in the District Attorney's 2008/2009 Suffolk County Adopted Operating Budget for the purposes of this 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>Revenues:</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>001-4089-Sex Offense Court Program</td>
<td>$38,700</td>
</tr>
</tbody>
</table>

Organizations:

<table>
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<th>District Attorney (DIS)</th>
<th>$38,700</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex Offense Court Program</td>
<td>$38,700</td>
</tr>
</tbody>
</table>

and be it further

2nd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; and be it further

3rd RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

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**
   
   ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF NEW YORK UNIFIED COURT SYSTEM, 10TH JUDICIAL DISTRICT, SUFFOLK COUNTY SEX OFFENSE COURT

3. **Purpose of Proposed Legislation**
   
   SEE ITEM 2 ABOVE

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

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

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

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

This Grant program will add $38,700.00 to the District Attorney’s Budget and is 100% funded through The US Bureau of Justice Assistance.

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

Grant Program term is 01/01/2007 through 05/31/2009

8. **Proposed Source of Funding**

   Revenues from The United States Bureau of Justice Assistance

9. **Timing of Impact**

   Immediate

10. **Typed Name & Title of Preparer**
    
    James P. Burt  
    Assistant Budget Director

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

12. **Date**
    
    2/23/2009
## FINANCIAL IMPACT

### 2009 PROPERTY TAX LEVY

#### COST TO THE AVERAGE TAXPAYER

<table>
<thead>
<tr>
<th></th>
<th>2009 PROPERTY TAX LEVY</th>
<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
<th>2009 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
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### POLICE DISTRICT AND DISTRICT COURT

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<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
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### COMBINED

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<th>2009 COST TO AVG TAXPAYER</th>
<th>2009 AV TAX RATE PER $100</th>
<th>2009 FEV TAX RATE PER $1000</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$0.00</td>
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</tbody>
</table>

**NOTES:**

3. SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 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
February 10, 2009

Ben Zwirn, Deputy County Executive
Office of the Suffolk County Executive
H. Lee Dennison Building
100 Veterans Highway
Hauppauge, New York 11788-0099

Dear Mr. Zwirn,

At the direction of the District Attorney and in accordance with the County Executive All Department Heads Memorandum 04-09, I have attached a request for a Suffolk County Resolution.

The purpose of the resolution will be to accept a grant from the New York State Unified Court System. This grant will provide funding for the District Attorney’s Sex Offense Court Program.

An e-mail version of this resolution has been sent to CE RESO REVIEW and saved under the file name “Reso-DIS- Sex Offense Court Program”.

If you have any questions or need additional information concerning this matter, please contact me at your earliest opportunity.

Thank you for your attention to this matter.

Sincerely,

Lon H. Kochany
Executive Assistant for Finance & Administration

CC-Jim Morgo, Chief Deputy County Executive
Jim Burt, Suffolk County Budget Office
Brenda Chamberlain, Intergovernmental Relations
Evelyn Creen, Federal and State Aid Claims Unit
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution X Local Law Charter Law

2. Title of Proposed Legislation
   District Attorney Sex Offense Court Program

3. Purpose of Proposed Legislation
   Accept grant funding from the State of New York Unified Court System.

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact
   This program will add $38,700.00 to the District Attorney's adopted budget.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political Subdivision.
   The funding period for this program is 1/1/07 through 5/31/09

8. Proposed Source of Funding
   The United States Bureau of Justice Assistance

9. Timing of Impact
   Immediate

10. Typed Name & Title of Preparer
    Lon H. Kochany
    Executive Assistant for Finance and Administration

11. Signature of Preparer
    [Signature]

12. Date
    2/10/2009

SCIN FORM 175b (10/95)
September 5, 2008

County of Suffolk
Office of District Attorney
Asset Forfeiture Unit
North County Complex, Bldg. 77
Veterans Memorial Highway
Hauppauge, NY 11787-4311

Dear Ms. Moran:

Enclosed is a copy of the fully executed contract between the 10th Judicial District-Suffolk County and Suffolk County District Attorney’s Office (SCDA). The contract has been executed in compliance with guidelines set forth by the State Attorney General and the Office of the State Comptroller. The contract signature page and acknowledgment form bear certification number T708.

The enclosed contract was recently extended by one year to May 31, 2009. Your contract includes the renewal agreements to that term end date. This contract is for your records.

If you have any questions you can contact me at (631) 853-7518. Thank you for all of your help in preparing and completing the contract.

Sincerely,

Leslie Lenahan
Principal Court Analyst
This contract (# T708) may be renewed upon the mutual written agreement of the parties for one term of up to one year, upon the same terms and conditions, except compensation. (The maximum compensation set forth in Section E(1) of the original contract may not be increased during any renewal term unless an additional grant is awarded). By affixing our signatures below, we indicate our mutual agreement to the renewal of this contract. Do not forget to have the attached acknowledgment completed by a notary and return it with the original letter.

FOR: 10TH Judicial District
    Suffolk County
    New York State
    Unified Court System

FOR: Office of District Attorney

SIGNATURE:
NAME: THOMAS F. LORITO
TITLE: DISTRICT EXECUTIVE
DATED 9/2/08

SIGNATURE:
NAME: John L. Buencasa
TITLE: Chief Assistant District Attorney
DATED 8-31-08
ATTACHMENT I

ACKNOWLEDGMENT OF INDIVIDUAL

STATE OF ______________________  } SS:
COUNTY OF ______________________

On this _____ day of _____________ 20___, before me personally came
______________________________, to me known and known to me to be the person
described in and who executed the foregoing instrument and he/she acknowledged to
me that he/she executed same.

______________________________
NOTARY PUBLIC

ACKNOWLEDGMENT OF CORPORATION

STATE OF _________________  } SS:
COUNTY OF _________________

On this _____ day of _______________ 20___, before me personally came
______________________________, to me known, who being by me duly sworn, did
depose and say that he/she resides in _________________, that he/she is the
Chief Assistant, ________, the corporation described in and
which executed the foregoing instrument; that he/she knows the seal of said
corporation; that the seal affixed to said instrument is such corporate seal; that it was
so affixed by order of the Board of Directors of said corporation and that he/she signed
his/her name thereto by like order.

______________________________
NOTARY PUBLIC

(CITY OF _________________  )

(CITY OF ________, _________)

(CITY OF _________________  )

(UCS - Rev.07/01/03)
AGREEMENT
BETWEEN THE
10th JUDICIAL DISTRICT SUFFOLK COUNTY
OF THE NEW YORK STATE UNIFIED COURT SYSTEM
AND
THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

This Agreement, between the 10th Judicial District - Suffolk County, 400 Carleton Avenue, Central Islip, NY 11722 ("JD") of the New York State Unified Court System ("UCS") and the Suffolk County District Attorney's Office, North County Complex-Building #77, Veterans Memorial Highway, Hauppauge, NY 11787 ("CONTRACTOR"), is for the provision of program planning and assessment services by Contractor to the Suffolk County Sex Offense Court, pursuant to Grant award Number 2006-WP-BX-0006 made by the United States Department of Justice - Bureau of Justice Assistance to the New York State Unified Court System.

WHEREAS, the JD has determined that to develop the most effective possible Sex Offense Court and Sex Offender Management System, it requires the services of a sex offense expert; and

WHEREAS, the JD has determined that CONTRACTOR has both a staff of experts in the prosecution of sex offense cases and in the administration of the Victim Assistance Program; and

WHEREAS, the interests of the state will be best served by entering into an Agreement with CONTRACTOR to provide such services to the Suffolk County Sex Offense Court; and

WHEREAS, the Grant Application and the Grant Award specified that the Suffolk County
District Attorney’s Office would be responsible for providing the services set forth in this Agreement, including its Appendices, and, in a letter dated November 29, 2006, the Office of the State Comptroller approved a Single Source Exemption from giving notice in the New York State Contract reporter of the 10th Judicial District - Suffolk County’s intent to enter this Agreement with the Suffolk County District Attorney’s Office;

NOW, THEREFORE, for mutual consideration as provided herein, the parties agree as follows:

I. TERM

When signed by the parties, and approved by all necessary government agencies, this Agreement shall be in effect for the period from January 1, 2007 to May 31, 2008 ("Initial Term") unless renewed or terminated earlier pursuant to its terms.

II. AMENDMENT; RENEWAL

A. This Agreement may be amended only upon the mutual written agreement of the parties.

B. This Agreement may be renewed upon the mutual written agreement of the parties for up to three terms of 12 months each, subject to re-appropriation of the grant providing funding for this agreement, upon the same terms and conditions except compensation, provided that the total period in which this Agreement is in effect shall be no more than five (5) years from the commencement date set forth in Section I above.

C. As set forth in Section VI(A) below, no such amendment or renewal of this
Agreement shall increase the maximum compensation to Contractor unless (i) an additional grant has been awarded that names Contractor as the provider of the services and (ii) the total compensation to Contractor will not exceed $50,000 over the entire term of the Agreement, including the Initial and all Renewal Terms.

III. TERMINATION

A. This Agreement may be terminated with or without cause by the JD upon thirty (30) days written notice to Contractor.

B. In the event that Contractor is a for-profit entity or in the event that this Agreement is not otherwise exempt from the requirements of the Procurement Lobbying Act (New York State Finance Law, Section 139-k), the JD shall also have the right to terminate this Agreement upon thirty (30) days written notice to Contractor if it is found that Contractor's certification regarding its disclosure of prior determinations of non-responsibility, as required by the Procurement Lobbying Act, was intentionally false or intentionally incomplete.

C. This Agreement may be terminated by Contractor with cause upon sixty (60) days written notice to the JD.

D. In the event of the termination of this Agreement by either party, the JD shall be liable only for the services actually provided by Contractor up to and including the effective date of termination.

IV. GRANT APPLICATION AND AWARD

Grant Application Number 2006-F0565-NY-WP, dated December 29, 2005, made by the New
York State Unified Court System to the United States Department of Justice - Bureau of Justice Assistance, and the resulting Grant Award Number 2006-WP-BX-0006, dated July 18, 2006, made by the United States Department of Justice - Bureau of Justice Assistance to the New York State Unified Court System, both of which named Contractor as the provider of the services set forth in this Agreement, are attached hereto and made a part hereof as Appendix B to the Agreement.

V. SCOPE OF SERVICES

A. Pursuant to this Agreement, Contractor shall provide the services set forth herein and in Appendices B and C hereto. Appendix C, which is attached hereto and made a part hereof, contains a description of the services to be provided by Contractor, the schedule for the provision of these services by Contractor, the performance criteria pursuant to which the provision of services by Contractor shall be evaluated and the compensation due Contractor for the provision of these services.

B. It is expressly understood and agreed by Contractor that any and all of the services specified in this Agreement shall be provided only at the direction of the Court. The presiding judge in each case shall have sole discretion with respect to all matters relating to the provision of services by Contractor and to the disposition of any matter before the Court.

VI. COMPENSATION

A. The maximum compensation payable to Contractor for the services described in this Agreement for the Initial Term of this Agreement shall not exceed $38,700. As set forth in Section II(C) above, the compensation to Contractor made pursuant to an amendment or during a Renewal
Term may not exceed the total maximum compensation already authorized for the Initial Term of the Agreement and all prior Renewal Terms, if any, unless an additional grant has been awarded that names Contractor as the provider of services during the term of the amendment or during the Renewal Term.

B. The budget for the Initial Term of the Agreement is set forth in Appendix D to this Agreement, which is attached hereto and made a part hereof. In the event that additional compensation becomes available at any time during the term of this Agreement, a new budget shall be prepared that shall replace or supplement the budget now set forth in Appendix D. This new budget shall be incorporated into this Agreement as a revised Appendix D pursuant to the amendment or renewal document entered into by the parties in accordance with Section II above.

C. Throughout the term of this Agreement, Contractor shall be reimbursed only for services actually performed in accordance with this Agreement and with Appendices B, C and D. Except as otherwise provided in Paragraph D below, payments shall be made in arrears on a quarterly basis and shall be processed upon submission by Contractor and approval by the JD of appropriate statements and vouchers in a format approved by the JD and OSC.

D. To the extent permitted by law and regulation, thirty (30) days prior to the beginning of the first quarter of each 12-month period in which this Agreement is in effect, including any Renewal Term, and provided that Contractor is a registered not-for-profit organization ("NFP"), Contractor may submit to the JD a request for a single advance payment of up to twenty-five percent (25%) of the annual maximum compensation by the JD for that 12-month period. All other payments made during that 12-month period shall be made in accordance with Paragraph C above. The advance payment described in this Paragraph D may be made at the discretion of the JD only.
upon submission by Contractor of an appropriate voucher with sufficient supporting documentation in a format acceptable to the JD and OSC.

E. After every three (3) months of each 12-month period in which this Agreement is in effect, Contractor shall submit to the JD an expenditure voucher detailing the approved actual costs incurred pursuant to this Agreement during the immediately preceding three (3) month period. These expenditure vouchers shall be submitted by Contractor to the JD no later than thirty (30) days after the close of each three (3) month period commencing on the effective date of the Agreement, as set forth in Section I above. Following review and approval of Contractor’s three (3) month expenditure voucher, the JD shall submit a voucher to OSC for payment to Contractor based on the approved expenses.

F. For those NFP Contractors receiving an advance payment pursuant to Paragraph D above, for the first, second and third quarters of each 12-month period, payment to Contractor shall be limited to the lesser of the following:

(i) the actual expenses incurred and approved for payment during that quarter of the year; or

(ii) twenty-five percent (25%) of the approved annual budget.

G. Within forty-five (45) days of the conclusion of each 12-month period in which this Agreement is in effect, Contractor shall submit to the JD a final reconciliation statement for the prior twelve (12) month period detailing the actual final expenses to be charged to the Agreement. If, upon review and approval of such final reconciliation statement, Contractor has expended less than the amount paid by the JD for that 12-month period, Contractor shall, within thirty (30) days, submit a check to the JD covering the difference. If Contractor’s approved expenditures for said twelve (12)
express prior written authorization of the JD. Contractor shall educate, monitor and be responsible for its employees, servants, subcontractors, agents and volunteers providing services for Contractor pursuant to this Agreement concerning these confidentiality requirements. Any breach of the confidentiality requirements set forth in this Section or in Appendix B by Contractor or by any of its employees, servants, subcontractors, agents, or volunteers may result in the immediate termination of this Agreement by the JD and may subject Contractor to further penalties.

VIII. REPORTING; RECORD KEEPING; MONITORING; AUDITS

A. In addition to the fiscal and program reporting requirements set forth in Section VI, Contractor shall submit such other oral and written reports concerning its provision of services as are set forth herein and in Appendices B and C and as may be required from time to time by the JD.

B. Contractor shall submit a final program report to the JD at the same time as it submits the final fiscal report required by Paragraph G above.

C. At its discretion, UCS and the JD shall have the right to conduct on-site inspections and to otherwise monitor the provision of services by Contractor, as well as the offices of Contractor. Contractor agrees to cooperate fully with all such inspections and monitoring.

D. Contractor shall be required to retain all financial records pertaining to this Agreement for a period of six (6) years after the termination of the Agreement.

E. The JD, UCS, OSC, the state and any other governmental organization providing funding to Contractor for the provision of services pursuant to this Agreement shall have the right to perform audits of Contractor’s records with respect to the receipt and expenditure of any funds provided pursuant to this Agreement.
F. In accordance with federal requirements, if Contractor is a sub-grantee who will be receiving more than $25,000.00 of federal pass-through funds pursuant to this Agreement and to any other sources, Contractor agrees to have an independent audit of such funds conducted in accordance with the Federal Office of Management & Budget ("OMB") Circulars A-128 (audits of state and local governments) or A-133 (audits of institutions of higher education & other non-profit institutions), as appropriate, and to provide one (1) copy of the applicable audit report to the JD within thirty (30) days following its completion.

IX. NOTICES

All notices given pursuant to this Agreement shall be delivered to the parties at the addresses noted above or to such other addresses as the parties may from time to time provide. All notices shall be deemed received on the fifth (5th) business day after mailing or upon delivery, if delivered by hand.

Notification to JD: 10th Judicial District - Suffolk County
400 Carleton Avenue
Central Islip, NY 11722

Notification to Contractor: Suffolk County District Attorney's Office
North Country Complex - Building #77
Veterans Memorial Highway
Hauppauge, NY 11787

X. TITLE TO EQUIPMENT

A. Throughout the term of this Agreement and any renewals thereto, Contractor shall retain title to and possession of any furniture, computers and other equipment ("Purchased
B. Upon expiration or termination of this Agreement in accordance with its terms:

1. Contractor shall submit a final inventory of all such Purchased Equipment to UCS, which inventory shall conform to the requirements of the New York State Judiciary Financial Planning and Control Manual, no later than ten (10) business days after the effective date of expiration or termination.

2. Title to all Purchased Equipment purchased less than five (5) years prior to the effective date of expiration or termination shall be automatically transferred to the JD, unless the JD exempts a specific item of Purchased Equipment and provides written notification thereof to Contractor.

3. Contractor shall transfer non-exempt Purchased Equipment to the JD at the time and in a manner determined by UCS.

4. Contractor may retain title to and possession of all Purchased Equipment purchased at least five (5) years prior to the effective date of expiration or termination.

XI. MISCELLANEOUS PROVISIONS

A. It is understood and agreed that Contractor is an independent contractor for purposes of this Agreement and that no "employer/employee" relationship is implied or exists between Contractor and its employees, agents, subcontractors and volunteers and the Court, the JD, UCS or the State of New York.

B. No part of Contractor's rights or obligations as set forth in this Agreement may be assigned, conveyed, transferred or subcontracted without the express prior written permission of the JD.
C. New York State Unified Court System Appendix A (revised August 2007), containing standard terms for New York State contracts, is attached hereto and made a part hereof.

D. In the event of any conflict between the terms of this Agreement and the terms of its Appendices, the following order of precedence shall apply:

1. Appendix A;
2. Agreement - Sections I to XI;
3. Appendix D;
4. Appendix B; and
5. Appendix C.
COUNTY OF SUFFOLK  
OFFICE OF THE DISTRICT ATTORNEY  

Approved:  

By:  
JOHN L. BUONORA  Date:  
Chief Assistant District Attorney  

Approved as to Legality:  

Christine Malafi  
Suffolk County Attorney  

By:  
Date:  
Assistant County Attorney  

County of Suffolk  
By:  
Name:  Jeffrey W. Szabo  
Deputy County Executive  
Date:  5-12-08  

Municipal Corporation Acknowledgement  

State of New York  
County of Suffolk  

On the __ day of __, 2008 before me personally came  
Jeffrey W. Szabo, to me known, who being by me duly sworn, did depose and say that  
he resides in Suffolk County, that he is the Deputy County Executive and Chief of Staff  
of the County of Suffolk, and that he executed the foregoing agreement for and on behalf  
of the County of Suffolk by virtue of the authority in him vested as such Deputy County  
Executive.  

Virginia H. Kommer  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 01K061BO0340  
QUALIFIED IN SUFFOLK COUNTY  
COMMISSION EXPIRED 01/07/2012
SIGNATURE PAGE

CONTRACT NUMBER 708

Agency Certification

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

FOR: 10TH Judicial District
Suffolk County
New York State
Unified Court System

FOR: Suffolk County District Attorney’s Office

SIGNATURE:

NAME: THOMAS F. LORITO
TITLE: DISTRICT EXECUTIVE
DATED 7/4/09

ATTORNEY GENERAL’S

SIGNATURE:

NAME: JEFFREY W. SZABO
TITLE: DEPUTY COUNTY EXECUTIVE
DATED 5-12-08

COMPTROLLER’S
ATTACHMENT I

ACKNOWLEDGMENT OF INDIVIDUAL

STATE OF ____________________          ) SS:
COUNTY OF ____________________          

On this _____ day of ____________ 20___, before me personally came

______________________________, to me known and known to me to be the person
described in and who executed the foregoing instrument and he/she acknowledged to
me that he/she executed same.

NOTARY PUBLIC

ACKNOWLEDGMENT OF CORPORATION

STATE OF New York          ) SS:
COUNTY OF Suffolk          

On this _____ day of May 2008, before me personally came

______________________________, to me known, who being by me duly sworn, did
depose and say that he/she resides in Suffolk County; that he/she is the
Dep. County Executive, of the County of Suffolk, the corporation described in and
which executed the foregoing instrument; that he/she knows the seal of said
corporation; that the seal affixed to said instrument is such corporate seal; that it was
so affixed by order of the Board of Directors of said corporation and that he/she signed
his/her name thereto by like order.

______________________________
NOTARY PUBLIC

Virginia H. Kommer
Notary Public, State of New York
No. 01 KO 6180340
Qualified in Suffolk County
Commission Expires 01/03/2017

(UCS - Rev. 07/01/03)
1. RECIPIENT NAME AND ADDRESS (Including Zip Code)
   NYS Unified Court System
   45 Beaver Street 11th Floor
   New York, NY 10004

2. AWARD NUMBER
   2156-WF-BX-0006

3. PROJECT PERIOD: FROM 06/01/2006 TO 05/31/2008
   BUDGET PERIOD: FROM 06/01/2006 TO 05/31/2008

4. AWARD DATE 07/18/2006

5. ACTION

6. SUPPLEMENT NUMBER
   00

7. PREVIOUS AWARD AMOUNT
   $0

8. AMOUNT OF THIS AWARD
   $249,862

9. TOTAL AWARD
   $249,862

10. SPECIAL CONDITIONS
    THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH
    ON THE ATTACHED PAGES.

11. STATUTORY AUTHORITY FOR GRANT
    This project is supported under 42 U.S.C. 13941 and the Science, State, Justice and Commerce Appropriations Act, FY 2006, Public Law 109-108

12. METHOD OF PAYMENT
    PAPRS

13. AGENCY APPROVAL

14. GRANTEE ACCEPTANCE

15. TYPED NAME AND TITLE OF APPROVING OFFICIAL
    Regina B. Schaefer
    Assistant Attorney General

16. SIGNATURE OF APPROVING OFFICIAL
    Regina B. Schaefer

17. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL
    Jonathan Lipson
    Chief Administrative Judge

18. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL
    7/28/06

19. AGENCY OR ONLY

20. ACCOUNTING CLASSIFICATION CODES
    | FISCAL FUND | BUD. ACT. | OPC. | DIV. | SUB. | POMS | AMOUNT |
    | YEAR CODE  |          |      |      |      |      |        |
    | X 3 W6 10 00 00 249862 |

GPF FORM 40002 (REV. 1-87) PREVIOUS EDITIONS ARE OBSOLETE.
### Budget Detail Worksheet

#### D. Equipment
- List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of $5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than $5,000). Include equipment that should be included in the "Supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<table>
<thead>
<tr>
<th>Item</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
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<tr>
<td>Total</td>
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<td>$</td>
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<td>$</td>
</tr>
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</table>

#### E. Supplies
- List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than $5,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<table>
<thead>
<tr>
<th>Supply Item</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

#### F. Construction
- As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
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<tbody>
<tr>
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</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

#### G. Consultant/Contracts
- Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

**Consultant Fees**: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of $1,500 per day require additional justification and prior approval from OJP.

<table>
<thead>
<tr>
<th>Name of Consultant</th>
<th>Service Provided</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
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<tbody>
<tr>
<td>Sex Offense Expert</td>
<td>Program Planning and Assessment @ $450/day, for 18 days in Year 1, and 68 days in Year 2</td>
<td>$8,100</td>
<td>$30,600</td>
<td>38,700</td>
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<tr>
<td>Subtotal</td>
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<td>$8,100</td>
<td>$30,600</td>
<td>38,700</td>
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</tbody>
</table>
### Consultant Expenses

List of all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging etc.).

<table>
<thead>
<tr>
<th>Item</th>
<th>Location</th>
<th>Computation</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Subtotal**

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of $100,000.

<table>
<thead>
<tr>
<th>Name of Contractor</th>
<th>Service Provided</th>
<th>Computation</th>
<th>Year 1</th>
<th>Year 2</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Center for Court Innovation</td>
<td>Program Planning, Implementation and Evaluation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grant Coordinator</td>
<td>$72,800</td>
<td>9%</td>
<td>10,920</td>
<td>6,740</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research Coordinator</td>
<td>$54,000</td>
<td>9%</td>
<td>2,700</td>
<td>5,306</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>18,625</td>
<td>16,075</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal: Personnel and Fringe Benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Space Costs</td>
<td></td>
<td></td>
<td>1,875</td>
<td>1,888</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies</td>
<td></td>
<td></td>
<td>120</td>
<td>108</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td></td>
<td></td>
<td>250</td>
<td>250</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Cost</td>
<td></td>
<td></td>
<td>3,543</td>
<td>3,081</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal: Center for Court Innovation</td>
<td></td>
<td></td>
<td>24,418</td>
<td>21,202</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Department of Probation</th>
<th>Polygraphy and Court Liaison</th>
<th>Computation</th>
<th>Year 1</th>
<th>Year 2</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court Liaison</td>
<td>$45,571</td>
<td>0%</td>
<td>45,571</td>
<td>12,760</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td></td>
<td></td>
<td></td>
<td>58,331</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal: Personnel and Fringe Benefits</td>
<td></td>
<td></td>
<td></td>
<td>19,200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clinical Polygraphy</td>
<td>$800/case @ 2 cases/month over 12 months of Year 2</td>
<td></td>
<td></td>
<td>77,531</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal: Department of Probation</td>
<td></td>
<td></td>
<td></td>
<td>77,531</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rents for Magan's Law</th>
<th>Program Planning and Victim Liaison</th>
<th>Computation</th>
<th>Year 1</th>
<th>Year 2</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Director</td>
<td>$80K salary @ 10% FTE + 30% fringe benefits in Year 1</td>
<td></td>
<td>10,400</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victim Liaison</td>
<td>$36K salary @ 60% FTE + 30% fringe benefits in Year 2</td>
<td></td>
<td>10,400</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal: Parents for Magan's Law</td>
<td></td>
<td></td>
<td>34,818</td>
<td>126,613</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Subtotal**

Total Consultants/Contracts: $42,918 $157,413 $200,331 $200,331 $
### Budget Detail Worksheet

#### 1. Other Costs
- List items (e.g., rent reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<table>
<thead>
<tr>
<th>Description</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

#### 2. Indirect Costs
- Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval (a fully executed, negotiated agreement) must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct cost categories.

<table>
<thead>
<tr>
<th>Description</th>
<th>Computation</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### Budget Summary
- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Year 1 Budget</th>
<th>Year 2 Budget</th>
<th>TOTAL Budget</th>
<th>FEDERAL</th>
<th>MATCH</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Personnel</td>
<td>18,964</td>
<td>73,834</td>
<td>90,598</td>
<td>43,902</td>
<td>46,796</td>
</tr>
<tr>
<td>B. Fringe Benefits</td>
<td>7,146</td>
<td>31,017</td>
<td>38,163</td>
<td>$</td>
<td>38,163</td>
</tr>
<tr>
<td>C. Travel</td>
<td>4,970</td>
<td>-</td>
<td>4,970</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>D. Equipment</td>
<td>-</td>
<td>-</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>E. Supplies</td>
<td>-</td>
<td>-</td>
<td>200,331</td>
<td>200,331</td>
<td>$</td>
</tr>
<tr>
<td>F. Construction</td>
<td>42,918</td>
<td>157,413</td>
<td>200,331</td>
<td>200,331</td>
<td>$</td>
</tr>
<tr>
<td>G. Consultants/Contracts</td>
<td>-</td>
<td>-</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>H. Other</td>
<td>-</td>
<td>-</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>I. Indirect Costs</td>
<td>-</td>
<td>-</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>TOTAL PROJECT COSTS</td>
<td>71,998</td>
<td>262,564</td>
<td>334,562</td>
<td>249,103</td>
<td>84,459</td>
</tr>
</tbody>
</table>

#### Percentages
- Budget Percentages
  - 75%
  - 25%
RESOLUTION NO. 2009, EXTENDING AUTHORIZATION TO CONSTRUCT A SKATE PARK IN THE TOWN OF BROOKHAVEN

WHEREAS, Resolution No. 586-04 authorized the construction of a skate park at Smith Point County Park in the Town of Brookhaven (CP 7162) and appropriated two hundred fifty thousand dollars ($250,000) for this purpose; and

WHEREAS, the skate park has not been constructed to date; and

WHEREAS, the Town of Brookhaven has agreed to lease to the County of Suffolk property upon which to build a skate park; and

WHEREAS, the prospective site for the skate park is located at 300 Mastic Beach Road, Mastic Beach, 11951 (Tax Map No. 0200-938.00-05.00-023.000); now therefore be it

1st RESOLVED, that the duration of the project established in Resolution No. 586-04, Capital Project 7162, is hereby extended to December 31st, 2010; and be it further

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

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:

s:\res\r-extend skate park project
RESOLUTION NO. -2009, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK PROPERTY IN 2009 FOR A 5K RACE

WHEREAS, Alicia Biondo, mother of baby Evelyn who is a victim of Shaken Baby Syndrome, would like to use the Southaven County Park in Brookhaven for the purpose of hosting a fund drive wherein the proceeds go to the raise awareness of the dangers of “Shaken Baby Syndrome”; and

WHEREAS, this race will be held on Saturday, April 25, 2009 from 7:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred Twenty-Five Dollars ($125.00), per diem, payment of which shall be guaranteed by Ms. Biondo; and

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

WHEREAS, the use of County property for such a fund drive will raise awareness of the dangers of “Shaken Baby Syndrome” and educate residents on how to alleviate the stress associated with trying to quiet a crying baby and prevent the occurrence of “Shaken Baby Syndrome”; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Southaven County Park in Brookhaven, by Alicia Biondo, in consideration of the payment of One Hundred Twenty-Five Dollars ($125.00) per diem, for the purpose of holding a 5 Kilometer Race on April 25, 2009, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the Chamber of Commerce of Mastic and Shirley from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

3rd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive; and be it further
4th RESOLVED, that Ms. Biondo shall also provide an entertainment promoter certificate to Suffolk County if she wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-Southaven Park 5K
RESOLUTION NO.  2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PURCHASE OF REPLACEMENT EQUIPMENT AT ESTABLISHED TOWER SITES, CAPITAL PROJECT #3017 – GPS SYSTEM

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Purchase of Replacement Equipment at Established Tower Sites, Capital Project #3017 – GPS System", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of equipment in-kind at established tower sites; and

WHEREAS, at its February 18, 2009 meeting, the CEQ reviewed the information submitted by the Suffolk County Police Department in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(25) and (27) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 19, 2009 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Purchase of Replacement Equipment at Established Tower Sites, Capital Project #3017 – GPS Systems constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2)(25) and (27) and Chapter 279 of the Suffolk County Code, since it involves legislation for the replacement of equipment in-kind, on the same site; and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:
RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CAPITAL PROGRAM 8239 PHASE III – STORM DRAIN POLLUTION REMEDIATION PROGRAM INSTALLATION OF STORMWATER TREATMENT SYSTEMS ON VARIOUS COUNTY ROADS

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Capital Program 8239 Phase III – Storm Drain Pollution Remediation Program Installation of Stormwater Treatment Systems on Various County Roads", pursuant to Section 6 of Local Law No. 22-1985 which project involves installing precast concrete stormwater treatment systems at several locations that discharge highway stormwater runoff into the Great South Bay, Fort Pond and Three Mile Harbor. The proposed treatment units function as floatable and sediment removal devices through the use of strategically placed weirs, orifices, and/or swirl chambers. SCDPW will also implement the performance of any necessary redesign/repairs/reconstruction on the existing positive drainage system upstream of the existing discharges; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and a presentation was made by a representative from the Suffolk County Department of Environment and Energy and subsequently sent out to all concerned parties; and

WHEREAS, at its February 18, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 19, 2009 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Capital Program 8239 Phase III – Storm Drain Pollution Remediation Program Installation of Stormwater Treatment Systems on Various County Roads constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of York of the Suffolk County Charter and the Suffolk County Code;

3.) The project is in conformance with the Suffolk County Stormwater Management Program/Plan and NYSDEC Stormwater Management Guidelines;

4.) All necessary NYSDEC stormwater and wetland permits will be obtained;

5.) Existing drainage problems will be alleviated; and

6.) Traffic safety will be improved during inclement weather;

and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date:

s:\res\s-stormwater-treatment-systems
RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CLARK’S BEACH – VILLAGE OF GREENPORT PROPERTY, TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Clark’s Beach – Village of Greenport Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 6.12 acres of land by Suffolk County for open space preservation purposes; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

WHEREAS, at its February 18, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 19, 2009 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Clark’s Beach – Village of Greenport Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2.) The proposed use the subject parcel 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

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:

s:\res\s-clarks-beach
RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE WICKHAM CREEK – DAWSON & HOLLAND PROPERTY, TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Wickham Creek – Dawson & Holland Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 3.2 acres of land by Suffolk County for open space preservation purposes; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

WHEREAS, at its February 18, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 19, 2009 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Wickham Creek – Dawson & Holland Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2.) The proposed use the subject parcel 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

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date:

s:\res\s-wickham-creek
RESOLUTION NO. -2009, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED STORMWATER REMEDIATION TO CR 80, MONTAUK HIGHWAY AT OCEANVIEW ROAD, CP #8240, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Stormwater Remediation to CR 80, Montauk Highway at Oceanview Road, CP #8240, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves upgrading storm drainage infrastructures in the form of new leaching basins and connecting pipes, which will then discharge through two upgraded outfalls into Shinnecock Bay. A Vortech stormwater treatment system will be provided upstream at each point of discharge. Other improvements include pavement repair, shoulder reconstruction, pavement resurfacing, minor curbing, striping and signage; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and a presentation was made by a representative with Gedeon GRC Consulting and subsequently sent out to all concerned parties; and

WHEREAS, at its February 18, 2009 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 19, 2009 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1ST RESOLVED, that this Legislature hereby determines that the Proposed Stormwater Remediation to CR 80, Montauk Highway, at Oceanview Road, CP #8240, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of York of the Suffolk County Charter and the Suffolk County Code;

3.) The project is in conformance with the Suffolk County Stormwater Management Program/Plan and NYSDEC Stormwater Management Guidelines;

4.) All necessary NYSDEC stormwater and wetland permits will be obtained;

5.) Existing drainage problems will be alleviated; and

6.) Traffic safety will be improved during inclement weather;

and be it further

2nd RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

3rd RESOLVED, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED:

APPROVED BY:

__________________________________________
County Executive of Suffolk County

Date:

s:\res\ts-oceanview-road
RESOLUTION NO. -2009, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 82 to update the Suffolk County Administrative Code totaling $2369.38; and

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

1st RESOLVED, that the payment of $2369.38 for the provisions of such pages is hereby approved.

DATED: ____________

APPROVED BY: ____________

County Executive of Suffolk County

Date: ____________
RESOLUTION NO. -2009, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 83 to update the Suffolk County Administrative Code totaling $5010.54; and

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

1st RESOLVED, that the payment of $5010.54 for the provisions of such pages is hereby approved.

DATED:

APPROVED BY:

__________________________________

County Executive of Suffolk County

Date:
RESOLUTION NO. -2009 AUTHORIZING ACQUISITION OF 
LAND UNDER THE OLD SUFFOLK COUNTY DRINKING 
WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE 
SHANCHUK PROPERTY – PINE BARRENS CORE (TOWN 
OF SOUTHAMPTON - SCTM#0900-199.00-01.00-002.000 & 0900-199.00-01.00-006.000)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had approved the purchase price and authorized the Director of the Division 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 Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Thirty One Thousand Six Hundred Dollars ($31,600.00), 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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<tr>
<th>PARCEL:</th>
<th>TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
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<tr>
<td>No. 2</td>
<td>District 0900</td>
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; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) 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 Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Thirty One Thousand Six Hundred Dollars ($31,600.00), 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 $31,600.00, subject to a final survey, from previously appropriated funds in MY-475-MSC-1940, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

7th 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 in 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) will be 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

8th RESOLVED, 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.

DATE:

APPROVED BY:

__________________________
County Executive of Suffolk County

Date of Approval:
January 22, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Shanchuk property (Pine Barrens Core), in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $31,600.00 for 0.92± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc:  Jim Morgo, Chief Deputy County Executive
     Jeff Szabo, 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.
     Tom Vaughn, County Executive Assistant
     Brendan Chamberlain, County Executive Assistant
     Phyllis Benincasa, Acquisition Agent
     CE Reso Review (e-mail copy only)
1. **Type of Legislation**

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

2. **Title of Proposed Legislation**

Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Shanchuk property-Pine Barrens Core, SCTM#0900-199.00-01.00-002.000 & 0900-199.00-01.00-006.000, (Town of Southampton).

3. **Purpose of Proposed Legislation**

See No. 2 above

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

YES ___  NO ___X___

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

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

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

N/A

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

N/A

8. **Proposed Source of Funding**

Old Suffolk County 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**

    January 22, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. 2009, APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – JANUARY 2009

WHEREAS, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties, and farmland development rights where there is a partner who will provide a 50% matching contribution; 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; pursuant to Chapter 8 of the Suffolk County Code; 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. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, Local Law 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, the County’s nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005, and 2006 master lists of important and significant environmentally sensitive lands, farmland, and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005, and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore, be it

1st RESOLVED, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and, be it further

2nd RESOLVED, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and, be it further

I.) ENVIRONMENTAL LEGACY PROGRAM

3rd RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly
enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

<table>
<thead>
<tr>
<th>PARCEL: No. 1</th>
<th>TAX MAP NUMBER: District</th>
<th>ACRES: SET FORTH IN EXHIBIT &quot;A&quot; ATTACHED</th>
<th>REPUTED OWNER AND ADDRESS: HERETO AND MADE A PART HEREOF</th>
</tr>
</thead>
</table>

;and, be it further

4th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

7th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the Suffolk County Environmental Legacy Program, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

9th RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly
enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

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<th>TAX MAP NUMBER</th>
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<tr>
<td>No. 1</td>
<td>District</td>
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<td>SET FORTH IN EXHIBIT &quot;A&quot; ATTACHED HERETO AND MADE A PART HEREOF</td>
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;and, be it further

10th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

11th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

12th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

13th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

14th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS
15th RESOLVED, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER:

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<tr>
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<tr>
<td></td>
<td>Section</td>
<td></td>
<td>HERETO AND MADE A PART HEREOF</td>
</tr>
</tbody>
</table>

;and, be it further

16th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and, be it further

17th 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 C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and, be it further

18th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and, be it further

19th RESOLVED, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A) (1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and, be it further

20th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and, be it further

21st 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/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, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:
<table>
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No. 47  0600 08500 0300 072054  0.2 Harriman Estates at Aquebogue LLC
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No. 49  0600 08500 0300 072056  0.2 Harriman Estates at Aquebogue LLC
No. 50  0600 08500 0300 072057  0.2 Harriman Estates at Aquebogue LLC
No. 51  0600 08500 0300 072058  0.2 Harriman Estates at Aquebogue LLC
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No. 53  0600 08500 0300 072060  0.2 Harriman Estates at Aquebogue LLC
No. 54  0600 08500 0300 072061  0.2 Harriman Estates at Aquebogue LLC
No. 55  0600 08500 0300 072062  0.3 Harriman Estates at Aquebogue LLC
No. 56  0600 08500 0300 072063  0.3 Harriman Estates at Aquebogue LLC
No. 57  0600 08500 0300 072064  0.2 Harriman Estates at Aquebogue LLC
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No. 61  0600 08500 0300 072068  0.2 Harriman Estates at Aquebogue LLC
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No. 64  0600 08500 0300 072071  0.2 Harriman Estates at Aquebogue LLC
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No. 68  0600 08500 0300 072075  0.3 Harriman Estates at Aquebogue LLC
No. 69  0600 08500 0300 072076  0.3 Harriman Estates at Aquebogue LLC
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No. 72  0600 08500 0300 072079  0.2 Harriman Estates at Aquebogue LLC
No. 73  0600 08500 0300 072080  0.2 Harriman Estates at Aquebogue LLC
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No. 77  0600 08500 0300 072084  0.2 Harriman Estates at Aquebogue LLC
No. 78  0600 08500 0300 072085  0.2 Harriman Estates at Aquebogue LLC
No. 79  0600 08500 0300 072086  0.2 Harriman Estates at Aquebogue LLC
No. 80  0600 08500 0300 072087  0.2 Harriman Estates at Aquebogue LLC
No. 81  0600 08500 0300 072088  0.2 Harriman Estates at Aquebogue LLC
No. 82  0600 08500 0300 072089  0.3 Harriman Estates at Aquebogue LLC
No. 83  0600 08500 0300 072090  0.3 Harriman Estates at Aquebogue LLC
No. 84  0600 08500 0300 072091  0.2 Harriman Estates at Aquebogue LLC
No. 85  0600 08500 0300 072092  0.2 Harriman Estates at Aquebogue LLC
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<th>Owner</th>
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<td>6.8</td>
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<tr>
<td>88</td>
<td>2.8</td>
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<td>89</td>
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<tr>
<td>96</td>
<td>1.1</td>
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**TOTAL ACRES**

56.3
SUFFOLK COUNTY FARMLAND RATING SYSTEM
FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR)

This rating system was developed for the evaluation of farmland for the potential purchase of its development rights (PDR) and inclusion in the County's Purchase of Development Rights Program under Chapter 8 of the Suffolk County Code. The system considers four major factors: contiguity, vistas, soils, and value. The first two factors seek to preserve large blocks of farmland, thus protecting the land from nonagricultural intrusions and preserving the scenic vistas. Soils which are better for farming, such as Bridgehampton and Haven associations, are assigned higher point values. Slope also plays a part in the soil type and its desirability for use as farmland. The estimated price of the farmland is also considered in the evaluation. Bonuses are given for farms within Agricultural Districts or within high population density areas. Negative points may be given for negative impacts such as excavations.

FARMLAND PRESERVATION FACTORS

A. CONTIGUITY: PROXIMITY TO PRESERVED FARM PROPERTIES

<table>
<thead>
<tr>
<th>Score</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. PDR properties on three sides. (5 pts.)</td>
<td></td>
</tr>
<tr>
<td>2. PDR properties on two sides. (4 pts.)</td>
<td></td>
</tr>
<tr>
<td>3. PDR properties on one side. (3 pts.)</td>
<td></td>
</tr>
<tr>
<td>4. Large amount of protected farmland nearby. (2 pts.)</td>
<td>3</td>
</tr>
<tr>
<td>5. Some protected farmland nearby. (1 pt.)</td>
<td></td>
</tr>
<tr>
<td>6. No protected farmland nearby. (0 pt.)</td>
<td></td>
</tr>
</tbody>
</table>

B. VISTAS

<table>
<thead>
<tr>
<th>Score</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Long road frontage and part of a large block of farmland (100+ acres). (5 pts.)</td>
<td>5</td>
</tr>
<tr>
<td>2. Small road frontage and part of a large block of farmland. (4 pts.)</td>
<td></td>
</tr>
<tr>
<td>3. Long road frontage and part of a small block of farmland. (3 pts.)</td>
<td></td>
</tr>
<tr>
<td>4. Small road frontage and part of a small block of farmland. (2 pts.)</td>
<td></td>
</tr>
<tr>
<td>5. Less than 100' of road frontage and part of a large block of farmland. (1 pt.)</td>
<td></td>
</tr>
<tr>
<td>6. Less than 100' of road frontage and part of a small block of farmland. (0 pt.)</td>
<td></td>
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</tbody>
</table>

C. SOILS

<table>
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<tr>
<th>Slope</th>
<th>Capability</th>
<th>Subtotal</th>
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<tr>
<td>0-3%</td>
<td>BgA, HaA, MKA</td>
<td>0.5</td>
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<tr>
<td>0-3%</td>
<td>Rda, SdA, PsA, He, MIA</td>
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<tr>
<td>2-8%</td>
<td>BgB, BbB, HaB, MkB</td>
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<tr>
<td>2-8%</td>
<td>MB, RdB, ScB, Su</td>
<td>0.5</td>
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<tr>
<td>5. Non-prime soil that is farmed: Plymouth. (1 pt.)</td>
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<td></td>
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<tr>
<td>6. Poor soil. (0 pt)</td>
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D. APPROXIMATE DEVELOPMENT RIGHTS VALUE PER ACRE*

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<tbody>
<tr>
<td>1. $50,000. or less. (5 pts.)</td>
<td>4.0</td>
</tr>
<tr>
<td>2. $50,001-$65,000. (4 pts.)</td>
<td></td>
</tr>
<tr>
<td>3. $65,001-$80,000. (3 pts.)</td>
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</tr>
<tr>
<td>4. $80,001-$95,000. (2 pts.)</td>
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</tr>
<tr>
<td>5. $95,001-$105,000. (1 pt.)</td>
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</tr>
<tr>
<td>6. $105,001-$250,000. (0 pt.)</td>
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</tr>
<tr>
<td>7. $250,001-$500,000. (-1 pt.)</td>
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<td>8. $500,001. or more. (-2 pts.)</td>
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E. ADJUSTMENTS

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<td>1. Located within a Census Designated Place with a population density of ≥ 1,000 persons per square mile. (3 pts.)</td>
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<tr>
<td>2. Other positive factors (i.e., within an Agricultural District, historical significance, community benefit, etc.). (1 or 2 pts.)</td>
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<tr>
<td>3. Other negative factors. (-1 or -2 pts.)</td>
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TOTAL SCORE (maximum = 25 points)

15.5
1. **Type of Legislation**

   Resolution **X**  
   Local Law  
   Charter Law  

2. **Title of Proposed Legislation**

   APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – JANUARY 2009

3. **Purpose of Proposed Legislation**

   See No. 2 above

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

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

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

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

   N/A

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

   N/A

8. **Proposed Source of Funding**

   N/A

9. **Timing of Impact**

   N/A

10. **Typed Name & Title of Preparer**
    Jessica L. Kalmbacher  
    Planner

11. **Signature of Preparer**

12. **Date**

    January 30, 2009

SCIN FORM 175b (10/95)
January 30, 2009

Mr. Ben Zwirn, Deputy County Executive  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is a proposed Introductory Resolution that would authorize planning steps for the purchase of farmland development rights within the town of Riverhead totaling 56.3 acres. These have all been approved by the Farmland Committee. Please contact me if you require any additional information.

Sincerely,

Thomas A. Isles  
Director of Planning

cc:  Jim Morgo, Chief Deputy County Executive  
Carrie Meek Gallagher, Commissioner, Department of Environment & Energy  
Lauretta R. Fischer, Principal Environmental Analyst, Department of Planning  
Jessica L. Kalmbacher, Planner, Department of Planning  
Michael A. Amoroso, Bureau Chief, Department of Law  
Christopher E. Kent, Director, Division of Real Property Acquisition & Management  
Janet Longo, Acquisition Supervisor, Div. of Real Property Acquisition & Management  
Brendan Chamberlain, County Executive Assistant  
CE Reso Review (e-mail copy only)
RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE MCGAHEY AND KILFEATHER PROPERTY – SAGAPONACK WOODS (TOWN OF SOUTHAMPTON - SCTM#0900-055.00-01.00-001.003)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County ½% Drinking Water Protection Program for Environmental Protection,” Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 877-2005, 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; and

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore, be it;
1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of One Million Dollars ($1,000,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER</th>
<th>AND ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District</td>
<td>0900</td>
<td>7.1+</td>
<td>Maryanne McGahey</td>
</tr>
<tr>
<td></td>
<td>Section</td>
<td>055.00</td>
<td></td>
<td>17 Oakmont Lane</td>
</tr>
<tr>
<td></td>
<td>Block</td>
<td>01.00</td>
<td></td>
<td>Bay Shore, NY 11706</td>
</tr>
<tr>
<td></td>
<td>Lot</td>
<td>001.003</td>
<td></td>
<td>and James Kilfeather</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>29 Commonwealth Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Franklin Square, NY 11010</td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 One Million Dollars ($1,000,000.00), 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 $1,000,000.00, 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 Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Two (2) 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:
c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area: 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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

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>
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</table>

2. **Title of Proposed Legislation**

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the McGahey and Kilfeather property (Sagaponack Woods), SCTM#0900-055.00-01.00-001.003, (Town of Southampton).

3. **Purpose of Proposed Legislation**

See No. 2 above

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

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

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

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

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

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 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**

February 5, 2009

SCIN FORM 175b (10/95)
February 5, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the McGahey and Kilfeather property (Sagaponack Woods), in the Town of Southampton, under the New Drinking Water Protection Program. The purchase price is $1,000,000.00 for 7.1± acres,

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
    Jeff Szabo, 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.
    Tom Vaughn, County Executive Assistant
    Brendan Chamberlain, County Executive Assistant
    Lori Sklar, Acquisition Agent
    CE Reso Review (e-mail copy only)
RESOLUTION NO. -2009 AUTHORIZING ACQUISITION OF
LAND UNDER THE OLD SUFFOLK COUNTY DRINKING
WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] – FOR
THE JOACHIM PROPERTY – PINE BARRENS CORE (TOWN
OF RIVERHEAD - SCTM#0600-137.00-03.00-015.001)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old
Suffolk County Drinking Water Protection Program, as amended and effective as of November
30, 2000, the first priority of which being the acquisition of qualified lands to be funded by
revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY
CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of
the Division of Real Property Acquisition and Management entering into any negotiations for the
acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the
Department of Parks, Recreation and Conservation shall review and recommend its acquisition;
and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking
Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK
COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of
such land; and

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of
the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the
report of the Internal Appraisal Review Board and had approved the purchase price and
authorized the Director of the Division of Real Property Acquisition and Management to
negotiate the acquisition; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject
property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-
5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of
Sixty Eight Thousand Dollars ($68,000.00), subject to a final survey; and hereby authorizes
additional expenses, which shall include but not be limited to the cost of surveys, appraisals,
environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0600</td>
<td>.70+</td>
<td>Alexander and Linda Joachim</td>
</tr>
<tr>
<td></td>
<td>Section 137.00</td>
<td></td>
<td>824D Bahia Del Sol</td>
</tr>
<tr>
<td></td>
<td>Block 03.00</td>
<td></td>
<td>Ruskin, FL 33570</td>
</tr>
<tr>
<td></td>
<td>Lot 015.001</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

; and, be it further
2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) 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 Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Sixty Eight Thousand Dollars ($68,000.00), 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 $68,000.00, subject to a final survey, from previously appropriated funds in MY-475-MSC-1940, under the Old Drinking Water Protection Program, Section C12-5(E)(1) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

7th 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 in 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) will be 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

8th RESOLVED, 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.
DATE:

APPROVED BY:

[Signature]

County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Joachim property (Pine Barrens Core), in the Town of Riverhead, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $68,000.00 for .70± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
    Jeff Szabo, 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.
    Tom Vaughn, County Executive Assistant
    Brendan Chamberlain, County Executive Assistant
    Mike Brown, Acquisition Agent
    CE Reso Review (e-mail copy only)
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
Authorizing the acquisition under the Old Suffolk County Drinking Water Protection Program, of the Joachim property (Pine Barrens Core), SCTM #0600-137.00-03.00-015.001, (Town of Riverhead).

3. Purpose of Proposed Legislation
See No. 2 above

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

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

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

6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:
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
Old Suffolk County Drinking Water Protection Program

9. Timing of Impact
N/A

10. Typed Name & Title of Preparer
Christopher E. Kent
Director

11. Signature of Preparer

12. Date
February 11, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009  AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) – OPEN SPACE
COMPONENT - FOR THE VALIANT ROCK, LLC
PROPERTY – SAW MILL CREEK ADDITION
(TOWN OF RIVERHEAD - SCTM#0600-109.00-
02.00-008.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the
Suffolk County ¼% 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. 877-2005, 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;
and

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution
1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions
of properties for the preservation of open space for passive park purposes as set forth in Resolution
No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-
2005 – Master Lists I and II Reports, respectively; and
WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; 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 Seven Hundred Seventy Eight Thousand Four Hundred Dollars ($778,400.00+), at Two Hundred Eighty Thousand ($280,000.00) per acre for 2.78+ acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>TAX MAP COUNTY NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0600</td>
<td>2.78+</td>
<td>Valiant Rock, LLC</td>
</tr>
<tr>
<td></td>
<td>Section 109.00</td>
<td></td>
<td>6 Wells Lane</td>
</tr>
<tr>
<td></td>
<td>Block 02.00</td>
<td></td>
<td>Hampton Bays, NY</td>
</tr>
<tr>
<td></td>
<td>Lot 008.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 Seven Hundred Seventy Eight Thousand Four Hundred Dollars ($778,400.00+), 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 $778,400.00+, 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 his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) 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;


d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

________________________
County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Valiant Rock, LLC property (Saw Mill Creek Addition), in the Town of Riverhead, under the New Suffolk County Drinking Water Protection Program. The purchase price is $778,400.00+ for 2.78+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
Jeff Szabo, 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.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Lori Sklar, 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 Drinking Water Protection Program, of the Valiant Rock, LLC property (Saw Mill Creek Addition), SCTM#0600-109.00-02.00-008.000, (Town of Riverhead).

3. Purpose of Proposed Legislation
   See No. 2 above

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

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

9. Timing of Impact
   N/A

10. Typed Name & Title of Preparer
    Christopher E. Kent
    Director

11. Signature of Preparer
    [Signature]

12. Date
    February 11, 2009

SCIN FORM 175b (10/95)

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
RESOLUTION NO. -2009 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE KUNZ & STUART PROPERTY - PINE BARRENS CORE (TOWN OF - SOUTHAMPTON - SCTM#0900-306.00-03.00-028.000, 0900-306.00-03.00-038.000 & 0900-306.00-04.00-018.000)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

WHEREAS, Resolution No. 1356-2002, authorized planning steps for the acquisition of the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had approved the purchase price and authorized the Director of the Division 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 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 Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Thirty Six Thousand Seven Hundred Dollars ($36,700.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:
<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0900</td>
<td>.37+</td>
<td>Walter Kunz and Joan Stuart P.O. Box 1 Islip, NY 11754</td>
</tr>
<tr>
<td></td>
<td>Section 306.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Block 03.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lot 028.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 2</td>
<td>District 0900</td>
<td>.51+</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Section 306.00</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Block 03.00</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Lot 038.000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. 3</td>
<td>District 0900</td>
<td>.46+</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Section 306.00</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>Block 04.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lot 018.000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) 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 Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Thirty Six Thousand Seven Hundred Dollars ($36,700.00), 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 $36,700.00, subject to a final survey, from previously appropriated funds in 475-MSC-1940, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

7th 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 in 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) will be 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

8th RESOLVED, 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.

DATE:

APPROVED BY:

___________________________
County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwiren, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwiren:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Kunz and Stuart property-Pine Barrens Core, in the Town of Southampton, under the Old Suffolk County Drinking Water Protection Program. The purchase price is $36,700.00 for 1.34+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
Jeff Szabo, 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.
Tom Vaughn, County Executive Assistant
Brendan Chamberlain, County Executive Assistant
Mike Brown, Acquisition Agent
CE Reso Review (e-mail copy only)
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 acquisition under the Old Suffolk County Drinking Water Protection Program, of the Kunz & Stuart property-Pine Barrens Core, SCTM#0900-30600-0300-028.000, 0900-306.00-03.00-038.000 & 0900-306.00-04.00-018.000, (Town of Southampton).

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)

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

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

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
Old Suffolk County Drinking Water Protection Program

9. Timing of Impact
N/A

10. Typed Name & Title of Preparer
Christopher E. Kent
    Director

11. Signature of Preparer

12. Date
    February 11, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) — OPEN SPACE COMPONENT — FOR THE BRODMERKEL PROPERTY — WADING RIVER WETLANDS (TOWN OF RIVERHEAD - SCTM#0600-029.00-02.00-013.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¾% 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. 621-2004, 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; and

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 — Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 — Master Lists I and II Reports, respectively; and

WHEREAS, the following property(ies), as described in the 1st Resolved, is listed in Resolution No. 625-2004 — Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 — Master Lists I and/or II Reports, respectively; 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 Thirteen Thousand Dollars ($13,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUFFOLK COUNTY TAX MAP NUMBER:</th>
<th>ACRES:</th>
<th>REPUTED OWNER AND ADDRESS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0600</td>
<td>0.879+</td>
<td>William and Betty Jane Brodmerkel</td>
</tr>
<tr>
<td></td>
<td>Section 029.00</td>
<td></td>
<td>76 Creek Road</td>
</tr>
<tr>
<td></td>
<td>Block 02.00</td>
<td></td>
<td>Wading River, NY 11792</td>
</tr>
<tr>
<td></td>
<td>Lot 013.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 Thirteen Thousand Dollars ($13,000.00) 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 $13,000.00, 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 his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

6th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:
   a.) freshwater/tidal wetlands and buffer lands for same;
      and, be it further
7th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Brodmerkel property (Wading River Wetlands), in the Town of Riverhead, under the New Suffolk County Drinking Water Protection Program. The purchase price is $13,000.00 for 0.879+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc:  Jim Morgo, Chief Deputy County Executive
     Jeff Szabo, 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.
     Tom Vaughn, County Executive Assistant
     Brendan Chamberlain, County Executive Assistant
     Lori Sklar, Acquisition Agent
     CE Reso Review (e-mail copy only)
**STATEMENT OF FINANCIAL IMPACT**

**OF PROPOSED SUFFOLK COUNTY LEGISLATION**

<table>
<thead>
<tr>
<th>1. Type of Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolution <strong>X</strong> Local Law Charter Law</td>
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</table>

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</thead>
<tbody>
<tr>
<td>Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Brodmerkel property (Wading River Wetlands), SCTM#0600-029.00-02.00-013.000, (Town of Riverhead).</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>3. Purpose of Proposed Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>See No. 2 above</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>6. If the answer to item 4 is &quot;yes&quot;, Provide Detailed Explanation of Impact:</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</th>
</tr>
</thead>
<tbody>
<tr>
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<table>
<thead>
<tr>
<th>8. Proposed Source of Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Suffolk County Drinking Water Protection Program</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9. Timing of Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Typed Name &amp; Title of Preparer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher E. Kent Director</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11. Signature of Preparer</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Signature]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12. Date</th>
</tr>
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<tbody>
<tr>
<td>February 11, 2009</td>
</tr>
</tbody>
</table>

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE SALVATORE NORBERTO PROPERTY – TUTHILLS CREEK/PINE LAKE (TOWN OF BROOKHAVEN - SCTM# 0204-003.00-01.00-026.005)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County ¾% 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. 877-2005, 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, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; 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 Thirty One Thousand Dollars ($31,000.00), 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:
2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 Thirty One Thousand Dollars ($31,000.00), 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 $31,000.00, 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 his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) 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;

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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive  
H. Lee Dennison Building -11th Floor  
100 Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Norberto property (Tuthills Creek/Pine Lake), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $31,000.00 for .50+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent  
Director

CEK:pd  
Att.
cc: Jim Morgo, Chief Deputy County Executive  
Jeff Szabo, 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.  
Tom Vaughn, County Executive Assistant  
Brendan Chamberlain, County Executive Assistant  
Mike Brown, Acquisition Agent  
CE Reso Review (e-mail copy only)
1. Type of Legislation

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<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 acquisition under the New Suffolk County Drinking Water Protection Program, of the Norberto property (Tuthills Creek/Pine Lake), SCTM#0204-003.00-01.00-026.005, (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
- 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

New Suffolk County Drinking Water Protection Program

9. Timing of Impact

N/A

**10. Typed Name & Title of Preparer**

Christopher E. Kent

**11. Signature of Preparer**

[Signature]

**12. Date**

February 11, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE POKORNY PROPERTY – SOUTHAVEN COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM#0200-744.00-03.00-006.000)

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1¼% 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. 877-2005, 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, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; and

WHEREAS, 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 Five Thousand Five Hundred Dollars ($5,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<table>
<thead>
<tr>
<th>PARCEL:</th>
<th>SUFFOLK COUNTY</th>
<th>REPUTED OWNER</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>TAX MAP NUMBER: 0200</td>
<td>AND ADDRESS: Jean Berger Pokorný</td>
</tr>
<tr>
<td></td>
<td>District 744.00</td>
<td>41 Brewster Lane</td>
</tr>
<tr>
<td></td>
<td>Section 03.00</td>
<td>Bellport, NY 11713</td>
</tr>
<tr>
<td></td>
<td>Block 006.00</td>
<td></td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 Five Thousand Five Hundred Dollars ($5,500.00), 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 $5,500.00, 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 his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) 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:

g.) Open Space

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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Pokorny property (Southaven County Park Addition), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $5,500.00 for 0.09± acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc:  Jim Morgo, Chief Deputy County Executive
      Jeff Szabo, 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.
      Tom Vaughn, County Executive Assistant
      Brendan Chamberlain, County Executive Assistant
      Phyllis Benincasa, Acquisition Agent
      CE Reso Review (e-mail copy only)
1. **Type of Legislation**

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</tbody>
</table>

2. **Title of Proposed Legislation**

Authorizing the acquisition under the New Suffolk County Drinking Water Protection Program, of the Pokorny property (Southaven County Park Addition), SCTM#0200-744.00-03.00-006.000, (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
   - 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**

   New Suffolk County Drinking Water Protection Program

9. **Timing of Impact**

   N/A

10. **Typed Name & Title of Preparer**
    Christopher E. Kent
    Director

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

12. **Date**
    February 11, 2009

SCIN FORM 175b (10/95)
RESOLUTION NO. -2009  AUTHORIZING
THE ACQUISITION OF LAND UNDER THE NEW
SUHOLK COUNTY DRINKING WATER
PROTECTION PROGRAM (EFFECTIVE
DECEMBER 1, 2007) – OPEN SPACE
COMPONENT - FOR THE DOWLING COLLEGE
PROPERTY – MASTIC/SHIRLEY
CONSERVATION AREA (TOWN OF
BROOKHAVEN - SCTM#0200-982.10-04.00-
009.0000)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County 1/2% 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. 625-2004, 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, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s), as described in the 1st Resolved, is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolutions Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; 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 Six Thousand Five Hundred Dollars ($6,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:
<table>
<thead>
<tr>
<th>PARCEL</th>
<th>TAX MAP NUMBER</th>
<th>ACRES</th>
<th>REPUTED OWNER AND ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>District 0200</td>
<td>.09+</td>
<td>Dowling College Idle Hour Blvd. Oakdale, NY 11769</td>
</tr>
</tbody>
</table>

; and, be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New 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 Six Thousand Five Hundred Dollars ($6,500.00), 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 $6,500.00, 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 his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and, be it further

5th RESOLVED, that pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

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

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

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 this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED:

APPROVED BY:

______________________________
County Executive of Suffolk County

Date of Approval:
February 11, 2009

Mr. Ben Zwirn, Asst. Deputy County Executive
H. Lee Dennison Building -11th Floor
100 Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

Attached for your review and consideration is an Introductory Resolution to authorize the acquisition of the Dowling College property (Mastic/Shirley Conservation Area), in the Town of Brookhaven, under the New Suffolk County Drinking Water Protection Program. The purchase price is $6,500.00 for .09+ acres.

Please contact me if you require any additional information.

Sincerely,

Christopher E. Kent
Director

CEK:pd
Att.
cc: Jim Morgo, Chief Deputy County Executive
    Jeff Szabo, 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.
    Tom Vaughn, County Executive Assistant
    Brendan Chamberlain, County Executive Assistant
    Peter Belyea, Acquisition Agent
    CE Reso Review (e-mail copy only)
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 acquisition under the New Suffolk County Drinking Water Protection Program, of the Dowling College property (Mastic/Shirley Conservation Area, SCTM#0200-982.10-04.00-009.000, (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)

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

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

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 Drinking Water Protection Program

9. Timing of Impact

N/A

10. Typed Name & Title of Preparer

Christopher E. Kent

Director

11. Signature of Preparer

[Signature]

12. Date

February 11, 2009

SCIN FORM 175b (10/95)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving L.I.E. Service Roads under the National Recovery Act; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, and identified as PIN 075932 (OT1910) in design approval documents and contract plans authorized under the National Economic Recovery Act with a share allocation of 100 (100%) percent Federal funds and zero (0%) percent County funds; 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 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5127 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 $20,000,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1171-1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; 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, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Strengthening and Improving County Roads; and be it further
4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5127
Project Title: Strengthening and Improving L.I.E. Service Roads under the National Recovery Act

<table>
<thead>
<tr>
<th></th>
<th>Current 2009</th>
<th>Revised 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Est'd Cost</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Budget &amp; Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Construction</td>
<td>$20,000,000</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$20,000,000</td>
<td>$0</td>
</tr>
</tbody>
</table>

5th RESOLVED, that Federal Aid in the amount of $20,000,000 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-5127.310</td>
<td>50</td>
<td>Strengthening and Improving L.I.E. Service Roads under the National Recovery Act</td>
<td>$20,000,000</td>
</tr>
</tbody>
</table>

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $20,000,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of 20,000,000; and be it further

8th RESOLVED, that 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 construction of the project; and be it further

9th 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 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


3. Purpose of Proposed Legislation

SEE NO. 2 ABOVE

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

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

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

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

Suffolk County must “first instance” the entire cost of the project. The share allocation for the project is 100% Federal and 0% County. County Comptroller is authorized to issue bond anticipation notes.

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

SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

Federal Highway Administration PIN 075932 (OT1910)—100% allocation

0% allocation for County. County must first instance funds.

9. Timing of Impact

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 construction of the project.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

February 24th, 2009

SCIN FORM 175b (10/95)
## 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><strong>Total</strong></td>
<td><strong>$0</strong></td>
<td><strong>$0.00</strong></td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

## 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><strong>Total</strong></td>
<td><strong>$0</strong></td>
<td><strong>$0.00</strong></td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

## 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><strong>Total</strong></td>
<td><strong>$0</strong></td>
<td><strong>$0.00</strong></td>
<td></td>
<td>$0.000</td>
</tr>
</tbody>
</table>

### Notes:

1) Source for number of family parcels and corresponding assessed valuation: Suffolk County Real Property Tax Service, September 2008.
3) Source for equalization rates: Tentative 2008 County Equalization Rates established by the New York State Board of Equalization and Assessments.

To be completed by the Executive Budget Office
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: February 9, 2009

RE: AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING L.I.E. SERVICE ROADS UNDER THE NATIONAL ECONOMIC RECOVERY ACT (NEW CP 5127)

Attached are a draft resolution and duplicate copy to appropriate the sum of $20,000,000 for construction in connection with the above referenced project.

There are insufficient funds included in the 2009 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 fifth percent (50%) by Federal or State aid.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

Funding for this project is 100% Federally funded as part of the National Economic Recovery Act and mandated milestones must be met to insure program compliance.

This project includes excavation and replacement of existing deteriorated pavement, patching, other items of work required preparatory to the placement of new concrete or asphalt pavement such as drainage and concrete curb, and the placement of concrete or asphalt pavement. Work will be performed on Long Island Expressway Service Roads approximately between CR 7, Wicks Road and Route 112. 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 to be determined by this Department.
The Suffolk County Council on Environmental Quality has reviewed our Strengthening and Improving County Roads Program and found that it constituted a Type II Action and no further review is required. The County Legislature concurred with this finding pursuant to Resolution No. 1171-1995.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP5127.doc".

TL:WH:sk
attach.
cc  Jim Morgo, Chief Deputy County Executive
     Brendan Chamberlain, County Executive Assistant
     Carmine Chiusano, Principal Financial Analyst
     William Hillman, P.E., Chief Engineer
     Frank Messina, Federal & State Aid Claims Technician
     Laura Conway, CPA, Director of DPW Administrative Services
     Linda Brandolf, CPA, Capital Accounting
     Theresa D'Angelo, Principal Clerk (Cover memo only)
     James Bagg, Chief Environmental Analyst
COUNTY OF SUFFOLK

STEVE LEVY
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF PUBLIC WORKS
GILBERT ANDERSON, P.E.
COMMISSIONER

THOMAS LAGUARDIA, P.E.
CHIEF DEPUTY COMMISSIONER

LOUIS CALDERONE
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: February 9, 2009

RE: AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING L.I.E. SERVICE ROADS UNDER THE NATIONAL ECONOMIC RECOVERY ACT (NEW CP 5127)

Attached are a draft resolution and duplicate copy to appropriate the sum of $20,000,000 for construction in connection with the above referenced project.

There are insufficient funds included in the 2009 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 fifth percent (50%) by Federal or State aid.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

Funding for this project is 100% Federally funded as part of the National Economic Recovery Act and mandated milestones must be met to insure program compliance.

This project includes excavation and replacement of existing deteriorated pavement, patching, other items of work required preparatory to the placement of new concrete or asphalt pavement such as drainage and concrete curb, and the placement of concrete or asphalt pavement. Work will be performed on Long Island Expressway Service Roads approximately between CR 7, Wicks Road and Route 112. 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 to be determined by this Department.

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE YAPHANK, N.Y. 11980
(631) 852-4010 FAX (631) 852-4150
The Suffolk County Council on Environmental Quality has reviewed our Strengthening and Improving County Roads Program and found that it constituted a Type II Action and no further review is required. The County Legislature concurred with this finding pursuant to Resolution No. 1171-1995.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP5127.doc".

TL:WH:sk
attach.
cc  Jim Mego, Chief Deputy County Executive
     Brendan Chamberlain, County Executive Assistant
     Carmine Chiusano, Principal Financial Analyst
     William Hillman, P.E., Chief Engineer
     Frank Messina, Federal & State Aid Claims Technician
     Laura Conway, CPA, Director of DPW Administrative Services
     Linda Brandoff, CPA, Capital Accounting
     Theresa D'Angelo, Principal Clerk (Cover memo only)
     James Bagg, Chief Environmental Analyst
RESOLUTION NO. 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 19, PATCHOGUE-HOLBROOK ROAD AT OLD WAVERLY AVENUE, TOWN OF BROOKHAVEN (CP 5040)

WHEREAS, the Commissioner of Public Works has requested funds for construction inspection services in connection with Intersection Improvements CR 19; and

WHEREAS, sufficient funds are not included in the 2009 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; 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 100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 1128-2003, approved by the legislature declared this an Unlisted Action pursuant to Section 617 of Title 6 (NYCRR); and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 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 CR 19, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

<table>
<thead>
<tr>
<th>Project No.:</th>
<th>5097</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title:</td>
<td>Reconstruction of CR 17, Carleton Avenue, Town of Islip</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Current 2009</th>
<th>Revised 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>Capital</td>
<td>Capital</td>
</tr>
<tr>
<td>Est'd Cost</td>
<td>Budget &amp;</td>
<td>Budget &amp;</td>
</tr>
<tr>
<td></td>
<td>Program</td>
<td>Program</td>
</tr>
<tr>
<td>2. Land Acquisition</td>
<td>$1,350,000</td>
<td>$250,000B</td>
</tr>
<tr>
<td></td>
<td>$1,000,000F</td>
<td>$1,000,000F</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$3,600,000</td>
<td>$1,250,000</td>
</tr>
<tr>
<td></td>
<td>$1,150,000</td>
<td></td>
</tr>
</tbody>
</table>
Project No.: 5040
Project Title: Intersection Improvements CR 19, Patchogue-Holbrook Road at Old, Waverly Avenue, Town of Brookhaven

<table>
<thead>
<tr>
<th></th>
<th>Current 2009</th>
<th>Revised 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Est'd Cost</td>
<td>Capital Budget &amp; Program</td>
</tr>
<tr>
<td>3. Construction</td>
<td>$1,800,000</td>
<td>$0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,075,000</td>
<td>$0</td>
</tr>
</tbody>
</table>

and be it further

5th 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-5040.310 (Fund 001 Debt Service)</td>
<td>50</td>
<td>Intersection Improvements CR 19, Patchogue-Holbrook Road at Old, Waverly Avenue, Town of Brookhaven</td>
<td>$100,000</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. 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 19, PATCHOGUE-HOLBROOK ROAD AT OLD WAVERLY AVENUE, TOWN OF BROOKHAVEN (CP 5040)

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

2010

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

12. Date

February 18th, 2009

SCIN FORM 175b (10/95)
### 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>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$9,483</td>
<td>$0.02</td>
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</table>

### 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>
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<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
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### COMBINED

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<th>2010 AV Tax Rate per $100</th>
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</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$9,483</td>
<td>$0.02</td>
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</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.
<table>
<thead>
<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<td>$4,766.67</td>
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<td>$2,029.80</td>
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<td>$1,623.25</td>
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<td>$618.18</td>
<td>$8,864.70</td>
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<td>$8,639.61</td>
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<td>$42,243.17</td>
<td>$142,243.17</td>
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</tbody>
</table>
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: February 6, 2009

RE: AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 19, PATCHOGUE-HOLBROOK ROAD AT OLD WAVERLY AVENUE, TOWN OF BROOKHAVEN (CP 5040)

Attached are a draft resolution and duplicate copy to appropriate the sum of $100,000 for construction inspection in connection with the above referenced project.

There are no funds included in the 2009 Capital Budget and Program for this project and, as such, an offset must be provided. We intend to use land acquisition funds from CP 5097, Reconstruction of CR 17, Carleton Avenue, Town of Islip. ROW acquisition is no longer included in CP 5097, thus, the funds are available.

This project is part of an ongoing overall plan to improve safety, operational efficiency and aesthetics of CR 19 in the Village of Patchogue.

Resolution No 1128-2003 approved by the legislature declared this an Unlisted Action pursuant to Section 617.2 of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR).

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “RESO-DPW-CP 5040.doc”.

TL:WH:sk
attach.
cc Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving County Roads; and

WHEREAS, there are sufficient funds within the 2009 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 $5,500,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1) and (4), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility as well as repaving of existing highways not involving the addition of new travel lanes. 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-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 Strengthening and Improving County Roads, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $5,500,000 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-5014.349</td>
<td>50</td>
<td>Strengthening and Improving County Roads</td>
<td>$5,500,000</td>
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</tbody>
</table>
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. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

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  
   - 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
   - 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
   - 2010

10. Typed Name & Title of Preparer
    - Nicholas Paglia  
    - Executive Technician

11. Signature of Preparer
    - [Signature]

12. Date
    - February 18th, 2009

SCIN FORM 175b (10/95)
# FINANCIAL IMPACT

## 2010 PROPERTY TAX LEVY

### COST TO THE AVERAGE TAXPAYER

<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>
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</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>521,559</td>
<td>0.97</td>
<td></td>
<td>0.002</td>
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<tr>
<td><strong>POLICE DISTRICT AND DISTRICT COURT</strong></td>
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<tr>
<td><strong>TOTAL</strong></td>
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<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>521,559</td>
<td>0.97</td>
<td></td>
<td>0.002</td>
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</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
<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>5/1/2009</td>
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<td>$521,558.30</td>
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<td>$521,558.30</td>
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</table>

$5,500,000.00 $2,323,374.55 $7,823,374.55 $7,823,374.55
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: January 30, 2009

RE: C.P. 5014 – Strengthening and Improving County Roads

Attached are a draft resolution and duplicate copy to appropriate the sum of $5,500,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital Budget and Program for this project. It is important to note that much of this funding is reimbursed through the New York State Consolidated Local Street and Highway Improvement Program (CHIPS).

Increasing traffic volumes and the aging of the county road system require various levels of maintenance. Major reconstruction projects are progressed with individual capital projects. However, the life of the roads can be extended with less costly improvements. Minor resurfacing and other miscellaneous projects are performed under CP 5014.

This project includes excavation and replacement of existing deteriorated pavement, patching, other items of work required preparatory to the placement of new concrete or asphalt pavement such as drainage and concrete curb, and the placement of concrete or asphalt pavement. Other associated items of work may also be required including, but not limited to, installation of pavement markings consisting of thermoplastic striping and plowable all-weather reflective markers.

The roads proposed to be strengthened and improved include, but are not limited to, the attached list. 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 to be determined by this Department.

The Suffolk County Council on Environmental Quality has reviewed our Strengthening and Improving County Roads Program and found that it constituted a Type II Action and no further review is required. The County Legislature concurred with this finding pursuant to Resolution No. 1171-1995.
<table>
<thead>
<tr>
<th>CR#</th>
<th>Road / Limits</th>
<th>Leg Disc.</th>
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</thead>
<tbody>
<tr>
<td>2</td>
<td>Straight Path</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Bethpage Rd to Sunrise Hwy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Under Southern State Pkwy</td>
<td>15</td>
</tr>
<tr>
<td>11</td>
<td>Pulaski Rd</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>LIRR Tressel (Deposit Rd) to Sunken Meadow Pkwy</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Crooked Hill Rd</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Vic CR 100 Suffolk Ave to vic Pilgrim Rd</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Patchogue - Holbrook Rd</td>
<td>8</td>
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<tr>
<td></td>
<td>Portion of, in the vicinity of CR 97 intersection</td>
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<tr>
<td>21</td>
<td>Yaphank Ave / Rocky Point Rd</td>
<td>3</td>
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<tr>
<td></td>
<td>Roadway access to Infirmary and Police Hq</td>
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<td></td>
<td>Northerly Section to NYS RT 25A (1.0 M)</td>
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<tr>
<td>39B</td>
<td>Canal Rd</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Section adjacent to Shinnecock Canal</td>
<td></td>
</tr>
<tr>
<td>46</td>
<td>William Floyd Pkwy</td>
<td>1, 6</td>
</tr>
<tr>
<td></td>
<td>S/B from vic of Whiskey Rd to vic of Longwood Rd</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Great Neck Rd</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Montauk Hwy to Sunrise Hwy</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>North Sea Rd</td>
<td>2</td>
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<td></td>
<td>CR 39 to CR 38</td>
<td></td>
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<tr>
<td>83</td>
<td>North Ocean Ave</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>vic of Canal Rd to NYS RT 25A</td>
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<tr>
<td>92</td>
<td>Oakwood Rd</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>CR 11 Pulaski Rd to Sound View Rd</td>
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</tbody>
</table>

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. -2009, AMENDING
THE 2009 OPERATING BUDGET BY
ELIMINATING PARTIAL FUNDING FOR
LEGISLATIVE NEWSLETTERS

WHEREAS, the local economy has been slowing and in response to the
national recession and regional trends, is projected to continue this slowdown through
the balance of 2009; and

WHEREAS, this slowdown has resulted in the reduction of Suffolk
County’s sales and real estate related revenues, including the projected reductions in
the receipt of property taxes; and

WHEREAS, it is in the best interests of the residents of Suffolk County
that realistic steps be taken to both balance the budget and prevent the need to either
raise property taxes or impose regressive fees during a time of both recession and fiscal
uncertainty; and

WHEREAS, through the efforts of both Executive and Legislative offices
every avenue to reduce discretionary spending is being reviewed; and

WHEREAS, the reduction of funds for mailing of newsletters would save
the taxpayers of Suffolk County one hundred thousand dollars this fiscal year, without
any effect on services; now, therefore be it

RESOLVED, that the 2009 Operating Budget is hereby amended as
follows to strike excess appropriations and associated revenue and that the County
Comptroller and the County Treasurer be and they are hereby authorized to strike the
following funds and authorizations:

APPROPRIATIONS:

<table>
<thead>
<tr>
<th>FUND</th>
<th>AGENCY</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>OBJECT NAME</th>
<th>FUNDS</th>
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</table>

REVENUES:

<table>
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<tr>
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<th>AGENCY</th>
<th>REV. CODE</th>
<th>REVENUE NAME</th>
<th>REVENUES STRICKEN</th>
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<tbody>
<tr>
<td>001</td>
<td>FIN</td>
<td>1110</td>
<td>STATE ADM. SALES TAX</td>
<td>$100,000</td>
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</table>
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation
   Resolution   X   Local Law         Charter Law

2. Title of Proposed Legislation
   AMENDING THE 2009 OPERATING BUDGET BY ELIMINATING PARTIAL FUNDING
   FOR LEGISLATIVE NEWSLETTERS.

3. Purpose of Proposed Legislation
   Eliminate funding for Legislative Newsletters.

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
   This would reduce appropriations and revenues by $100,000 in 2009.

7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.
   N/A – Requires appropriations in future budgets

8. Proposed Source of Funding
   2009 Operating Budget

9. Timing of Impact
   Upon Approval

10. Typed Name & Title of Preparer
    Allen M. Kovesdy,
    Director of Management and Research

11. Signature of Preparer

12. Date
    February 24, 2009

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

### 2009 Property Tax Levy

**Cost to the Average Taxpayer**

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate Per $100</th>
<th>2009 FEV Tax Rate Per $1000</th>
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</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><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><strong>Combined</strong></td>
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<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 2007 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. 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE APPLICATION AND REMOVAL OF LANE MARKINGS (CP 5037)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Application and Removal of Lane Markings; and

WHEREAS, there are sufficient funds within the 2009 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 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, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter “SEQRA”), Resolution No. 756-1989 classified the action contemplated by this law as a Type II action, pursuant to Section 617.5 (C) (1) 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-nine (49) 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 Application and Removal of Lane Markings, 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 5037.323 (Fund 001-Debt Service)</td>
<td>50</td>
<td>Application and Removal of Lane Markings</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>
<tbody>
<tr>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Title of Proposed Legislation

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE APPLICATION AND REMOVAL OF LANE MARKINGS (CP 5037)

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 THE COUNTY PORTION OF 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: SEE #6 ABOVE.

9. Timing of Impact

2010

10. Typed Name & Title of Preparer

Gina H. Kommer  
Assistant Executive Analyst

11. Signature of Preparer

12. Date

February 19th, 2009

SCIN FORM 175b (10/95)
## Financial Impact
### 2009 Property Tax Levy
Cost to the Average Taxpayer

### General Fund

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 Av Tax Rate per $100</th>
<th>2009 Fev Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$68,337</td>
<td>$0.13</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

### Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 Av Tax Rate per $100</th>
<th>2009 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>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 Av Tax Rate per $100</th>
<th>2009 Fev Tax Rate per $1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>$68,337</td>
<td>$0.13</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 2007.
3) Source for equalization rates: Tentative 2007 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>11/1/2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5/1/2010</td>
<td>4.500%</td>
<td>$54,837.49</td>
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<td>$68,337.49</td>
<td>$68,337.49</td>
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<tr>
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<td>$5,516.16</td>
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<td>$59,883.91</td>
<td>$4,226.79</td>
<td>$64,110.70</td>
<td>$68,337.49</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>4.500%</td>
<td>$62,578.69</td>
<td>$2,879.40</td>
<td>$65,458.09</td>
<td>$68,337.49</td>
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<tr>
<td>5/1/2014</td>
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<td>$1,471.38</td>
<td>$66,866.11</td>
<td>$68,337.49</td>
</tr>
</tbody>
</table>

$300,000.00 | $41,687.46 | $341,687.46 | $341,687.46

#VALUE!

#VALUE!

#VALUE!
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner

DATE: February 9, 2009

RE: C.P. 5037 – Application and Removal of Lane Markings

Attached are a draft resolution and duplicate copy to appropriate the sum of $300,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital Budget and Program for this project.

This project is extremely important to improve motorist safety on the County road system by upgrading/modifying pavement markings at various LIRR crossings, pedestrian crosswalks and priority intersections. Locations to be progressed under this project include, but are not limited to, the attached list. 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 to be determined by this Department.

The Suffolk County Council on Environmental Quality had previously reviewed projects of a similar nature and determined that they constitute Type II actions and would not have a significant effect on the environment. The Suffolk County Legislature concurred with this finding pursuant to Resolution 758-1989.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “RESO-DPW-CP 5037.doc”.

TL.WH:sk
attach.

cc Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiusano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

335 YAPHANK AVENUE ■ YAPHANK, N.Y. 11980 ■ (631) 852-4010
FAX (631) 852-4150
Proposed 5037 Locations:

CR 1 from NY 27A to Joyce
CR 2 from NY 110 to NY 109
CR 3 from CR 2 to Lindenhurst Village
CR 4 from I495N to Dovecote
CR 11 from Woodbury to Deposit
CR 11 from Cuba Hill to CR 86
CR 12 from CR 1 to Strong
CR 13 from NY 27A to NY 27
CR 13A from NY 27A to CR 57
CR 17 from NY 27A to Southern State Pkwy. North
CR 19 from CR 65 to CR 16
CR 19 from NY 27 to I495S
CR 21 from Whiskey to NY 25A
CR 28 from NY 27 to NY 109
CR 85 from Idle Hour Rd. to Atlantic / Tyler
CR 97 from NY 27 Ramps to NY 27 Ramps
CR 83 from NY 27 to I495 Overpass

CR 35 from CR 11 to Broadway
CR 38 from CR 39 to CR 39
CR 47 from NY 27A to NY 29
CR 50 from Brookdale to Simon
CR 57 from NY 231 to NY 27
CR 58 from Osborne to NY 25
CR 63 from Traffic Circle to NY 25
CR 71 from CR 55 to CR 55
CR 80 from NY 24 to CR 39B
CR 80 from CR 31 to Depot
CR 82 from NY 27A to NY 27S
CR 83 from Howard to NY 112
CR 86 from CR 11 to Cuba Hill
CR 92 from NY.25 to NY 110
CR 96 from CR 12 to NY 27A
CR 99 from Station to CR 19
CR 100 from CR 13 to NY 454

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.  - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF DRAINAGE SYSTEMS ON VARIOUS COUNTY ROADS (CP 5024)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of Drainage Systems on Various County Roads; and

WHEREAS, there are sufficient funds within the 2009 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 $500,000 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 (replacement in-kind), pursuant to Section 617.5 (C)(1) 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 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 Reconstruction of Drainage Systems on Various County Roads, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $500,000 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 5024.310 (Fund 001-Debt Service)</td>
<td>50</td>
<td>Reconstruction of Drainage Systems on Various County Roads</td>
<td>$500,000</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. - 2009, APPROPRIATING FUNDS IN
CONNECTION WITH THE RECONSTRUCTION OF DRAINAGE
SYSTEMS ON VARIOUS COUNTY ROADS (CP 5024)

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 THE COUNTY PORTION OF 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: SEE #6 ABOVE.

9. Timing of Impact

2010

10. Typed Name & Title of Preparer

Gina H. Kommer
Assistant Executive Analyst

11. Signature of Preparer

12. Date

February 19th, 2009

SCIN FORM 175b (10/95)

Page 1 of 2
## General Fund

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
<th>2009 FEV Tax Rate per $1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$47,414</td>
<td>$0.09</td>
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<td>$0.00</td>
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</tbody>
</table>

## Police District and District Court

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
<th>2009 AV Tax Rate per $100</th>
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</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$0</td>
<td>$0.00</td>
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<td>$0.00</td>
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## Combined

<table>
<thead>
<tr>
<th></th>
<th>2009 Property Tax Levy</th>
<th>2009 Cost to Avg Taxpayer</th>
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<tbody>
<tr>
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<td>$47,414</td>
<td>$0.09</td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Notes:**

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3) Source for equalization rates: Tentative 2007 County Equalization Rates Established by the New York State Board of Equalization and Assessments.

Page 2 of 2

To be completed by the Executive Budget Office
<table>
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<tr>
<th>Date</th>
<th>Coupon</th>
<th>Principal</th>
<th>Interest</th>
<th>Total Debt Service</th>
<th>Fiscal Debt Service</th>
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<td>$8,116.26</td>
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<td>$32,668.20</td>
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<td>5/1/2023</td>
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<td>$45,266.21</td>
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<tr>
<td>5/1/2024</td>
<td>5.000%</td>
<td>$45,257.13</td>
<td>$1,078.63</td>
<td>$46,335.76</td>
<td>$46,335.76</td>
</tr>
</tbody>
</table>

$500,000.00  $211,215.87  $711,215.87  $711,215.87
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: January 30, 2009
RE: C.P. 5024 – Reconstruction of Drainage Systems on Various County Roads

Attached are a draft resolution and duplicate copy to appropriate the sum of $500,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital Budget and Program for this project.

Increasing traffic volumes and the aging of the county road drainage systems require various levels of maintenance, repair and replacement. Major reconstruction projects are progressed with individual capital projects. However, the life of the drainage systems can be extended with less costly improvements. Large scale repairs, replacement in kind, and other miscellaneous drainage maintenance projects will be performed under CP 5024.

This project includes excavation and repair or replacement of existing deteriorated drainage structures, piping, other items of work required preparatory to the drainage repairs include new concrete or asphalt pavement surrounding such drainage appurtenances, concrete curb and concrete sidewalk. Other associated items of work may also be required including, but not limited to, installation of pavement markings consisting of thermoplastic striping.

The drainage systems proposed to be reconstructed and improved include, but are not limited to, the attached list. It may be necessary to add and/or substitute other drainage systems and/or revise limits of work due to seasonal limitations, changes in priorities or other requirements to be determined by this Department.

The Suffolk County Council on Environmental Quality has reviewed projects of this nature and determined that, they are a “replacement in-kind” and/or repair of existing facilities, and are a Type II Action under 6NYCRR Part 617.5 (c) (1) of SEQRA.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title “RESO-DPW-CP 5024.doc”. 
<table>
<thead>
<tr>
<th>CR#</th>
<th>Road / Limits</th>
<th>Leg Disc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Straight Path&lt;br&gt;Bethpage Rd to Sunrise Hwy&lt;br&gt;Under Southern State Pkwy</td>
<td>15</td>
</tr>
<tr>
<td>11</td>
<td>Pulaski Rd&lt;br&gt;LIRR Tressel (Deposit Rd) to Sunken Meadow Pkwy</td>
<td>13</td>
</tr>
<tr>
<td>13</td>
<td>Crooked Hill Rd&lt;br&gt;Vic CR 100 Suffolk Ave to vic Pilgrim Rd</td>
<td>11</td>
</tr>
<tr>
<td>19</td>
<td>Patchogue - Holbrook Rd&lt;br&gt;Portion of, in the vicinity of CR 97 intersection</td>
<td>8</td>
</tr>
<tr>
<td>21</td>
<td>Yaphank Ave / Rocky Point Rd&lt;br&gt;Roadway access to Infirmary and Police Hq&lt;br&gt;Northerly Section to NYS RT 25A (1.0 M)</td>
<td>3, 6</td>
</tr>
<tr>
<td>39B</td>
<td>Canal Rd&lt;br&gt;Section adjacent to Shinnecock Canal</td>
<td>2</td>
</tr>
<tr>
<td>46</td>
<td>William Floyd Pkwy&lt;br&gt;S/B from vic of Whiskey Rd to vic of Longwood Rd</td>
<td>1, 6</td>
</tr>
<tr>
<td>47</td>
<td>Great Neck Rd&lt;br&gt;Montauk Hwy to Sunrise Hwy</td>
<td>15</td>
</tr>
<tr>
<td>52</td>
<td>North Sea Rd&lt;br&gt;CR 39 to CR 38</td>
<td>2</td>
</tr>
<tr>
<td>83</td>
<td>North Ocean Ave&lt;br&gt;vic of Canal Rd to NYS RT 25A</td>
<td>6</td>
</tr>
<tr>
<td>92</td>
<td>Oakwood Rd&lt;br&gt;CR 11 Pulaski Rd to Sound View Rd</td>
<td>18</td>
</tr>
</tbody>
</table>

**Note:** 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. - 2009, AMENDING THE 2009 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD FROM ROUTE 27 TO ROUTE 231, TOWN OF ISLIP (CP 5523, PIN 0756.69)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Reconstruction of CR 57, Bay Shore Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0756.69, under the Federal Highway Administration (FHWA) funding, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; 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 2009 Capital Budget and Program to cover the cost of said request under Capital Project 5523 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 $17,700,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, Resolution No. 410-2005 approved by the County Legislature issued declared this an Unlisted Action and therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-one (41) 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 construction in connection with Reconstruction of CR 57, Bay Shore Road; and be it further

4th RESOLVED, that 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 construction of the project; and be it further
5th RESOLVED, that the 2009 Capital Budget and Program be and they are hereby amended as follows:

<table>
<thead>
<tr>
<th>Project No.: 5523</th>
<th>Project Title: Reconstruction of CR 57, Bay Shore Road</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current 2009</td>
</tr>
<tr>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>Est’d Cost</td>
<td>$17,770,000</td>
</tr>
<tr>
<td>Program</td>
<td>$23,950,000</td>
</tr>
</tbody>
</table>

3. Construction

6th RESOLVED, that the proceeds of $3,540,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<table>
<thead>
<tr>
<th>Project No. 525-CAP-5523.310 (Fund 001 Debt Service)</th>
<th>J.C.</th>
<th>Project Title: Reconstruction of CR 57, Bay Shore Road</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amount</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$3,540,000</td>
</tr>
</tbody>
</table>

and be it further

7th RESOLVED, that Federal Aid in the amount of $14,160,000 be and it hereby is appropriated as follows:

<table>
<thead>
<tr>
<th>Project No. 525-CAP-5523.310</th>
<th>J.C.</th>
<th>Project Title: Reconstruction of CR 57, Bay Shore Road</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>50</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amount</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$14,160,000</td>
</tr>
</tbody>
</table>

8th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $3,540,000; and be it further

9th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $14,160,000; and be it further

10th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $14,160,000; and be it further

11th 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 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

RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD FROM ROUTE 27 TO ROUTE 231, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5523, PIN 0756.69)

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 THE COUNTY PORTION OF 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

Federal share 80% ($14,160,000)
Suffolk County share 20% ($3,540,000)

The Suffolk County Comptroller is directed to limit the serial borrowing to $3,540,000 and is authorized to issue BANS for the Federal share.

9. Timing of Impact

2010

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

February 19th, 2009

SCIN FORM 175b (10/95)
## 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 $100</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$335,694</td>
<td>$0.63</td>
<td></td>
<td>$0.001</td>
</tr>
</tbody>
</table>

## 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 $100</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>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 $100</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>$335,694</td>
<td>$0.63</td>
<td></td>
<td>$0.001</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
<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>4.500%</td>
<td>$166,953.89</td>
<td>$168,740.00</td>
<td>$335,693.89</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2011</td>
<td>4.500%</td>
<td>$174,912.03</td>
<td>$80,390.93</td>
<td>$255,302.96</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2012</td>
<td>4.500%</td>
<td>$183,249.50</td>
<td>$76,222.20</td>
<td>$259,471.69</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>4.500%</td>
<td>$191,984.39</td>
<td>$71,854.75</td>
<td>$263,839.14</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>4.500%</td>
<td>$201,135.65</td>
<td>$67,279.12</td>
<td>$268,414.77</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2015</td>
<td>4.500%</td>
<td>$210,723.11</td>
<td>$62,485.39</td>
<td>$273,208.50</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2016</td>
<td>4.500%</td>
<td>$220,767.58</td>
<td>$57,463.15</td>
<td>$278,230.74</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>5.000%</td>
<td>$231,290.84</td>
<td>$52,201.53</td>
<td>$283,492.36</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2018</td>
<td>5.000%</td>
<td>$242,315.70</td>
<td>$46,689.10</td>
<td>$289,004.79</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2019</td>
<td>5.000%</td>
<td>$253,866.08</td>
<td>$40,913.90</td>
<td>$294,779.99</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2020</td>
<td>5.000%</td>
<td>$266,967.03</td>
<td>$34,863.43</td>
<td>$300,830.46</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2021</td>
<td>5.000%</td>
<td>$278,644.79</td>
<td>$28,524.55</td>
<td>$307,169.34</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2022</td>
<td>5.000%</td>
<td>$291,926.86</td>
<td>$21,883.51</td>
<td>$313,810.38</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2023</td>
<td>5.000%</td>
<td>$305,842.04</td>
<td>$14,925.92</td>
<td>$320,767.97</td>
<td>$335,693.89</td>
</tr>
<tr>
<td>5/1/2024</td>
<td>5.000%</td>
<td>$320,420.51</td>
<td>$7,636.69</td>
<td>$328,057.20</td>
<td>$335,693.89</td>
</tr>
</tbody>
</table>

$3,540,000.00 $1,495,408.35 $5,035,408.35 $5,035,408.35
MEMORANDUM

TO: Ben Zwirn, Assistant Deputy County Executive
FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner
DATE: February 2, 2009
RE: APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD FROM ROUTE 27 TO ROUTE 231, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5523, PIN 0756.69)

Attached are a draft resolution and duplicate copy to appropriate the sum of $17,700,000 for construction in connection with the above referenced project. There are sufficient funds included in the 2009 Capital budget and program for this project.

This is a Federally funded project. Mandated milestones must be met to insure the Federal funds are obtained.

Recent changes to the procedures for obtaining final Federal authorization require that the County pass a resolution and have local and State contracts in place prior to final authorization.

CR 57 is an arterial roadway which serves the heavily populated areas of Deer Park and West Brentwood and provides access to the commercial developments abutting the road. A planning study, which incorporates community input, was completed. Ultimately a preferred alternative was selected that includes capacity, mobility and drainage improvements with only minimal property acquisition at key congested intersections.

Resolution No. 410-2005 approved by the County Legislature issued declared this an Unlisted Action and the provisions of SEQRA have been complied with.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5523.doc".
attach.
cc  Jim Morgo, Chief Deputy County Executive
    Brendan Chamberlain, County Executive Assistant
    Carmine Chiusano, Principal Financial Analyst
    William Hillman, P.E., Chief Engineer
    Frank Messina, Federal & State Aid Claims Technician
    Laura Conway, CPA, Director of DPW Administrative Services
    Linda Brando, CPA, Capital Accounting
    Theresa D'Angelo, Principal Clerk (Cover memo only)
    James Bagg, Chief Environmental Analyst
RESOLUTION NO. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 4, COMMACK ROAD, FROM THE VICINITY OF NICOLLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON (CP 5560)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 4; and

WHEREAS, there are sufficient funds within the 2009 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, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter “SEQRA”), Resolution No. 649-2008 classifies this an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which will not have a significant effect on the environment; and be it further

2nd 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

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 Reconstruction of CR 4, 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-5560.310</td>
<td>50</td>
<td>Reconstruction of CR 4, Commack Road From the vicinity of Nicolls Road to Julia Circle</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. - 2009, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 4, COMMACK ROAD, FROM THE VICINITY OF NICOLLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON (CP 5560)

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

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

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

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

   SEE ATTACHED DEBT SERVICE SCHEDULE

8. Proposed Source of Funding

   SERIAL BONDS

9. Timing of Impact

   2010

10. Typed Name & Title of Preparer

    Nicholas Paglia  
    Executive Technician  

11. Signature of Preparer

12. Date

    February 19th, 2009

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

<table>
<thead>
<tr>
<th>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>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GENERAL FUND</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>28,449</td>
<td>0.05</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>TOTAL</td>
<td>0</td>
<td>0.00</td>
<td></td>
<td>0.000</td>
</tr>
<tr>
<td><strong>COMBINED</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>28,449</td>
<td>0.05</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
<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>4.500%</td>
<td>$14,148.63</td>
<td>$14,300.00</td>
<td>$28,448.63</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2011</td>
<td>4.500%</td>
<td>$14,623.05</td>
<td>$6,812.79</td>
<td>$21,635.84</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2012</td>
<td>4.500%</td>
<td>$15,529.62</td>
<td>$6,459.51</td>
<td>$21,989.13</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2013</td>
<td>4.500%</td>
<td>$16,269.86</td>
<td>$6,089.39</td>
<td>$22,359.25</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2014</td>
<td>4.500%</td>
<td>$17,045.39</td>
<td>$5,701.62</td>
<td>$22,747.01</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2015</td>
<td>4.500%</td>
<td>$17,857.89</td>
<td>$5,295.37</td>
<td>$23,153.26</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2016</td>
<td>4.500%</td>
<td>$18,709.12</td>
<td>$4,869.76</td>
<td>$23,578.88</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>5.000%</td>
<td>$19,600.92</td>
<td>$4,423.86</td>
<td>$24,024.78</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2018</td>
<td>5.000%</td>
<td>$20,535.23</td>
<td>$3,956.70</td>
<td>$24,491.93</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2019</td>
<td>5.000%</td>
<td>$21,514.07</td>
<td>$3,467.28</td>
<td>$24,981.35</td>
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<td>5/1/2020</td>
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<td>$22,539.58</td>
<td>$2,954.53</td>
<td>$26,494.11</td>
<td>$28,448.63</td>
</tr>
<tr>
<td>5/1/2021</td>
<td>5.000%</td>
<td>$23,613.97</td>
<td>$2,417.33</td>
<td>$26,031.30</td>
<td>$28,448.63</td>
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<tr>
<td>5/1/2022</td>
<td>5.000%</td>
<td>$24,739.56</td>
<td>$1,854.54</td>
<td>$26,594.10</td>
<td>$28,448.63</td>
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<tr>
<td>5/1/2023</td>
<td>5.000%</td>
<td>$25,918.82</td>
<td>$1,264.91</td>
<td>$27,183.73</td>
<td>$28,448.63</td>
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<tr>
<td>5/1/2024</td>
<td>5.000%</td>
<td>$27,154.28</td>
<td>$647.18</td>
<td>$27,801.46</td>
<td>$28,448.63</td>
</tr>
</tbody>
</table>

| Amount to Bond: $300,000.00 | Total Debt Service: $426,729.52 | Fiscal Debt Service: $426,729.52 |
MEMORANDUM

TO: Ben Zwim, Assistant Deputy County Executive
FROM: Gilbert Anderson, P.E., Commissioner
DATE: February 11, 2009
RE: C.P. 5560, Reconstruction of CR 4, Commack Road from the Vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington

Attached are a draft resolution and duplicate copy to appropriate the sum of $300,000 for construction in connection with the above referenced project.

There are sufficient funds included in the 2009 Capital Budget and Program for this project.

Funding from the National Economic Recovery Act may become available for CP 5060, Reconstruction of CR 4. It would be advantageous for us to begin preparatory work in advance of the final program announcement to insure timely compliance. This could save the County $2,700,000 from our 2009 adopted budget.

An e-mail version of this resolution was sent to CE RESO REVIEW saved under the title "RESO-DPW-CP 5560.doc".

GA:WH:sk attach.
cc Jim Morgo, Chief Deputy County Executive
Brendan Chamberlain, County Executive Assistant
Carmine Chiutano, Principal Financial Analyst
William Hillman, P.E., Chief Engineer
Frank Messina, Federal & State Aid Claims Technician
Laura Conway, CPA, Director of DPW Administrative Services
Linda Brandolf, CPA, Capital Accounting
Theresa D'Angelo, Principal Clerk (Cover memo only)
James Bagg, Chief Environmental Analyst
RESOLUTION NO. 1187-09, AUTHORIZING A LICENSE AGREEMENT WITH THE CHAMBER OF COMMERCE OF THE GREATER RONKONKOMAS FOR RAYNOR BEACH COUNTY PARK, LAKE RONKONKOMA

WHEREAS, Resolution No. 426-1993 approved an “Adopt-A-County-Park” program through which civic groups, service clubs, or similar organizations could assist the Suffolk County Department of Parks, Recreation and Conservation in the upkeep and beautification of County parkland; and

WHEREAS, the Chamber of Commerce of the Greater Ronkonkomas has successfully participated in this program since 1998 by providing park beautification improvements and a variety of community programs, including music performances, holiday lighting ceremonies, carnivals, fairs and other events for the community at Raynor Beach County Park in Lake Ronkonkoma; and

WHEREAS, the license agreement authorizing the Chamber of Commerce of the Greater Ronkonkomas to perform these services has expired; and

WHEREAS, the Chamber of Commerce of the Greater Ronkonkomas has expressed a willingness to continue to provide these services at no cost to the County; and

WHEREAS, the Chamber of Commerce of the Greater Ronkonkomas would like to enter into a license agreement for a term of ten (10) years with two (2) optional terms of an additional five (5) years each with the County of Suffolk for the non-exclusive use, maintenance and upkeep of Raynor Beach County Park in Lake Ronkonkoma; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement, for a term of ten (10) years with two (2) optional terms of an additional five (5) years each with the Chamber of Commerce of the Greater Ronkonkomas, for the non-exclusive use, maintenance and upkeep of Raynor Beach County Park in Lake Ronkonkoma; 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.
**STATEMENT OF FINANCIAL IMPACT**

**OF PROPOSED SUFFOLK COUNTY LEGISLATION**

1. **Type of Legislation**

<table>
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2. **Title of Proposed Legislation**

   RESOLUTION NO. -2009, AUTHORIZING A LICENSE AGREEMENT WITH THE CHAMBER OF COMMERCE OF THE GREATER RONKONKOMAS FOR RAYNOR BEACH COUNTY PARK, LAKE RONKONKOMA

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): DAV
   - Library District
   - Fire District

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

   No cost agreement between the County and the Greater Ronkonkomas Chamber of Commerce.

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 agreement term.

10. **Typed Name & Title of Preparer**

    Nicholas Paglia  
    Executive Technician

11. **Signature of Preparer**

    [Signature]

12. **Date**

    January 24th, 2009

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

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## POLICE DISTRICT AND DISTRICT COURT

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### 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
COUNTY OF SUFFOLK

DEPARTMENT OF
PARKS, RECREATION AND CONSERVATION

TO: BEN ZWIRN, Deputy County Executive
FROM: JOHN W. PAVACIC, Commissioner
CC: JIM MORGO, Chief Deputy County Executive
DATE: February 11, 2009
RE: INTRODUCTORY RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE CHAMBER OF COMMERCE OF THE GREATER RONKONKOMAS FOR RAYNOR BEACH COUNTY PARK, LAKE RONKONKOMA

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 License Agreement with Ronkonkoma Chamber of Commerce at Raynor Beach County Park.doc.”

The Chamber of Commerce of the Greater Ronkonkomas has been a successful partner with the Parks Department in beautifying Raynor Beach County Park and providing community activities in the park for the past 10 years. The Department would like to continue this arrangement by entering into a new license agreement with the Chamber. This resolution would provide for a new 10-year license agreement with two additional option terms of 5 years each.

Should you require anything further, please contact my office at 4-4995.

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

2. Title of Proposed Legislation
   INTRODUCTORY RESOLUTION AUTHORIZING A LICENSE AGREEMENT WITH THE CHAMBER OF COMMERCE OF THE GREATER RONKONKOMAS FOR RAYNOR BEACH COUNTY PARK, LAKE RONKONKOMA

3. Purpose of Proposed Legislation
   To enter into a license agreement with the Chamber of Commerce of the Greater Ronkonkomas for the non-exclusive use, maintenance, and upkeep of Raynor Beach County Park in Lake Ronkonkoma.

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

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

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

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   N/A

10. Typed Name & Title of Preparer
    Tom Malanga
        Parks Foundation Director
        Dept. of Parks, Recreation & Conservation

11. Signature of Preparer

12. Date
RESOLUTION NO. 2008, APPROVING A LICENSE AGREEMENT FOR SHANNON BARR TO RESIDE AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Shannon Barr, Clerk Typist at the County Clerk's Office, be approved to enter into a license agreement to reside at Prosser Pines County Park, Middle Island; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 23-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Shannon Barr to reside at Unit 119B at Prosser Pines County Park, Middle Island, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that 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:
TO: BEN ZWIRN, Deputy County Executive
FROM: JOHN W. PAVACIC, Commissioner
CC: JIM MORGO, Chief Deputy County Executive
DATE: February 11, 2009
RE: INTRODUCTORY RESOLUTION APPROVING A LICENSE AGREEMENT FOR SHANNON BARR TO RESIDE AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

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 at Prosser Pines County Park.doc”.

In accordance with the procedures set forth by Resolution Nos. 1250-2002 and 1368-2004, I recommend that the County enter into a license agreement with Shannon Barr, who works as a Clerk Typist in the County Clerk’s Office, to reside at Prosser Pines County Park, Middle Island.

Should you require anything further, please contact my office at 4-4985.

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

2. Title of Proposed Legislation
   APPROVING A LICENSE AGREEMENT FOR SHANNON BARR TO RESIDE AT
   AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

3. Purpose of Proposed Legislation
   See #2.

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

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

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

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   Monthly, during the agreement term.

10. Typed Name & Title of Preparer
    Tom Malanga
    Parks Foundation Director
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer
12. Date
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation

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2. Title of Proposed Legislation

RESOLUTION NO. 1108, APPROVING A LICENSE AGREEMENT FOR SHANNON BARR TO RESIDE AT __________, AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

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

Revenue received from rental units helps offset the cost of maintenance and repair on the structures. Occupied units also helps keep vandalism to a minimum.

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

Monthly, during agreement term, after adoption.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

12. Date

February 25th, 2009

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

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**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
RESOLUTION NO. -2009, APPROVING A LICENSE AGREEMENT FOR TINA ARMSTRONG TO RESIDE AT SOUTHAVEN COUNTY PARK, SHIRLEY

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Tina Armstrong, Nurses’ Aide for the Health Department, be approved to enter into a license agreement to reside at Southaven County Park, Shirley; now, therefore, be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Tina Armstrong to reside at Southaven County Park, Shirley, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that 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

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2. Title of Proposed Legislation

RESOLUTION NO. -2009, APPROVING A LICENSE AGREEMENT FOR TINA ARMSTRONG TO RESIDE AT SOUTHAVEN COUNTY PARK, SHIRLEY

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

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

Revenue received from rental units helps offset the cost of maintenance and repair on the structures. Occupied units also helps keep vandalism to a minimum.

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

Monthly, during agreement term, after adoption.

10. Typed Name & Title of Preparer  

Nicholas Paglia  
Executive Technician

11. Signature of Preparer

12. Date

February 24th, 2009

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

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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
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 at Southaven County Park.doc”.

In accordance with the procedures set forth by Resolution Nos. 1250-2002 and 1368-2004, I recommend that the County enter into a license agreement with Tina Armstrong, who works as a Nurses’ Aide in the Health Department, to reside at the Southaven County Park, Shirley.

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

Enclosures
STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

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

2. Title of Proposed Legislation
   APPROVING A LICENSE AGREEMENT FOR TINA ARMSTRONG TO RESIDE AT
   AT SOUTHAVEN COUNTY PARK, SHIRLEY

3. Purpose of Proposed Legislation
   See #2.

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

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

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

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   Monthly, during the agreement term.

10. Typed Name & Title of Preparer
    Tom Malanga
    Parks Foundation Director
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer

12. Date
RESOLUTION NO. -2009, AUTHORIZING A COOPERATIVE
MANAGEMENT AGREEMENT WITH THE NATURE
CONSERVANCY, INC.

WHEREAS, The Nature Conservancy, Inc., a not-for-profit organization
having its principal office at 4245 North Fairfax Drive, Suite 100, Arlington, Virginia, has
a mission which includes preserving plants, animals, and natural communities that
represent the diversity of life on earth by protecting the lands and water they need to
survive; and

WHEREAS, the County, acting through its duly constituted Department of
Parks, Recreation and Conservation, owns, operates and maintains a County parks
system which contains wildlife habitats, ecosystems, and endangered or threatened
species; and

WHEREAS, The Nature Conservancy desires to enter into a cooperative
management agreement with the County to advise on management goals related to the
maintenance or restoration of wildlife habitats, ecosystems, and endangered or
threatened species and to conduct environmental management functions, such as
prescribed burns; and

WHEREAS, The Nature Conservancy further desires to enter into such an
agreement with the County in order to undertake scientific, educational, and ecological
management activities necessary for the protection of the natural features contained in
and upon County Parklands, and the County desires to enter into an agreement with The
Nature Conservancy for the operation of said activities; and

WHEREAS, the Commissioner of the Department of Parks, Recreation and
Conservation shall have the authority, at any time, to approve or discontinue any activity
undertaken by The Nature Conservancy in association with such an agreement; now,
therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation,
Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of
the SUFFOLK COUNTY CHARTER, to enter into a Cooperative Management
Agreement for ten (10) years with The Nature Conservancy, Inc., to provide a framework
for it to advise on the aforementioned management goals, to conduct environmental
management functions, and to undertake scientific, educational, and ecological
management activities necessary for the protection of the natural features contained in
and upon County Parklands; 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)(20), 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, 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

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2. Title of Proposed Legislation

RESOLUTION NO. -2009, AUTHORIZING A COOPERATIVE MANAGEMENT AGREEMENT WITH THE NATURE CONSERVANCY, INC.

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): DAV
- Library District
- Fire District

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

No cost agreement between the County and The Nature Conservancy Inc.

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 agreement term.

10. Typed Name & Title of Preparer

Nicholas Paglia
Executive Technician

11. Signature of Preparer

[Signature]

12. Date

January 24th, 2009

SCIN FORM 175b (10/95)
## 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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## COMBINED

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### 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
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 Cooperative Management Agreement with The Nature Conservancy.doc."

The Nature Conservancy (TNC) seeks to work in conjunction with the Department of Parks, Recreation and Conservation on developing management goals related to the maintenance or restoration of wildlife habitats, ecosystems, and endangered or threatened species and to conduct environmental management functions, such as prescribed burns, in and on County Parkland.

The Department would like to enter into a cooperative management agreement with TNC in order to establish a formalized description of services and requirements. The attached draft resolution would authorize such an agreement, which would be for one 10-year term.

Should you require anything further, please contact my office at 4-4984.
1. Type of Legislation
   Resolution **X**  Local Law ____  Charter Law ____

2. Title of Proposed Legislation
   AUTHORIZING A COOPERATIVE MANAGEMENT AGREEMENT WITH THE
   NATURE CONSERVANCY, INC.

3. Purpose of Proposed Legislation
   See # 2 above.

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

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

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

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

8. Proposed Source of Funding
   N/A

9. Timing Impact
   N/A

10. Typed Name & Title of Preparer
    Tom Malanga
    Parks Foundation Director
    Dept. of Parks, Recreation & Conservation

11. Signature of Preparer

12. Date
RESOLUTION NO. —2009, ESTABLISHING MAY AS “PERINATAL MOOD DISORDERS AWARENESS MONTH” IN SUFFOLK COUNTY

WHEREAS, after childbirth, up to eighty percent (80%) of mothers experience changes in their emotional health, frequently called “Baby Blues”, regardless of race, age, culture or socioeconomic status; and

WHEREAS, in fifteen to twenty percent (15-20%) of those cases, mothers develop more severe symptoms during or after the birth of their child, including postpartum depression and, in rare cases, postpartum psychosis; and

WHEREAS, the “Baby Blues”, postpartum depression and postpartum psychosis are considered part of a collective group of mood disorders known as perinatal mood disorders; and

WHEREAS, perinatal mood disorders affect not only the mother experiencing these symptoms, but also the newborn infant and remaining members of the family; and

WHEREAS, perinatal mood disorders are fully treatable, once they have been diagnosed; and

WHEREAS, the key to the diagnosis and treatment of perinatal mood disorders is public awareness and education about the conditions so that women in crisis can be recognized and provided with the help and support they deserve; and

WHEREAS, Suffolk County seeks to spread awareness and education about perinatal mood disorders to protect the health and well being of all its residents, particularly expecting and recent mothers; now, therefore be it

1st RESOLVED, that the month of May be declared "Perinatal Mood Disorders Awareness Month" in Suffolk County for this year and for every year thereafter; and be it further

2nd RESOLVED, that the County hereby authorizes, empowers and directs the Director of Women's Services to develop and coordinate at least one event, in conjunction with the Suffolk County Women's Advisory Commission, the Suffolk County Perinatal Coalition's Perinatal Mood Disorders Task Force, the Postpartum Resource Center of New York, Inc., and the County Department of Health Services, for the purpose of acknowledging and recognizing the significance of proper education and awareness to deal with post-partum depression; and be it further

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

DATED:

APPROVED BY:

_________________________
County Executive of Suffolk County

Date:
s:\res\r-perinatal mood disorder awareness month
HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO AMEND THE TAX LAW, IN RELATION TO AUTHORIZING THE COUNTY OF SUFFOLK TO ELECT TO BE EXEMPT FROM CERTAIN TAXES RELATED TO ANY HYBRID, FUEL EFFICIENT, ALTERNATIVE FUEL, "CLEAN FUEL", OR ELECTRIC MOTOR VEHICLE (ASSEMBLY BILL A.3159)

WHEREAS, cars and trucks in the United States consume 8.2 million barrels of oil each day which translates into 300 million metric tons of carbon emitted into the atmosphere; and

WHEREAS, fuel efficient vehicles, such as hybrid, alternative fuel, "clean fuel" or electric motor vehicles consume less gasoline and produce less carbon dioxide emissions per mile than vehicles powered by conventional gasoline engines; and

WHEREAS, consumers should be given an additional financial incentive to purchase hybrid vehicles to promote their use, thereby lessening the impact of harmful carbon dioxide emissions on the environment; and

WHEREAS, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

WHEREAS, Suffolk County Home Rule Message No. 3-3008 was adopted by the Suffolk County Legislature on March 4, 2008, requesting the State of New York to enact Assembly Bill No. A.1513; and

WHEREAS, there is currently legislation pending before the New York State Assembly that would permit Suffolk County to exempt hybrid, alternative fuel, "clean fuel" or electric motor vehicles from sales and compensating use taxes; now, therefore be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.3159 which would authorize the County of Suffolk to elect to exempt hybrid, fuel efficient, alternative fuel, "clean fuel", or electric motor vehicles from sales and compensating use taxes; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:
STATE OF NEW YORK

3159

2009-2010 Regular Sessions

IN ASSEMBLY

January 23, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The tax law is amended by adding a new section 1115-a to read as follows:

§ 1115-a. County of Suffolk optional exemption from sales and use taxes. Notwithstanding any other provision of law to the contrary, the county of Suffolk may elect by local law, for a period of time to be established by such county, for receipts for any hybrid, fuel efficient, alternative fuel, "clean fuel" or electric motor vehicle to be exempt from the tax on retail sales imposed under subdivision (a) of section eleven hundred five of this article and the compensating use tax imposed under section eleven hundred ten of this article.

§ 2. This act shall take effect immediately; provided that the Suffolk county legislature shall notify the legislative bill drafting commission upon adopting a local law as authorized by section 1115-a of the tax law, as added by section one of this act, in order that such commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.
HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO ADOPT AN ACT TO AMEND THE TAX LAW, IN RELATION TO THE ALLOCATION OF REVENUES FROM SALES AND USE TAXES TO VILLAGES WHOLLY OR PARTIALLY CONTAINED WITHIN SUFFOLK COUNTY (ASSEMBLY BILL A.1902)

WHEREAS, villages located either wholly or partially in towns in Suffolk County pay sales and use taxes; and

WHEREAS, the Suffolk County Legislature does not currently allocate sales tax revenues received by the County to the villages; and

WHEREAS, residents of the villages in Suffolk County should receive a portion of the sales tax revenues generated by the additional 1% sales tax authorized by New York State; now, therefore be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.1902 which would allocate sales tax revenues generated by the additional 1% sales tax authorized by New York State to the villages within Suffolk County; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:
STATE OF NEW YORK

1902
2009-2010 Regular Sessions

IN ASSEMBLY

January 14, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the allocation of revenues from sales and use taxes to villages wholly or partially contained within Suffolk county

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision (c) of section 1262-j of the tax law, as amended by chapter 684 of the laws of 2007, is amended to read as follows:

(c) Notwithstanding any provision of law to the contrary, of the net collections received by the county of Suffolk as a result of the ten percent increase of one percent to the tax authorized by section twelve hundred one and ending November thirtieth, two thousand nine, imposed by local laws or resolutions (by simple majority) by the county legislature, and signed by the county executive, the county of Suffolk shall allocate such net collections as follows: (1) no less than one-eighth and no more than three-eighths of such net collections received shall be dedicated for public safety purposes; (2) an amount equal to one-half the net collections to the towns and villages of the county of Suffolk on the basis of the ratio which the full valuation of real property in each town outside the village or village bears to the aggregate full valuation of real property in the county; and (3) the balance shall be deposited in the general fund of the county of Suffolk.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LED03215-01-9
HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO AMEND THE TAX LAW, IN RELATION TO AUTHORIZING THE COUNTY OF SUFFOLK TO ELECT TO BE EXEMPT FROM CERTAIN TAXES RELATED TO ANY ENERGY SAVING, FLUORESCENT LIGHT BULB (ASSEMBLY BILL A.3149)

WHEREAS, according to the United States Department of Energy, if every American home replaced just one light bulb with an Energy Star qualified bulb, we would save enough energy to light more than 3 million homes per year, more than $600 million in energy costs, and prevent greenhouse gases equivalent to the emissions of more than 800,000 cars; and

WHEREAS, Energy Star fluorescent light bulbs are four times more efficient and last up to 10 times longer than incandescents; and

WHEREAS, although initially more expensive, the long term savings are greater because these energy efficient bulbs use 1/3 the electricity of incandescents; and

WHEREAS, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

WHEREAS, Suffolk County Home Rule Message No. 4-2008 was adopted by the Suffolk County Legislature on March 4, 2008 requesting the State of New York to adopt Assembly Bill No. A.8875; and

WHEREAS, eliminating the sales tax on the purchase of these high efficient, Energy Star fluorescent bulbs would give consumers an incentive to purchase this type of lighting; now, therefore be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill A.3149 which would amend the New York Tax Law in relation to authorizing the County of Suffolk to elect to exempt energy saving, fluorescent light bulbs from sales taxes; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:
STATE OF NEW YORK

3149

2009-2010 Regular Sessions

IN ASSEMBLY

January 23, 2009

Introduced by M. of A. THIELE -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing the county of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent lightbulb

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The tax law is amended by adding a new section 1115-a to read as follows:

§ 1115-a. County of Suffolk optional exemption from sales and use taxes for the sale or purchase of any energy saving, fluorescent lightbulb. Notwithstanding any other provision of law to the contrary, the county of Suffolk may elect by local law, for a period of time to be established by such county, for receipts for any sale or purchase of energy saving, fluorescent lightbulb to be exempt from the tax on retail sales imposed under subdivision (a) of section eleven hundred five of this article and the compensating use tax imposed under section eleven hundred ten of this article.

§ 2. This act shall take effect immediately; provided that the Suffolk county legislature shall notify the legislative bill drafting commission upon adopting a local law as authorized by section 1115-a of the tax law, as added by section one of this act, in order that such commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 44 of the legislative law and section 70-b of the public officers law.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD03930-01-9