

**RESOLUTION NO. 92 -2011, AMENDING RESOLUTION NO. 622-2006 IN CONNECTION WITH STORMWATER SYSTEM DISCHARGE REMEDIATION AND STREAM WATER SILT REMOVAL AND REMEDIATION AT THE NISSEQUOGUE TRIBUTARY HEADWATERS NORTH FROM CR 76, TOWNLINER ROAD, TO MILLER'S POND, SMITHTOWN (CP 8710)**

**WHEREAS**, Resolution No. 622-2006 approved funding this program with Fund 477 Water Quality Protection and Restoration Funds in connection with stormwater system discharge remediation and stream water silt removal and remediation at the Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown (CP 8710); and

**WHEREAS**, the intent of the resolution was to provide funding for planning and construction on this project; and

**WHEREAS**, a portion of the funding assigned to planning is necessary for construction; and

**WHEREAS**, there exists enough funding in the planning phase of this project to cover construction costs; and

**WHEREAS**, it is necessary to amend Resolution No. 622-2006 by re-appropriating \$225,000 from planning to construction; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration; and be it further

**2<sup>nd</sup> RESOLVED**, that the 7th RESOLVED clause of Resolution No. 622-2006 is hereby amended by reducing the appropriation for planning by \$225,000 and increasing the appropriation for construction by \$225,000 as follows:

**7th RESOLVED**, that the transfer in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.114	50	Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown	[\$250,000] <u>\$25,000</u>

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-8710.323</u>	<u>50</u>	<u>Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller's Pond, Smithtown</u>	<u>\$225,000</u>

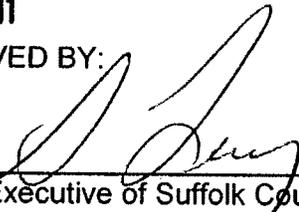
and be it further

3<sup>rd</sup> **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to effectuate the associated cash transfers for this capital project.

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

DATED: **MAR 08 2011**

APPROVED BY:

  
 \_\_\_\_\_  
 County Executive of Suffolk County

Date:

**MAR 23 2011**

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on March 8, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature

Intro. Res.

1067

Res. No.

92

March 8, 2011

**Motion:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
6						
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
Totals		16	1	1	1	-

MOTION	
<input checked="" type="checkbox"/>	Approve
Table:	Jay H. SCHNEIDERMAN
Send To Committee	BROWNING
Table Subject To Call	MURATORE
Lay On The Table	
Discharge	JACK EDDINGTON
Take Out of Order	MONTANO
Reconsider	THOMAS CILMI
Waive Rule	THOMAS F. BARRAGA
Override Veto	JOHN M. KENNEDY, JR.
Close	
Recess	
APPROVED	<input checked="" type="checkbox"/>
FAILED	<input type="checkbox"/>
No Motion	<input type="checkbox"/>
No Second	<input type="checkbox"/>

RESOLUTION DECLARED	
<input checked="" type="checkbox"/>	ADOPTED
<input type="checkbox"/>	NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call  Voice Vote

Intro. Res. No. 1310-2011  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/26/2011

**RESOLUTION NO. 336-2011, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
92-2011**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 92-2011; and

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

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

**1<sup>st</sup>** **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 92-2011**

In the 7th **RESOLVED** paragraph change the Project Number:

**FROM:**

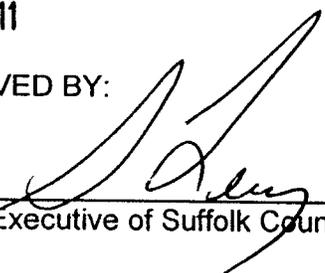
525-CAP-8710.[323]

**TO:**

525-CAP-8710.325

DATED: **MAY 10 2011**

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date:

**MAY 20 2011**

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on*  
May 10, 2011 *and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature

Intro. Res. 1310

Res. No. 336

May 10, 2011

**Motion:**  
Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**  
Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**  
Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE						
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Thomas MURATORE						
6	Sarah S. ANKER						
7	Jack EDDINGTON						
9	Ricardo MONTANO						
10	Thomas CILMI						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
14	Wayne R. HORSLEY						
15	DuWayne GREGORY						
16	Steven H. STERN						
17	Lou D'AMARO						
18	Jon COOPER						
5	Vivian VILORIA-FISHER, D.P.O.						
8	William J. LINDSAY, P.O.						
	Totals	18					

**MOTION**

Approve  
 Table: \_\_\_\_\_  
 Send To Committee  
 Table Subject To Call  
 Lay On The Table  
 Discharge  
 Take Out of Order  
 Reconsider  
 Waive Rule \_\_\_\_\_  
 Override Veto  
 Close  
 Recess

APPROVED  FAILED \_\_\_\_\_  
 No Motion \_\_\_\_\_ No Second \_\_\_\_\_

**RESOLUTION DECLARED**

ADOPTED  
 NOT ADOPTED

*Tim Laube*

Roll Call \_\_\_\_\_ Voice Vote

Tim Laube, Clerk of the Legislature