Intro. Res. No.1402-2012 Laid on Table 4/24/2012
Introduced by Legislator Browning

RESOLUTION NO. 400 -2012, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2012 BY THE MASTICS-MORICHES-SHIRLEY COMMUNITY LIBRARY'S FAMILY LITERACY PROJECT

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is a not-for-profit organization; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project would like to use the Smith Point County Park in Shirley for the purpose of hosting the Smith Point Bridge 5K Run, the proceeds of which will go to the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

WHEREAS, the parking lot will be used as a staging point and also for parking for participants; and

WHEREAS, the 5 Kilometer race will be held in the park itself; and

WHEREAS, this race will be held on Saturday, September 8, 2012 from 7:00 a.m. to 1:00 p.m.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Twenty-Five and 00/100 Dollars ($225.00), payment of which shall be guaranteed by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the use of County property for such a fund drive for support of the Mastics-Moriches-Shirley Community Library's Family Literacy Project would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e., the Smith Point County Park in Shirley, by the Mastics-Moriches-Shirley Community Library's Family Literacy Project, in consideration of the payment of Two Hundred Twenty-Five and 00/100 Dollars ($225.00) for the purpose of holding the Smith Point Bridge 5K Run on Saturday, September 8, 2012, between the hours of 7:00 a.m. and 1:00 p.m., 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 County of Suffolk 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, the Mastics-Moriches-Shirley Community Library's Family Literacy Project must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 643-7 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 Smith Point Bridge 5K Run for the Mastics-Moriches-Shirley Community Library's Family Literacy Project at Smith Point County Park in Shirley; and be it further

4th **RESOLVED**, that the Mastics-Moriches-Shirley Community Library's Family Literacy Project 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

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: MAY 0 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

Intro. Res. 1402 Res. No. 400 May 8, 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	—

MOTION
X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature