

RESOLUTION NO. 408 -2012, ENHANCING AND STRENGTHENING COUNTY BEAUTIFICATION AND LITTER CONTROL PROGRAMS

WHEREAS, the County Department of Public Works is responsible for the upkeep and maintenance of hundreds of miles of roads and adjacent right-of-ways throughout the County of Suffolk; and

WHEREAS, the County has a number of programs for the maintenance of County-owned right-of-ways, such as the Adopt-A-Highway, Adopt-A-Road and Adopt-A-Spot programs, where local businesses and organizations sponsor litter removal or beautification along a designated section of road; and

WHEREAS, the County currently requires participants of these programs to maintain insurance while carrying out beautification or litter removal on County property; and

WHEREAS, this requirement is expensive and, as a result, many non-profit organizations cannot afford to participate in these programs; and

WHEREAS, to facilitate the participation of non-profit organizations in these County programs, such organizations should be exempt from the insurance requirements; and

WHEREAS, the County currently prepares and installs all signs associated with beautification and litter removal programs; and

WHEREAS, the Department of Public Works should charge businesses a fee in association with the costs for preparing, installing and maintaining these signs; now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to waive the insurance requirements for any non-profit organization seeking to participate in a County-sanctioned beautification or litter control program on a shoulder area of a road or a portion of County property; and be it further

2nd RESOLVED, that any maintenance performed as part of the Adopt-A-Median Program must be performed by a qualified landscaping company that must keep in effect all necessary insurances including liability and workers compensation as established by the County Attorney and the Division of Insurance and Risk Management; and be it further

3rd RESOLVED, the Department of Public Works is further authorized and directed to collect from any business participating in a County-sanctioned beautification or litter removal program a fee of \$250 to cover the costs associated with preparing, installing and maintaining associated signage. This fee shall not apply to any participating non-profit organization; and be it further

4th RESOLVED, that the Department of Public Works, the Suffolk County Attorney and the Division of Insurance and Risk Management are hereby authorized, empowered and directed to take all actions necessary to implement this resolution; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: May 8, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 5.24.2012

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 8, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

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

Tim Laube

Clerk of the Legislature

Motion:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

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

MOTION	
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> FAILED _____	
No Motion _____ No Second _____	

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call Voice Vote _____