

**RESOLUTION NO. 312 -2012, AUTHORIZING USE OF SMITH
POINT COUNTY PARK AND SMITH POINT MARINA BY
GREAT SOUTH BAY RACING, INC.**

WHEREAS, Great South Bay Racing, Inc., would like to use Smith Point County Park and Smith Point Marina in Shirley for the purpose of hosting the "Battle on the Bay" boat race; and

WHEREAS, Great South Bay Racing, Inc., has requested use of the park and the marina from Thursday, August 23, 2012 through Monday, August 27, 2012; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e., the Smith Point County Park and Smith Point Marina in Shirley, by Great South Bay Racing, Inc., in consideration of the payment of One Hundred and 00/100 Dollars (\$100.00) per day for use of Smith Point Marina and Six Hundred and 00/100 Dollars (\$600.00) per day for the park use permit, for the purpose of hosting the "Battle on the Bay" boat race on Friday, August 24, 2012, through Sunday, August 26, 2012, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance and the accompanying declaration page naming the County of Suffolk as an additional insured from Great South Bay Racing, Inc., 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 event organizers will set up for the Battle on the Bay boat race on Thursday, August 23, 2012 and have a clean-up day on Monday, August 27, 2012 at no additional cost to Great South Bay Racing, Inc.; and be it further

3rd RESOLVED, Great South Bay Racing, Inc., will post a Surety Bond to cover the cost of additional staffing expenses incurred by the Parks Department; and be it further

4th RESOLVED, that before this event shall be permitted occur, Great South Bay Racing, Inc. must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation and Conservation as required by Section 643-7(B) of the SUFFOLK COUNTY CODE; and be it further

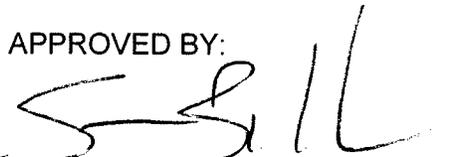
5th RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the event at Smith Point County Park by Great South Bay Racing, Inc.; and be it further

6th RESOLVED, that Great South Bay Racing, Inc. shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink 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

7th **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: April 24, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 5.7.2012

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 April 24, 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

Intro. Res.

1350

Res. No.

312

April 24, 2012

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	17	1		11	

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote