

**RESOLUTION NO. 665 -2012, AUTHORIZING AN  
AMENDMENT OF THE SECOND BALLPARK LICENSE  
MANAGEMENT AND OPERATIONS AGREEMENT BETWEEN  
THE LONG ISLAND DUCKS PROFESSIONAL BASEBALL  
CLUB, LLC AND THE COUNTY OF SUFFOLK**

**WHEREAS**, Resolution No. 513-2009 authorized the Long Island Ducks Professional Baseball Club, LLC (hereinafter known as "the Team") and Suffolk County (the County) to enter into a Second Ballpark License Management and Operations Agreement ("Agreement") through March 31, 2020; and

**WHEREAS**, the Agreement now allows the Team 200 complimentary tickets per game to be given to players, baseball personnel, guests and family members; and

**WHEREAS**, complimentary tickets are exempt from the one dollar charge imposed on tickets issued for admission to baseball home games; and

**WHEREAS**, the Team would like to add a provision to the Agreement authorizing the use of up to 500 promotional tickets in certain instances, and which tickets shall also be exempt from the one dollar charge; and

**WHEREAS**, the County agrees that the use of promotional tickets is in the County's best interest to stimulate interest in game attendance; now, therefore be it

**1<sup>st</sup> RESOLVED**, that an amendment to the Agreement is authorized to allow the Team to utilize promotional tickets in the following instances:

- (1) if three (3) weeks prior to a Team game, 1500 seats or more remain unsold; or
- (2) if two (2) weeks prior to a Team game, 1000 seats or more remain unsold;

the Team may offer no more than 500 promotional tickets per game to be given by the Team to persons other than those who may receive complimentary tickets as provided for in the Agreement; and be it further

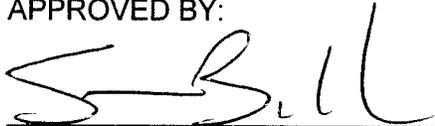
**2<sup>nd</sup> RESOLVED**, that the promotional tickets shall not be included in the one dollar per ticket charge currently authorized under Section 4.01(e) of the Agreement; and be it further

**3<sup>rd</sup> RESOLVED**, that the execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the amended Second Ballpark License and Management and Operations Agreement, substantially in accord with the terms of this Resolution presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such ministerial and non-substantive changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature; and be it further

4<sup>th</sup> **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 617.5(c)(20) 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.

DATED: **AUG 07 2012**

APPROVED BY:

  
County Executive of Suffolk County

Date: 8-16-2012

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 August 7, 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*

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Clerk of the Legislature

Intro. Res.

1638

Res. No.

665

August 7, 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		16	—		2	—

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 _____

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

*Tim Laube*

Tim Laube, Clerk of the Legislature