

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 723 -2014, AUTHORIZING USE OF CUPSOGUE BEACH COUNTY PARK BY THE AMERICAN CANCER SOCIETY, FOR THE AMAZEDNESS KITE FLY FUNDRAISER

WHEREAS, the American Cancer Society would like to host the Amazedness Kite Fly at Cupsogue Beach County Park on Saturday September 13, 2014 from 12:00 p.m. to 4:00 p.m., with a rain date set for Saturday, September 20, 2014; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Eighty and 00/100 Dollars (\$80.00), payment of which shall be guaranteed by the American Cancer Society; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming the County of Suffolk as an additional insured has been provided by the American Cancer Society; and

WHEREAS, the use of County property for the Amazedness Kite Fly 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 Cupsogue Beach County Park by the American Cancer Society, in consideration of the payment of Eighty and 00/100 Dollars (\$80.00) for the purpose of hosting the Amazedness Kite Fly fundraiser on Saturday, September 13, 2014 from 12:00 p.m. to 4:00 p.m., with a rain date of Saturday, September 20, 2014, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page naming the County of Suffolk as an additional insured by the County of Suffolk from the American Cancer Society and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Law; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, the American Cancer Society 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

3rd **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 fundraiser at Cupsogue Beach County Park by the American Cancer Society; and be it further

4th **RESOLVED**, that the American Cancer Society shall also provide an entertainment promoter certificate to the County of Suffolk 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: September 9, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: September 24, 2014