

Introduced by Legislator Horsley as Chairperson of the Economic Development, Higher Education, and Energy Committee
LOT 5/12/09

**MOTION NO. 11 - 2009, PROCEDURAL RESOLUTION
ALLOCATING ADDITIONAL FUNDING IN CONNECTION
WITH THE OPPOSITION TO A PROPOSED LIQUID NATURAL
GAS PROJECT IN THE LONG ISLAND SOUND**

WHEREAS, Procedural Motion No. 3-2005 was adopted by this Legislature to authorize the Economic Development, Higher Education, and Energy Committee of the County Legislature to interview at least three qualified attorneys to represent the County of Suffolk at the Federal Energy Regulatory Commission (FERC) and other New York State regulatory bodies, agencies or courts, if necessary, in opposition to the proposed Broadwater Energy LNG Project; and

WHEREAS, Procedural Resolution 6-2005 retained the law firm of Farrell Fritz, PC and authorized expenditures not to exceed \$100,000.00; and

WHEREAS, Procedural Resolution No. 10-2006 authorized an additional \$100,000.00 to oppose Broadwater; and

WHEREAS, Procedural Resolution No. 10-2008 authorized an additional \$100,000.00 to oppose Broadwater; and

WHEREAS, it is now necessary to allocate additional funds to continue the County's effort in opposition to the proposed Broadwater Project; now, therefore, be it

1st RESOLVED, that the 2nd RESOLVED clause of Procedural Motion No. 6-2005 is hereby amended to read as follows:

2nd RESOLVED, that this Legislature hereby directs the Presiding Officer to execute such agreements for such litigation, including any necessary expert consultants, as may be necessary to carry out this Resolution in an amount not to exceed [Three Hundred] Three Hundred Twenty Five Thousand Dollars [\$300,000.00] \$325,000.00 of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560) appropriation; and be it further

2nd RESOLVED, that the Budget Review Office and Presiding Officer shall review and process for payment vouchers forwarded by the law firm and consultants retained for the purpose specified in this Resolution; 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) 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:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) AND SECTION 16-1(C) OF THE SUFFOLK COUNTY CHARTER

s:\procedural motions\motion-additional broadwater funding 2009

Intro. Res. PM 11 Res. No.

May 12, 2009

Motion:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R	
1	Edward P. ROMAINE						
2	Jay H. SCHNEIDERMAN						
3	Kate M. BROWNING						
4	Brian BEEDENBENDER						
6	Daniel P. LOSQUADRO						
7	Jack EDDINGTON						
9	Ricardo MONTANO						
10	Cameron ALDEN						
11	Thomas F. BARRAGA						
12	John M. KENNEDY, JR.						
13	Lynne C. NOWICK						
14	Wayne R. HORSLEY						
15	DuWayne GREGORY						
16	Steven H. STERN						
17	Lou D'AMARO						
18	Jon COOPER						
5	Vivian VILORIA-FISHER, D.P.O.						
8	William J. LINDSAY, P.O.						
	Totals	18					

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



 Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote ✓