

**AGENDA SECOND DAY REGULAR MEETING
FEBRUARY 5, 2008**

- 1. ROLL CALL – 9:30 AM**
- 2. SALUTE TO THE FLAG**
- 3. INVOCATION**
- 4. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS**
 - Indicates copies distributed to all Legislators

DRAFT

Marked
Agenda

Suffolk County Executive Pro Forma Resolutions:

No. 34-2007 – Correction: Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of the Treasury in the amount of \$109,129.07

No. 177-2007 – Correction: Accepting and appropriating a gift of \$200.00 from the Veteran's Assistance Network, Inc., to be transferred to the WWII Monument account.

No. 185-2007 – Accepting two forfeited vehicles, a 2002 Cadillac Escalade and a 2002 Ford Expedition, on behalf of the Suffolk County Police Department pursuant to a settlement agreement in the matter of United States v. Astra Motor Cars, Inc., Et. AL., No. 04-cr-00774.

No. 186-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Sheriff's Department, from the U.S. Department of Justice, in the amount of \$4,921.22.

No. 187-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Sheriff's Department, from the U.S. Department of Justice, in the amount of \$8,393.57.

No. 188-2007 – Accepting and appropriating and amendment to the College budget for a grant award from the State University of New York (SUNY) for a SUNY Child Care Program grant 100% reimbursed by State funds at Suffolk County Community College in the amount of \$3,400.00.

No. 189-2007 – Accepting and appropriating an amendment to the College budget for a grant award from the New York State Department of Education, Division of Library Development for a Coordinated Collection Library Development Grant 100% reimbursed by State funds at Suffolk County Community College in the amount of \$61.00.

No. 190-2007 – Accepting and appropriating money market interest totaling \$350.11 earned on Federal asset forfeiture funds deposited in October 2007 with the Suffolk County Treasurer on behalf of the Suffolk County Sheriff's Department.

No. 192-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of the Treasury in the amount of \$53,163.36.

No. 193-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of the Treasury in the amount of \$130,775.00.

No. 194-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of Justice in the amount of \$69,771.20.

No. 195-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of the Treasury in the amount of \$71,869.88.

No. 196-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Police Department from the U.S. Department of Justice in the amount of \$213,413.92.

No. 197-2007 – Accepting and appropriating State forfeiture funds in the amount of \$4,262.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 198-2007 – Accepting and appropriating State forfeiture funds in the amount of \$5,290.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 199-2007 – Accepting and appropriating State forfeiture funds in the amount of \$4,190.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 200-2007 – Accepting and appropriating State forfeiture funds in the amount of \$720.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 201-2007 – Accepting and appropriating State forfeiture funds in the amount of \$3,000.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 202-2007 – Accepting and appropriating State forfeiture funds in the amount of \$1,600.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 203-2007 – Accepting and appropriating State forfeiture funds in the amount of \$600.00 on behalf of the Suffolk County Police Department and District Attorney's Office.

No. 204-2007 – Accepting and appropriating money market interest totaling \$280.01 earned on Federal asset forfeiture funds deposited in November 2007 with the Suffolk County Treasurer on behalf of the Suffolk County Sheriff's Department.

No. 205-2007 – Accepting and appropriating 100% State COLA funds from the New York State Department of Health to the Suffolk County Department of Health Services for the Children with Special Health Needs Program in the amount of \$2,598.00.

No. 206-2007 – Accepting and appropriating 100% State COLA funds from the New York State Department of Health to the Suffolk County Department of Health Services for the Early Intervention Administration Program in the amount of \$2,475.00.

No. 207-2007 – Accepting and appropriating Federal asset forfeiture funds on behalf of the Suffolk County Sheriff's Department, from the U.S. Department of Justice, in the amount of \$1,086.45.

No. 208-2007 – Accepting a forfeited vehicle, a 2006 Lexus R33, on behalf of the Suffolk County District Attorney's Office pursuant to Civil Practice Law and Rules Article 13-A.

Bank of America as Investment Manager: Statement for Vanderbilt Museum Trust Fund for periods Dec. 1-31, 2007 and Jan. 2, 2007 through Dec. 31, 2007

5. STATEMENTS AND PRESENTATIONS BY COUNTY LEGISLATORS

6. PUBLIC PORTION UNTIL 11:00 AM AND AGAIN BEFORE OR IMMEDIATELY AFTER THE PUBLIC HEARING, IF NECESSARY. ENDS AT 6:00 PM IF NOT PRIOR TO VOTE ON LEGISLATION.

7. CONSIDERATION OF THE CONSENT CALENDAR

8. CONSIDERATION OF MOTIONS, RESOLUTIONS AND NOTICES, TOGETHER WITH COMMITTEE REPORTS

9. 2:30 P.M. - PUBLIC HEARINGS

10. SCHEDULE PUBLIC HEARINGS FOR LOCAL LAWS

11. REPORTS AND STATEMENTS FROM THE COUNTY EXECUTIVE, AND/OR COMMISSIONERS, DIRECTORS, DEPUTY COMMISSIONERS, DIVISION OR DEPARTMENT HEADS OF ANY COUNTY OFFICE, AGENCY, OR DEPARTMENT; ANY STATEMENTS BY ANY VILLAGE, TOWN, COUNTY, STATE, OR FEDERAL ELECTED OFFICIAL; AND INTERVIEWS OF ANY NOMINEES TO ANY COUNTY BOARDS, COMMISSIONS, DEPARTMENTS, AGENCIES AND OFFICES AT WHICH TIME THEY MAY BE QUESTIONED BY COUNTY LEGISLATORS

12. CONSIDERATION OF UNFINISHED BUSINESS GENERALLY

13. CONSIDERATION OF NEW BUSINESS

14. REPORTS FROM COMMITTEES

15. ADJOURNMENT

The Clerk advises the Affidavits of Publication
are in proper order for the following Public Hearings:

- C **I.R. 1006** - A Charter Law to streamline the process by which resolutions and local laws are introduced. (Alden) *Assigned to Ways & Means*
- C **I.R. 1007** - A Local Law to expand qualifications for Vanderbilt Museum Trustees. (Cooper) *Assigned to Parks & Recreation*
- R **I.R. 1027** - A Charter Law to promote accountability and transparency in government by requiring an Agency Oversight Report. (Cooper) *Assigned to Budget & Finance* 3/4
- R **I.R. 1032** - A Local Law in relation to disposition of auction properties. (Browning) *Assigned to Ways & Means* 3/4
- R **I.R. 1033** - A Local Law to establish a Prompt Contracting Policy for not-for-profit organizations. (Montano) *Assigned to Ways & Means* 3/4
- C **I.R. 1035** - A Local Law to establish a notification requirement for consultant contracts. (Montano) *Assigned to Ways & Means*

Setting the date for the following public hearings
Tuesday, March 4, 2008, at 2:30 P.M., in the Rose Caracappa Auditorium, Hauppauge, NY:

- I.R. 1038** - A Local Law to prohibit the sale of Salvia Divinorum. (Nowick) *Assigned to Public Safety*
- I.R. 1044** - A Local Law to require Legislative Meetings at the County Seat, Riverhead. (Romaine) *Assigned to Ways & Means*
- I.R. 1046** - A Local Law to prohibit text messaging while driving. (Schneiderman) *Assigned to Public Safety*
- I.R. 1047** - A Local Law prohibiting sex offenders from residing in close proximity to senior housing. (Schneiderman) *Assigned to Public Safety*
- I.R. 1048** - A Local Law to establish the Gabreski Airport Conservation and Assessment Committee. (Schneiderman) *Assigned to Economic Development, Higher Education & Energy*
- I.R. 1049** - A Charter Law to strengthen the Water Quality Protection and Restoration Program. (Schneiderman) *Assigned to Environment, Planning and Agriculture*
- I.R. 1054** - A Local Law to strengthen competitive procurement procedures and maximize savings for taxpayers. (Eddington) *Assigned to Ways & Means*
- I.R. 1055** - A Local Law to require notice to tenants of foreclosure proceedings. (Eddington) *Assigned to Ways & Means*
- I.R. 1064** - A Charter Law to clarify the budget process and restore flexibility in the allocation of sales tax revenue. (Lindsay) *Assigned to Budget & Finance*
- I.R. 1094** - A Local Law amending the Suffolk County Empire Zone boundaries to include Bactolac Pharmaceutical, Inc. (Co. Exec.) *Assigned to Economic Development, Higher Education & Energy*
- I.R. 1105** - A Local Law to promote fair business practices by strengthening requirements for occupational licenses. (Beedenbender) *Assigned to Consumer Protection*
- I.R. 1113** - A Local Law refining veterans property tax exemption afforded to Cold War Veterans. (Co. Exec.) *Assigned to Budget & Finance*

sets

CONSENT CALENDAR

BUDGET & FINANCE

1012. Delegating authority to refund certain erroneous tax payments to the Suffolk County Treasurer. (Co. Exec.) 12

ENVIRONMENT, PLANNING & AGRICULTURE

1003. Making a SEQRA determination in connection with the proposed acquisition of land for open space preservation purposes known as the Crystal Bay Construction, Inc. property, Town of Riverhead. (Pres. Off.) 13

PUBLIC SAFETY

1009. Accepting and appropriating a grant in the amount of \$21,600 from the New York State Governor's Traffic Safety Committee Grant (GTSC FFY2008) Selective Traffic Enforcement Program (STEP) with 100% support for Sheriff's Traffic Safety Initiative. (Co. Exec.) 14

WAYS & MEANS

1013. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John A. Fenech a/k/a John Fenech and Kimberly C. Fenech a/k/a Kimberly Fenech, his wife (SCTM No. 0200-081.00-01.00-012.003). (Co. Exec.) 15
1014. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Deloris Smiley, a married woman (SCTM No. 0100-121.00-03.00-014.000). (Co. Exec.) 16
1017. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act John Beckham and Schaune Beckham (SCTM No. 0500-163.00-05.00-013.001). (Co. Exec.) 17
1018. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Bruce MacDonald a/k/a Bruce L. MacDonald (SCTM No. 0200-799.00-03.00-040.002). (Co. Exec.) 18
1019. Authorizing the sale pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Motel on the Bay Owners Corp. (SCTM No. 0600-092.00-04.00-008.000). (Co. Exec.) 19
1024. Authorizing certain technical correction to Adopted Resolution No. 1105-2007. (Co. Exec.) 20
1030. Authorizing certain technical correction to Adopted Resolution No. 1000-2007. (Co. Exec.) 21
1031. Authorizing certain technical correction to Adopted Resolution No. 1129-2007. (Co. Exec.) 22

RESOLUTIONS TABLED TO FEBRUARY 5, 2008

0011. Designating two (2) alternating Newspapers as one of the Official Newspapers of the County of Suffolk. (Pres. Off.)

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Veto Overrides:

A - Res. 1353-07 (IR 1997-07)

A - Res. 1367-07 (IR 2007-07)

INTRODUCTORY RESOLUTIONS FOR FEBRUARY 5, 2008
MEETING OF THE SUFFOLK COUNTY LEGISLATURE

ENVIRONMENT, PLANNING & AGRICULTURE

- 1026. Appointing member to the Suffolk County Water Authority (James F. Gaughran). (Cooper)
Committee Vote: Yes 5 No 0 Abstain 0 Not Present 0 23

HEALTH & HUMAN SERVICES

- 1000. To strengthen County policy to comply with zoning and building code requirements in Department of Social Services' Placements. (Romaine)
Committee Vote: Yes 4 No 1 (Lindsay) Abstain 1 (Mystal) Not Present 0 24
- 1020. Authorizing execution of a Mutual Aid and Assistance Agreement for Epidemiology Disease Control during local disasters and other emergencies. (Co. Exec.)
Committee Vote: Yes 6 No 0 Abstain 0 Not Present 0 25

PUBLIC WORKS & TRANSPORTATION

- 1008. Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 – Medford with Enecon-Silveri parcel (BR-0880.1). (Co. Exec.)
Committee Vote: Yes 5 No 0 Abstain 0 Not Present 2 (Kennedy, Losquadro) 26
- 1015. Permitting the Center Moriches Fire District to purchase fuel from the County. (Co. Exec.)
Committee Vote: Yes 6 No 0 Abstain 0 Not Present 1 (Kennedy) 27
- 1016. Permitting the Yaphank Fire District to purchase fuel from the County. (Co. Exec.)
Committee Vote: Yes 6 No 0 Abstain 0 Not Present 1 (Kennedy) 28
- 1028. Authorizing public hearing for alteration of rates for South Ferry, Inc. (Pres. Off.)
Committee Vote: Yes 6 No 0 Abstain 0 Not Present 1 (Kennedy) 29

WAYS & MEANS

- 1002. Authorizing preliminary work to be performed by County Departments, Divisions and Agency to confirm a 1954 Resolution of Declaration of County Highway Surplus by the County Board of Supervisors and for the further purpose of authorizing two additional small parcels as surplus adjacent thereto, all on CR 79 Bridgehampton-Sag Harbor Turnpike Right-Of-Way, in the Town of Southampton, Suffolk County, New York (SCTM No. 0900-026.00-01.00-110.000). (Schneiderman)
Committee Vote: DWR Yes 4 No 0 Abstain 0 Not Present 1 (Alden) 30
- 1036. Authorizing the reconveyance of County-owned real estate pursuant to Section 215, New York State County Law to the estate of Ronald Deconza by Patricia Murphy as Administrator. (Romaine)
Committee Vote: Yes 4 No 0 Abstain 0 Not Present 1 (Alden) 31

LATE STARTERS & CN'S

1129. Adopting Local Law No. -2007, A Local Law establishing crime prevention requirements for scrap metal processors. (Eddington) PUBLIC SAFETY
1130. Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Schmitt property) Town of Brookhaven (SCTM No. 0200-706.00-01.00-004.000). (Browning) ENVIRONMENT, PLANNING & AGRICULTURE
1131. Appropriating funds in connection with replacement of the GOTO Projector at the Vanderbilt Museum and Planetarium (CP 7452). (Co. Exec.) PARKS & RECREATION
1132. Amending the 2008 Capital Budget and Program and appropriating funds in connection with Safety improvements at various intersections (CP 3301). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1133. Amending the 2008 Capital Budget and Program and appropriating funds in connection with reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road, Town of Huntington (CP 5168). (Co. Exec.) PUBLIC WORKS & TRANSPORTATION
1134. Authorizing the sales of surplus property sold at the October 15th and October 16th, 2007 Auction pursuant to Local Law No. 13-1976 as per Exhibit "A" (Omnibus Resolution). (Co. Exec.) WAYS & MEANS
1135. Authorizing acquisition of land under the Suffolk County Open Space Preservation Program for the Entwistle property – Miller Place/Yaphank Road NP addition – Town of Brookhaven (SCTM No. 0200-213.00-01.00-013.000). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE
1136. Accepting and appropriating 100% reimbursable State grant funds for a performance based grant from the New York State Office for The Aging for a New York Connects Point of Entry for long term care program. (Co. Exec.) **ADOPTED WITH C/N 2/5/2008** 32
1137. Requesting Legislative approval of a contract award for Centralized Appointment Scheduling Services, for the Department of Health Services, Division of Patient Care Services. (Co. Exec.) CN – COMMITTED TO HEALTH & HUMAN SERVICES
1138. Accepting and appropriating 100% additional State grant funds from the New York State Office of Alcoholism and Substance Abuse Services to Suffolk County Department of Health Services for St. Christopher-Ottilie (SCO) Family of Services. (Co. Exec.) **ADOPTED WITH C/N 2/5/2008** 33
1139. Accepting and appropriating 100% additional State grant funds from the New York State Department of Health to the Department of Health Services, Division of Preventive Medicine for the provision of a Cost Of Living Adjustment (COLA) for the Tobacco Enforcement Program and to approve the purchase of one (1) replacement vehicle in accordance with Section (B)(6) of the Suffolk County Code in accordance with the County Vehicle Standard. (Co. Exec.) **ADOPTED WITH C/N 2/5/2008** 34
1140. Requesting legislative approval of a contract award for oral surgery services for the Department of Health Services, John J. Foley Skilled Nursing Facility. (Co. Exec.) CN – COMMITTED TO HEALTH & HUMAN SERVICES
1141. Accepting and appropriating 100% additional State grant funds from the New York State Office of Alcoholism and Substance Abuse Services to the Suffolk County Department of Health Services for Hope for Youth, Inc. (Co. Exec.) **ADOPTED WITH C/N 2/5/2008** 35
1142. Authorizing planning steps for acquisition under the Suffolk County Environmental Legacy Program (Manzi property) - Town of Riverhead (SCTM No. 0600-080.00-02.00-002.001). (Romaine) ENVIRONMENT, PLANNING & AGRICULTURE
1143. Adopting Local Law No. -2008, A Local Law to amend Resolution No. 1386-2007

to clarify application of individual water meter requirements. (Losquadro) HEALTH & HUMAN SERVICES

1144. Amending the Adopted 2008 Operating Budget to transfer funds from Fund 477 Water Quality Protection, amending the 2008 Capital Budget and Program, and appropriating funds in connection with a three year Bay Scallop Restoration Project (CP 8710). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1145. Approving the appointment of Ilene Cooper as a member of the Suffolk County Youth Board Coordinating Council Representing Legislative District No. 16. (Co. Exec.) HEALTH & HUMAN SERVICES

1146. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the Suffolk County Multifaceted Land Preservation Program and Workforce Housing Program. (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

1147. Appropriating funds for the Suffolk County Environmental Legacy Fund (CP 8731). (Co. Exec.) ENVIRONMENT, PLANNING & AGRICULTURE

PROCEDURAL MOTION

PM.01 Procedural resolution changing location of legislature meetings. (Pres. Off.) ADOPTED