

Introduced by Presiding Officer Lindsay

Laid on Table 4/26/2011

**PROCEDURAL MOTION NO. 12 -2011, AUTHORIZING  
PUBLIC HEARING FOR APPROVAL OF FERRY LICENSE FOR  
DAVIS PARK FERRY CO.**

**WHEREAS**, Davis Park Ferry Co., Inc., has applied to the Suffolk County Legislature by a petition dated April 6, 2011, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No.7 of 1982 of Suffolk County, to amend its existing franchise and license to include transportation service between the National Park Service ferry terminal in Patchogue and the National Park Service docking facility at Watch Hill on Fire Island; now, therefore be it

**1st RESOLVED**, that Consideration of the Petition of Davis Park Ferry Co. for the purposes of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this Petition shall be held at the regular meeting of the Suffolk County Legislature at 2:30 p.m. on the 10th day of May, 2011 at Hauppauge, New York; and be it further

**2nd RESOLVED**, that pending the consideration of this Petition and the Public Hearing, the Petition be and it hereby is referred to the Public Works and Public Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §C2-15(A) OF THE SUFFOLK COUNTY  
ADMINISTRATIVE CODE

Introduced by Presiding Officer Lindsay

Laid on Table 4/26/11

**PROCEDURAL RESOLUTION NO. 13 -2011, APPROVING  
PARTIAL SETTLEMENT OF AWP LITIGATION**

**WHEREAS**, Procedural Motion No. 12-2002 authorized the retention of the law firm of Kirby, McInerney and Squire, 830 Third Avenue, New York, NY 10022, to bring legal actions on behalf of the County of Suffolk against pharmaceutical manufacturers, pharmaceutical wholesalers, and pharmaceutical retailers and/or other responsible parties to recover overpayment and costs incurred by the County of Suffolk as a result of improperly inflated Average Wholesale Pricing ("AWP") information for prescription drugs purchased through the Medicaid Program; and

**WHEREAS**, outside counsel initiated litigation in federal court on behalf of Suffolk County against numerous defendants; the County's case is part of a multi-district litigation, *In Re Pharmaceutical Industry Average Wholesale Price Litigation*; and

**WHEREAS**, outside counsel advises that a tentative settlement has been reached with additional defendants; and

**WHEREAS**, under the terms of this settlement, the County of Suffolk shall be paid the gross amount by the defendants as follows:

Aventis	\$35,257.12
Biogen	324.10
Organon	398.44

and

**WHEREAS**, Kirby, McInerney and Squire recommends that the County accept the partial settlement described herein; now, therefore, be it

**1st RESOLVED**, that a partial settlement of the County's claims *In Re Pharmaceutical Industry Average Wholesale Price Litigation* as described herein, is approved; and be it further

**2nd RESOLVED**, that the County's claims against the non-settling defendants shall remain in full force and effect; and be it further

**3rd RESOLVED**, that the Presiding Officer of the Suffolk County Legislature and Counsel to the Suffolk County Legislature are hereby authorized to execute such documents as necessary to effectuate such settlement.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY  
CHARTER

S:\procedural resolutions\PM-AWP Partial Settlement - aventis

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN  
COUNSEL TO THE LEGISLATURE  
email: george.nolan@suffolkcountyny.gov



WILLIAM H. ROGERS BUILDING  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5484 (PHONE)  
(631) 853-4415 (FAX)

## MEMORANDUM

**DATE:** April 20, 2011  
**TO:** Tim Laube, Clerk of the Legislature  
**FROM:** George Nolan, Counsel to the Legislature GN  
**RE:** Procedural Resolution/Approving Partial Settlement of AWP  
Litigation

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Pursuant to the request of Presiding Officer Lindsay, enclosed please find the above referenced resolution for immediate filing.

GN:mjk  
Enclosure

cc: Hon. William J. Lindsay, Presiding Officer  
Terry Pearsall, Chief of Staff

s:\let\cl-4-20-pm-awp

RECEIVED  
2011 APR 20 P 12:08  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, N.Y.  
HAUPPAUGE

Introduced by Presiding Officer Lindsay

Laid on Table 4/26/11

**MOTION NO. 14- 2011, PROCEDURAL RESOLUTION  
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT  
INITIATIVES (PHASE II)**

**WHEREAS**, funds are included in the 2011 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

**WHEREAS**, pursuant to Resolution No. 1054-2007, this Legislature is administering these "Community Support Initiatives"; now, therefore be it

**1st RESOLVED**, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

<b>AGENCY</b>	<b>SPONSOR</b>	<b>AMOUNT</b>
Brookhaven Animal Rescue Alliance Ltd.	Eddington	\$1,000
CoDance Company, Inc.	Eddington	\$2,000
Girl Scouts of Suffolk County, Inc.	Eddington	\$1,000
Girl Scouts of Suffolk County, Inc.	Barraga	\$1,000
Long Island Citizens for Community Values	Gregory	\$1,000
Mercy Center Ministries	Viloria-Fisher	\$2,000
The Long Island Museum of American Art, History & Carriages	Viloria-Fisher	\$1,000
Youth Enrichment Services	Barraga	\$5,000

and be it further

**2nd RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED:

**EFFECTIVE IMMEDIATELY PURSUANT TO §C2-15 OF THE SUFFOLK COUNTY CHARTER**

1397

Intro. Res. No. -2011  
Introduced by Legislator Romaine

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DEVELOP AND ISSUE AN RFP FOR THE SALE AND LEASE BACK OF THE H. LEE DENNISON BUILDING**

**WHEREAS**, agreement has been reached between the Suffolk County Executive's Budget Office and the Legislative Office of Budget Review that there exists a projected budgetary shortfall based on a cost-to-continue budget for 2011 and 2012 in the range of \$140 million to \$180 million; and

**WHEREAS**, remaining debt service on the Dennison Building beyond 2011 is \$5,830,537 and a sinking fund estimated at \$5,354,564 would have to be established to repay remaining debt service; and

**WHEREAS**, extraordinary and creative measures are necessary to fully resolve the budgetary shortfall problems currently confronting the County of Suffolk; and

**WHEREAS**, taking decisive action now to avoid a projected shortfall may mitigate the need for service reductions, possible staff reductions, or tax increases in 2012; and

**WHEREAS**, the sale and lease back of the H. Lee Dennison Building could provide a significant source of revenue to the County; and

**WHEREAS**, based on a preliminary estimate of \$200 per square foot, the Dennison Building would attract a market price of \$48,553,400, resulting in a gain from sale of \$43,198,836 prior to any associated leaseback payments; and

**WHEREAS**, the annual cost of leasing back the Dennison Building, based on a 20-year payment schedule and a 6% rate of interest, is estimated at \$4,233,107 per year resulting in a net gain of \$38,965,730; and

**WHEREAS**, the upfront gain from this sale-leaseback arrangement would exceed annual lease payments over the first 10-years of a 20-year payment plan; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the Department of Public Works shall develop and prepare an RFP for the sale and lease back of the H. Lee Dennison Building within thirty (30) days of this resolution's passage; and be it further

**2<sup>ND</sup> RESOLVED**, that the Department of Public Works shall issue the RFP for the sale and lease back of the H. Lee Dennison Building within thirty (30) days after it has been approved by procedural motion of the Suffolk County Legislature; and be it further

**3<sup>RD</sup> RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

T:\BROSell Dennison.docx

1400

Intro. Res. No. -2011  
Introduced by Legislators Kennedy and Romaine

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, MITIGATING AN ANTICIPATED  
BUDGET SHORTFALL BY AUTHORIZING THE SALE OF  
SUFFOLK COUNTY TAX LIENS**

**WHEREAS**, the local economy has slowed in response to national and regional trends; and

**WHEREAS**, such slowdown has resulted in the reduction of Suffolk County's sales tax and real estate related revenues, including the projected reductions in the receipt of property taxes; and

**WHEREAS**, there has been a significant increase in property tax delinquencies for which Suffolk County holds all sub-local municipal units harmless; and

**WHEREAS**, agreement has been reached between the Suffolk County Executive's Budget Office and the Legislative Office of Budget Review that there exists a projected budgetary shortfall based on a cost-to-continue budget for 2011 and 2012 in the range of \$140 million to \$180 million; and

**WHEREAS**, it is prudent to take proactive budget mitigating options by pursuing the sale of revenue from delinquent real property tax liens; and

**WHEREAS**, the sale of tax liens from properties that are delinquent in their real property taxes would result in up front revenue in excess of \$20 million; and

**WHEREAS**, taking decisive action now to avoid a projected shortfall may mitigate the need for service reductions, possible staff reductions, or tax increases in 2012; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the County Executive is authorized to update and reissue Request for Proposal (RFP) No. 08/80021 to sell the tax liens from properties that are delinquent in their real property taxes; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the sale of tax liens shall be limited to commercial and vacant properties; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Department of Finance and Taxation is hereby authorized, empowered and directed to provide such information as allowed by law which may be requested regarding the payment and collection of delinquent real property taxes; and be it further

**4<sup>th</sup>** **RESOLVED** this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.



1401

Intro. Res. No. -2011  
Introduced by Legislator Cooper

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, DIRECTING THE COUNTY EXECUTIVE TO NEGOTIATE UNION CONCESSIONS AS A MEANS OF MITIGATING THE BUDGET SHORTFALL**

**WHEREAS**, agreement has been reached on the two year budget model between the Suffolk County Executive's Budget Office and the Legislative Office of Budget Review that there exists a projected budgetary shortfall in the range of \$140 million to \$180 million for 2011 and 2012; and

**WHEREAS**, a reduction in the workforce of County employees, may be avoided, at least in part, by the institution of a "lag payroll" or equivalent union concessions in personnel expenditures to mitigate the budget shortfall; and

**WHEREAS**, the institution of a two week "lag payroll" is a job savings measure, and will help mitigate any unanticipated loss of revenue in the 2011 Adopted Budget; and

**WHEREAS**, in 2009 the County and its collective bargaining units worked cooperatively to reach agreements that provided \$30 million in operating budget savings while preventing layoffs; and

**WHEREAS**, taking decisive action now to avoid a projected shortfall may mitigate the need for service reductions, possible staff reductions, or a property tax increase in 2012; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that the County Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to negotiate a lag payroll or equivalent union concessions with all County bargaining units for a targeted savings of \$28 million in 2011; and be it further

**2<sup>ND</sup> RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

T@BRO\Lag Payroll

1402  
Intro. Res. No. -2011  
Introduced by Legislator Eddington

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, ACCEPTING AND APPROPRIATING FUNDS TOTALLING \$200,000 VIA THE TOWN OF BROOKHAVEN AND A PRIVATE DONOR FOR THE ENHANCEMENT OF THE SHOTSPOTTER® GUNSHOT LOCATION SYSTEM IN NORTH BELLPORT**

**WHEREAS**, communities throughout Suffolk County are experiencing an increase in gun violence; and

**WHEREAS**, the community of North Bellport has seen a dramatic rise in the number of criminal incidents involving guns, including an increase in the number of gunshots fired in the area; and

**WHEREAS**, during a nine month period in 2010, North Bellport experienced fifteen gun crimes, including seven victims who were shot, yet only one weapons arrest was made during that same period; and

**WHEREAS**, Resolution No. 234-2011 authorized the County of Suffolk to accept a conditional gift to install the ShotSpotter® Gunshot Location System in North Bellport; and

**WHEREAS**, installing ShotSpotter® in North Bellport would allow the Suffolk County Police Department to get an accurate accounting of the number of gunshots discharged in the area; and

**WHEREAS**, ShotSpotter® will also provide real time location information to law enforcement each time a gun is discharged, allowing police and emergency services to respond immediately to the scene; and

**WHEREAS**, the Town of Brookhaven is considering a resolution to provide \$80,000 towards the installation of ShotSpotter® in North Bellport from the Caithness Community Benefit Fund; and

**WHEREAS**, a private donor is considering a conditional gift in the amount of \$120,000 for the installation of ShotSpotter® in North Bellport; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby accepts funding in the amount of \$80,000 from the Town of Brookhaven through the Caithness Community Benefit Fund and \$120,000 from a private donor; and be it further

2<sup>nd</sup> **RESOLVED**, the full revenue will be given upfront and that the intent is to draw down sufficient funding per year for the next five years consistent with the terms and conditions of the funding; and be it further

3<sup>rd</sup> **RESOLVED**, this resolution authorizes and directs the Treasurer to establish a holding account, to accommodate the requirement to make annual revenue transfers as directed by the County Executive's Budget Office; and be it further

4<sup>th</sup> **RESOLVED**, the holding account established by the Treasurer will contain the \$120,000 to be expended over the five year period; and be it further

5<sup>th</sup> **RESOLVED**, if the County does not spend the \$80,000 allocated for the purposes stated in the Inter-Municipal Agreement between the Town of Brookhaven and the County of Suffolk, then any unexpended funds allocated under this Inter-Municipal Agreement shall be returned to the Town of Brookhaven, Caithness Community Benefit Fund; and be it further

6<sup>th</sup> **RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate the following funds and authorizations:

REVENUES:

<u>FD</u>	<u>AGY</u>	<u>REV CODE</u>	<u>REVENUE NAME</u>	<u>AMOUNT</u>
115	POL	2707	SHOTSPOTTER PROGRAM	\$200,000

APPROPRIATIONS:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT NAME</u>	<u>AMOUNT</u>
115	POL	3282	0000	4560	SHOTSPOTTER@ GUNSHOT LOCATION SYSTEM	\$120,000
115	POL	3213	0000	4560	SHOTSPOTTER@ GUNSHOT LOCATION SYSTEM – NORTH BELLPORT	\$80,000

and be it further

7<sup>th</sup> **RESOLVED**, that this funding shall be used by the County of Suffolk solely for the installation of the ShotSpotter ® Gunshot Location System in North Bellport; and be it further

8<sup>th</sup> **RESOLVED**, that the County of Suffolk agrees to maintain and operate the ShotSpotter ® Gunshot Location System in North Bellport for a minimum of five years; and be it further

9<sup>th</sup> **RESOLVED**, that the County Legislature hereby authorizes, empowers, and directs the County Executive, or his designee, to enter into an Inter-Municipal Agreement subject to the approval of the County Attorney, with the Town of Brookhaven, and to execute any and all documents deemed necessary and appropriate to implement the ShotSpotter ® Gunshot Location System; and be it further

**10<sup>th</sup>**        **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:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

T:\BRO\Shotspotter \$200k gift BA.docx

1403

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table 4/26/11

**RESOLUTION NO. -2011, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (AERO WORLD CORP. PROPERTY) TOWN OF ISLIP (SCTM NO. 0500-355.00-01.00-005.001)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of land for use as hamlet greens, hamlet parks, pocket parks, active parkland, active recreation, historic and/or cultural park in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such lands as an active parkland; now, therefore be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 3.7 acres, is hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as a hamlet green, hamlet park, pocket parks, active parkland, active recreation, historic and/or cultural park; and be it further

**2nd RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

**4th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5th RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**6th RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is

hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

**7th**           **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

**8th**           **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:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

s:\res\r-aero-world-corp-active-parkland-plan-steps

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 355.00 Block 01.00 Lot 005.001	3.7	Aero World Corp. c/o Lark J. Shlimbaum, Esq. 265 Main Street, PO Box 8 Islip, NY 11751
	TOTAL ACREAGE	3.7	

**EXHIBIT "A"**

**RESOLUTION NO. -2011 AUTHORIZING  
CULTURAL ARTS 2011 FUNDING AGREEMENTS**

**WHEREAS**, the adopted 2011 Operating Budget provides \$233,660 from Fund 192-Hotel/Motel Room Tax, for support of cultural programs and activities relevant to the continuation and enhancement of the tourism industry; and

**WHEREAS**, the Citizens Advisory Board for the Arts has met and recommend the funding as listed on Exhibit A; now, therefore be it

**1st RESOLVED**, that the Suffolk County Legislature hereby approves the allocation of funding in the amount of \$233,660 for the organizations as set forth in Exhibit "A", attached, such funding to be paid at the commencement of the pertinent contract; and be it further

**2nd RESOLVED**, that the County Executive or his designee, is hereby authorized to enter into agreements with the organizations as set forth in Exhibit "A" and in the amounts set forth therein; and be it further

**3rd 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.

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date of Approval: \_\_\_\_\_

1405

Intro. Res. No. -2011  
Introduced by the Presiding Officer

Laid on Table

4/26/11

**RESOLUTION NO. -2011, MAKING A RECOMMENDATION CONCERNING ADOPTION OF THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR THE DECLARATION AS SURPLUS AND SUBSEQUENT SALE OF 255± ACRES OF COUNTY OWNED LAND IN YAPHANK FOR MIXED USE DEVELOPMENT PURPOSES, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Legislature adopted Resolution No. 45-2010, issuing a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes; and

**WHEREAS**, on March 16, 2010 Suffolk County held a public scoping hearing to solicit comments and identify issues to be addressed regarding the preparation of the DGEIS; and

**WHEREAS**, at its September 15, 2010 meeting, the Council on Environmental Quality (CEQ) reviewed the draft scoping document for the DGEIS and found it adequately addressed all substantive comments and recommend to the County Executive and the County Legislature that a resolution be prepared adopting the document; and

**WHEREAS**, Resolution No. 1025-2010 adopted the final scoping document outlining the preparation of the DGEIS; and

**WHEREAS**, at its March 16, 2011 meeting, the CEQ reviewed the DGEIS pursuant to Chapter 279 of the Suffolk County Code and found it to be satisfactory with respect to its scope, content and adequacy; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby determines that, based on the information received, pursuant to Chapter 279 of the Suffolk County Code, a quorum of the Council determines that the DGEIS for the declaration as surplus and subsequent sale of 255± acres of County owned land in Yaphank for mixed use development purposes is satisfactory with respect to its scope, content and adequacy for the purposes of SEQRA and should be released for public review and comment; and be it further

**2nd RESOLVED**, that a public hearing on the DGEIS was held on Tuesday, April 12, 2011 at 6:00 pm in the Rose Y. Caracappa Legislative Auditorium, William H. Rogers Legislative Building, 725 Veterans Memorial Highway, Smithtown with written comments to be accepted through April 29, 2011; and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to circulate the Final Scope for the Generic Environmental Impact Statement for the Declaration as Surplus and Subsequent Sale of 255± Acres of County Owned Land in

Yaphank for Mixed Use Development Purposes, Town of Brookhaven, pursuant to the provisions of Title 6 NYCRR, Part 617.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

s:\res\s-sale-255-acres-yaphank-2011

1406

Intro. Res. No. -2011  
Introduced by Presiding Officer Lindsay

Laid on Table

4/26/11

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A CHARTER LAW TO WAIVE A CERTAIN  
CHARTER PROVISION AND PROVIDE ADEQUATE  
FUNDING FOR THE JOHN J. FOLEY SKILLED NURSING  
FACILITY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on , 2011 a proposed local law entitled, "**A CHARTER LAW TO WAIVE A CERTAIN CHARTER PROVISION AND PROVIDE ADEQUATE FUNDING FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY**"; now, therefore, be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO WAIVE A CERTAIN CHARTER PROVISION  
AND PROVIDE ADEQUATE FUNDING FOR THE JOHN J. FOLEY  
SKILLED NURSING FACILITY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk owns and operates the 264 bed John J. Foley Skilled Nursing Facility ("Foley Facility") in Yaphank.

This Legislature also finds that the County Executive has, for several years, tried to sell the Foley Facility to a private operator.

This Legislature determines that in 2010, following issuance of a Request for Proposals, the County Executive proposed a sale of the Foley Facility to Kenneth Rozenberg. However, the County Legislature rejected the resolution authorizing the sale in December, 2010.

This Legislature also determines that the County Executive, anticipating the lack of support for the Foley sale, failed to include discretionary appropriations in his proposed 2011 operating budget sufficient to operate the Foley Facility past the end of March, 2011. During the budget amending process, the Legislature failed to muster the two-thirds (2/3) vote necessary to restore full year funding for Foley.

This Legislature further finds that on March 8, 2011, the County Legislature passed a new resolution approving the sale of Foley to Kenneth Rozenberg, to avoid the consequences of closing the facility; including the displacement of hundreds of patients and the certain layoff of hundreds of employees.

This Legislature also finds and determines that subsequent to the Legislature's action approving the sale of the Foley Facility, Kenneth Rozenberg advised the County that he was cancelling the sale and demanded return of his down payment.

This Legislature finds and determines that with no willing purchaser and a restraining order in place barring the closure of the Foley Facility, the County of Suffolk has no choice but to amend the 2011 operating budget so that Foley's operations can be funded through the end of 2011.

This Legislature further determines that closing the Foley Facility is an unacceptable alternative as it will devalue the asset, uproot patients, and put several hundred employees on the unemployment roll.

This Legislature further finds that operating the Foley Facility through the end of 2011 will allow the County of Suffolk to explore other options for the facility, including a public-private partnership at Foley.

This Legislature further finds that while the County's 2011 operating budget is extremely tight, there is \$18 million of unexpended mandated appropriations in Foley's 632 Fund. This money was earmarked in the budget to pay off Foley's outstanding bonds in anticipation of a sale or closure. If Foley remains open, those appropriations can and should be used to fund Foley's operations for the rest of the year.

This Legislature also finds that in order to transfer the \$18 million to fund Foley, the County must waive a provision in the Charter that bars the transfer of appropriations from the mandated portion of the operating budget to the discretionary portion.

Therefore, the purpose of this law is to approve a one-time waiver of the Charter section that bars mandated-to-discretionary transfers so that the County of Suffolk can fund the operations of the John J. Foley Skilled Nursing Facility and adequately serve the patients in its care.

**Section 2. Amendment.**

Article 4 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**ARTICLE IV,  
County Budget and Capital Program**

\* \* \* \*

**§ C4-10. Action by County Legislature on proposed budget.**

\* \* \* \*

**K. The provisions of subsection (J), barring the transfer of appropriations and revenues from the mandated portion of the adopted operating budget to the non-mandated portion of the adopted operating budget during a fiscal year, shall not apply to the transfer of appropriations within Fund 632 from the mandated portion to the non-mandated portion of the adopted operating budget, in order to operate the John J. Foley Skilled Nursing Facility through the end of fiscal year 2011. Such a transfer may be approved during fiscal year 2011 by a simple majority vote of the County Legislature, subject to the veto and override provisions of § C2-14 of the SUFFOLK COUNTY CHARTER.**

\* \* \* \*

**Section 3. Applicability.**

This law shall only apply to the transfer of appropriations in Fund 632 of the 2011 adopted operating budget, in order to operate the John J. Foley Skilled Nursing Facility in 2011.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

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), (21), 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.

**Section 6. Effective Date.**

This law shall take effect immediately upon filing in the Office of the Secretary of State.

\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN  
COUNSEL TO THE LEGISLATURE  
email: george.nolan@suffolkcountyny.gov



WILLIAM H. ROGERS BUILDING  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5494 (PHONE)  
(631) 853-4415 (FAX)

DATE: APRIL 25, 2011  
TO: CLERK OF THE COUNTY LEGISLATURE  
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

-----  
PROPOSED LOCAL LAW YEAR 2011

TITLE: I.R. NO. -2011; A CHARTER LAW TO WAIVE A CERTAIN CHARTER PROVISION AND PROVIDE ADEQUATE FUNDING FOR THE JOHN J. FOLEY NURSING FACILITY

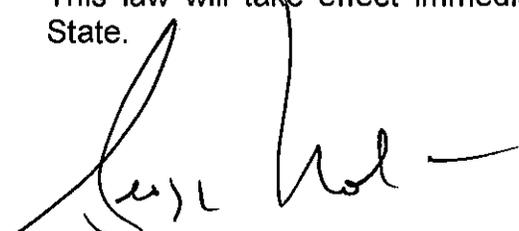
SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 4/25/11 PUBLIC HEARING: 5/10/11

DATE ADOPTED/NOT ADOPTED: \_\_\_\_\_ CERTIFIED COPY RECEIVED: \_\_\_\_\_

This proposed charter law would approve a one-time waiver of a charter provision that bars the transfer of appropriations and revenues from the mandated portions of the adopted operating budget to the discretionary portion. The waiver would allow the transfer of appropriations within Fund 632, from mandated to discretionary, in order to fund the operations of the John J. Skilled Nursing Facility through the end of fiscal year 2011.

This law will take effect immediately upon its filing in the Office of the Secretary of State.

  
GEORGE NOLAN  
Counsel to the Legislature

GN:tm

s:\rule28\CL waive charter provision for JJ Foley

1407  
Intro. Res. No. -2011  
Introduced by Legislator Cooper

Laid on Table 4/26/11

**RESOLUTION NO. -2011, APPOINTING PETER S.  
GUNTHER AS A MEMBER OF THE SUFFOLK COUNTY  
VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 14)**

**WHEREAS**, Resolution No. 699-2008 appointed Sarah S. Anker as a member of the Suffolk County Vanderbilt Museum Commission, with a term of office that expired on December 28, 2009; and

**WHEREAS**, Sarah S. Anker resigned as a member of the Suffolk County Vanderbilt Museum Commission on April 11, 2011, thereby creating a vacancy; now, therefore, be it

**RESOLVED**, that **Peter S. Gunther**, residing in Centerport, New York, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 14, for a term of office to expire December 28, 2013, said appointment having been made pursuant to the provisions of Section 184-7 of the SUFFOLK COUNTY CODE.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

s:\res\lr-appt-vm-gunther

**Peter S. Gunther**  
**Centerport, NY 11721**

## **OBJECTIVE**

To secure a position as a Trustee of the Vanderbilt Museum

## **WORK EXPERIENCE**

- |  |                                 |                 |
|--|---------------------------------|-----------------|
| May 1984 - May 2003<br>Firefighter 1 <sup>st</sup> Grade   | New York City Fire Department   | New York, NY    |
| • Received New York State's Medal of Valor, the American Legion Medal of Valor and four bravery citations.   |                                 |                 |
| January 1991 - May 2003<br>Senior Deputy Chief   | Suffolk County Fire Academy     | Yaphank, NY     |
| • Responsible for training all volunteer firefighters within Suffolk County.   |                                 |                 |
| January 1982 - May 1984<br>Police Officer  | New York City Police Department | New York, NY    |
| • Received four citations for bravery.   |                                 |                 |
| November 1979 - January 1982<br>Fire House Attendant   | Centerport Fire Department      | Centerport, NY  |
| November 1979 - June 2001<br>Chief of Firefighting Operations; Honorably Discharged  | New York Air Guard              | Westhampton, NY |
| • Received the New York State Conspicuous Service Medal, the Meritorious Medal and the 1980 Winter Olympics Medal.   |                                 |                 |
| February 1976 - November 1979<br>Chief of Firefighting Operations; Honorably Discharged  | United States Air Force         | Worldwide Bases |
| • Received the Air Force Meritorious Medal with 5 silver clusters, the Air Force commendation medal with three Oak Leaf clusters and the Combat Readiness Medal; granted Secret and Top Secret clearances. |                                 |                 |

## **PHILANTHROPIC EXPERIENCE**

- |  |                                 |                |
|--|---------------------------------|----------------|
| 1982 - Present<br>Volunteer Firefighter  | Centerport Fire Department      | Centerport, NY |
| • Chief (1994-1995); Assistant Chief (1990-1994); Fire Prevention Educator to children from nursery school through high school; assisted and organized various fire department fundraising activities. |                                 |                |
| 1996 - Present<br>Deputy Chief, 2 <sup>nd</sup> Division   | Suffolk County Fire Coordinator | Huntington, NY |
| • Responsibilities include assisting all volunteer fire departments, within the Township of Huntington, to obtain any state, federal and/or military resources needed during emergency situations.     |                                 |                |

1981 - 1982  
Volunteer Firefighter

Dix Hills Fire Department

Dix Hills, NY

1968 - 1982  
Volunteer Firefighter

Northport Fire Department

Northport, NY

- First Junior Fire Chief in history of the Northport Fire Department.

#### **ELECTED POSITION**

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2001 - Present  
Fire Commissioner

Centerport Fire District

Centerport, NY

- Responsibilities include raising public funds, levying tax monies and setting budgets within the Centerport Fire District.

#### **LICENSES/CERTIFICATIONS**

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NYS Certified Firematics Instructor  
Certified Firefighting Operations Instructor, U.S Department of Defense

#### **FRATERNAL ORGANIZATIONS**

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Nathan Hale Post 1469 Veteran of Foreign Wars  
Northport American Legion Post 694  
AMVETS Post 48  
Air Force Sergeants Association  
Suffolk County Association of Retired New York City Firefighters  
National Fire Protection  
Town of Huntington Softball Hall of Fame (Inducted in 1990)

#### **REFERENCES**

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Professional and Personal references available upon request.

1408  
Intro. Res. No. - 2011  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 4/26/11

**RESOLUTION NO. - 2011, AUTHORIZING THE  
CONVEYANCE OF COUNTY-OWNED RIGHT OF WAY  
COMMONLY KNOWN AS C.R. 81, LONG WHARF HAVING  
SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBERS OF  
DISTRICT 0302 SECTION 001.00 BLOCK 01.00 LOT 002.000  
AND DISTRICT 0903 SECTION 002.00 BLOCK 03.00 LOT  
026.000 FOR PUBLIC HIGHWAY PURPOSES PURSUANT TO  
SECTION 115-b OF THE NEW YORK STATE HIGHWAY LAW**

**WHEREAS**, the County of Suffolk is the fee owner of a certain right of way commonly referred to as C.R. 81, "Long Wharf", having Suffolk County Tax Map Numbers of District 0302 Section 001.00 Block 01.00 Lot 002.000 And District 0903 Section 002.00 Block 03.00 Lot 026.000 said parcel having been conveyed to the County of Suffolk from the Incorporated Village of Sag Harbor, Suffolk County, New York by deed dated 11/20/1947 and recorded in the Office of the Suffolk County Clerk on 11/24/1947 at Deed Liber 2778, Cp. 75, a copy of said deed being attached hereto as Exhibit "A"; and

**WHEREAS**, said right of way is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Section 115-b of the New York State Highway Law permits the conveyance of county rights of way between a county and the towns and/or incorporated villages situated in said county; and

**WHEREAS**, the Incorporated Village of Sag Harbor, New York, has requested that the County of Suffolk convey the above-described right of way to it (see annexed Resolution hereto marked as Exhibit "B"); and

**WHEREAS**, Board of Trustees of the Incorporated Village of Sag Harbor, Suffolk County, New York, is interested in acquiring said right of way to continue its present use for a consideration not to exceed Ten & 00/100 (\$10.00) Dollars plus pro-rata taxes at the time of the closing; and

**WHEREAS**, the Suffolk County Department of Public Works has determined that it would be in the best interest in the County of Suffolk to convey said right of way to the Incorporated Village of Sag Harbor, Suffolk County, New York for the total sum of One & 00/100 (\$1.00) Dollar (to be waived) plus the pro-rata share of the current tax adjustments due at closing; and

**WHEREAS**, the Suffolk County Department of Public Works has approved the use of this parcel for the purposes stated above; and

**WHEREAS**, the Suffolk County Department of Public Works, will receive and deposit the sum of One & 00/100 (\$1.00) Dollar (to be waived), plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR part 617; and be it further

**2<sup>nd</sup> RESOLVED**, that the action will not have a significant adverse impact on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria of Title 6 NYCRR Part 617.7(c) which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
2. The proposed action simply transfers ownership of land; and be it further

**3<sup>rd</sup> RESOLVED**, said parcel is surplus to the needs of the County of Suffolk; and be it further

**4<sup>th</sup> RESOLVED**, that this purchase is authorized pursuant to Section 115-b of the New York State Highway Law permitting the conveyance of county rights of way between a county and the towns and/or incorporated villages situated in said county; and be it further

**5<sup>th</sup> RESOLVED**, the subject right of way shall be conveyed to the Incorporated Village of Sag Harbor, Suffolk County, New York subject to the following restrictive covenants that will run with the land so conveyed:

1. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject right of way.
2. That the Grantee shall not sell, convey, transfer, or otherwise dispose of the subject right of way; and be it further

**6<sup>th</sup> RESOLVED**, that the Suffolk County Department of Public Works is directed to convey said right of way to the Incorporated Village of Sag Harbor, Suffolk County, New York for the total sum of One & 00/100 (\$1.00) Dollar (to be waived) plus the pro-rata share of the current tax adjustments due at closing; and be it further

**7<sup>th</sup> RESOLVED**, that the Suffolk County Department of Public Works, will receive and deposit the sum of One & 00/100 (\$1.00) Dollar (to be waived), plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; and be it further

**8<sup>th</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property and upon the above-described terms and conditions to said Municipality.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

1409

LOT 4/26/11

**Intro. Res. No. - 2011**

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2011, APPROPRIATING FUNDS FOR THE FORENSIC SCIENCES MEDICAL AND LEGAL INVESTIGATIVE CONSOLIDATED LABORATORY (CP 1109)**

**WHEREAS**, the Commissioner of Health Services has requested funds for building repairs and improvements at the Forensic Sciences Medical and Legal Investigative Consolidated Laboratory; and

**WHEREAS**, these funds were adopted in the 2011 Capital Budget under Capital Project Number 1109; and

**WHEREAS**, several powerful chemicals and reagents necessary for laboratory analysis and for preparing tissue samples are used in the various laboratories throughout the Forensic Sciences building; and

**WHEREAS**, to protect the health and safety of employees, fumes from these chemicals are drawn out from the various laboratories through the sixty-one (61) fume hoods; and

**WHEREAS**, due to the corrosive nature of the chemicals, hood mechanisms and ductwork have experienced repeated damage; and

**WHEREAS**, these funds will be used to improve fume hood operation, improve air flow, and replace fume hood mechanisms used to open and close hood sashes; and

**WHEREAS**, Resolution No. 471-1994 and as amended by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as amended by Resolution No. 461-2006; and be it further

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1109.314	20	Forensic Sciences Medical-Legal Investigative Consolidated Laboratory	\$200,000

and be it further

**3<sup>rd</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 488-2004 classified the action contemplated by this as a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5 (c), (2) and (25) as this action concerns the replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in kind as well as equipment purchase and installation.

DATED:

APPROVED BY:

Date:

1410

Intro. Res. No. -2011  
Introduced by Legislator Gregory

Laid on Table

4/26/11

**RESOLUTION NO. -2011, REAPPOINTING MEMBER TO  
THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF  
TRUSTEES (THERESA SANDERS)**

**WHEREAS**, the term of office of **Theresa Sanders** as a member of the Board of Trustees of the Suffolk County Community College expires on June 30, 2011; now, therefore, be it

**1st RESOLVED**, that **Theresa Sanders** is hereby reappointed as a member of the Board of Trustees of the Suffolk County Community College pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW for a term of office to expire on June 30, 2018.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

s:\reslr-reappt-sanders-sccc

1411

Intro. Res. No. -2011  
Introduced by Legislator Montano

Laid on Table 4/26/11

**RESOLUTION NO. -2011, REAPPOINTING MEMBER TO  
THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF  
TRUSTEES (DAFNY J. IRIZARRY)**

**WHEREAS**, the term of office of **Dafny J. Irizarry** as a member of the Board of Trustees of the Suffolk County Community College expires on June 30, 2011; now, therefore, be it

**1st RESOLVED**, that **Dafney J. Irizarry** is hereby reappointed as a member of the Board of Trustees of the Suffolk County Community College pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW for a term of office to expire on June 30, 2018.

DATED:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

s:\res\r-reappt-irizarry-sccc

1412

Intro. Res. No. -2011  
Introduced by Legislator Montano

Laid on Table 4/26/2011

**RESOLUTION NO. -2011, AMENDING THE 2011  
OPERATING BUDGET TO SUPPORT ADELANTE OF  
SUFFOLK COUNTY**

**WHEREAS**, the 2011 Operating Budget does not include sufficient funds for Adelante of Suffolk County; and

**WHEREAS**, Adelante of Suffolk County provides valuable services for Suffolk County youth, including ESL instruction, computer training, tutoring, vocational and employment assistance, informal counseling, crisis intervention, advocacy, information and referral, mentoring, and youth leadership; and

**WHEREAS**, investment in the youth of the County prevents long term loss of youth potential; and

**WHEREAS**, it is the desire of this Legislature to provide an additional \$36,067 to support Adelante of Suffolk County in its mission; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2011 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>OBJECT NAME</u>	<u>AMOUNT</u>
01	EMP	9030	0000	8330	Social Security	(\$28,053)
001	PLN	8030	0000	4560	Fees for Services	(\$8,014)

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GJN1	4980	Adelante of Suffolk Cty Inc	+\$36,067

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Adelante of Suffolk Cty Inc.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

T:\BROWN 2011 OB Amendment-Adelante of Suffolk County.docx