SIXTH DAY

REGULAR MEETING

April 5, 2005

Minutes of the Regular Meeting of the County Legislature of Suffolk County, New York, held in the Rose Y. Caracappa Legislative Auditorium, William H. Rogers Legislature Building, Hauppauge, New York, at 9:30 a.m., pursuant to notice duly given.

The meeting was called to order at 9:37 a. m. by Presiding Officer Joseph Caracappa. The Clerk called the roll and the following were found present: Deputy Presiding Officer Carpenter; Legislators Caracciolo, Schneiderman, O'Leary, Viloria-Fisher, Losquadro, Foley, Montano, Alden, Kennedy, Nowick, Bishop, Mystal, Binder, Tonna and Cooper.

Legislator Lindsay arrived at 10:10 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED AT 12:46 P.M. AND RESUMED AT 2:30 P.M.

THE MEETING WAS RECESSED AT 4:37 P.M. AND RESUMED AT 5:01 P.M.

The Clerk called the roll and the following were found present: Presiding Officer Joseph Caracappa; Deputy Presiding Officer Carpenter; Legislators Caracciolo, Schneiderman, O'Leary, Losquadro, Foley, Montano, Alden, Kennedy, Nowick, Bishop, Mystal, and Binder.

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Caracciolo. The resolution was passed 17-1-0-0. Legislator Tonna voted no.

Intro. Res. No. 1188-2005 Laid on Table 3/15/2005
Introduced by Legislators Caracciolo, Carpenter and Alden

RESOLUTION NO. 193 –2005, REAPPOINTING CHAIRMAN OF THE SUFFOLK COUNTY WATER AUTHORITY (MICHAEL A. LO GRANDE)

WHEREAS, Resolution No. 662-1990 appointed Michael A. LoGrande as a member of the Suffolk County Water Authority (Authority) on June 26, 1990 for a term to expire on May 29, 1995; and

WHEREAS, Resolution No. 1028-1990 appointed Michael LoGrande as Chairman of said Authority, on October 23, 1990, for a term to expire on May 29, 1995; and

WHEREAS, Resolution No. 193-1995 appointed Michael LoGrande as Chairman of said Authority, on March 8, 1995, for a term to expire on May 29, 2000; and

WHEREAS, Resolution No. 393-2000 reappointed Michael LoGrande as a member and as Chairman of said Authority on May 9, 2000, for a term to expire on May 29, 2005; and

WHEREAS, Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW authorizes the County Legislature to appoint the Chairman of said Authority for whatever period of time it deems appropriate as long as such appointment does not exceed the individual's term of office as a member of the Authority; now, therefore be it

RESOLVED, that Michael A. LoGrande, be and he hereby is reappointed as a member and as Chairman of the Suffolk County Water Authority, for a term of office to expire on May 29, 2010, said reappointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW.

DATED: April 5, 2005

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

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1200-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 194 -2005, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 729-2005)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 729-2005

KE	EXPLANATION	RPTL SE	LIMITATION
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

K	Town	Yea	Item No.	S.C. Tax Map No.	Origina *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
	BROOKHAVEN	04/05	60-41845	0200/514-2-33	14740.92	2237.47	12503.45
	BROOKHAVEN	03/04	60-41845	0200/514-2-33	13919.06	2375.45	11543.61
	BROOKHAVEN	04/05	60-39905	0200/564-7-5.2	4222.67	603.24	3619.43
	BROOKHAVEN	04/05	80-15836	0200/623-1-14.1	161003.94	147657.89	13346.05
	BROOKHAVEN	04/05	28-37801	0200/658-1-22.1	58029.98	14953.88	43076.10
	BROOKHAVEN	04/05	82-24395	0200/840-3-40.1	10344.14	7793.38	2550.76
	BROOKHAVEN	04/05	82-34080	0200/974.1-3-7	6127.60	2348.86	3778.74
	BROOKHAVEN	03/04	82-34080	0200/974.1-3-7	5883.30	2219.12	3664.18
	BROOKHAVEN	04/05	47-25770	0200/976.8-2-11	3253.78	191.45	3062.33
	BROOKHAVEN	04/05	88-17470	0200/977.8-2-10	5562.97	2059.24	3503.73
C	BROOKHAVEN	03/04	88-17470	0200/977.8-2-10	5379.03	1991.68	3387.35
C	BROOKHAVEN	02/03	88-17470 3	0200/977.8-2-10	4995.90	1837.32	3158.58
A	BROOKHAVEN	04/05 04/05	32-13910 6	0200/979.8-4-23	6935.80	2275.91	4659.89
A	BROOKHAVEN			0200/984.8-1-6	4255.04	1567.68	2687.36
A	BROOKHAVEN			0208/7-1-5.1	7446.81	4668.60	2778.21
	HUNTINGTON	04/0		0401/8-2-15	21409.9	16476.25	4933.69
	HUNTINGTON	03/0		0401/8-2-15	19673.9	15135.75	4538.19
	HUNTINGTON	02/0		0401/8-2-15	18281.2	14059.13	4222.13
A	RIVERHEAD	04/05		0600/21-1-1.2 0	54561.2	38126.59	16434.70
	RIVERHEAD	04/0		2-1.2	14995.0	10461.22	4533.85
	RIVERHEAD			0600/44-3-2	8341.1	966.44	7374.68

*As Provided and Requested By Town Assessor or Receiver of Taxes

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1201-2005 Laid on Table 3/15/2005
Introduced by Presiding Officer on Request of County Executive Steve Levy

RESOLUTION NO. 195 –2005, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #209

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments and grant refunds of taxes, in the case of erroneous or improper assessments, pursuant to the provisions of the Real Property Tax Law and the Suffolk County Tax Act; and

WHEREAS, the properties represented by the item numbers or tax map numbers indicated below have been erroneously or improperly assessed as appears from the certificates of Assessors of the respective towns in which said properties are situated as described below and the procedures as provided in the Real Property Tax Law have been fully complied with; now, therefore, be it

RESOLVED, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated; and

BE IT FURTHER RESOLVED that the amount of such adjustment or refund be charged back to the respective town as provided by law.

Description	Year	Original Tax	Corrected Tax	Chargeback & Refund, if paid
Islip:				

0500-180.00-03.00-027.000	2002/03	$3402.33	$0.00	$3402.33
0500-393.00-02.00-079.000	1997/98	$18,769.22	$0.00	$18,769.22

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1202-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 196 -2005, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 731-2005)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL# 731-2005

KE	EXPLANATION	RPTL SE	LIMITATION

A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

K	Town	Yea	Item N	S.C. Tax Map No.	Origina *-Tax	Corrected *-Tax	Chargebac Refund, if *-Tax Paic
	BROOKHAVEN	03/0	82-13805	200 431 2 10	17,627.62	10,576.57	7,051.05
	BROOKHAVEN	04/0	84-06082	204 9 7 31.2	22,667.82	14,419.36	8,248.46
	BROOKHAVEN	04/0	82-14169	200 431 2 12.	5,345.20	2,672.59	2,672.61
	BROOKHAVEN	04/0	82-13805	200 431 2 10	18,951.10	9,475.56	9,475.54
	BROOKHAVEN	04/0	82-02630	200 476 1 6	30,553.08	12,475.85	18,077.23
	BROOKHAVEN	04/0	80-24360	200 522 1 3	208,019.74	191,608.03	16,411.71
	BROOKHAVEN	04/0	11-22304	200 185 3 35.	21,742.20	18,118.53	3,623.67
A	BROOKHAVEN	04/0	49-21095	200 754 2 14	4,225.12	560.66	3,664.46
C	BROOKHAVEN	04/0	80-25495	200 395 2 5	24,773.04	3,523.93	21,249.11
A	BROOKHAVEN	04/0	58-70297	200 394 1 28.	7,529.58	3,739.69	3,789.89
C	BROOKHAVEN	04/0	55-03941	200 393 1 14.	3,542.61	447.19	3,095.42
C	BROOKHAVEN	04/0	60-03360	200 533 4 32	5,276.65	219.36	5,057.29
A	BROOKHAVEN	04/0	87-32006	200 239 1 1.3	11,981.85	4,792.74	7,189.11
A	BROOKHAVEN	04/0	87-05700	200 160 7 22	8,548.32	2,061.96	6,486.36
A	BROOKHAVEN	04/0	86-19717	200 176 3 1.2	13,412.83	7,400.11	6,012.72
C	BROOKHAVEN	04/0	80-13981	200 762 2 19.	56,060.32	3,024.45	53,035.87
A	BROOKHAVEN	04/0	85-27883	200 944 4 29.	14,644.62	11,000.34	3,644.28
A	BROOKHAVEN	04/0	67-06088	200 835 1 6	27,271.91	10,865.30	16,406.61
	BROOKHAVEN	04/05	87-00926	200 207 6 8.2	40,093.58	22,223.28	17,870.03

*As Provided and Requested By Town Assessor or Receiver of Taxes

DATED: April 5, 2005

APPROVED BY:

/s/Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1203-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 197 -2005, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE - BACKS ON REAL PROPERTY
CORRECTION OF ERRORS BY: COUNTY

LEGISLATURE (CONTROL # 732-2005)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#732-2005

KE	EXPLANATION	RPTL SE	LIMITATION
A	Clerical Error	556	3 years

B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

K	Town	Yea	Item N	S.C. Tax Map No.	Origina *-Tax	Correcte *-Tax	Chargeba Refund, i *-Tax Pai
A	BROOKHAVEN	04/0	60-46970	200 515 1 9	12,064.77	5,418.17	6,646.60
A	BROOKHAVEN	04/0	60-47030	200 515 1 8	15,991.27	7,096.26	8,895.01
A	BROOKHAVEN	04/0	80-25969	200 474 1 3.13	754,115.67	577,920.42	176,195.25
A	BROOKHAVEN	04/0	61-08400	200 514 5 13	19,742.31	9,561.85	10,180.46
A	BROOKHAVEN	04/0	86-19800	200 110 3 13	208,912.32	143,627.22	65,285.10
A	BROOKHAVEN	04/0	82-01893	200 452 1 1	564,977.38	466,927.45	98,049.93
A	BROOKHAVEN	04/0	83-12565	200 97770 1 13.	191,097.24	122,645.79	68,451.45
A	BROOKHAVEN	04/0	87-22305	200 101 3 5.1	599,441.50	425,432.20	174,009.30
A	BROOKHAVEN	04/0	85-41410	200 686 2 4	161,805.69	128,975.55	32,830.14
A	BROOKHAVEN	04/0	36-34732	200 740 1 5.14	56,911.24	33,808.65	23,102.59
A	BROOKHAVEN	04/0	83-12910	204 9 5 26	108,918.56	45,992.20	62,926.36
A	BROOKHAVEN	04/0	13-29950	200 98 7 9	35,822.85	27,953.75	7,869.10
A	BROOKHAVEN	04/0	31-22130	200 97760 2 8	171,772.80	108,002.16	63,770.64
A	BROOKHAVEN	04/0	28-15814	200 699 2 14.2	347,758.50	296,278.85	51,479.65
A	BROOKHAVEN	04/0	86-21290	200 110 3 10.4	39,171.06	26,114.04	13,057.02
A	BROOKHAVEN	04/0	38-31035	200 97660 1 1.1	12,777.33	8,818.31	3,959.02
A	BROOKHAVEN	04/0	82-02192	200 476 2 34.1	16,549.61	8,656.71	7,892.90
A	BROOKHAVEN	04/0	48-03280	200 937 3 26	6,191.61	1,401.42	4,790.19
A	BROOKHAVEN	04/05	47-04990	200 855 4 2.2	9,450.82	4,701.66	4,749.16
A	BROOKHAVEN	04/05	82-20586	200 611 3 18	35,810.10	29,125.56	6,684.54

*As Provided and Requested By Town Assessor or Receiver of Taxes

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1204-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 198 –2005,TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY

CORRECTION OF ERRORS BY: COUNTY
LEGISLATURE (CONTROL #730-2005)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County tax map number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

BE IT RESOLVED, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

BE IT FURTHER RESOLVED, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO. CONTROL#730-2005

KE	EXPLANATION	RPTL SE	LIMITATION
A	Clerical Error	556	3 years

B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

(A/B - Chapter 634 Laws 1976) (C - Chapter 124 Laws 1975)

K	Town	Yea	Item N	S.C. Tax Map No.	Origina *-Tax	Correcte *-Tax	Chargebac Refund, if *-Tax Paic
A	HUNTINGTON	04/0	N/A	400 158 1 22	9705.92	3701.54	6004.38
A	HUNTINGTON	04/0	N/A	400 136 1 4	108,534.02	17,967.44	90,566.58
C	HUNTINGTON	04/0	N/A	400 43 4 16	9283.70	4372.27	4911.43
A	HUNTINGTON	04/0	N/A	400 103 2 20	7481.22	2476.31	5004.91
A	RIVERHEAD	04/0	N/A	600 42 1 21	10,451.82	5240.53	5211.29
C	RIVERHEAD	04/0	N/A	600 58 2 1.6	9040.87	1789.21	7251.66
A	RIVERHEAD	04/0	N/A	600 20 3 7.2	9510.21	4490.16	5020.05
A	SOUTHOLD	04/0	N/A	1000 9 7 11.1	11,031.23	1993.60	9037.63
A	SOUTHOLD	04/0	N/A	1000 122 7 6.8	12,023.96	8431.31	3592.65
A	SOUTHOLD	04/0	N/A	1000 122 6 29.1	21,138.87	17,938.95	3199.92
A	SOUTHOLD	04/0	N/A	1000 55 2 20	14,245.64	9439.89	4805.75
A	SOUTHOLD	04/0	N/A	1000 45 6 6	11,120.42	6186.71	4933.71
A	SOUTHOLD	04/0	N/A	1000 100 2 5.5	15,737.91	223.13	15,514.78
A	SOUTHOLD	04/0	N/A	1000 86 1 4.2	13,373.96	9795.05	3578.91

*As Provided and Requested By Town Assessor or Receiver of Taxes

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1256-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 199 -2005, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE STATE UNIVERSITY OF NEW YORK AT FARMINGDALE FOR A NATIONAL SCIENCE FOUNDATION COURSE, CURRICULUM AND LABORATORY IMPROVEMENT (CCLI) PROGRAM 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has submitted a proposal to the State University of New York at Farmingdale, in the amount of $25,134, including indirect costs, to establish a collaboration between the two institutions for a Course, Curriculum and Laboratory Improvement (CCLI) Program entitled "Developing a Mathematics Curriculum to Serve the Biosciences: The First Step", funded by the National Science Foundation, for the period of February 1, 2005 through August 31, 2007; and

WHEREAS, upon award of the grant, the State University of New York at Farmingdale will enter into a subcontract agreement with Suffolk County Community College, in the amount of $25,134, including indirect costs, for the grant award period; and

WHEREAS, the program will provide funds for the development of mathematics courses that serve the specific needs of the biological sciences and increase the extent to which mathematics is used in biology courses; and

WHEREAS, no matching funds are required; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant proposal on January 20, 2005 by Resolution No. 2005.5; and

WHEREAS, the College anticipates spending the $25,134, including indirect costs, in accordance with the terms of said grant, if funded, before August 31, 2007; now therefore be it

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR and; be it further

RESOLVED, that said grant is subject to the award by the funding source; and be it further

RESOLVED, that upon receipt of the executed subcontract agreement, the College shall provide a copy of the document, including the final dollar amount to the County Executive's Budget Office; and be it further

RESOLVED, that said grant proposal to the State University of New York at Farmingdale for a National Science Foundation Course, Curriculum and Laboratory Improvement (CCLI) Program, in the amount of $25,134, including $1,714 in indirect costs, be accepted, and contingent upon the awarding of the grant, $23,420 to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
Federal Aid: Math in Biosciences: 818-4235	$ 25,134

APPROPRIATIONS:	AMOUNT:
Math in Biosciences: 818-GRT-GA32	$ 23,420

Suffolk County Community College
Developing a Mathematics Curriculum to Serve the Biosciences: The First Step
818-GRT-GA32

1000-Personal Services	$ 16,452
1160-Part-time Instructor - Day	10,404
1580-Full-time Overload - Summer	6,048
4500-Contracted Services	$ 4,500
4560-Fees for Services, Non-Employees	4,500
8000-Employee Benefits	$ 2,468
8160-TIAA/CREF Retirement	1,110
8330-Social Security	1,259
8350-Unemployment Insurance	99

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1257-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 200 -2005, ACCEPTING AND APPROPRIATING A

LEGISLATIVE GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK, FOR A YOUTH ENTREPRENEURIAL SUMMER CAMP PROGRAM 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a Legislative grant award from the State University of New York, in the amount of $15,000, for a Youth Entrepreneurial Summer Camp program for the period of April 1, 2004 through August 31, 2005; and

WHEREAS, the Legislative grant provides for an entrepreneurial summer youth camp to be located on the Brentwood and Riverhead campuses of Suffolk County Community College where students can focus on improving their academic, business, technology, and life skills; and

WHEREAS, no matching funds are required as the program is 100% reimbursed by State funds; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the Legislative grant award on January 20, 2005 by Resolution No. 2005.4; and

WHEREAS, the College anticipates spending the $15,000, in accordance with the terms of said Legislative grant award by August 31, 2005; now therefore be it

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR; and, be it further

RESOLVED, that said Legislative grant award from the State University of New York, for a Youth Entrepreneurial Summer Camp program, in the amount of $15,000, be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
State Aid: Youth Entrepreneurial Summer Camp: 818-3261	$ 15,000

APPROPRIATIONS:	AMOUNT:
Youth Entrepreneurial Summer Camp: 818-GRT-GT30	$ 15,000

Suffolk County Community College
Youth Entrepreneurial Summer Camp
818-GRT-GT30

4700-Miscellaneous	$ 15,000
4770-Special Services	15,000

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1255-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 201 -2005, AMENDING THE 2005 ADOPTED BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FOR CATHOLIC CHARITIES AND PEDERSON-KRAG FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY MENTAL HYGIENE SERVICES

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded 100% state aid in the amount of $33,000 for enhanced vocational services to two contract agencies; and

WHEREAS, the Division of Community Mental Hygiene Services and the New York State Office of Alcoholism and Substance Abuse Services desires to allocate this 100% state aid to Catholic Charities Alcohol Clinic and Pederson-Krag Alcohol Clinic; and

WHEREAS, this unallocated additional 100% state aid is not currently included in the 2005 Adopted Suffolk County Budget; now therefore be it

RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate this additional 100% State aid funding as follows:

REVENUES

001-3491 State Aid: Alcoholism $3

ORGANIZATIONS

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
001-HSV-4320

		2005 Adop	2005 Modifi	Change
AET2	Catholic Charities-Alcohol Clinic	$481,918	$498,418	+$16,500
ANL7	Pederson-Krag-Alcohol Clinic	$767,150	$783,650	+$16,50

and be it further

RESOLVED, that the County Executive be and hereby is authorized to execute contracts with Catholic Charities, and Pederson-Krag; and be it further

RESOLVED, that the Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR and; be it further

RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is MH01.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1254-2005 *Laid on Table 3/15/2005*
Introduced by the Presiding Officer on request County Executive Steve Levy

RESOLUTION NO. 202 -2005, ACCEPTING AND APPROPRIATING AN ADDITIONAL $386,522 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO FUND THE PROJECT IMPACT PROGRAM IN THE OFFICE OF THE DISTRICT ATTORNEY AND THE DEPARTMENTS OF POLICE, HEALTH SERVICES AND PROBATION WITH 100% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has awarded a grant to the Suffolk County District Attorney's Office, the Suffolk County Probation Department, the Suffolk County Police Department, and the Suffolk County Department of Health Services in the amount of $637,860 to address prosecution of violent crime and narcotics related crime in targeted areas within Suffolk County; and

WHEREAS, the period of said grant shall be from January 1, 2004 through December 31, 2005; and

WHEREAS, $251,338 has already been included in the District Attorney's 2005 Adopted Budget; and

WHEREAS, $386,522 of said grant funds have not been included in the 2005 County Adopted Budget; and

WHEREAS, of this $386,522, $38,305 shall be used to offset expenses already included in the 2005 County Adopted Budget; now, therefore, be it

RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said additional grant funds in the amount of $386,522, including $38,305 already included in the 2005 Adopted Operating Budget as follows:

REVENUES:	AMOUNT
001-4320: Federal Aid Crime Control	$227,057
001-3321: State Aid Criminal Justice Services	159,465

ORGANIZATIONS:

District Attorney (DIS)
Project Impact
001-DIS-1167

1000-Personal Services	$ 41,283
1120 - Overtime	41,283
4000-Contractual Expenses	$75,744
4020 - Light, Power & Water	5,040
4410 - Rent: Offices & Buildings	70,704

Department of Health Services (HSV)
Project Impact
001-HSV-4730

1000-Personal Services	$ 7,500
1120 - Overtime	7,500

Police Department (POL)
Project Impact
001-POL-3225

1000-Personal Services	$ 65,986
1120 - Overtime	65,986
4000-Contractual Expenses	$128,090
4770 - Special Services	128,090

Probation Department (PRO)
Project Impact
001-PRO-3181

3000-Supplies, Material & Other Exp	$ 5,340	
3520 - Rent: Automobiles		5,340

Employee Benefits (EMP)
Retirement
001-EMP-9010

8000-Employee Benefits	$ 15,494	
8280 - State Retirement		15,494

Employee Benefits (EMP)
Social Security
001-EMP-9030

8000-Employee Benefits	$ 8,780	
8280 - Social Security		8,780

and be it further

RESOLVED, that the County Executive be and is hereby authorized to execute related agreements; and be it further

RESOLVED, that the Reporting Category for the County Integrated Financial Management System for the District Attorney is DA02, for the Department of Health Services is H233, for the Police Department is P125, and for the Probation Department is PR51; and be it further

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 11, 1005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1258-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 203 -2005, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 861-2004

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 861-2004; and

WHEREAS, this Resolution when adopted contained a technical error; and

WHEREAS, the County Executive and the Presiding Officer desire a technical correction to this resolution; now, therefore, be it

RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 861-2004

In the first RESOLVED paragraph **delete** *for back taxes*.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1259-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 204 -2005, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NOS. 862 - 2004 & 863-2004

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution Nos. 862-2004 & 863-2004; and

WHEREAS, these Resolutions when adopted contained a technical error; and

WHEREAS, the County Executive and the Presiding Officer desire a technical correction to these resolutions; now, therefore, be it

RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution Nos. 862-2004 and 863-2004

In the first WHEREAS clause **delete** *of vacant land*.

In the first RESOLVED paragraph **delete** *for back taxes*.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1287-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 205 -2005, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 650-2004

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 650-2004; and

WHEREAS, this resolution when adopted contained technical error; and

WHEREAS, the County Executive desires a technical correction to this resolution; now, therefore, be it

RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 650-2004

In the fourth RESOLVED paragraph change the Project Number:

FROM:	**TO:**
Ref- 525-CP #5065.110	**525-CAP-5065.111**

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1329-2005 Laid on Table 3/15/2005
Introduced by Presiding Officer Caracappa

RESOLUTION NO. 206 -2005, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO RESOLUTION NO. 1020-2004

WHEREAS, Omnibus Budget Amending Resolution No. 1020-2004, Schedule A item D075, included $5,000 for Centereach Fire District Defibrillator Program; and

WHEREAS, the name of the aforementioned agency in this resolution is incorrect and must be changed to enable the funding allocated to be used for the intended purposes; now, therefore be it

1st RESOLVED, the name of the agency is hereby corrected and changed from Centereach Fire District Defibrillator Program to Centereach Fire Department Defibrillator Program.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1052-2005 Laid on Table 1/25/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 207 - 2005, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 DANIELLE BANKS (0100-168.00-01.00-040.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements

thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 168.00, Block 01.00 Lot 040.000 and acquired by Tax Deed on October 27, 2000 from John C. Cochrane the County Treasurer of Suffolk County, New York, and recorded on November 2, 2000 in Liber 12082 at Page 202 and described as follows, Town of Babylon, School District 06, N x now or formerly Wingfield, E x now or formerly Banks, S x Dixon Avenue, W x now or formerly Fowler; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Danielle Banks, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,000. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,000, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of $2,000, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further,

RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to

said Danielle Banks, 138 Dixon Avenue, Amityville, New York 11701.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1053-2005 Laid on Table 1/25/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 208 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT FERN E. HALL, as Administratrix of the Estate of Howard Squires, Surviving Tenant by the Entirety (0102-002.00-02.00-105.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 002.00, Block 02.00, Lot 105.000, and acquired by tax deed on January 13, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 14, 2003, in Liber 12230, at Page 319, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Filed Map 215 Lots 1311, 1312 & 1313; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on January 13, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 14, 2003 in Liber 12230 at Page 319.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, FERN E. HALL has made application for the acquisition of said above described parcel and FERN E. HALL has paid the application fee and $7,664.60, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2003 and $2,000.00 as full payment, to present date, for License Agreement fees of the premises; now, be it therefore

RESOLVED, this Legislature, being the State Environmental Quality Review Act

(SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to FERN E. HALL, as Administratrix of the Estate of Howard Squires, Surviving Tenant by the Entirety, 155 Greenwich Street, Apartment W 5-2, Hempstead, New York 11550, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1054-2005 Laid on Table 1/25/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 209 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT SKIDMORE SAMUEL and his wife, MELINDA SAMUEL (0200-976.80-02.00-017.002)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 976.80, Block 02.00, Lot 017.002, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, bounded and described as follows to with Lots 466 to 475

inclusive in Block 14, Mastic Gardens and Map 190 as per a Map filed in Suffolk County Clerk's Office at Riverhead New York, December 29, 1927; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, WASHINGTON MUTUAL HOME LOANS INC., by Christie Spears, Real Estate Tax Specialist Sr., has made application for the acquisition of said above described parcel and WASHINGTON MUTUAL HOME LOANS INC., by Christie Spears, Real Estate Tax Specialist Sr., has paid the application fee and $2,597.55, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to SKIDMORE SAMUEL and his wife, MELINDA SAMUEL, 196 Washington Avenue, Mastic Beach, New York 11951, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1055-2005 Laid on Table 1/25/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 210 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ANGELO PRESTI and DOROTHY PRESTI, his wife
(0400-180.00-01.00-095.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 180.00, Block 01.00, Lot 095.000, and acquired by tax deed on April 12, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 14, 2004, in Liber 12313, at Page 646, and otherwise known as and by Town of Huntington, known and designated as Lot 63 on a certain map entitled "Map of Zoranne Gardens, Section No. 2" filed in the Office of the Clerk of the County of Suffolk on October 15, 1956 as Map No. 2640; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 12, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 14, 2004 in Liber 12313 at Page 646.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ANGELO PRESTI and DOROTHY PRESTI, his wife, has made application for the acquisition of said above described parcel and ANGELO PRESTI and DOROTHY PRESTI, his wife, has paid the application fee and $48,470.04, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004 and $4,550.00 as full payment, to present date, for License Agreement fees of the premises; now, be it therefore

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ANGELO PRESTI and DOROTHY PRESTI, his wife, 38 Ramita Lane, Commack, New York 11725, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1056-2005 Laid on Table 1/25/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 211 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT SUSAN MEYER (0500-330.00-04.00-068.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 330.00, Block 04.00, Lot 068.000, and acquired by tax deed on December 14, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 21, 2000, in Liber 12092, at Page 201, and otherwise known as and by Town of Islip, known and designated as P/O Lot 17 on a certain map entitled "Map of Annie M. Pausewang" filed in the Office of the Clerk of the County of Suffolk on October 1, 1920 as Map No. 746; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on December 14, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 21, 2000 in Liber 12092 at Page 201.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SUSAN MEYER has made application for the acquisition of said above described parcel and SUSAN MEYER has paid the application fee and $10,141.31, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action

constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to SUSAN MEYER, 333 Candee Avenue, 8-G, Sayville, New York 11782, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1173-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 212 –2005, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JANICE GRIBBIN (0200-824.00-06.00-051.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 824.00, Block 06.00 Lot 051.000 and acquired by Tax Deed on July 21,1997 from John C. Cochrane the County Treasurer of Suffolk County, New York, and recorded on August 6,1997 in Liber 11844 at Page 842 and described as follows, Town of Brookhaven, Lakeview Park Map No. 653, Sec Pl A, Lots 45 & 46, filed in the Office of the Clerk of Suffolk County on March 29,1911; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, **Janice Gribbin**, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $12,000. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $12,000, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of $12,000, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further,

RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Janice Gribbin, 24 Franklin Avenue, Mastic, New York 11950.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by

Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1197-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 213 –2005, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 GIOVANNI ALIPERTI and TERESA ALIPERTI, his wife (0800-166.00-01.00-039.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 166.00, Block 01.00 Lot 039.000 and acquired by Tax Deed on May 16,1997 from John C. Cochrane the County Treasurer of Suffolk County, New York, and recorded on May 23,1997 in Liber 11832 at Page 319 and described as follows, Town of Smithtown, Ronkonkoma Estates Map 252, S Pt Lot 94, filed in the Office of the Clerk of Suffolk County on June 21,1926; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Giovanni Aliperti and Teresa Aliperti, his wife, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,600. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,500, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of $2,600, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be

merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Giovanni and Teresa Aliperti, 11 Francis Street, Nesconset, New York 11767.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1198-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 214 –2005, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 VINCENT F. COLETTA and SUSAN D. COLETTA, his wife (0500-087.00- 002.00-030.001)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 087.00, Block 02.00 Lot 030.001 and acquired by Tax Deed on July 15,1998 from John C. Cochrane the County Treasurer of Suffolk County, New York, and recorded on July 22,1998 in Liber 11906 at Page 324 and described as follows, Town of Islip, N x now or formerly Frank A. & Roselyn Bryant, E x now or formerly Vincent F. and Susan D. Coletta, S x Dougherty Ave., W x now or formerly James J. & Diane E. Peterson; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining

property owner; and

WHEREAS, **Vincent F. Coletta and Susan D. Coletta, his wife**, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,000. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,000, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of $2,000, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

RESOLVED, Director Patricia B. Zielenski, and/or her designee hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Vincent F. Coletta and Susan D. Coletta, 167 Dougherty Avenue, Holbrook, New York 11741.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No.1199-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 215 –2005, SALE OF COUNTY- OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 SANTOS LOVOS (0500-094.00-03.00-125.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 094.00, Block 03.00 Lot 125.000 and acquired by Tax Deed on June 5,1997 from John C. Cochrane the County Treasurer of Suffolk County, New York, and recorded on June 16,1997 in Liber 11835 at Page 668 and described as follows, Town of Islip, N x now or formerly Rosa Funes, Maria Funes & Jose Gonzalez, E x Jefferson Avenue, S x now or formerly Theodore Chavis & Rose Marie Williams, W x now or formerly Santos Lovos; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Santos Lovos, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $8,300. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $8,200, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of $8,300, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action

constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Santos Lovos, 360 Hancock Street, Brentwood, New York 11717.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1205-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 216 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT HOUSE OF HOPE RESOURCE CENTER, INC. (0100-053.00-01.00-047.001)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 053.00, Block 01.00, Lot 047.001, and acquired by tax deed on June 16, 2004, from

John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 24, 2004, in Liber 12326, at Page 758, and otherwise known as and by Town of Babylon, known and designated as Lots 9-12 Incl. in Block 50 on a certain map entitled "Map Number 28 of Property of New York and Brooklyn Suburban Investment Company of New York" filed in the Office of the Clerk of the County of Suffolk on June 1, 1892 as Map No. 44; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 24, 2004 in Liber 12326 at Page 758.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, HOUSE OF HOPE RESOURCE CENTER, INC., by Charles Bond, President, has made application for the acquisition of said above described parcel and HOUSE OF HOPE RESOURCE CENTER, INC., has paid the application fee and $3,342.14, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to HOUSE OF HOPE RESOURCE CENTER, INC., 20 Russell Court, Copiague, New York 11725, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by

Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1206-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 217 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT HOWARD TAYLOR (0100-055.00-03.00-048.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 055.00, Block 03.00, Lot 048.000, and acquired by tax deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004, in Liber 12331, at Page 144, and otherwise known as and by Town of Babylon, known and designated at Lots 27 & 28 in Block 49 on a certain map entitled "Map of Colonial Springs" filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004 in Liber 12331 at Page 144.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, HOWARD TAYLOR has made application for the acquisition of said above described parcel and HOWARD TAYLOR has paid the application fee and $857.89, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to HOWARD TAYLOR, 7 Ash Place, Wyandanch, New York 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1207-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 218-2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES FUNDERBURKE (0100-058.00-04.00-078.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 058.00, Block 04.00, Lot 078.000, and acquired by tax deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004, in Liber 12331, at Page 144, and otherwise known as and by Town of Babylon, known and designated as Lots 26 and 27 in Block 30 on a certain map entitled "Map of Colonial Springs" filed in the Office of the Clerk of the County of Suffolk on March 18, 1917 as Map No. 223; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004 in Liber 12331 at Page 144.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, CHARLES FUNDERBURKE has made application for the acquisition of said above described parcel and CHARLES FUNDERBURKE has paid the application fee and $767.76, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and

management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES FUNDERBURKE, 10321 Dickson Lane, Charlotte, North Carolina 28262, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1208-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 219 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-012.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 012.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Sch Dist 01 N-Watts E-Watts S-Watts W-Fire Island Ave; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and $7,716.26, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1209-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 220 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-016.001)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 016.001, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and corrected by Correction Tax Deed on July 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2003, in Liber 12261, at Page 335, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Sch Dist 01 N-Marina E-ROW S-F I Ave W-Marina; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584, and corrected by Correction Tax Deed on July 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2003, in Liber 12261, at Page 335.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and $10,999.99, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1210-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 221 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-038.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 038.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Filed Map 798 Sec 2 Lot 1933 & 1934; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and 4,074.90, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004 and $1,750.00 as full payment, to present date, for License Agreement fees of the premises; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or

continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1211-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 222 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-039.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 039.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Filed Map 798 Sec 2 Lot 1931 & 1932; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and $29,130.18, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004 and $2,100.00 as full payment, to present date, for License Agreement fees of the premises; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1212-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 223 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-040.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 040.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Filed Map 798 Sec 2 Lot 1930; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and $2,275.57, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004 and $1,400.00 as full payment, to present date, for License Agreement fees of the premises; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1213-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 224 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KESWICK REAL ESTATE, LLC (0102-019.00-03.00-041.001)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 019.00, Block 03.00, Lot 041.001, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, Filed Map 798 Sec 2 Lots 1928, 1929 and 1935-1939 Inc; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has made application for the acquisition of said above described parcel and KESWICK REAL ESTATE, LLC, by Fredrick Oliveri, Vice President, has paid the application fee and $216,766.31, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004 and $42,800.00 as full payment, to present date, for License Agreement fees of the premises; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KESWICK REAL ESTATE, LLC, 31 Oak Street, Suite 1, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1214-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 225 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ROY L. BRISTER and KAREN B. TRACHTMAN, as Trustees of the Trust, under Article Fourth (B) of the Will of Esther B. Brister, deceased (0200-086.00-02.00-009.004)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 086.00, Block 02.00, Lot 009.004, and acquired by tax deed on August 26, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, bounded N x now or formerly McAvoy Cynthia L & Christopher P; W x now or formerly Rice Pamela D & George F, and Baumgart Stephen & Lucia B, and Bethin James R and Christina Y; S x now or formerly Barstow Kubecka Cathy; E x Higwood Road; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 26, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, KAREN B. TRACHTMAN, Trustee with Power of Attorney, has made application for the acquisition of said above described parcel and KAREN B. TRACHTMAN, Trustee with Power of Attorney, has paid the application fee and $2,467.70, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2005; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROY L. BRISTER and KAREN B. TRACHTMAN, as Trustees of the Trust, under Article Fourth (B) of the Will of Esther B. Brister, deceased, c/o Karen B. Trachtman, 26 Schermerhorn Street, Brooklyn, New York 11201, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1215-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 226 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DARLENE MURCH, Administratrix of the Estate of James H. Schlosser (0200-632.00-08.00-047.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 632.00, Block 08.00, Lot 047.000, and acquired by tax deed on June 24, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2004, in Liber 12330, at Page 857, and otherwise known as and by Town of Brookhaven, County of Suffolk, and State of New York, known and designated as Lot No. 451, as shown on a certain map entitled, "Map of Eagle Estates, Section 6" filed in the Suffolk County Clerk's Office on May 26, 1961 as Map No. 3352; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 24, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2004 in Liber 12330 at Page 857.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, DARLENE MURCH, Administratrix of the Estate of James H. Schlosser, has made application for the acquisition of said above described parcel and DARLENE MURCH, Administratrix of the Estate of James H. Schlosser, has paid the application fee and $15,408.77, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DARLENE MURCH, Administratrix of the Estate of James H. Schlosser, 73 Woodbine Street, Attleboro, Massachusetts 02703, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1216-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 227 -2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MICHAEL MEYER and EMMANUEL TERMINI (0200-773.00-04.00-027.004)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 773.00, Block 04.00, Lot 027.004, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as part of Lot 37, part of Lot 18 and part of Oak Street on a certain map entitled, "Map of O. L. Schwencke Land and Investment Co." and filed in the Suffolk County Clerk's Office on 12/11/1901 as Map No. 587; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, MICHAEL MEYER has made application for the acquisition of said above described parcel and MICHAEL MEYER has paid the application fee and $8,235.38, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption

of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MICHAEL MEYER and EMMANUEL TERMINI, 238 Oak Street, Medford, New York 11763, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1217-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 228 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT SALVATORE P. ORLANDO, Surviving Tenant by the Entirety (0200-879.00-04.00-028.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 879.00, Block 04.00, Lot 028.000, and acquired by tax deed on March 28, 2001, from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on March 29, 2001, in Liber 12110, at Page 677, and otherwise known as and by Town of Brookhaven, Plan of Tangier Map 600 Sec A B93 Lot 2; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax

Deed on March 28, 2001, from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on March 29, 2001 in Liber 12110 at Page 677.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SALVATORE ORLANDO has made application for the acquisition of said above described parcel and SALVATORE ORLANDO has paid the application fee and $58,826.26, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2005; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to SALVATORE P. ORLANDO, Surviving Tenant by the Entirety, 12 Holly Lane, Shirley, New York 11967, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1218-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 229 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT

JUDITH C. HOLLIDAY & RAYMOND HOLLIDAY
(0204-017.00-06.00-012.003)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0204, Section 017.00, Block 06.00, Lot 012.003, and acquired by tax deed on November 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 18, 2004, in Liber 12355, at Page 756, and otherwise known as and by lying and being in the Incorporated Village of Patchogue, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 9 to 12 inclusive, on a certain map entitled, "Map of Thorburn Property" and filed in the Office of the Clerk of the County of Suffolk on June 28, 1926 as Map No. 810; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on November 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 18, 2004 in Liber 12355 at Page 756.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JUDITH C. HOLLIDAY & RAYMOND HOLLIDAY have made application for the acquisition of said above described parcel and JUDITH C. HOLLIDAY & RAYMOND HOLLIDAY have paid the application fee and $2,776.65, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JUDITH C. HOLLIDAY & RAYMOND HOLLIDAY, 24 Thorburn Avenue, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1219-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 230 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ROSANNE NACINOVICH (0208-018.00-03.00-012.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0208, Section 018.00, Block 03.00, Lot 012.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by lying and being in the Incorporated Village of Lake Grove, Town of Brookhaven, bounded N x now or formerly McNeill Jean L; bounded W x now or formerly Slovitsky Michael and Underdown Kathryn; bounded S x Washburn Street; bounded E x Birch Ct; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ROSANNE NACINOVICH has made application for the acquisition of said above described parcel and ROSANNE NACINOVICH has paid the application fee and $485.45, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted

thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROSANNE NACINOVICH, 145-52 9th Avenue, Whitestone, New York 11357, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1220-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 231 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ANN E. BOSS, as Surviving Tenant by the Entirety (0500-154.00-05.00-052.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 154.00, Block 05.00, Lot 052.000, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, known and designated as Unit 492 in Building 2-S on a certain map entitled "Woodgate Village Westwood at Parkland Condominium Section No. 2" filed in the Office of the Clerk of the County of Suffolk on May 23, 1973 as Condominium Map No. 20, together with a .2217% interest as tenant in common in the common elements of the Condominium; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ANN BOSS a/k/a ANN E. BOSS has made application for the acquisition of said above described parcel and ANN BOSS a/k/a ANN E. BOSS has paid the application fee and $11,880.27, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2004; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ANN E. BOSS, as Surviving Tenant by the Entirety, 21 Wade Drive, Lake Grove, New York 11755, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1221-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 232 –2005, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOHN MANNINO a/k/a GIOVANNI MANNINO and CATERINA MANNINO, his wife (0500-255.00-01.00-495.201 n/k/a 0500-255.00-01.00-028.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 255.00, Block 01.00, Lot 495.201 n/k/a District 0500, Section 255.00, Block 01.00, Lot 028.000, and acquired by tax deed on June 7, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 8, 2004, in Liber 12323, at Page 765, and otherwise known as and by Town of Islip, known and designated as P/O Lot 57 on a certain map entitled "Map of Oakdale Estates" filed in the Office of the Clerk of the County of Suffolk on November 27, 1945 as Map No. 1458; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 7, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 8, 2004 in Liber 12323 at Page 765.

WHEREAS, in accordance with Suffolk County Local Law 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOHN MANNINO and CATERINA MANNINO, his wife, has made application for the acquisition of said above described parcel and JOHN MANNINO and CATERINA MANNINO, his wife, has paid the application fee and $31,335.42, as payment of taxes, penalties, and interest, due the County of Suffolk pursuant to said Local Law, by applicant, through November 30, 2005 and $4,000.00 as full payment, to present date, for License Agreement fees of the premises; now, therefore be it

RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

RESOLVED, that Director Patricia B. Zielenski and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN MANNINO a/k/a GIOVANNI

MANNINO and CATERINA MANNINO, his wife, 740 Sycamore Avenue, Bohemia, New York 11716, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1303-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 233 -2005, AUTHORIZING A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK IN PROPERTY DESIGNATED AS TOWN OF BROOKHAVEN, SUFFOLK COUNTY TAX MAP NO. 0200-928.00-04.00-016.000 PURSUANT TO SECTION 40-D OF THE SUFFOLK COUNTY TAX ACT

WHEREAS, a parcel of property lying, situate and being in the Town of Brookhaven, designated as Suffolk County Tax Map Number 0200-928.00-04.00-016.000, known as NY & Bklyn Sub Inv Map 102/10 B734 N5 Ft 61 62 formerly assessed to Kenneth Jackson Ray; and

WHEREAS, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 0200-928.00-04.00-016.000, by tax deed dated April 24, 2001, and recorded on April 26, 2001 in the Suffolk County Clerk's Office in Liber 12115 at page 235 for unpaid 1996/1997 taxes; and

WHEREAS, it has been determined that due to lack of notice to prior owner, property should not have been taken; now, therefore, be it

RESOLVED, that pursuant to Section 40-C of the Suffolk County Tax Act, after receiving payment in full of all monies due to the County of Suffolk, including but not limited to, accrued taxes, penalties and interest as calculated by the Treasurer of the County of Suffolk, payment has been made to the County of Suffolk, the tax deed to Suffolk County will be canceled pursuant to section 40-D of the Suffolk County Tax Act. Director Patricia B. Zielenski and/or her designee, is authorized to file a certificate of abandonment of Claim of title, which Suffolk County holds pursuant to said tax deed.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 7, 2005

Legislator Viloria-Fisher made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1337-2005 Laid on Table 3/15/2005
Introduced by Legislator Viloria-Fisher

RESOLUTION NO. 234 –2005, DESIGNATING POET LAUREATE FOR SUFFOLK COUNTY

WHEREAS, Resolution No. 658-2002, as amended by Res. Nos. 66-2003 and 402-2004, authorizes the Suffolk County Legislature to annually designate a Poet Laureate for Suffolk County; and

WHEREAS, the Selection Panel has recommended the designation of Dr. Daniel Moran of Shelter Island as the Suffolk County Poet Laureate; now, therefore be it

1st **RESOLVED**, that Dr. Daniel Moran of Shelter Island, NY, is hereby designated as the Suffolk County Poet Laureate for the period of April 1, 2005 through March 30, 2007; and be it further

2nd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1103-2005 ***Laid on Table 2/15/2005***

Introduced by Legislator O'Leary

RESOLUTION NO. 235 –2005, AMENDING THE 2005 OPERATING BUDGET TRANSFERING FUNDS TO THE IGHL FOUNDATION FOR MAINTENANCE OF THE TWA FLIGHT 800 MEMORIAL AT SMITH POINT COUNTY PARK

WHEREAS, the 2005 Operating Budget does not include sufficient funding for maintenance to the TWA Flight 800 Memorial at Smith Point County Park; and

WHEREAS, Resolution 249-1999, which authorizing the erection of a memorial at Smith Point County Park and resolved that, upon completion, the County shall maintain the memorial at the County's expense; and

WHEREAS, $70,000 is required to fund the IGHL Foundation which maintains the TWA Flight 800 Memorial; and

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

1st RESOLVED, that the 2005 Operating Budget be and it hereby is amended as follows to transfer $70,000 to the IGHL Foundation for the maintenance of the TWA Flight 800 Memorial as follows:

FROM:		**Amount**
401-IFT-E525-9600	Transfer to Capital Fund	-$70,000
001-IFT-E401-9600	Transfer to General Capital Reserve Fund	-$70,000
401-IFT-R001	Transfer from General Fund	-$70,000
TO:		
001-PKS-7110-XXXX-4980	IGHL Foundation	+$70,000

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an appropriate pseudo code for the IGHL Foundation; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the IGHL Foundation.

DATED: April 5, 2005

VETOED BY THE COUNTY EXECUTIVE ON APRIL 6, 2005

VETO OVERRIDE ADOPTED ON APRIL 21, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1118-2005 Laid on Table 2/15/2005
Introduced by Legislators Schneiderman, Carpenter, Losquadro, Binder, Bishop, Viloria-Fisher

RESOLUTION NO. 236 –2005, TO PROMOTE EMISSION-FREE ENERGY BY PURCHASING POWER FROM RENEWABLE SOURCES

WHEREAS, the protection of the environment world-wide will depend, in large part, on the ability to utilize renewable resources for power generation; and

WHEREAS, renewable sources such as wind, hydro-electric, biomass or solar energy create less pollution then utilizing fossil fuels; and

WHEREAS, the County of Suffolk has historically been a leader in promoting environmentally-friendly policies to benefit Suffolk residents and businesses; and

WHEREAS, the County of Suffolk purchases its power from the local utility which allows customers to purchase power from specialized “Green Power Marketers”; and

WHEREAS, the purchase of power from these marketers who use renewable generation sources fosters the development of the renewable energy industry in the State of New York; and

WHEREAS, the proliferation of the renewable energy marketers will benefit all residents by making power from emission-free generation cheaper and more available to all; and

WHEREAS, the County of Suffolk wishes to promote these emission-free resources by purchasing power for County buildings from clean, renewable, pollution free power suppliers; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed pursuant to Section C8-2(W) of the Suffolk County Charter to participate in the LIPA Green Choice Program to purchase emission-free, electrical generating capacity, in an amount equal to 5% of the County’s total annual usage, however, the total additional cost of the power purchased under the Green Choice Program shall not exceed $100,000.00 annually when compared to the cost of conventional energy; and be it further

2nd **RESOLVED**, that, to the extent that such power is available through the LIPA Green Choice Program from more then one emission-free, new electrical generating capacity marketer, then the Commissioner of the Department of Public Works is further authorized, empowered, and directed to issue an RFP to purchase such power at the lowest price; and be it further

3rd **RESOLVED**, that any contract or agreement to purchase such emission-free, new electrical generating capacity, shall be for a period of no less then 5 years, and no more then 10 years; and be it further

4th **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No. 1124-2005 Laid on Table 2/15/2005
Introduced by Legislator Carpenter

RESOLUTION NO. 237 –2005, AMENDING THE 2005 OPERATING BUDGET AND TRANSFERRING FUNDS FOR PEDIATRIC CAPABLE AUTOMATIC EXTERNAL DEFIBRILLATORS (AED'S) IN THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, the Food & Drug Administration (FDA) has approved a pediatric modified Automatic External Defibrillator (AED) with cables, a pad and cable adapter that are designed to limit the dose of electricity that is delivered to a pediatric patient; and

WHEREAS, the Suffolk County Police Department has 176 monophasic AED units that are not pediatric equipped units; and

WHEREAS, Medtronic Physio-Control Corporation, the State Contract provider, has agreed to a trade-in program for the Suffolk County Police Department's 176 monophasic AED units that need to be updated to biphasic pediatric capable AED units at a cost of $1,195 each; and

WHEREAS, Medtronic Physio-Control Corporation will supply the proposed 176 AED units with infant/child electrode starter kits at a cost of $97.75 per unit; and

WHEREAS, the terms of the trade-in program offer substantial monetary savings over purchasing the devices at a later time, new technology capable of defibrillating both pediatric and adult patients, new lithium batteries, new carrying cases for each unit; and a 5 year warranty; and

WHEREAS, funds were not included for this purpose in the 2005 operating budget; 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 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

RESOLVED, that the 2005 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and are hereby authorized to transfer the following funds and authorizations:

From:	**Amount**
FD-AG-RORG-XORG- Name-OBJ-Description	
115-EMP-9030-9030 – Employee Benefits – 8330 – Social Security	-$227,524

To:	
FD-AG-RORG-XORG- Name-OBJ-Description	
115-POL-3121-3121 – Police – 2080 – Medical, Dental & Laboratory	+$227,524

and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Suffolk County Police Department's Medtronic trade-in program that will modernize and equip 176 AED's to pediatric capable units that meet the 2005 New York State Department of Health guidelines.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1162-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 238 –2005, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF SOUTHAMPTON FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 139.00, Block 01.00, Lot 022.000, and acquired by tax deed on May 24, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 6,2000, in Liber 12046, CP 828, CTF # 249 and otherwise known as and by Town of Southampton, N x now or formerly Jenkins, E x Vail Avenue, S x now or formerly Branch, W x now or formerly Cook & Ors.; and

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Southampton, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the transfer of this parcel is pursuant to and in accordance with Local Law 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Planning has approved the use of this parcel for the purposes stated above; now, therefore, be it

RESOLVED, the subject parcel shall be conveyed to the Town of Southampton, Suffolk County, New York for affordable housing use, together with 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 premises.
2. The Town of Southampton shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31,2005, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
3. The Town of Southampton and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

RESOLVED, the subject parcel shall be conveyed to the Town of Southampton, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:
1. Principal residence of owner for a period of 5 years;
2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:
1. Income of tenant limited to 80% of median income based on family size;
2. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
3. Home must meet local building and zoning codes;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
5. Property must remain as an affordable unit for at least 10 years.

RESOLVED, the conveyance of the parcel described to the Town of Southampton for the purposes described herein shall be for the sum of one and 00/100 Dollar (to be waived), plus the pro rata share of the current taxes; and be it further

RESOLVED, that Director Patricia B. Zielenski, or her 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 upon the above-described terms and conditions; and be it further

RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1302-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 239 –2005, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF EAST HAMPTON FOR AFFORDABLE HOUSING PURPOSES (0300-082.00-01.00-019.000)

WHEREAS, the County of Suffolk is the fee owner of certain parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 082.00, Block 01.00, Lot 019.000, and acquired by tax deed on June 1,1994, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 14,1994, in Liber 11681, CP 043 and otherwise known as and by Town of East Hampton, Kingston Park Map 365, Sec 2, Blk 24, Lots 1-4, filed in the Office of the Clerk of Suffolk County on July 8,1912; and

WHEREAS, said parcel is surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of East Hampton, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the Town of East Hampton will be restricted in its use of the subject parcel and will use subject parcel solely and exclusively for the application or transfer of the parcel value to other parcels to achieve desired density for building affordable housing Where after said parcel will be held by the Town of East Hampton as open space or other suitable municipal purposes, with all right title and interest reverting to the County of Suffolk in the event that the Town of East Hampton, at any time, uses or attempts to use said subject parcel for the other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes: and

WHEREAS, the Suffolk County Department of Planning has approved the use of this parcel for the purposes stated above; now, therefore, be it

RESOLVED, the subject parcel shall be conveyed to the Town of East Hampton, Suffolk County, New York for affordable housing use, together with 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 premises.
2. The Town of East Hampton shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2005, outlining the exact and precise use to which the subject premises has been put to.
3. The Town of East Hampton will be restricted in its use of the subject parcel and will use subject parcel solely and exclusively for the application or transfer of the parcel value to other parcels to achieve desired density for building affordable housing Whereafter said parcel will be held by the Town of East Hampton as open space or other suitable municipal purposes, with all right title and interest reverting to the County of Suffolk in the event that the Town of East Hampton, at any time, uses or attempts to use said subject parcel for the other than said aforementioned purposes or attempts to sell, transfer or otherwise dispose of or does in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for said aforementioned purposes; and be it further

RESOLVED, the conveyance of the parcel described to the Town of East Hampton for the purposes described herein shall be for the sum of one and 00/100 Dollar (to be waived), plus the pro rata share of the current taxes; and be it further

RESOLVED, that Director Patricia B. Zielenski, or her 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 upon the above-described terms and conditions.

RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a); and be it further

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

Legislator O'Leary made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 15-3-0-0. Legislators Viloria-Fisher, Lindsay and Bishop voted no.

Intro. Res. No. 1114-2005 Laid on Table 2/15/2005
Introduced by Legislator O'Leary

RESOLUTION NO. 240 -2005, AMENDING THE 2005 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE SUFFOLK COUNTY POLICE DEPARTMENT MASTIC BEACH SUB-STATION

WHEREAS, police substations have proven to be an effective deterrent to criminal activity; and

WHEREAS, police substations have provided efficient, cost effective deployment of police resources in areas where their presence is needed; and

WHEREAS, a police substation located in the area of Neighborhood Road, between Commack Road and Riviera Drive in Mastic Beach, would provide the maximum benefits to an area in need of police presence in a cost effective manner; and

WHEREAS, the 2005 Operating Budget does not provide funding for additional expenses associated with the renovations and rent for the sub-station; 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 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

RESOLVED, that the Adopted 2005 Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the follow funds and authorizations:

FROM:		***AMOUNT***
FD-AG-RORG-XORG-	Name-OBJ-Description	
115-EMP-9080-9080	Employee Benefits – 8380 – Benefit Fund Contribution	- $ 49,905

TO:

FD-AG-RORG-XORG-	Name-OBJ-Description	
115-POL-3121-3650	Repairs: Buildings	+$ 40,905
115-POL-3121-4410	Rent: Offices & Buildings	+$ 9,000

and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Suffolk County Police Department's Mastic Beach substation.

DATED: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 21, 2005

Legislator Alden made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1191-2005 Laid on Table 3/15/2005
Introduced by Legislator Alden, Bishop, Nowick, Montano and Lindsay

RESOLUTION NO. 241 -2005, ADOPTING LOCAL LAW NO. 13 -2005, A LOCAL LAW TO PROTECT CONSUMERS BY REQUIRING FULL DISCLOSURE OF REFUND ANTICIPATION LOAN (RAL) INFORMATION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 23, 2005, a proposed local law entitled, **"A LOCAL LAW TO PROTECT CONSUMERS BY REQUIRING FULL DISCLOSURE OF REFUND ANTICIPATION LOAN (RAL) INFORMATION"**; now, therefore, be it

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

LOCAL LAW NO. 13 -2005, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROTECT CONSUMERS BY REQUIRING FULL DISCLOSURE OF REFUND ANTICIPATION LOAN (RAL) INFORMATION

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 tax preparers and other persons are increasingly offering to consumers “instant refunds”, which essentially allow consumers to obtain what purports to be the proceeds of the consumers’ anticipated tax refunds on an expedited basis.

This Legislature also finds and determines that tax preparers and others who offer such “instant refunds” often do not disclose complete and accurate information to consumers concerning these financial transactions.

This Legislature further finds and determines that the characterization of these financial transactions as “instant refunds” is misleading and that these transactions are instead loans or non-loan type bank products payable against the consumer’s tax refund, which accrue interest, fees and other administrative costs.

This Legislature finds that consumers are often not aware that an “instant refund” being offered by the tax preparer and other persons is, in fact, a loan and/or a non-loan type bank product and that the consumer will be charged substantial fees and interest.

This Legislature determines that many consumers are also not aware that these “instant refunds” may be available to them without the fees, interest or administrative costs charged by the tax preparer or other persons offering these services.

This Legislature also finds that many consumers are under the impression that they are not liable for the full amount of the loan if they do not receive all or part of their tax refund from the Internal Revenue Service (IRS).

This Legislature further finds that the Refund Anticipation Loans drain billions of dollars from the pockets of American consumers; and that tax preparers and facilitators of these transactions often target the working poor who receive the Earned Income Tax Credit (EITC).

Therefore, the purpose of this law is to protect consumers who enter into refund anticipation loan and refund anticipation check (RAC) transactions and to require tax preparers, facilitators, and other persons who offer or facilitate such loans to completely disclose all fees and charges for RALs and RACs facilitated or processed in this County.

Section 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

A.) "Consumer" shall mean any natural person who, singly or jointly with another consumer, is solicited to apply for, applies for, or receives the proceeds of a RAL or RAC.

B.) "Consumer Affairs" shall mean the Suffolk County Office of Consumer Affairs.

C.) "Creditor" shall mean any person who makes a RAL or who takes an assignment of a RAL.

D.) "Director" shall mean the Suffolk County Director of Consumer Affairs.

E.) "Facilitator" shall mean a person who individually or in conjunction or cooperation with another person:

1.) solicits the execution of, processes, receives, or accepts an application or agreement for a RAL and/or RAC, or;

2.) in any other manner substantially assists in the making of a RAL and/or RAC.

F.) "Person" shall mean an individual, firm, partnership, association, corporation or other business entity.

G.) "Refund Anticipation Check" (RAC) shall mean a check or other payment mechanism:

1.) representing the proceeds of the consumer's tax refund less application fees;

2.) which was issued by a depository institution or other person that has or will have received a direct deposit of the consumer's tax refund or tax credits; and

3.) for which the consumer has paid a fee or other consideration for such payment mechanism.

H.) "Refund Anticipation Loan" (RAL) shall mean a loan that is secured by, and that creditor arranged to be repaid directly or indirectly from, the proceeds of the consumer's income tax refund or tax credits and includes the payment of interest, and/or RAL fees by the consumer.

A RAL shall also include any sale, assignment, or purchase of a consumer's tax refund at a discount or for a fee, regardless of whether the consumer is required to repay the buyer or assignee if the Internal Revenue Service denies or reduces the consumer's tax refund.

I.) "Refund Anticipation Loan Fee" shall mean the charges, fees, or other consideration charged or imposed directly or indirectly by the tax preparer, or facilitator for the making of, or in connection with, a RAL. This term includes any charge, fee, or other consideration for a deposit account, if the deposit account is used for receipt of the consumer's tax refund to repay the amount owed on the loan. This term does not include any charge, fee, or other consideration usually charged or imposed by the facilitator or tax preparer, in the ordinary course of business, such as fees for tax return preparation and fees for electronic filing of tax returns, if the same fees in the same amount are customarily charged to the facilitator's customers who do not receive RALs or RACs.

J.) "Tax Preparer" or "Preparer" shall mean a person, who for valuable consideration advises or assists or offers to advise or assist in the preparation of income tax returns for another.

Section 3. Prohibitions.

No person (including any tax preparer, facilitator or other person) may individually or in conjunction or cooperation with another person:

a.) solicit the execution of, process, receive, or accept an application or agreement for a RAL and/or RAC, or

b.) in any other manner facilitate the making of a RAL and/or RAC unless the person has complied with the provisions of this Section.

Section 4. Requirements.

A.) Refund Anticipation Loans.

1.) Any tax preparer or facilitator who advertises the availability of a RAL shall not directly or indirectly represent such a loan as a tax refund. Any advertisement that mentions, refers, relates, discusses and/or describes a RAL, and/or the proceeds of such loan must state explicitly and conspicuously that the monies being referred to, related to, mentioned, discussed, described, and/or offered in such advertisement, are in fact a loan, and not a tax refund, and that a refund anticipation fee and/or interest will be charged by the tax preparer, facilitator, or other person offering or issuing such loan. The advertisement must also disclose the name of the person, lender, tax preparer, creditor, or facilitator providing the RAL and/or RAC.

2.) Before any consumer enters into a RAL and/or RAC transaction, the tax preparer, facilitator, or creditor, as applicable, shall disclose to the consumer the following disclosure in writing in both English and Spanish, and in a form separate from the application, containing a legend, centered in bold, capital letters and 18 point type stating: **NOTICE;** and stating the following language in at least 14 point type:

- **THIS IS A LOAN.**

- **SPECIFICALLY, THIS IS A REFUND ANTICIPATION LOAN.**

- **YOU ARE NOT REQUIRED TO ENTER INTO THIS REFUND ANTICIPATION LOAN AGREEMENT MERELY BECAUSE YOU HAVE RECEIVED THIS INFORMATION.**

- **IF YOU DO SIGN A CONTRACT FOR A REFUND ANTICIPATION LOAN, YOU WILL BE TAKING OUT A LOAN, AND YOU WILL BE RESPONSIBLE FOR REPAYMENT OF THE ENTIRE LOAN AMOUNT AND ALL RELATED COSTS AND FEES, REGARDLESS OF HOW MUCH MONEY YOU ACTUALLY RECEIVE IN YOUR TAX REFUND. IF YOUR TAX REFUND IS LESS THAN EXPECTED, YOU MUST STILL REPAY THE ENTIRE AMOUNT OF THE LOAN.**

- **IF YOU *DO NOT* TAKE OUT THIS REFUND ANTICIPATION LOAN, YOU ARE ELIGIBLE TO RECEIVE A GROSS TAX REFUND OF APPROXIMATELY $ [insert amount].**

- **IF YOU *DO* TAKE OUT THIS REFUND ANTICIPATION LOAN, YOU WILL BE RESPONSIBLE TO PAY $ [insert amount] IN INTEREST AND FEES FOR THE LOAN. AFTER THESE FEES AND INTEREST ARE PAID, YOU WILL RECEIVE APPROXIMATELY $ [insert amount] AS YOUR LOAN.**

- **IF YOUR REFUND IS DELAYED, YOU MAY HAVE TO PAY ADDITIONAL FEES AND INTEREST.**

- **THE ESTIMATED ANNUAL PERCENTAGE RATE OF YOUR REFUND ANTICIPATION LOAN IS [insert amount] %. THIS IS BASED ON THE ESTIMATED AMOUNT OF TIME YOU WILL HAVE BORROWED MONEY THROUGH THIS REFUND ANTICIPATION LOAN.**

- **IF YOU *DO* TAKE OUT THIS REFUND ANTICIPATION LOAN, YOU CAN EXPECT TO RECEIVE YOUR LOAN IN APPROXIMATELY ONE TO TWO DAYS.**

- **IF YOU *DO NOT* TAKE OUT THIS REFUND ANTICIPATION LOAN, YOU CAN STILL RECEIVE YOUR TAX REFUND QUICKLY. IF YOU FILE YOUR TAX RETURN ELECTRONICALLY AND RECEIVE YOUR TAX REFUND THROUGH THE MAIL, YOU CAN EXPECT TO RECEIVE YOUR REFUND IN APPROXIMATELY FIFTEEN TO TWENTY-TWO DAYS. IF YOU FILE YOUR TAX RETURN ELECTRONICALLY AND HAVE YOUR TAX REFUND DIRECTLY DEPOSITED INTO A BANK ACCOUNT, YOU CAN EXPECT TO RECEIVE YOUR REFUND IN APPROXIMATELY EIGHT TO FIFTEEN DAYS.**

3.) In addition, the following disclosure must be made to the consumer in writing in both English and Spanish in connection with the RAC, in a form separate from the RAC, and from the application and containing a legend, centered in bold, capital letters and in 18 point type stating: **NOTICE;** and stating the following language in at least 14-point type:

YOU ARE PAYING [insert the amount of the fee] TO GET YOUR REFUND CHECK THROUGH [insert name of issuer of refund anticipation check]. YOU CAN AVOID THIS FEE AND STILL RECEIVE YOUR REFUND IN EIGHT TO FIFTEEN DAYS BY HAVING THE IRS DEPOSIT YOUR REFUND DIRECTLY INTO YOUR OWN BANK ACCOUNT OR IN FIFTEEN TO TWENTY-TWO DAYS BY HAVING THE IRS MAIL THE CHECK.

4.) All language, figures, etc. to be inserted in subsection 2 and 3 of this Section shall be inserted by the tax preparer, or facilitator, as applicable.

5.) It shall be the obligation of the tax preparer, or facilitator to complete the required disclosure accurately and thoroughly; and to ensure that the completed disclosure form is signed by the consumer before the consumer consummates the RAL and/or RAC transaction.

B.) Posting of Fee Schedule and Disclosures.

1.) Every tax preparer and facilitator who offers RALs and RACs shall display a current fee schedule for RALs and RACs, and for the electronic filing of the consumer's tax return.

2.) Every tax preparer, and/or facilitator who offers RALs and RACs shall also prominently display on each fee schedule:

a.) a legend centered in bold, capital letters, and in one-inch letters stating:

NOTICE CONCERNING REFUND ANTICIPATION LOANS; and

b.) the following verbatim statement in letters of at least 28 point type:

"When you take out a refund anticipation loan, you are borrowing money against your anticipated tax refund. If your tax refund is less than expected, you must still repay the entire amount of the loan, which includes interest and fees. If your refund is delayed, you may have to pay additional costs. Again, these costs may be more than the amount of your tax refund. You can have your tax return filed electronically and your refund directly deposited into your own bank account without obtaining a loan or paying fees for this extra service."

3.) The postings required by this Section shall be made on a document measuring no less than 16 inches by 20 inches. The postings required in

this Section shall be displayed in a prominent location at each office where the tax preparer or facilitator is processing the RALs and/or RACs.

4.) No tax preparer or facilitator may process or cause to be processed a RAL or RAC, unless:

a.) the disclosure required by this Section is displayed; and

b.) the fee actually charged for the RAL or RAC is the same as the fee displayed on the schedule.

Section 5. Penalties.

Any violation under this Section shall be deemed an unfair trade practice and shall be subject to the penalties set forth in Section 249-4 of the SUFFOLK COUNTY CODE.

Section 6. Regulations.

The Director of the Suffolk County Office of Consumer Affairs is hereby authorized and empowered to issue and promulgate such rules and regulations as he or she deems necessary to implement and carry out the provisions of this law.

Section 7. Reverse Preemption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 8. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 9. 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 10. 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) 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. 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 11. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to filing in the Office of the Secretary of State.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
After a Public Hearing duly held on April 19, 2005

Date: April 19, 2005
Filed with the Secretary of State on May 9, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1223-2005 Laid on Table 3/15/2005
Introduced by Legislator Schneiderman

RESOLUTION NO. 242 –2005, APPOINTING MEMBER TO THE EMPIRE ZONE ADMINISTRATIVE BOARD (THOMAS WEBER)

WHEREAS, the New York State Legislature, under provisions of the General Municipal Law, has authorized the establishment of "Economic Development Zones" and "Empire Zone Administrative Boards" in counties throughout New York State and these zones are eligible for certain assistance and incentives to promote businesses and the Boards are designed to oversee the local administration of the zone activities; and

WHEREAS, Local Law No. 14-2003 ratified the designation of an Empire Zone and subzones in Suffolk County and a Zone Administrative Board whose members are to be appointed; now, therefore be it

1st RESOLVED, that Thomas Weber, residing at 227 Oak Avenue, Flanders, New York, 11901, is hereby appointed to serve on the Zone Administrative Board pursuant to Local Law 14-2003 to represent the area of Riverside; and be it further

2nd **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: April 5, 2005

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

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1253-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 243 -2005, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR ALLIANCE OF LONG ISLAND AGENCIES, INC. 68% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE AND 32% REIMBURSED BY ALLIANCE OF LONG ISLAND AGENCIES, INC.

WHEREAS, Suffolk County Community College has received a grant award from the State University of New York, in the amount of $15,000, including indirect costs, for a Community College Workforce Development Training Grants Program for Alliance of Long Island Agencies, Inc. for the period of December 1, 2004 through August 26, 2005; and

WHEREAS, a cash match in the amount of $7,185 provided by Alliance of Long Island Agencies, Inc. will increase the program total to $22,185, including indirect costs; and

WHEREAS, the grant provides for a management career pathway for employees of Alliance of Long Island Agencies, Inc., not-for-profit charitable agencies that provide services to persons with developmental disabilities; and

WHEREAS, in-kind funds for supplies and materials are provided for in the College operating budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award on February 10, 2005 by Resolution No. 2005.21; and

WHEREAS, the College anticipates spending the $22,185, including indirect costs, in accordance with the terms of said grant award by August 26, 2005; now therefore be it

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR ; and be it further

RESOLVED, that said grant award from the State University of New York, for a Community College Workforce Development Training Grants Program for Alliance of Long Island Agencies, Inc., in the amount of $15,000, including $1,597 in indirect costs, be accepted; and be it further

RESOLVED, that a cash match from Alliance of Long Island Agencies, Inc. in the amount of $7,185 be accepted for the operation of the Community College Workforce Development Training Grants Program for Alliance of Long Island Agencies, Inc.; and be it further

RESOLVED, that said program, in the amount of $22,185, including $1,597 in indirect costs, be appropriated for the operation of the project as follows:

REVENUES:	AMOUNT:
State Aid: Alliance of LI Agencies, Inc.: WDT: 818-3258	$ 15,000
Private Aid: WDT- Alliance of LI Agencies, Inc.: 818-2553	$ 7,185

APPROPRIATIONS:	AMOUNT:
WDT: Alliance of Long Island Agencies, Inc.: 818-GRT-GC35	$ 20,588

Suffolk County Community College
Workforce Development Training: Alliance of Long Island Agencies, Inc.
818-GRT-GC35

1000-Personal Services	$10,080
1170-Part-time Instructors-Evening	10,080
3000-Supplies & Materials	$ 9,428
3100-Instructional Supplies	9,428
8000-Employee Benefits	$ 1,080
8100-Teachers' Retirement System	247
8330-Social Security	772
8350-Unemployment Insurance	61

DATED:

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 11, 1005

Legislator Foley made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No. 1272A-2005

BOND RESOLUTION NO. 244 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $150,000 BONDS TO FINANCE A PART OF THE COST OF ENVIRONMENTAL HEALTH AND SAFETY IMPROVEMENTS AT SUFFOLK COMMUNITY COLLEGE (CP 2131)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of environmental health and safety improvements at Suffolk Community College, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $600,000. The plan of financing includes (a) the expenditure of $150,000 State Aid received or to be received from the State of New York, as appropriated pursuant to Bond Resolution No. 197-2004 ($25,000 for planning and $125,000 for construction), (b) the issuance of $150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 197-2004 ($25,000 for planning and $125,000 for construction), (c) the expenditure of $150,000 in additional State Aid received or expected to be received from the State of New York ($25,000 for planning and $125,000 for construction), (d) the issuance of $150,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said

bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to

publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Foley made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No 1272-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 245 –2005, APPROPRIATING FUNDS IN CONNECTION WITH ENVIRONMENTAL HEALTH AND SAFETY – COLLEGE WIDE (CP 2131)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at $34,972,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at $17,486,000; and

WHEREAS, sufficient funds have been included in the 2005 Capital Budget and Program to cover the County's cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $150,000 in Suffolk County Serial Bonds; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; now, therefore be it

RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1), (2) and (27),

since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of 82 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2131.110	Planning for Environmental Health & Safety	30	$25,000
525-CAP-2131.310	Construction for Environmental Health & Safety	30	$125,000

and be it further

RESOLVED, that State Aid be and it hereby is appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2131.110	Planning for Environmental Health & Safety	30	$25,000
525-CAP-2131.310	Construction for Environmental Health & Safety	30	$125,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Nowick made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1277A-2005

BOND RESOLUTION NO. 246 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $75,000 BONDS TO FINANCE A PART OF THE COST OF THE PLANNING FOR REMOVAL OF ARCHITECTURAL BARRIERS/ADA COMPLIANCE (CP 2127)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $75,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for removal of architectural barriers/ADA compliance, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $150,000. The plan of financing includes (a) the expenditure of $75,000 in State Aid expected to be received from the State of New York, (b) the issuance of $75,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Nowick made motion for the following resolution, seconded by Legislator

Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1277-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 247 -2005, APPROPRIATING FUNDS IN CONNECTION WITH REMOVAL OF ARCHITECTURAL BARRIERS/ADA COMPLIANCE (CP 2127)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at $34,972,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at $17,486,000; and

WHEREAS, sufficient funds have been included in the 2005 Capital Budget and Program to cover the County's cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $75,000 in Suffolk County Serial Bonds; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; now, therefore be it

RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(18) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of 60 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the proceeds of $75,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2127.114	Planning for Removal of Architectural	30	$75,000

Barriers/ADA Compliance

and be it further

RESOLVED, that State Aid be and it hereby is appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2127.114	Planning for Removal of Architectural Barriers/ADA Compliance	30	$75,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Nowick made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1278A-2005

BOND RESOLUTION NO. 248 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $32,500 BONDS TO FINANCE A PART OF THE COST OF PLANNING FOR THE REPLACEMENT OF UNSAFE TENNIS COURTS (CP 2170)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $32,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for the replacement of unsafe tennis courts, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $65,000. The plan of financing includes (a) the expenditure of $32,500 in State Aid expected to be received from the State of New York, (b) the issuance of $32,500 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes

on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 15, 2005

Legislator Nowick made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1278-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 249 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF UNSAFE TENNIS COURTS (CP 2170)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at $34,972,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State's share estimated at $17,486,000; and

WHEREAS, sufficient funds have been included in the 2005 Capital Budget and Program to cover the County's cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $32,500 in Suffolk County Serial Bonds; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; now, therefore be it

RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(18) and (27), since it constitutes a local legislative decision in connection with information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of 63 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the proceeds of $32,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2170.110	Planning for Replacement of Unsafe Tennis Courts	30	$32,500

and be it further

RESOLVED, that State Aid be and it hereby is appropriated as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-2170.110	Planning for Replacement of Unsafe Tennis Courts	30	$32,500

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: April 15, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Caracciolo. The resolution was passed 18-0.

Intro. Res. No. 1333-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislators Schneiderman and Nowick

RESOLUTION NO. 250 -2005, AUTHORIZING COUNTY EXECUTIVE TO RENEW THE AIRPORT JOINT USE AGREEMENT WITH THE UNITED STATES OF AMERICA FOR THE NEW YORK AIR NATIONAL GUARD

WHEREAS, the County of Suffolk owns and operates Francis S. Gabreski Airport, a general aviation airport in Westhampton Beach, New York; and

WHEREAS, the Air National Guard leases a portion of the airfield under a Lease Agreement between the County of Suffolk and United States of America; and

WHEREAS, the United States of America requires joint use of the flying facilities and navigational aids at said airport for government aircraft in common with others; now, therefore be it

RESOLVED, that the Suffolk County Executive is hereby authorized to enter into any Agreement with the United States of America; acting through the United States Property and Fiscal Office of New York, for the purpose of delineating responsibilities for operation and maintenance of areas jointly used by the County and the Air National Guard at said airfield; and be it further

RESOLVED, that the Suffolk County Executive is hereby authorized to enter into an Agreement with the United States of America commencing September 30, 2001 and ending September 30, 2009; in substantial accordance with the agreement annexed.

DATED: April 5, 2005

APPROVED:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Lindsay made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1194-2005 Laid on Table 3/15/2005
Introduced by Legislator Lindsay

RESOLUTION NO. 251 -2005, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (PROPERTY LOCATED ON SOUTH SNEDECOR AVENUE, BAYPORT) TOWN OF ISLIP

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for farmland purposes; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 7177, Project Name: "Suffolk County Multifaceted Land Preservation Program"; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Estate, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A");

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. **1**	District	0500	.68996	Lance & Christine Farley
	Section	411.00		40 Main Street
	Block	02.00		Sayville, NY 11782
	Lot	011.001		

This property adjoins on the south part of the Suffolk County wetland preserve on the Great South Bay

and be it further

2nd **RESOLVED,** that the County Department of Planning, Division of Real Estate, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

4th **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) 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 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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

* PRIMARY CRITERIA

A. Special Features or Habitat Enhancements (30 Points)

5–Rare or endangered species, pursuant to Federal or State lists
5–Unique land forms (e.g. Kettle Hole)
5–River, stream, water body, or flood plain
5–Marine or freshwater wetlands or Special Groundwater Protection Area (SGPA) or Critical Environmental Area (CEA)
5–Classified or unique vegetation (i.e. New York State Natural Heritage Program Elements)
5–Special view
5–Multiple in any of the above

B. Size or Shape (30 Points)

15 – Over 50 acres
5 – Between 20 – 50 acres
10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)

C. Proximity or Contiguity to Other Public Open Space (20 Points)

10 – Abutting or adjacent to County land
5 – Abutting or adjacent to other protected land
5 – Strategic parcel associated with further compatible acquisition

D. Greenbelts, Trails, and Public Access (10 Points)
5 – Trail link or public access to shore or water body
5 – Greenbelt link or buffer

SECONDARY CRITERIA

E. Development Pressure (15 Points)
10 – Preliminary development plans filed, and zoning in place
5 – Municipal zoning action pending (rezoning)

F. Stewardship (5 Points)
5 – Adopt a park or intermunicipal agreement

** Maximum possible score ----------110 points*
Minimum score necessary for
consideration for acquisition----------25 points

EXHIBIT "A"

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1226-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 252 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION OF ALTERATIONS TO LABOR DEPARTMENT BUILDINGS, CP #1608, NORTH COUNTY COMPLEX, HAUPPAUGE, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction of Alteration to Labor Department Buildings, CP #1608, North County Complex, Hauppauge, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of fifty-eight windows in Building #1608; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED,** that this Legislature hereby determines that the Proposed Planning and Construction of Alteration to Labor Department Buildings, CP #1608, North County Complex, Hauppauge, Town of Smithtown constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(1), (2) and (21) as it concerns the planning as well as the replacement and rehabilitation involving no substantial changes to an existing structure, or in-kind reconstruction of a structure or facility; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro Res. No. 1227-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 253 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION PHASES FOR THE EXPANSION OF THE SHERIFF'S

ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING, CP #3013, RIVERHEAD, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction Phases for the Expansion of the Sheriff's Enforcement Division at the Criminal Court Building, CP #3013, Riverhead, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning and construction of a two-story, 3,740 square foot expansion of the Sheriff's headquarters and office space, as well as additional administrative offices, an expanded squad room, and a larger locker area; and dedicated parking; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Construction Phases for the Expansion of the Sheriff's Enforcement Division at the Criminal Court Building, CP #3013, Riverhead, Town of Southampton constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c) (7) and (21), as this action involves the planning phase and construction or expansion of an accessory non-residential facility involving less than 4,000 square feet; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1228-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 254 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND INSTALLATION OF FIRE, SECURITY AND EMERGENCY SYSTEMS AT VARIOUS COUNTY FACILITIES, CP #1710, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Installation of Fire, Security and Emergency Systems at Various County Facilities, CP #1710, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves planning, as well as the installation and/or replacement of fire alarm/detection systems, fire sprinklers and security systems in County buildings; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Installation of Fire, Security and Emergency Systems at Various County Facilities, CP #1710, Suffolk County constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR,

Part 617.5 (c), (1), (2) and (21), as this action concerns planning as well as maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1229-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 255 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REPLACEMENT OF MAJOR BUILDING OPERATIONS EQUIPMENT AT VARIOUS COUNTY FACILITIES, CP #1737, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Replacement of Major Building Operations Equipment at Various County Facilities, CP #1737, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of mechanical equipment (including HVAC and plumbing) in County buildings that have exceeded their useful life; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Replacement of Major Building Operations Equipment at Various County Facilities, CP #1737, Suffolk County constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (1), (2) and (21), as this action concerns the replacement and rehabilitation of equipment involving no substantial changes to an existing structure, or in-kind reconstruction of a structure or facility; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1230-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 256 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED INVESTIGATION AND REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES, CP #1732, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Investigation and Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities, CP #1732, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the investigation and removal of toxic and hazardous materials from county buildings, including county parks and historic structures that may endanger occupants; this project also includes the replacement of the materials removed with non-hazardous materials; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Investigation and Removal of Toxic and Hazardous Building Materials and Components at Various County Facilities, CP #1732, Suffolk County, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c),(1),(2), and (21), as this action concerns the investigation and planning as well as maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1231-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 257 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING PHASE FOR THE IMPROVEMENTS TO THE NORMANDY MANOR, CP #7430, CENTERPORT, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning Phase for the Improvements to the Normandy Manor, CP #7430, Centerport, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning phase only for infrastructure improvements to the property, including accessibility for the physically challenged and electrical, plumbing and HVAC upgrades that are necessary prior to public use of the Manor; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning Phase for the Improvements to the Normandy Manor, CP #7430, Centerport, Town of Huntington constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c) (21), as this action involves the planning phase of the project; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 14, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1232-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 258 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION OF THE RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE, CP #1715, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction of the Riverhead County Center Power Plant Upgrade, CP #1715, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning and construction to replace the cooling towers, and associated water-cooling system and to extend the building automated system to the Criminal Courts Building; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Construction of the Riverhead County Center Power Plant Upgrade, CP #1715, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (2), (11) and (21) as this action concerns the planning, replacement and rehabilitation of a facility involving no substantial changes to an existing structure and upgrading and repair of existing facilities as well as extension of an existing utility distribution facility; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 15, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1233-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 259 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING OF MODIFICATIONS FOR COMPLIANCE WITH THE AMERICAN DISABILITIES ACT, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning of Modifications for Compliance with the American Disabilities Act, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985

which project involves the planning only of parking, accessible doors, offices, toilet facilities, elevators and other modifications to accommodate the special needs of handicap individuals, and may also provide for installation of curb ramps at crosswalks along county roads; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning of Modifications for Compliance with the American Disabilities Act, Suffolk County, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (21) as it involves the planning phase only; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 15, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1234-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 260 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION FOR WEATHER PROOFING COUNTY BUILDINGS, CP #1762, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction for Weather Proofing County Buildings, CP #1762, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Construction for Weather Proofing County Buildings, CP #1762, Suffolk County, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (1),(2) and (21) as this action concerns the planning as well as the maintenance, repair, and rehabilitation of existing facilities involving no substantial changes to structure; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1235-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 261 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING FOR IMPROVEMENTS TO THE WATER SUPPLY SYSTEM, CP #1724, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning for Improvements to the Water Supply System, CP #1724, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning phase only for the installation of reduced pressure zone valves (RPZ), which prevent the backflow of water into the supply system due to a sudden decrease in water pressure; as well as for the upgrade of deteriorating water systems to ensure a safe source of potable water including the replacement of wells with public water supply when available or the construction of new wells; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning for Improvements to the Water Supply System, CP #1724, Suffolk County constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (21) as this action concerns the planning only; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1236-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 262 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND INSTALLATION OF UNINTERRUPTIBLE POWER SUPPLY REPLACEMENT, CP #1775, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Installation of Uninterruptible Power Supply Replacement, CP #1775, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning and replacement of the Uninterruptible Power Supply (UPS) system in the Division of Information Systems (IS) building; the existing UPS protects all of Building 50's servers, personal computers, printers, and WAN devices, as well as eighty percent of the electrical devices of the building; this project also provides funds to purchase a new motor-generator, replace 50-60 batteries, provide for new cabling, and bring the main air-conditioning unit under the protection of the UPS; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Installation of Uninterruptible Power Supply Replacement, CP #1775, Suffolk County constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (1), (2), (21) and (25) as this action concerns planning, maintenance, repair, rehabilitation and upgrading of existing facilities as well as the purchase of equipment; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.
DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 14, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1237-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 263 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION OF POLICE HEADQUARTERS OPERATIONS CENTER RENOVATIONS, CP #3231, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction of Police Headquarters Operations Center Renovations, CP #3231, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves renovation and equipment purchases for the first and second floor of the Computer Operations Center at Police Headquarters; and would centralize computer operations in one area rather than in the two areas that currently exist; and would upgrade the working environment; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Construction of Police Headquarters Operations Center Renovations, CP #3231, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (1), (2), (21) and (25) as it involves maintenance, rehabilitation, and upgrading to an existing facility with no substantial changes and purchasing of equipment; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1238-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 264 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING PHASE OF THE FIREARMS TRAINING SECTION DRAINAGE PROJECTS, CP #3161, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning Phase of the Firearms Training Section Drainage Projects, CP #3161, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the planning phase only for drainage improvements at the Firearms Training Center to resolve ongoing flooding; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning Phase of the Firearms Training Section Drainage Projects, CP #3161, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (21) as it involves the planning phase only of this project; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1239-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 265 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION AT SEWER DISTRICT #14, CP #8118 & #8151, PARKLAND, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction at Sewer District #14, CP #8118 and #8151, Parkland, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves information collection, planning and construction of infrastructure improvements to the treatment plant process and improvements to the sewer system respectively; both capital projects will require engineering assistance; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning and Construction at Sewer District #14, CP #8118 and #8151, Parkland, Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (2), (7), (18), (21) and (25) which include information collection, planning, rehabilitation or reconstruction of a facility, in kind, on the same site; expansion less than 4,000 sq. ft. and equipment purchase; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1240-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 266 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING FOR IMPROVEMENTS TO SEWER DISTRICT #3, CP #8132, SOUTHWEST, TOWNS OF ISLIP AND BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning for Improvements to Sewer District

#3, CP #8132, Southwest, Towns of Islip and Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves information collection and planning only to provide UV disinfection at Bergen Point and will require engineering assistance; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Planning for Improvements to Sewer District #3, CP #8132, Southwest, Towns of Islip and Babylon constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (18) and (21) which includes information collection including basic data collection and research, environmental, engineering, feasibility, and other studies as well as planning that do not commit the Agency to undertake, fund, or approve any Type I or any other Unlisted Action; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1241-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 267 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING AND CONSTRUCTION AT SEWER DISTRICT #7, CP #8119, MEDFORD, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning and Construction at Sewer District #7, CP #8119, Medford, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves information collection, planning and construction of infrastructure improvements at the existing sewage plant; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED,** that this Legislature hereby determines that the Proposed Planning and Construction at Sewer District #7, CP #8119, Medford, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c),(2), (7), (18), (21) and (25) which include information collection, planning, rehabilitation or reconstruction of a facility, in kind, on the same site; expansion less than 4,000 sq. ft. and equipment purchase; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

III

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1242-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 268 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED STORM WATER REMEDIATION TO CARLL'S RIVER AT PHELPS LANE, CP #8710, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Storm Water Remediation to Carll's River at Phelps Lane, CP #8710, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves a positive drainage system to redirect roadway runoff from 1800 feet along Deer Park Avenue (CR 34) and 1470 feet along Phelps Lane directly into Carll's River into a Baysaver storm water treatment unit and then into a proposed storm water retention pond with an overflow structure; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its January 19, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated January 27, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Storm Water Remediation to Carll's River at Phelps Lane, CP #8710, Town of Babylon constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth a threshold for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation law of the State of New York or the Suffolk County Charter and Code;
3.) All necessary NYSDEC permits will be obtained;
4.) Erosion control measures will be instituted; and
5.) The Town of Babylon supports the project.

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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1243-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 269 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE

PROPOSED POLICE DEPARTMENT ADDITIONAL DATA STORAGE, CP #3236, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Police Department Additional Data Storage, CP #3236, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project will provide 128GB of additional capacity to accommodate projected growth, as well as migrating other applications, to the current police computer storage architecture; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its February 16, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 24, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Police Department Additional Data Storage, CP #3236, Suffolk County constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c), (25); 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 15, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1244-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 270 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED POLICE DEPARTMENT LASER MEASURING EQUIPMENT, CP #3505, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Police Department Laser Measuring Equipment, CP #3505, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of the existing laser measuring equipment used by Crime Scene Section personnel to document crime scenes and prepare diagrams; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Police Department and subsequently sent out to all concerned parties; and

WHEREAS, at its February 16, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Police Department; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 24, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Police Department Laser Measuring Equipment, CP #3505, Suffolk County constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c), (25); 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 14, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1245-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 271 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY SEWER DISTRICT LABORATORY, CP #8166, SUFFOLK COUNTY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Sewer District Laboratory, CP #8166, Suffolk County", pursuant to Section 6 of Local Law No. 22-1985 which project involves the purchase of laboratory equipment for the Sanitation Division Laboratory located at Bergen Point; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its February 16, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 24, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Suffolk County Sewer District Laboratory, CP #8166, Suffolk County constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5(c), (25) which is the purchase of equipment other than those listed in Part 617, i.e., radioactive material, hazardous materials, etc; 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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1246-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer

RESOLUTION NO. 272 -2005, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO SEWER DISTRICT #10 – STONY BROOK, CP #8175, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements to Sewer District #10 – Stony Brook, CP #8175, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which

project involves the replacement of dry wells, pumps, generator and control systems to improve the Sewer Districts' pumping station's reliability; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Public Works and subsequently sent out to all concerned parties; and

WHEREAS, at its February 16, 2005 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated February 24, 2005 of said recommendations; and

WHEREAS, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Improvements to Sewer District #10 – Stony Brook, CP #8175, Town of Brookhaven constitutes an unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 NYCRR which sets forth thresholds for determining significant adverse impacts on the environment;
2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and
4.) The project simply involves the modernization and upgrading of existing facilities.

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 prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Caracciolo made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 18-0.

Intro. Res. No. 1297-2005 Laid on Table 3/15/2005
Introduced by Legislator Caracciolo

RESOLUTION NO. 273 –2005, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (GREAT POND WETLANDS PROPERTY – TOWN OF SOUTHOLD)

WHEREAS, Local Law 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 13.55% of sales and compensating use tax proceeds generated each year for open space acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section 12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 13.55% of the sales and compensating use tax proceeds, for the acquisition of such land; now, therefore, be it

1st **RESOLVED**, that the parcels listed in Exhibit "A", consisting of approximately 10 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the New Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd **RESOLVED**, that the parcels listed in Exhibit "A" meet the criteria required by the New Drinking Water Protection Program in that they are lands "located fully or partially within a statutorily designated Freshwater/Tidal Wetlands and Buffer lands"; 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 parcels in accordance with Resolution No. 423-1988; and be it further

4th **RESOLVED**, that the Director of the Division of Real Estate within the County Planning Department, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcels 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 Estate within the County Planning Department, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcels 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 parcels; 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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	1000	0.67	Peter F. Harper
	Section	059.00		48 Drummer Road
	Block	01.00		Acton, MA 01720
	Lot	020. 001		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
2	District:	1000	1.14	Nancy I. Chen
	Section	059.00		Lin & Julie C. Tsai

	Block 01.00 Lot 021.001		42-20 Kissena Blvd. Flushing, NY 11355

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
3	District: 1000 Section 059.00 Block 01.00 Lot 021.002	0.94	Marie H. Pile 105 Pennsylvania Avenue Crestwood, NY 10707

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
4	District: 1000 Section 059.00 Block 01.00 Lot 021.003	0.98	Julie Tsai 8 Green Tree Drive Riverhead, NY 11901

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
5	District: 1000 Section 059.00 Block 01.00 Lot 021.004	0.97	Pei-Wen Liao 69-17 150th Street, #A Flushing, NY 11367

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
6	District: 1000 Section 059.00 Block 01.00 Lot 021.006	0.93	Constantine & Harriet Georgiopoulos 156 Read Avenue Crestwood, NY 10707

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
7	District: 1000 Section 059.00 Block 01.00 Lot 021.007	0.98	Constantine & Harriet Georgiopoulos 156 Read Avenue Crestwood, NY 10707

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER	ACRES	REPUTED OWNER AND ADDRESS
8	District: 1000 Section 059.00 Block 01.00 Lot 021.008	1.38	Constantine & Harriet Georgiopoulos 156 Read Avenue Crestwood, NY 10707

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
9	District:	1000	0.39	Edna Benedetto & Others
	Section	059.00		500 E. 85th Street, Apt. 17B
	Block	01.00		New York, NY 10028
	Lot	025.000		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
10	District:	1000	0.6	Stella Manos Revocable Trust
	Section	059.00		2147 Lake Drive, P.O. Box 530
	Block	05.00		Southold, NY 11971
	Lot	002.001		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
11	District:	1000	0.4	Stella & James Manos
	Section	059.00		2147 Lake Drive, P.O. Box 530
	Block	05.00		Southold, NY 11971
	Lot	002.003		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
12	District:	1000	0.6	James Manos Revocable Trust
	Section	059.00		2147 Lake Drive, P.O. Box 530
	Block	05.00		Southold, NY 11971
	Lot	027.000		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
13	District:	1000	±1	John Georgio
	Section	059.00		228-05 Hoxie Dr.
	Block	01.00		Bayside, NY 11364
	Lot	018.000		
Total Acreage			± 10.98	

Legislator Foley made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 1299-2005 Laid on Table 3/15/2005

Introduced by Legislator Foley

RESOLUTION NO. 274 -2005, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (HARBOR COVE RESTAURANT, INC., PROPERTY) TOWN OF BROOKHAVEN

WHEREAS, Resolution No. 840-2004 adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the preservation of open space; the acquisition of lands to be used as Hamlet Greens, Hamlet Parks or Pocket Parks; and for the acquisition of farmland development rights; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 8705.210, Project Name: Preservation of Open Space; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Estate, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section C14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 8705.210, to acquire title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for Hamlet Park purposes;

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0200	4.042	Harbor Cove Restaurant, Inc.
	Section	977.60		503 E. Main Street
	Block	04.00		Patchogue, NY 11772
	Lot	014.001		
2	District:	0200	±1	CARCAT Real Estate Corp.
	Section	977.60		550 E. Main Street
	Block	04.00		Patchogue, NY 11772
	Lot	014.002		
Total Acreage			±5.042	

Located on the south side intersection of Montauk Highway and South Country Road, bordered on the west by Swan River to east by Chapel Avenue and the rear of property borders the Long Island Rail Road

and be it further

2nd **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections C36-1(A)(1)(5) and (6) of the SUFFOLK COUNTY CHARTER in connection with Hamlet Park acquisitions; and be it further

3rd **RESOLVED**, that the County Department of Planning, Division of Real Estate in the County Department of Planning, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

4th **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund; and be it further

5th **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) 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 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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

Legislator Losquadro made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro Res. No. 1306-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 275 -2005, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS BY THE COUNTY OF SUFFOLK, UNDER THE NEW SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND PROGRAM

WHEREAS, Local Law No.34-2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER to provide a Suffolk County Save Open Space (SOS), Farmland

Preservation, and Hamlet Parks Fund" authorizes the acquisition of farmland development rights, as determined by duly enacted resolution of the County of Suffolk; and

WHEREAS, the subject properties listed in "Exhibit A" were approved for purchase of development rights by the Suffolk County Farmland Committee, which is charged with the administration and functions of the Suffolk County Farmland Preservation Program, and include the recommendation and prioritization of lands whose development rights may be acquired pursuant to this Program; and

WHEREAS, adequate funding is provided for, pursuant to Local Law No. 34-2004, Article XXXVI, Section 36-1.A.(3), for the acquisition of such land; now, therefore be it

1st **RESOLVED**, that the parcels listed in Exhibit "A" are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A.(3) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local Law No. 34-2005; and be it further

2nd **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 in accordance with Resolution No. 423-1988; and be it further

3rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby further authorized, empowered, and directed, to initiate written contact with the owners of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; 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 XXXVI 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, or his or her deputy, is hereby further authorized, empowered, and directed, to utilize such valid appraisals for the subject parcel 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; 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)(21) of Title 6 of the NEW YORK CODE OF RULES AND REGULATONS (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 resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

EXHIBIT A ***Page 1 of 2***

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS**
No. 1	District	0200	±28.94	Sheila Rogers
	Section 578.00			52 German Blvd.
	Block	03.00		Yaphank, NY 11980
	Lot	001.000 p/o and		
	District	0200	inc.	Sheila Rogers
	Section 610.00			52 German Blvd.
	Block	01.00		Yaphank, NY 11980
	Lot	026.000p/o		
No. 2	District	0200	±0.9	Edmund W.Glover
	Section 816.00			25 Watchogue Ave.
	Block	02.00		East Moriches, NY 11940
	Lot	002.000		
No. 3	District	0200	±9.5	Edmund W.Glover
	Section 816.00			25 Watchogue Ave.
	Block	02.00		East Moriches, NY 11940
	Lot	003.000		
No. 4	District	0600	±20.0	Philip Wells
	Section 007.00			5152 Sound Avenue
	Block	01.00		Riverhead, NY 11901
	Lot	029.000		
No.5	District	0600	±25.3	Philip Wells
	Section 020.00			5152 Sound Avenue
	Block	03.00		Riverhead, NY 11901
	Lot	011.000		
No. 6	District	0600	±108.8	Green Meadows, LLC

	Section 116.00			444 Elwood Road
	Block	01.00		East Northport, NY 11731
	Lot	007.002		
No. 7	District	0600	±41.7	Elmer Zeh & Others
	Section 117.00			3795 Middle Country Rd.
	Block	01.00		Calverton, NY 11933
	Lot	003.000		
No. 8	District	0900	±8.8	Thomas Conklin
	Section 049.00			P.O.Box 3044
	Block	01.00		Bridgehampton, NY 11932
	Lot	008.006		

EXHIBIT A ***Page 2 of 2***

No. 9	District	1000	±8.2	Eugene and Louise Weshofske
	Section 069.00			No address
	Block	04.00		Peconic, NY 11958
	Lot	008.001		

Total Acreage ±252.14

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 1309-2005 Laid on Table 3/15/2005

Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Caracciolo

RESOLUTION NO. 276 -2005 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION AND HAMLET PARKS FUND FOR THE ABESS PROPERTY, SCTM# 0600-117.00-02.00-012.004 P/O (f/k/a 0600-117.00-02.00-012.003 P/O), TOWN OF RIVERHEAD (CP 8707)

WHEREAS, Local Law No. 34-2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER to provide a Suffolk County Save Open Space (SOS), Farmland

Preservation, and Hamlet Parks Fund" authorizes the acquisition of farmland development rights, as determined by duly enacted resolution of the County of Suffolk; and

WHEREAS, there are insufficient funds in the authorizing Resolution No. 892-2002, "Authorizing the acquisition of development rights to farmlands by the County of Suffolk, Phase V [Omnibus 2002 (2)]"; and

WHEREAS, there are sufficient funds in Resolution No. 840-2004 (Local Law No. 34-2004), "A Charter Law Adding Article XXXVI to the Suffolk County Charter to Provide a Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" as approved by the electorate on November 2, 2004 thereby making $35 million available for the acquisition of farmland development rights pursuant to and in accordance with provisions set forth in Chapter 8 of the SUFFOLK COUNTY CODE; and

WHEREAS, pursuant thereto, said acquisition is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law §247 and the recommendation of the Suffolk County Farmland Committee; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or her deputy, is hereby authorized, empowered, and directed, to acquire the farmland development rights for the purchase price of $40,000 per acre for ±90 acres totaling $3,600,000.00± subject to an accurate survey, to the parcel listed herein below from the reputed owners for inclusion in the Suffolk County Farmland Development Rights Program, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Section 36-1 (A) (3) of the SUFFOLK COUNTY CHARTER;

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	±90	Abess Farms, Ltd. Marie Tooker, Pres. c/o Berkman, Henock,Peterson & Peddy, P.C. 100 Garden City Plaza, Suite 200 Garden City, NY 11530
	Section	117.00		
	Block	02.00		
	Lot	p/o 012.004		

and be it further

2nd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to allocate $3,600,000.00± from the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund as follows:

Project No.	**Project Title**	**Amount**
525-CAP-8707.210	Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund	$3,600,000.00±*

*Subject to final survey

and be it further

3rd **RESOLVED**, that the Division of Real Property Acquisition and Management; the County Planning Department; the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, obtaining surveys,

obtaining engineering reports, securing title insurance, and executing such other documents as are required to acquire such County interest in said lands; and be it further

4th **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 6 NYCRR Sections 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which a SEQRA Determination of Non-Significance has already been issued.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 8, 2005

Legislator Losquadro made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 18-0.

Intro Res. No. 1310-2005 Laid on Table 3/15/2005

Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 277 –2005, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

WHEREAS, the New York State Agriculture and Markets Law, Article 25-AA, as recently amended, allows the inclusion of land which is predominantly viable agricultural land within certified agricultural districts prior to the county established review period; and

WHEREAS, a public hearing was held on February 11, 2004 before the Suffolk County Agricultural and Farmland Protection Board for the purpose to consider requests for inclusion in existing Agricultural Districts and recommendations of the County Agricultural and Farmland Protection Board; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board has voted to allow the attached parcels to join existing certified Agricultural Districts; and

WHEREAS, the Department of Planning staff has evaluated the use of the proposed parcels and has determined that the parcels are predominantly viable agricultural land; and

WHEREAS, twenty (20) parcels totaling five hundred and two tenths (500.2) acres in the Towns of Brookhaven, East Hampton, Huntington, Smithtown and Southampton have requested inclusion in existing Agricultural Districts (Exhibit "A"); now, therefore, be it

1st RESOLVED, that this legislature hereby finds that it is in the best interest of the people of Suffolk County to include the new parcels into existing Agricultural Districts as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd RESOLVED, that the petition for the inclusion of new parcels of viable agricultural land in certified Agricultural districts is hereby approved and adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review of the petition as required by Section 303-b. (4) of the New York Agricultural and Markets Law, Article 25AA; and be it further

3rd RESOLVED, that the Clerk of the Suffolk County Legislature is hereby directed to submit said petition including this resolution, the report of the county agricultural and farmland protection board and the tax map identification numbers and tax maps for each parcel of land to be included in the agricultural districts to the New York State Commissioner of Agriculture and Markets; and be it further

4th RESOLVED, this legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution is a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local

legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, 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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Montano made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1154-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 278 -2005, APPROVING THE REAPPOINTMENT OF AUGUSTUS G. MANTIA AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION

WHEREAS, the term of office of Augustus G. Mantia expired on May 31, 2004; now therefore be it

RESOLVED, that the reappointment of Augustus G. Mantia, 56 Rover Heights Drive, Smithtown, NY 11787, as a member of the Suffolk County Human Rights Commission, to the position of Commissioner #1, for a term of office expiring May 31, 2007, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1165-2005 Laid on Table 2/15/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 279 –2005, APPROVING THE APPOINTMENT OF GARY R. MAR AS A MEMBER OF THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION

WHEREAS, the term of office of James Stephens will expire on May 31, 2006, however Mr. Stephens has passed away thereby creating a vacancy; now therefore be it

RESOLVED, that the appointment of Gary R. Mar, 56 Manchester Lane, Stony Brook, NY 11790, as a member of the Suffolk County Human Rights Commission, to the position of Commissioner # 11, for a term of office expiring May 31, 2006, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1247-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 280 –2005, ACCEPTING A DONATION FROM THE FAMILY SERVICE LEAGUE TO THE DEPARTMENT OF HEALTH SERVICES, JOHN J. FOLEY, SKILLED NURSING FACILITY

WHEREAS, the Family Service League is graciously donating Computer Equipment valued at $5,400 for use by the residents at the John J. Foley, Skilled Nursing Facility; and

WHEREAS, the Department of Health Services, as stipulated in the provisions for the donation, will keep the computers and related equipment repaired and in good condition; and

WHEREAS, these computers will be designated for resident use; now therefore, be it

RESOLVED, that this donation of computer equipment be gratefully accepted by the Department of Health Services for use by the residents at the John J. Foley, Skilled Nursing Facility.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1265-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 281 -2005, ACCEPTING AND APPROPRIATING 76.9% FEDERAL GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE PAUL COVERDELL NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT

WHEREAS, the New York State Division of Criminal Justice Services has awarded 76.9% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act in the amount of $37,804 for the period 10/01/04-09/30/05; and

WHEREAS, this grant provides funding to create one new position, Forensic Scientist Trainee, for the Crime Laboratory to assist in trace evidence imaging and evidence data base management; and

WHEREAS, the 76.9% Federal grant funds are not included in the 2005 Adopted Suffolk County Budget; now therefore, be it

RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $37,804 grant funds as follows:

REVENUES

001-4320 Crime Control $ 37,804

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Paul Coverdell National Forensic Sciences Improvement Act
001-HSV-4729

Personal Services	**$ 28,353**
1100 Permanent Salaries	$ 28,353

Employee Benefits
Retirement
001-EMP-9010

Employee Benefits	$ 3,501
8280 Retirement	***$ 3,501***

Employee Benefits
Social Security
001-EMP-9030

Employee Benefits	$ 2,169
8330 Social Security	***$ 2,169***

Employee Benefits
Welfare Fund Contribution
001-EMP-9080

Employee Benefits	$ 848
8380 Welfare Fund Contribution	***$ 848***

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039

Employee Benefits	$ 2,933
9600 Transfer of Funds	***$ 2,933***

and be it further

RESOLVED, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R001 Transfer from General Fund $ 2,933

ORGANIZATION

Employee Benefits (EMP)
Major Medical Claim
039-EMP-9060

Employee Benefits	$ 2,933
8360 Health Insurance	***$ 2,933***

and be it further

RESOLVED, that the following position be and they hereby are created in the Department of Health Services as follows:

Department of Health Services (HSV)
Division of Medical, Legal Investigations & Forensic Sciences
Paul Coverdell National Forensic Sciences Improvement Act
001-HSV-4729

Position No.	Spec No.	Position Title	J.C.	Grade No.	Created
4729-XXXX-XXXX	2280	Forensic Scientist Trainee	C	17	1

and be it further

RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the position created by this Resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action; and be it further

RESOLVED, that the recording category in the County Integrated Financial Management System (IFMS) is H236.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1274A-2005

BOND RESOLUTION NO. 282 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $96,800 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4057)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $96,800 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to the John J. Foley Skilled Nursing Facility, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $96,800. The plan of financing includes the issuance of $96,800 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12(a)(2) of the Law of the Law, is fifteen (15) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both

principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1274-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 283 -2005, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4057)

WHEREAS, the Commissioner of Health Services has requested funds for Improvements at the John J. Foley Skilled Nursing Facility; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request under Capital Program Number 4057; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established a priority ranking system implemented in the Adopted 2005 Capital Budget, 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 $96,800 in Suffolk County Serial Bonds; now therefore, be it

RESOLVED, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereafter "SEQRA"), Resolution No. 948-2002 classified the action contemplated by this as an unlisted action, which will not have a significant environmental impact; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the proceeds of $96,800 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-4057.315	20	Improvements at the John J. Foley Skilled Nursing Facility	$ 96,800

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Viloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1317A-2005

BOND RESOLUTION NO. 284 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $100,000 BONDS TO FINANCE A PART OF THE COST OF THE PREPARATION OF PLANS RELATING TO THE WATER QUALITY MODEL PHASE - IV (CP 8237)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the preparation of plans relating to the Water Quality Model - Phase IV, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $600,000. The plan of financing includes (a) the issuance of $200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1123-2004, (b) the issuance of $100,000 bonds or bond anticipation notes authorized pursuant to this resolution, (c) the expenditure of $300,000 in funds expected to be received from the Suffolk County Water Authority, and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County

for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 8, 2005

Legislator Viloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1317-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 285 -2005, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE IV (CP 8237)

WHEREAS, the Commissioner of Health Services has requested to appropriate funds in connection with the development of the Water Quality Model – Phase IV; and

WHEREAS, these funds will be used to develop a Comprehensive Water Resources Management Plan for Suffolk County; and

WHEREAS, the total project cost is $700,000, of which $300,000 will be contributed by the Suffolk County Water Authority for this purpose and $200,000 has already been appropriated by Resolution No. 1124-2004; and

WHEREAS, $100,000 has been adopted in the 2005 Capital Budget and needs to be appropriated now; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system,

implemented in the Adopted 2005 Capital Budget, 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 $100,000 in Suffolk County Serial Bonds; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000 ;and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5C (18) and (21), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 8237
Project Title: Water Quality Model: Phase IV

	Total Est'd Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
1. Planning, Design & Supervision	$700,000	$100,000 B	$100,000 B $300,000 O
TOTAL	$700,000	$100,000	$400,000

and be it further

RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-8237.111	40	Water Quality Model Phase - IV	$100,000

and be it further

RESOLVED, that the proceeds of $300,000 in grant funds from the Suffolk County Water Authority be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount

525-CAP-8237.112	40	Water Quality Model Phase - IV	$300,000

and be it further

RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept grant funds from the Suffolk County Water Authority in connection with this project; and be it further

RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the Suffolk County Water Authority.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1142-2005 **Laid on Table 2/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 286 -2005, AUTHORIZING USE OF BLYDENBURGH-WELD HOUSE AT BLYDENBURGH COUNTY PARK BY SUFFOLK COUNTY ARCHAEOLOGICAL ASSOCIATION

WHEREAS, Suffolk County Archaeological Association is a 501(c)(3) private, nonprofit organization whose mission includes providing educational programs; and

WHEREAS, Suffolk County Archaeological Association has successfully operated a Colonial Life Program, which includes activities such as blacksmithing, carpentering, cooking, weaving, spinning, and archaeological excavation, and is willing to continue to provide such educational programs to school groups visiting Blydenburgh County Park; and

WHEREAS, Suffolk County Archaeological Association is willing to operate the program with its own paid staff, and with volunteers; and

WHEREAS, in order to develop and conduct the program, Suffolk County Archaeological Association seeks the non-exclusive use of the Blydenburgh-Weld House, the former Smokehouse, the former Icehouse, and other facilities and grounds at Blydenburgh County Park; and

WHEREAS, Suffolk County Archaeological Association would like to enter into an agreement for a term of five (5) years with an option to extend the term for an additional five (5) years with the County of Suffolk for the non-exclusive use of the Blydenburgh-Weld House, the former Smoke-house and the former Icehouse, supported by annual program schedules to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now, therefore, be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with the Suffolk County Archaeological Association for the non-exclusive use of the premises for the purpose of providing educational programming subject to the following:**

1. The Suffolk County Archaeological Association shall develop and operate all educational programs conducted on County property with their own paid staff and volunteers;

2. The Suffolk County Archaeological Association shall pay, at its sole cost and expense, for the installation and use of telephone service utilized in the conduct of the Agreement at Blydenburgh-Weld House and the County will provide and pay for the electricity, plumbing and heating;

3. The Suffolk County Archeological Association shall provide a Certificate of Insurance naming Suffolk County as an additional insured;

4. The Suffolk County Archaelogical Association shall maintain the premise in accordance with the established procedures set forth in the Historic Trust Manual (rev. ed. 1975) and bear the costs of refuse collection;

5. All artifacts from the archaeological dig sites are the property of Suffolk County and shall be catalogued, photographed and stored on site by the Suffolk County Archaelogical Association, who shall submit an annual report at the end of each year on the items recovered.

and be it further

2nd **RESOLVED**, that Blydenburgh-Weld House, the former Smokehouse, the former Icehouse, and other facilities and grounds on said premises shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1248-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 287 –2005, APPLYING FOR A GRANT FROM NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR A HABITAT/ACCESS STAMP FUNDING PROGRAM GRANT FOR CONSTRUCTION OF A FISHING PIER AT SMITH POINT COUNTY PARK

WHEREAS, the Habitat/Access Stamp Funding Program provides funding for projects that improve the habitat for fish and wildlife or improve access to such resources; and

WHEREAS, Suffolk County is desirous of creating a multi-use educational/fishing pier extending into the Narrow Bay on the north side of Smith Point County Park; now therefore, be it

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR; and, be it further

RESOLVED, that the County of Suffolk hereby applies for grant funding from New York State Department of Environmental Conservation in the amount not to exceed Fourteen Thousand Nine Hundred and Ninety-Nine Dollars ($14,999.00) in connection with the 2004 Habitat/Access Stamp Funding Program for the construction of a multi-use pier on the north side of Smith Point County Park; and be it further

RESOLVED, that Ronald F. Foley, as Commissioner of Suffolk County Parks, Recreation and Conservation, is authorized and directed to file an application on forms prescribed by the New York State Department of Environmental Conservation for financial assistance in accordance with the Habitat/Access Stamp Funding Program, in an amount not to exceed $14,999.00, and upon approval of said request to enter into and execute a project

agreement with the State for such financial assistance to this municipality for construction of a fishing pier at Smith Point County Park.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1249-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 288 -2005, AUTHORIZING USE OF VARIOUS SUFFOLK COUNTY PARKS FOR ENVIRONMENTAL EDUCATIONAL PROGRAMS BY SEATUCK ENVIRONMENTAL ASSOCIATION

WHEREAS, Seatuck Environmental Association is a 501(c)(3) private, nonprofit organization whose mission includes promoting the conservation of Long Island's wildlife and environment through educational programs; and

WHEREAS, Seatuck Environmental Association has successfully operated environmental education programs at Gardiner County Park, Blydenburgh County Park, West Hills County Park, Lakeland County Park, Smith Point County Park, Prosser Pines County Park, Robert Cushman Murphy County Park, Cranberry Bog County Nature Preserve, Theodore Roosevelt County Park, Suffolk Hills County Park, Maple Swamp County Park, and Dwarf Pine Plains County Preserve ("Various County Parks"), and is willing to continue to provide such educational programs to school groups, scout groups, and the general public; and

WHEREAS, Seatuck Environmental Association is willing to operate environmental education programs with its own paid staff and with volunteers; and

WHEREAS, in order to develop and conduct its programs, Seatuck Environmental Association seeks the non-exclusive use of Various County Parks; and

WHEREAS**, Seatuck Environmental Association would like to enter into an agreement for a term of one (1) year with two (2) one-year option periods with the County of Suffolk for the non-exclusive use of Various County Parks, supported by annual program schedules to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now therefore, be it**

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, and**

Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with Seatuck Environmental Association for providing environmental educational programming in Various County Parks subject to the following:

6. As compensation to the County, Seatuck Environmental Association shall develop and operate all educational programs conducted on County property with their own paid staff and volunteers;

7. Programs conducted by Seatuck Environmental Association may be subject to the group event fee schedule for use of County parks, pursuant to Suffolk County Rules and Regulations § 688-3 ("Fees");

8. The annual program schedule Seatuck Environmental Association is required to submit to the Commissioner of Parks, Recreation, and Conservation shall include park location, number of program participants, and the dates of each program;
9. The educational programs provided by Seatuck Environmental Association shall consist of passive use only of County parkland and preserves. Activities will include guided birdwalks, interpretive nature walks, wilderness survival, pond study, and winter animal tracking. Additional activities require written approval by the Commissioner of Parks, Recreation, and Conservation; and

10. Seatuck Environmental Association shall provide a Certificate of Insurance naming Suffolk County as an additional insured;

and be it further

2nd **RESOLVED**, that each of the Various County Parks shall be returned to the County of Suffolk at the conclusion of any programs conducted under the Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as at the beginning of such programs, or better, subject to reasonable use, wear, tear, and natural deterioration; and be it further

3rd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1250-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 289 -2005, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY HABITAT FOR HUMANITY OF SUFFOLK FOR THEIR ANNUAL HOUSEWALK FUNDRAISER

WHEREAS, the Habitat for Humanity of Suffolk would like to hold their Annual Housewalk Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Annual Housewalk Fundraiser, is scheduled to be held on May 14, 2005; and

WHEREAS, Blydenburgh County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Habitat for Humanity of Suffolk; now therefore, be it

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; and be it further

RESOLVED, that the use of Blydenburgh County Park by the Habitat for Humanity of Suffolk for the purpose of hosting a fundraiser on Saturday, May 14, 2005, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Habitat for Humanity of Suffolk and the payment of the Three Hundred Fifty Dollars ($350.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

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 Blydenburgh County Park by the Habitat for Humanity of Suffolk.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1251-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 290 -2005, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY THE ARTHRITIS FOUNDATION FOR ITS ARTHRITIS WALK FUNDRAISER

WHEREAS, The Arthritis Foundation Long Island Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 501 Walt Whitman Road, Melville, New York; and

WHEREAS, The Arthritis Foundation would like to hold its Arthritis Walk Fundraiser at Indian Island County Park in the Town of Riverhead; and

WHEREAS, The Arthritis Walk Fundraiser, is scheduled to be held on June 12, 2005; and

WHEREAS, Indian Island County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Arthritis Foundation; now therefore, be it

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; and be it further

RESOLVED, that the use of Indian Island Park by The Arthritis Foundation for the purpose of hosting a fundraiser on Sunday, June 12, 2005, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Arthritis Foundation and the payment of Two Hundred Fifty Dollars ($250.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

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 Indian Island County Park by The Arthritis Foundation.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1252-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 291 -2005, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALK FOR LIFE FUNDRAISER

WHEREAS, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 91 Maple Avenue, Smithtown, New York; and

WHEREAS, The Care Center would like to hold its Annual Walk For Life Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Annual Walk For Life Fundraiser, is scheduled to be held on May 7, 2005; and

WHEREAS, Blydenburgh County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore, be it

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; and be it further

RESOLVED, that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 7, 2005, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Care Center and the payment of One Hundred Twenty Five Dollars ($125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

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 Blydenburgh County Park by The Care Center.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 18-0.

Intro. Res. No. 1260-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 292 -2005,
AUTHORIZING
CULTURAL AFFAIRS AGREEMENT FUNDING

FOR 2005

WHEREAS, the adopted 2005 Operating Budget provides a total of $498,515; $235,000 from Fund 001-General Fund for the funding of various cultural organizations and $263,515 from Fund 192-Hotel/Motel Room Tax, for the funding of non-profit museums and cultural organizations that promote tourism; and

WHEREAS, the Parks and Cultural Affairs Committee met and reviewed the funding recommendations from the Cultural Affairs Citizens Advisory Board; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR and; be it further

RESOLVED, that the County Executive or his Deputy, or the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing or his or her designee, as the case may be, 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

RESOLVED, that the Suffolk County Legislature hereby approves the allocation of funding in the amount of Four Hundred Ninety-Eight Thousand, Five Hundred Fifteen 00/100 Dollars ($498,515.00) for the organizations as set forth in Exhibit "A", attached, in the "Recommended" column, such funding to be paid at the commencement of the pertinent contract.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1296-2005 Laid on Table 3/15/2005
Introduced by Legislator O'Leary

RESOLUTION NO. 293 -2005, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH AMBULANCE COMPANY, FOR "HELP US SAVE YOU PROGRAM"

WHEREAS, the Mastic Beach Ambulance Company responds to 300 calls per year at the Smith Point County Park and over 1,500 calls throughout the community of Mastic Beach; and

WHEREAS, the Mastic Beach Ambulance Company would like to use the tollbooth entrances and exits at Smith Point County Park for the purpose of posting signs that ask the public "Help Us Save You"; and

WHEREAS, Resolution No. 712-2003 authorized the Mastic Beach Ambulance Company to use the Smith Point County Park for this same purpose; and

WHEREAS, the sign would be posted during the 2005 Labor Day holiday, from September 3, 2005 through September 5, 2005, from 9:00 a.m. through 4:00 p.m. each day; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Ten and 00/100 Dollars ($10.00), per diem, payment of which shall be guaranteed by the Mastic Beach Ambulance Company; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastic Beach Ambulance Company; and

WHEREAS, the use of County property to help raise money 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 County-owned property, i.e. the tollbooth at Smith Point County Park by the Mastic Beach Ambulance Company, in consideration of the payment of Ten and 00/100 Dollars ($10.00), per diem, for the purpose of posting signs that ask the public "Help Us Save You" during the 2005 Labor Day Holiday from September 3, 2005 through September 5, 2005, from 9:00 a.m. through 4:00 p.m. each day is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the public-safety services provided by the Mastic Beach Ambulance Company at the Smith Point County Park in Brookhaven; and be it further

3rd **RESOLVED**, that the Mastic Beach Ambulance Company shall also provide an entertainment promoter certificate to Suffolk County 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

4th **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Losquadro made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1311-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 294 –2005, ACCEPTING DONATION OF TWO (2) GLOBAL ELECTRIC MOTOR CARS FOR USE BY THE SUFFOLK COUNTY PARKS DEPARTMENT

WHEREAS, the Long Island Power Authority ("LIPA") has offered to donate two (2) Global Electric Motor Cars ("GEM Cars") to the County of Suffolk; and

WHEREAS, the Suffolk County Department of Parks, Recreation and Conservation will utilize the GEM vehicles for maintenance and operations at county parks; now, therefore, be it

RESOLVED, that the donation of two (2) Gem Cars, VIN # 5ASAG27492F019789 and VIN # 5ASAG47412F029017, from the Long Island Power Authority for a two year period, is hereby accepted for use by the Suffolk County Department of Parks, Recreation and Conservation.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Alden made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 18-0.

Intro. Res. No. 1261-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Lindsay

RESOLUTION NO. 295 -2005, AUTHORIZING USE OF TWO BASEBALL FIELDS AT LAKE RONKONKOMA COUNTY PARK BY NATIONAL JUNIOR BASEBALL LEAGUE

WHEREAS, the Suffolk County Department of Parks, Recreation, and Conservation operates and maintains a park facility at Lake Ronkonkoma County Park, Smithtown, New York; and

WHEREAS, National Junior Baseball League, a non-profit volunteer organization having its principal place of business at 4 White Spruce Lane, Hauppauge, New York, has improved and maintained two baseball fields at Lake Ronkonkoma County Park pursuant to a license agreement with the County for a five year period ending on December 31, 2004; and

WHEREAS**, National Junior Baseball League would like to enter into a license agreement for a term of five (5) years with an option to extend the term for an additional five (5) years with the County of Suffolk for the non-exclusive use of two baseball fields at Lake Ronkonkoma County Park, supported by schedules of practices and games and a roster of all participants to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now therefore, be it**

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, and Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with National Junior Baseball League for use of two (2) baseball fields at Lake Ronkonkoma County Park subject to the following:**

11. All restoration and maintenance of the baseball fields performed by the National Junior Baseball League will be at its sole cost and expense and shall be subject to the review and prior written approval of the Commissioner. Proposed work projects by the National Junior Baseball League must be pre-scheduled with the Department in order to avoid any conflicts with other ongoing park activities;

12. National Junior Baseball League will be required to perform appropriate light maintenance, including litter clean-up when necessary, after scheduled events;

13. National Junior Baseball League will be required to maintain an accurate and updated roster list of all participants (ballplayers and coaches) utilizing Lake Ronkonkoma County Park baseball field facilities. This roster list, which is to include names, addresses, and phone numbers, is subject to review and inspection by the Commissioner upon request;

14. National Junior Baseball League shall provide a Certificate of Insurance naming Suffolk County as an additional insured;

and be it further

2nd **RESOLVED**, that the two baseball fields at Lake Ronkonkoma County Park and other facilities on said premises shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Alden made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1262-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Lindsay

RESOLUTION NO. 296 -2005, AUTHORIZING USE OF BASEBALL FIELD AT RAYNOR BEACH COUNTY PARK BY ST. JOSEPH C.Y.O.

WHEREAS, the Suffolk County Department of Parks, Recreation, and Conservation operates and maintains a park facility at Raynor Beach County Park, Lake Ronkonkoma, New York; and

WHEREAS, St. Joseph C.Y.O., an organization having its principal place of business at P.O. Box 2755, Lake Ronkonkoma, New York, services over 2,000 young athletes within the surrounding community; and

WHEREAS**, St. Joseph C.Y.O. would like to enter into a license agreement for a term of five (5) years with an option to extend the term for an additional five (5) years with the County of Suffolk for the non-exclusive use of one baseball field at Raynor Beach County Park, supported by schedules of practices and games and a roster of all participants to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now therefore, be it**

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, and Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with St. Joseph C.Y.O. for use of one (1) baseball field at Raynor Beach County Park subject to the following:**

15. All restoration and maintenance of the baseball field performed by St. Joseph C.Y.O. will be at its sole cost and expense and shall be subject to the review and prior written approval of the Commissioner. Proposed work projects by St. Joseph C.Y.O. must be pre-scheduled with the Department in order to avoid any conflicts with other ongoing park activities;

16. St. Joseph C.Y.O. will be required to perform appropriate light maintenance, including litter clean-up when necessary, after scheduled events;

17. St. Joseph C.Y.O. will be required to maintain an accurate and updated roster list of all participants (ballplayers and coaches) utilizing Raynor Beach County Park baseball field facilities. This roster list, which is to include names, addresses, and phone numbers, is subject to review and inspection by the Commissioner upon request;

18. St. Joseph C.Y.O. shall provide a Certificate of Insurance naming Suffolk County as an additional insured;

and be it further

2nd **RESOLVED**, that the baseball field at Raynor Beach County Park and other facilities on said premises shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Caracciolo. The resolution was passed 18-0.
Intro. Res. No. 1263-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 297 -2005, AUTHORIZING USE OF CAMPING ACTIVITY FIELDS AT CEDAR POINT COUNTY PARK BY EAST HAMPTON LITTLE LEAGUE

WHEREAS, the Suffolk County Department of Parks, Recreation, and Conservation operates and maintains a park facility at Cedar Point County Park, East Hampton, New York; and

WHEREAS, East Hampton Little League, a non-profit volunteer organization having its principal place of business at 1 Cedar Street, East Hampton, New York, provides organized recreational activities for boys and girls in its community; and

WHEREAS**, East Hampton Little League would like to enter into an Agreement for a term of five (5) years with an option to extend the term for an additional five (5) years with the County of Suffolk for the non-exclusive use of camping activity fields at Cedar Point County Park, supported by schedules of practices and games and a roster of all participants to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now therefore, be it**

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, and Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with East Hampton Little League for use of camping activity fields at Cedar Point County Park subject to the following:**

19. All restoration and maintenance of the camping activity fields performed by East Hampton Little League will be at its sole cost and expense and shall be subject to the review and prior written approval of the Commissioner. Proposed work projects by East Hampton Little League must be pre-scheduled with the Department in order to avoid any conflicts with other ongoing park activities;

20. East Hampton Little League will be required to perform appropriate light maintenance, including litter clean-up when necessary, after scheduled events;

21. East Hampton Little League will be required to maintain an accurate and updated roster list of all participants (ballplayers and coaches) utilizing Cedar Point County Park facilities. Such roster list, which is to include names, addresses, and phone numbers, is subject to review and inspection by the Commissioner upon request;

22. East Hampton Little League shall provide a Certificate of Insurance naming Suffolk County as an additional insured;

and be it further

2nd **RESOLVED**, that the camping activity fields at Cedar Point County Park and other facilities on said premises shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Bishop made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1123-2005 Laid on Table 2/15/2005
Introduced by Legislator Bishop

RESOLUTION NO. 298 –2005, TO ESTABLISH AN ALTERNATIVE TO INCARCERATION WEBSITE TO

KEEP ALL STAKEHOLDERS IN THE COUNTY CRIMINAL JUSTICE SYSTEM APPRISED OF THESE PROGRAMS

WHEREAS, the recent overcrowding of Suffolk County's jails has become a severe problem; and

WHEREAS, Alternative to Incarceration (hereinafter ATI) programs have been created to alleviate the pressure on county jails by providing stakeholders in the criminal justice system a series of options on what different dispositions are best for each offender; and

WHEREAS, stakeholders are often unaware of all the options available to them through the ATI programs; and

WHEREAS, it is in the best interests of the County to provide the Courts, Sheriff's department, Police department, District Attorney's office, Probation department and all other stakeholders in the criminal justice system with a comprehensive listing of all of the options available under the ATI programs on a day-to-day basis; and

WHEREAS, these stakeholders would benefit greatly from an online database which would include a daily jail census, as well as a brief description of the ATI programs and the criterion offenders must meet to qualify; and

WHEREAS, such a website will be a mechanism whereby the County criminal justice system can maintain a more comfortable jail population; now, therefore be it

1st **RESOLVED**, that pursuant to the provisions of Section 34-1 of the SUFFOLK COUNTY CHARTER, the Division of Management Information Services within the County Department of Human Resources, Personnel, and Civil Service (MIS) is hereby authorized, empowered and directed, pursuant to Section 6-2(C) of the SUFFOLK COUNTY CHARTER to establish a separate website for the purpose of maintaining a continuously updated database regarding ATI programs which shall be accessible to participants of the County criminal justice system; and be it further

2nd **RESOLVED**, that said website shall contain a listing of the number of available beds in County jails, and a listing of the number of available spots in each program to be updated daily; and be it further

3rd **RESOLVED**, that said website shall contain a brief description of the ATI programs, the criteria that an offender must meet, applicable exclusions, and a profile of the type of offender that would typically benefit from the services provided by the programs; and be it further

4th **RESOLVED**, that the Department of Probation shall have responsibility for collecting the data pertaining to ATI programs that is to be used in constructing the ATI website; and be it further

5th **RESOLVED**, that access to said website shall be restricted to members of the County criminal justice system as determined by the Criminal Justice Coordinating Council (hereinafter CCJC), and the method of access shall be determined by MIS to include, but not be restricted to, the use of a secure log-on, user account, or password; and be it further

6th **RESOLVED**, that individual ATI programs shall report to the CCJC on a day-to-day basis with status changes in their programs; and be it further

7th **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: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 14, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1266-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Mystal

RESOLUTION NO. 299 –2005, AMENDING THE 2005 OPERATING BUDGET IN CONNECTION WITH TWENTY (20) NEW DEPUTY SHERIFF I POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the 2005 Adopted Operating Budget added twenty (20) new Deputy Sheriff I positions for the Sheriff's Office within the Law Enforcement Division; and

WHEREAS, all twenty (20) of these new Deputy Sheriff I positions were placed in appropriation 01-3110-0315 – Canine Unit; and

WHEREAS, the Sheriff has requested that all twenty (20) of these new Deputy Sheriff I positions be transferred to the appropriation where they are most needed to reduce current overtime coverage; now, therefore be it

RESOLVED, that the 2005 Adopted Operating Budget is hereby modified as follows:

Unit Number	Unit Name	Title	Change
001-3110-0315	Canine Unit	Deputy Sheriff I	-20
001-3110-0200	Civil Bureau	Deputy Sheriff I	+ 3

001-3110-0215	Domestic Violence	Deputy Sheriff I	+ 4
001-3110-0100	Headquarters	Deputy Sheriff I	+13

and be it further

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1267-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Mystal

RESOLUTION NO. 300 –2005, AMENDING 2005 OPERATING BUDGET IN CONNECTION WITH FORTY (40) NEW CORRECTION OFFICER I POSITIONS IN THE SHERIFF'S OFFICE

WHEREAS, the FY 2005 Adopted Operating Budget added fifty (50) new Correction Officer I positions for the Sheriff's Office within the Correction Division; and

WHEREAS, all fifty (50) of these new Correction Officer I positions were placed in appropriation 01-3150-0750 – Ancillary Services; and

WHEREAS, the Sheriff has requested that forty (40) of these fifty (50) new Correction Officer I positions be transferred to the appropriation where they are most needed to reduce current mandated overtime coverage; now, therefore be it

RESOLVED, that the 2005 Adopted Operating Budget is hereby modified as follows:

Unit Number	Unit Title	Title	Change
001-3150-0750	Ancillary Services	Correction Officer I	-40

001-3150-0603	Medium Security Facility	Correction Officer I	+12
001-3150-0700	Inmate Classification	Correction Officer I	+ 1
001-3150-0900	Hospital Details	Correction Officer I	+ 2
001-3162-0700	Minimum Security Facility	Correction Officer I	+10
001-3162-0900	Ancillary Services	Correction Officer I	+15

and be it further

RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1279A-2005

BOND RESOLUTION NO. 301 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $95,000 BONDS TO FINANCE THE COST OF ACQUISITION OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT (CP 3135)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $95,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of acquisition of heavy duty vehicles for the Police Department, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $95,000. The plan of financing includes the issuance of $95,000 bonds or

bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 29 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1279-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislator Mystal

RESOLUTION NO. 302 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT (C.P. 3135)

WHEREAS, the Police Commissioner has requested funds for the purchase of a four-wheel drive tow vehicle to retrieve evidence impounds from unusual terrain or under adverse conditions; and

WHEREAS, without a four-wheel drive tow vehicle, the Department would be required to use outside vendors at an expensive rate; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said tow vehicle under Capital Project No. 3135; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has established a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $95,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this program with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the proceeds of $95,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-3135.521	28	Purchase of Heavy Duty Vehicle (Four Wheel Drive Tow Vehicle)	$95,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1280A-2005

BOND RESOLUTION NO. 303 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $42,000 BONDS TO FINANCE THE COST OF THE REPLACEMENT OF LASER MEASURING EQUIPMENT (CP 3505)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $42,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of laser measuring equipment, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $42,000. The plan of financing includes the issuance of $42,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes

issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1280-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 304 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF LASER MEASURING EQUIPMENT (CP 3505)

WHEREAS, the Police Commissioner has requested funds in connection with the replacement of laser measuring equipment utilized by Crime Scene Section personnel to document crime scenes and prepare diagrams; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said laser measuring equipment under Capital Project No. 3505; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has established a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $42,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this program with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the proceeds of $42,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project. No.	JC	Project Title	Amount

525-CAP-3505.510 28 Replacement of Laser Measuring Equipment $42,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 12, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Bishop. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1305A-2005

BOND RESOLUTION NO. 305 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $50,000 BONDS TO FINANCE THE COST OF THE REPLACEMENT OF THE EQUIPMENT SHELTER AT THE MOUNT MISERY RADIO TOWER SITE (CP 3203)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of the equipment shelter at the Mount Misery radio tower site, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $50,000. The plan of financing includes the issuance of $50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) of the Law, is ten (10) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1305-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 306 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF THE EQUIPMENT SHELTER AT THE MOUNT MISERY RADIO TOWER SITE (CP 3203)

WHEREAS, Resolution No. 619-2001 appropriated funds for the replacement of the equipment shelter at the Mount Misery Radio Tower Site; however, funds are now required to fully complete this project due to additional necessary electrical power distribution work; and

WHEREAS, the Police Commissioner has requested said funds to complete this project; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said electrical power work under Capital Project No. 3203; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has established a priority ranking system,

implemented in the Adopted 2005 Capital Budget, 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 $50,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this program with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that pursuant to the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, CEQ Resolution No. 18-98 and Resolution Number 613-1998 has determined that this project constitutes a Type I action pursuant to the provisions of Title 6 NYCRR Part 617.4(b)(7) and Chapter 279 of the Suffolk County Code, since it involves placement of structures that may exceed 100 ft. above original ground level in a locality without any zoning regulation pertaining to height, and has determined that the project will not have a significant effect on the environment; and be it further

RESOLVED, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-CAP-3203.311	28	Replacement of Equipment Shelter at the Mount Misery Radio Tower Site	$50,000

DATED: April 5, 2005
APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1312A-2005

BOND RESOLUTION NO. 307 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $27,650 BONDS TO FINANCE THE COST OF ACQUISITION OF A DIESEL ENGINE FOR THE REPOWERING OF POLICE PATROL BOATS (CP 3198)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $27,650 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of acquisition of a diesel engine for the repowering of police patrol boats, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $27,650. The plan of financing includes the issuance of $27,650 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1312-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 308 -2005, APPROPRIATING FUNDS

IN CONNECTION WITH THE REPOWERING OF POLICE PATROL BOATS/DIESEL ENGINE PURCHASE (CP 3198)

WHEREAS, the Police Commissioner has requested funds in connection with the purchase of one caterpillar diesel engine; and

WHEREAS, the purchase of this engine would allow for repairs and minimum down time in the event of engine breakdowns; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said diesel engine under Capital Project No. 3198; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has established a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $27,650 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this program with a priority ranking of forty-eight (48) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the proceeds of $27,650 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	JC	Project Title	Amount
525-3198.516	7	Repowering of Police Patrol Boats/Diesel Engine Purchase	$27,650

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 2299-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 309 - 2005, AMENDING THE ADOPTED 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORM REMEDIATION IMPROVEMENTS FOR CR 63 PECONIC AVENUE, AT PECONIC RIVER (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2004 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2005 Capital Budget and Program; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, 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 NYCRR and within the meaning of Section 8-019 (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; and be it further

RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated:

FROM	**TO**	**AMOUNT**
Fund 477 Reserve Fund Balance Water Quality:	477-IFT-E525-9600 Transfer to Capital Reserve Fund	$270,000

and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$270,000

and be it further

RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Water Quality Protection	$270,000

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

Total Est'd Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program

3. Construction	$270,000	$0	$270,000
TOTAL	$270,000	$0	$270,000

and be it further

RESOLVED, that the transfer in the amount of $270,000 be and hereby is appropriated as follows:

Project Number	***JC***	***Project Title***	***Amount***
525-CAP-8240-310	50	Storm Water Remediation at various County Roads	$270,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATE: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 2300-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 310 -2005, AMENDING THE ADOPTED 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORM REMEDIATION IMPROVEMENTS FOR CR 80 MONTAUK HIGHWAY AT OCEANVIEW ROAD (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2004 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2005 Capital Budget and Program; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, 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 NYCRR and within the meaning of Section 8-019 (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; and be it further

RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated:

FROM	**TO**	**AMOUNT**
Fund 477 Reserve Fund Balance Water Quality:	477-IFT-E525-9600 Transfer to Capital Reserve Fund	$1,360,000

and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$1,360,000

and be it further

RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	***525***	***R477***	***E525***	***Transfer from Water Quality Protection***	***$1,360,000***

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

	Total Est'd Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
3. Construction	$1,360,000	$0	$1,360,000
TOTAL	$1,360,000	$0	$1,360,000

and be it further

RESOLVED, that the transfer in the amount of $1,360,000 be and hereby is appropriated as follows:

Storm Water Remediation at various County Roads

Project Number	***JC***	***Project Title***	***Amount***
525-CAP-8240-311	50	Storm Water Remediation at various County Roads	$1,360,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 2301-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 311 -2005, AMENDING THE ADOPTED 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORM REMEDIATION IMPROVEMENTS FOR CR 94A CENTER DRIVE SOUTH AT LITTLE PECONIC RIVER (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2004 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2005 Capital Budget and Program; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, 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 NYCRR and within the meaning of Section 8-019 (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; and be it further

RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated:

FROM	**TO**	**AMOUNT**
Fund 477 Reserve Fund Balance Water Quality:	477-IFT-E525-9600 Transfer to Capital Reserve Fund	$1,145,000

and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$1,145,000

and be it further

RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	***525***	***R477***	***E525***	***Transfer from Water Quality***	***$1,145,000***
				Protection	

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

	Total	Current 2005 Capital	Revised 2005 Capital

	Est'd Cost	Budget & Program	Budget & Program
3. Construction	$1,145,000	$0	$1,145,000
TOTAL	$1,145,000	$0	$1,145,000

and be it further

RESOLVED, that the transfer in the amount of $1,145,000 be and hereby is appropriated as follows:

Storm Water Remediation at various County Roads

Project Number	***JC***	***Project Title***	***Amount***
525-CAP-8240-312	50	Storm Water Remediation at various County Roads	$1,145,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Caracciolo. The resolution was passed 18-0.

Intro. Res. No. 2302-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 312 -2005, AMENDING THE ADOPTED 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORM

REMEDIATION IMPROVEMENTS FOR CR 96 GREAT EAST NECK ROAD AT EVERGREEN STREET (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2004 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2005 Capital Budget and Program; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, 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 NYCRR and within the meaning of Section 8-019 (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; and be it further

RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated:

FROM	**TO**	**AMOUNT**
Fund 477 Reserve Fund Balance Water Quality:	477-IFT-E525-9600 Transfer to Capital Reserve Fund	$1,150,000

and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$1,150,000

and be it further

RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	***525***	***R477***	***E525***	***Transfer from Water Quality Protection***	***$1,150,000***

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

	Total Est'd Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
3. Construction	$1,150,000	$0	$1,150,000
TOTAL	$1,150,000	$0	$1,150,000

and be it further

RESOLVED, that the transfer in the amount of $1,150,000 be and hereby is appropriated as follows:

Storm Water Remediation at various County Roads

Project Number	***JC***	***Project Title***	***Amount***
525-CAP-8240-313	50	Storm Water Remediation at various County Roads	$1,150,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.

Intro. Res. No. 2304-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 313 -2005, AMENDING THE ADOPTED 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORM REMEDIATION IMPROVEMENTS FOR CR 35 AT HUNTINGTON HARBOR (CP 8240)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple county roads; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2004 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2005 Capital Budget and Program; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, 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 NYCRR and within the meaning of Section 8-019 (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; and be it further

RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated:

FROM	**TO**	**AMOUNT**
Fund 477 Reserve Fund Balance Water Quality:	477-IFT-E525-9600 Transfer to Capital Reserve Fund	$500,000

and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$500,000

and be it further

RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	***525***	***R477***	***E525***	***Transfer from Water Quality Protection***	***$500,000***

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

	Total Est'd Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
3. Construction	$500,000	$0	$500,000
TOTAL	$500,000	$0	$500,000

and be it further

RESOLVED, that the transfer in the amount of $500,000 be and hereby is appropriated as follows:

Storm Water Remediation at various County Roads

Project Number	***JC***	***Project Title***	***Amount***
525-CAP-8240-315	50	Storm Water Remediation at various County Roads	$500,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Foley made motion for the following resolution, seconded by Legislator O'Leary The resolution was passed 18-0.

Intro. Res. No. 1136-2005 Laid on Table 2/15/2005
Introduced by Legislator Foley

RESOLUTION NO. 314 –2005, APPROVING MAPS

AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II AT TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (C.P. 5534 PHASE II)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, on July 2, 2002, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 666-2002 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution No. 914-2004, the Division of Real Estate of the Suffolk County Department of Planning was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Long Island Advance, said newspaper being a current official County newspaper of the County of Suffolk; and the Long Island Advance, the official town newspaper situated in the locality where the public project is located; and

WHEREAS, a public hearing was duly held on October 22, 2004, for the following purposes:

A. To inform the public;
B. To review the public use to be served by the above-entitled project;
C. To determine the impact upon the environment and upon residents of the locality of the project;
D. To review possible alternative locations; and
E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Findings and Determinations pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on December 17, 2004, pursuant to Adopted Resolution No. 914-2004; and

WHEREAS, a brief synopsis thereof was duly published in two successive issues of the official newspapers named and listed above, together with the publication thereof in two successive issues of a newspaper of general circulation; and

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on December 17, 2004, pursuant to Adopted Resolution No. 914-2004; now, therefore, be it

1st **RESOLVED**, that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on December 17, 2004, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd **RESOLVED**, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on December 17, 2004, pursuant to Adopted Resolution No. 914-2004, be and the same are hereby approved and adopted; and be it further

3rd **RESOLVED**, that the Division of Real Estate of the Suffolk County Department of Planning be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Division of Real Estate of the Suffolk County Department of Planning and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th **RESOLVED**, that the Division of Real Estate of the Suffolk County Department of Planning be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th **RESOLVED**, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th **RESOLVED**, that the Division of Real Estate of the Suffolk County Department of Planning be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Division of Real Estate of the Suffolk County Department of Planning is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th **RESOLVED**, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th **RESOLVED**, that the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-2-0-0. Legislators Caracciolo and Alden voted no.

Intro. Res. No. 1144-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 315 –2005, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH 65 MAXESS ROAD (HEALTH AND HUMAN SERVICES (HEALTH AND HUMAN SERVICES-1479)

WHEREAS, 65 Maxess Road is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, 65 Maxess Road has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of $15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with a daily flow of 7,000 gallons, for a total connection fee of $105,000.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-2-0-0. Legislators Caracciolo and Alden voted no.

Intro. Res. No. 1145-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 316 -2005,
AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH 60 BAYLIS ROAD ALTANA, INC. (HU-1482)

WHEREAS, 60 Baylis Road Altana, Inc. is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, 60 Baylis Road Altana, Inc. has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of $15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with a daily flow of 20,000 gallons, for a total connection fee of $300,000.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No. 1161-2005 Laid on Table 2/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 317 -2005, AMENDING THE 2005 OPERATING BUDGET AND ACCEPTING AND APPROPRIATING AN APPROXIMATE 35% GRANT FROM THE NEW YORK STATE RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA) REGARDING IN PIPE SEWAGE TREATMENT AT SEWER DISTRICT NOS. 18 - HAUPPAUGE INDUSTRIAL AND 20 - WILLIAM FLOYD AND AUTHORIZING EXECUTION OF AGREEMENTS FOR THE RESEARCH PROJECT

WHEREAS, SD 18 - Hauppauge Industrial and SD 20 - William Floyd have experienced operating difficulty; and

WHEREAS, Capital Projects 8126 and 8148 provide for the long range solution to these problems; and

WHEREAS, there exists the need to plan for short term removal improvements at the SD 18 and SD 20 facility and possibly other County districts; and

WHEREAS, an opportunity exists to study an energy efficient pollutant removal process, that process being an in pipe treatment system manufactured by In-Pipe Technology Company, LLC (IPT); and

WHEREAS, Project Opportunity Notice (PON) 857-04 was issued by NYSERDA resulting in an application on behalf of SD's 18 and 20 to utilize the IPT System; and

WHEREAS, the project is valued at approximately $269,698; and

WHEREAS, NYSERDA is interested in pursuing the project and requested execution of agreements in order to proceed; and

WHEREAS, NYSERDA would provide $94,524 (approximately 35%) to Suffolk County for reimbursement to IPT for their systems; and

WHEREAS, IPT would provide additional in-kind services valued at $68,480 (approximately 25%); and

WHEREAS, the County share of this project is valued at $105,574 (approximately 40%) and represents in-kind services to be performed with operating expenditures ordinarily associated with engineering, operation, maintenance, and laboratory analysis for the normal operations of SD's 18 and 20; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under SEQRA, N.Y. Environmental Conservation Law Article 8, and Suffolk County Code Chapter 279, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of NYCRR §§617.5(c)(18) and (21), in that the project consists of information collection concurrent environmental, engineering, feasibility, and other studies and preliminary planning and budgetary processes (acceptance of a grant) necessary to formulate a proposal for any action, but does not commit the County to commence or approve an action; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following:

Revenues:	
218-DPW-8126-3089	
State Aid: Other NYSERDA	$56,714.40
220-DPW-8149-3089	
State Aid: Other NYSERDA	$37,809.60
Expenditures:	
218-DPW-8126-4560	$56,714.40
220-DPW-8149-4560	$37,809.60

and be it further

RESOLVED, that the County Executive is hereby authorized to execute an agreement between the New York State Energy Research and Development (NYSERDA) and all other grant related documents; and be it further

RESOLVED, that the County Executive is hereby authorized to execute an agreement with IPT Company, Inc., and all other documents necessary to effectuate the purposes of this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Binder made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1180-2005
Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 318 -2005, AUTHORIZING USE OF APPROPRIATED CAPITAL FUNDS IN CONNECTION WITH THE REPLACEMENT OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)

WHEREAS, Capital Project 8164 appropriates annual funding for the purchase of equipment for sewer facility maintenance; and

WHEREAS, the appropriating resolution backup information contains a list of equipment to be purchased and the associated costs; and

WHEREAS, the equipment/maintenance vehicles listed in the 2001, 2002, and 2003 requests were purchased; and

WHEREAS, due to obsolete equipment being traded-in and purchase prices being below that estimated for the Capital Projects during 2001 through 2003, funds currently exist in those accounts; and

WHEREAS, due to the need to replace three maintenance vehicles, the Commissioner of Public Works has requested that the existing funds be utilized to purchase the maintenance vehicles; and

WHEREAS, Resolution 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the replacement of vehicles will not increase the County fleet; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality review Act have been performed; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; now, therefore, be it

RESOLVED, that existing funds in Capital Projects 8164.520, 8164.521, and 8164.522 are authorized to be expended for three F350 maintenance vehicles with plows, tool boxes and light bars; and be it further

RESOLVED, that the purchase of three (3) 2005 F350 pick-up maintenance vehicles with plows, tool boxes, and light bars for a total amount not to exceed $73,332.00, is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Binder made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1181-2005 **Laid on Table /15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 319 -2005, AMENDING THE 2005 ADOPTED OPERATING BUDGET AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)

WHEREAS, the Commissioner of Public Works has requested funds for the purchase of equipment for sewer facility maintenance; and

WHEREAS, the sewerage facility infrastructure is increasing and regulations mandate increasing sewer attention necessitating an increase in the Sanitation fleet; and

WHEREAS, there are sufficient funds included within the 2005 Adopted Operating Budget (261-DPW-8164-2040) to cover the cost of said sewer facility maintenance equipment; and

WHEREAS, the Commissioner of Public Works requests that these funds be transferred to 261-IFT-E525 and be allocated for the purchase of sewer facility maintenance equipment; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality review Act have been performed; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty eight (58), is eligible for approval in accordance with the provisions of Resolution No. 459-2001 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that an increase in the Sanitation fleet is hereby authorized for sewer maintenance activities; and be it further

RESOLVED, that the 2005 Adopted Operating Budget be and it is hereby amended and appropriations transferred as follows:

From	To	**Amount**
Public Works Trucks, Trailers & Jeeps 261-DPW-8164-2040	Interfund Transfer Transfer to Capital Fund 525 261-IFT-E525-9600	$750,000

and be it further

RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

Revenue:

Fund /Agency/Source	Description	Activity	Amount
525 - IFT - R261	Transfer from Sewer Maintenance	D	$750,000

and be it further

RESOLVED, that the proceeds of $750,000 in Interfund revenues be and they are hereby appropriated as follows:

Appropriation:

Project No.	J.C.	Project Title	**Amount**
525-CAP-8164.524	50	Sewer Facility Maintenance Equipment Various Sewer Districts	$750,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Nowick made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1189A-2005

BOND RESOLUTION NO. 320 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,500,000 BONDS TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS TO THE FOURTH POLICE PRECINCT BUILDING (CP 3184)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,500,000 pursuant to the Local

Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for improvements to the Fourth Police Precinct building, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $1,500,000. The plan of financing includes the issuance of $1,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 62 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 21, 2005

Legislator Nowick made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1189-2005 Laid on Table 3/15/2005
Introduced by Legislators Nowick, Kennedy, Carpenter and Caracappa

RESOLUTION NO. 321 -2005, APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR THE CONSTRUCTION OF THE FOURTH PRECINCT (C.P. 3184)

WHEREAS, with the completion of the new Sixth Precinct, all of the precinct buildings within the Police District have been replaced with the exception of the Fourth Precinct in Hauppauge; and

WHEREAS, it is the desire of the Legislature to begin the process of planning the construction of a new facility for the fourth precinct; and

WHEREAS, sufficient funds are included in the 2005 Capital Budget and Program for this purpose; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has established a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $1,500,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this project with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (21), in that the resolution concerns preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the proceeds of $1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	**JC**	**Project Title**	**Amount**
525-3184.117	28	Renovations, Construction & Additions To Police Precinct Buildings	$1,500,000

DATED: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 21, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1193-2005 Laid on Table 3/15/2005
Introduced by Presiding Officer Caracappa

RESOLUTION NO. 322 -2005, REAPPOINTING CLIFF HYMOWITZ AS A MEMBER OF THE SUFFOLK COUNTY TRANSPORTATION ADVISORY BOARD

WHEREAS, Resolution No. 947-2002, created the Suffolk County Transportation Advisory Board to consist of fourteen (14) members, each of whom shall be appointed by the Suffolk County Legislature; now, therefore, be it

1st **RESOLVED**, that Cliff Hymowitz**,** residing at 6 Prospect Street West, Selden, NY 11784, is hereby reappointed as a member of the Suffolk County Transportation Advisory Board, representing transit-dependent riders, for a term of office to expire December 31, 2007, pursuant to Section 835-2 of the SUFFOLK COUNTY CODE; and be it further

2nd **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: April 5, 2005

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

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No. 1222-2005 Laid on Table 3/15/2005
Introduced by Legislator Kennedy

RESOLUTION NO. 323 –2005, DIRECTING THE SUFFOLK COUNTY SEWER AGENCY TO PREPARE MAPS, PLANS, REPORTS AND MAKE RECOMMENDATIONS IN ACCORDANCE WITH ARTICLE 5-A TO FORM A SEWER DISTRICT AT COUNTRY POINTE IN THE TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Sewer Agency has entered heretofore and will hereafter enter into agreements with various subdividers, developers, and sponsors to make provisions for sewage collection and disposal facilities in and about subdivisions, condominiums, commercial, industrial and other areas, as well as the formation of districts to implement such intentions; and

WHEREAS, it has previously been determined to be in the best interest of all residents of the County of Suffolk for small sewage treatment facilities to be incorporated into the oversight of the Suffolk County Department of Public Works to ensure the quality of ground water and the health and comfort of surrounding residents; and

WHEREAS, the Homeowners Association at the County Pointe Development has requested that the Suffolk County Sewer Agency study and make recommendations necessary for the formation of a County Sewer District; now, therefore, be it

RESOLVED, that the Suffolk County Sewer Agency, with the assistance of the Suffolk County Department of Public Works, be, and they are hereby authorized, empowered, and directed within the limitations of their budgets, to undertake the preparation of appropriate maps, plans, reports and recommendations all in accordance with Article 5-A of the New York County Law and necessary to initiate the formation of such County Sewer District in and about Country Pointe in the Town of Smithtown.

DATED: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 21, 2005

Legislator Losquadro made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1264-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 324 -2005, AMENDING RESOLUTION NO. 734-2004 IN CONNECTION WITH MAKING CERTAIN FINDINGS AND DETERMINATIONS UPON A PROPOSAL TO FORM SUFFOLK COUNTY SEWER DISTRICT NO. 2 – TALLMADGE WOODS IN THE TOWN OF BROOKHAVEN

WHEREAS, Resolution No. 734-2004 was adopted on June 28, 2004 and signed by the County Executive on July 5, 2004; and

WHEREAS, when adopted, Resolution No. 734-2004 omitted necessary language; now, therefore, be it

1st RESOLVED, that the 1st Whereas clause of Resolution No. 734-2004 is hereby amended to read as follows:

> **WHEREAS**, the County Legislature of the County of Suffolk, New York, duly adopted Resolution No. 212 of 1973, on March 27, 1973, and approved by the County Executive on March 27, 19[8]73, pursuant to Section 253 of the County Law, directing the Suffolk County Sewer Agency (Sewer Agency) to prepare maps and plans and a report in accordance with such section in relation to the formation of a County sewer district [(the District), the development known as Tallmadge Woods, located in the hamlet of Middle Island in the Town of Brookhaven]; and

and be it further

2nd RESOLVED, that the 2nd Whereas clause of Resolution No. 734-2004 is hereby amended to read as follows:

> **WHEREAS**, the [County]Sewer Agency has duly caused such maps and plans to be prepared and has transmitted them to [said] the County Legislature, together with a report of its proceedings and its recommendations in accordance with Section 254 of the County Law; and

and be it further

3rd RESOLVED, that an 8th Whereas clause of Resolution No. 734-2004 is hereby added to read as follows:

> **WHEREAS**, the Sewer Agency passed Resolution No. 25 of 2003 approving the maps and plans and report prepared by the Agency staff and authorized further necessary proceedings in connection with the formation of Suffolk County Sewer District No. 2 – Tallmadge Woods (the "District"), for the developments known as Tallmadge Woods, Timber Ridge, Willow Creek, The Ranches, Meadow Pond/Country Pointe, Island Estates at Mt. Sinai II and Crossroads at Miller Place, located in the hamlets of Mt. Sinai and Miller Place in the Town of Brookhaven; and

and be it further

4th RESOLVED, that Section 1 of the 1st Resolved clause of Resolution No. 734-2004 is hereby amended to read as follows:

Section 1: Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendations and data filed with it by the Sewer Agency, that it is in the public interest to form a new sewer district pursuant to Section 271 of the County Law substantially in accordance with the maps and plans, report and recommendations of the Sewer Agency[.], that the facilities within the proposed District are adequate and appropriate, that all of the property and property owners in the proposed District are benefited by the formation of the proposed District, and that all of the property and property owners benefited by the formation of the proposed District are included within the limits of the proposed District.

and be it further

5th RESOLVED, that all other provisions of Resolution No. 734-2004 are hereby reaffirmed, ratified and remain in full force and effect.

[ ] Brackets denote deletions.
__ Underlining denotes additions.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1269A-2005

BOND RESOLUTION NO. 325 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $200,000 BONDS TO FINANCE THE COST OF THE RECONSTRUCTION OF A CULVERT ON CR 94, NUGENT DRIVE (CP 5371)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the reconstruction of a culvert on CR 94, Nugent Drive, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $200,000. The plan of financing includes the issuance of $200,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 4 of the Law of the Law, is forty (40) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1269-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 326 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CULVERTS (CP # 5371)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Reconstruction of Culvert on CR 94, Nugent Drive; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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

RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1168 of 1995 classified the action contemplated by this as a Type II Action; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

RESOLVED, that the proceeds of $200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5371.318	50	Reconstruction of CR 94, Nugent Drive Culvert	$200,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1270-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 327 -2005, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2005 OPERATING BUDGET, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING ADDITIONAL FUNDS FOR RECONSTRUCTION OF SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON (CP 8169)

WHEREAS, the Port Jefferson Wastewater Treatment Plant requires reconstruction to comply with NYSDEC permit limitations derived from the Long Island Sound Study with respect to reducing nitrogen discharges into Long Island Sound; and

WHEREAS, Resolution No. 907-2004 appropriated Assessment Stabilization Reserve Funds and Clean Water/Clean Air Bond Act funds into Capital Project 8169; and

WHEREAS, bids were received on January 20, 2005 and it has been determined that those bids were appropriate for the work to be performed and that the funds available were insufficient to award the contracts and complete the project; and

WHEREAS, the Administrative Head of Sewer District 1 – Port Jefferson has requested that additional funds be appropriated to allow the project to be initiated and contracts awarded; and

WHEREAS, it is proposed that $3,000,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the project; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8, Resolution No. 37-2002 determined that the Proposed Improvements to Sewer District No. 1, Village of Port Jefferson, constitutes an unlisted action which will not have a significant effect on the environment pursuant to the provisions of Title 6 NYCRR Part 617.7(c) and Chapter 279 of the Suffolk County Code; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, as the basis for funding Capital Projects such as this project; now, therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-four (74), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that additional funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of $3,000,000 for the purpose of implementing the project; and be it further

RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations and revenues be and hereby are transferred:

Interfunds	**Increased Amount**
Appropriations:	
404-IFT-E527-Transfer to Fund 527	$3,000,000
Revenues:	
527-IFT-R404-Transfer from Fund 404	$3,000,000

and be it further

RESOLVED, that the 2005 Capital Budget be and it hereby is amended as follows:

Program No.: 8169
Project Name: Suffolk County Sewer District No. 1 – Port Jefferson Improvements

	Total Est'd *Cost*	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & *Program*
3. Construction	$22,780,748	$0	$3,000,000A
TOTAL	$24,816,927	$0	$3,000,000

A - Assessment
Stabilization Reserve Fund

and be it further

RESOLVED, that funds in the amount of $3,000,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

PROJECT NO.	**PROJECT TITLE**	**AMOUNT**
527-CAP-8169.316	Improvements to SCSD#1 Port Jefferson – Construction	$3,000,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, to and from the Capital Sewer Fund required to finance this capital project; and be it further

RESOLVED, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon

such terms and conditions as he may deem necessary relating to the improvements to the wastewater treatment and disposal system at SD 1 – Port Jefferson.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 18-0.

Intro. Res. No. 1271A-2005

BOND RESOLUTION NO. 328 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $50,000 BONDS TO FINANCE THE COST OF ENGINEERING SERVICES IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of engineering services in connection with safety improvements at various intersections, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $50,000. The plan of financing includes the issuance of $50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 62 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 18-0.

Intro. Res. No. 1271-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 329 -2005, APPROPRIATING FUNDS FOR ENGINEERING SERVICES IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CAPITAL PROGRAM NUMBER 3301)

WHEREAS, the Commissioner of Public Works has requested funds for engineering services to provide a constructive engineering review of the DGEIS Traffic Impact Study Review; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $50,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action,

but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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 revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

RESOLVED, that the proceeds of $50,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3301.118	50	Engineering Services for DGEIS Traffic Impact Study Review	$50,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1276A-2005

BOND RESOLUTION NO. 330 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $40,000 BONDS TO FINANCE THE COST OF THE REPLACEMENT OF DREDGE SUPPORT EQUIPMENT (CP 5201)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $40,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York

(referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of dredge support equipment, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $40,000. The plan of financing includes the issuance of $40,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1276-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 331 -2005, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF DREDGE SUPPORT EQUIPMENT (CAPITAL PROGRAM NUMBER 5201)

WHEREAS, the Commissioner of Public Works has requested funds for equipment in connection with Replacement of Dredge Support Equipment; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $40,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (25) (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

RESOLVED, that the proceeds of $40,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5201.512	50	Replacement of Dredge Support Equipment	$40,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Nowick made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1301-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 332 – 2005, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND FOR THE RECONSTRUCTION OF SEWER DISTRICT 18 - HAUPPAUGE INDUSTRIAL, TOWN OF SMITHTOWN (SCTM 0800-181.000-02.00-007.000) (CP 8126)

WHEREAS, the County of Suffolk is the owner of Sewer District 18 - Hauppauge Industrial, situated in the Town of Smithtown, Suffolk County, New York; and

WHEREAS, this sewage treatment facility is not sufficient to meet current and anticipated future needs of the sewer district and adjacent area; and

WHEREAS, for this sewage treatment facility to sufficiently meet current and anticipated future needs for the purpose of treating sewage from the Hauppauge Industrial Park, it is essential that additional, adjacent land be acquired; and

WHEREAS, adequate funding for this project has been adopted in the 2005 Capital Budget in Capital Project 8126; now therefore, be it

RESOLVED, that the parcel listed in Exhibit "A" consisting of approximately 6.0 acres are hereby approved for preliminary planning steps and ultimate annexation to the Sewer District 18 - Hauppauge Industrial site located at SCTM No. 0800-181.00-02.00-007.000; and be it further

RESOLVED, that the Commissioner of the County Department of Public Works, or his or her designee, is hereby authorized, empowered, and directed to have surveys and maps prepared for the subject parcel; and be it further

RESOLVED, that the Commissioner of the County Department of Public Works, or his or her designee, is hereby further authorized, empowered, and directed, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

RESOLVED, that the Commissioner of the County Department of Public Works, or his or her designee, is hereby further authorized, empowered, and directed to initiate written contact with the owner of the subject parcel prior to ordering an appraisal, for the purpose of commencing negotiations to acquire fee simple absolute or a lesser interest (i.e. temporary easement or permanent easement) of the subject parcel, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

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 from Capital Project No. 8126; and be it further

RESOLVED, that the Commissioner of the County Department of Public Works, or his or her designee, is hereby further authorized, empowered, and directed to utilize such valid appraisals for the subject parcel 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

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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Bishop made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 18-0.

Intro. Res. No. 1318-2005 Laid on Table 3/15/2005
Introduced by Presiding Officer at the request of County Executive Steve Levy

RESOLUTION NO. 333 -2005, TRANSFERRING ESCROW ACCOUNT FUNDS TO THE CAPITAL FUND, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING DESIGN AND CONSTRUCTION FUNDS FOR IMPROVEMENTS TO THE SUFFOLK COUNTY SEWER DISTRICT NO. 14 - PARKLAND (CP 8118)

WHEREAS, Sewer District Number 14 - Parkland was created in 1979 and the sewer system requires infrastructure improvements; and

WHEREAS, the Administrative Head of Sewer District No. 14 - Parkland has requested that funds be appropriated to cover design and construction costs associated with the improvement project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of priority ranking system, implemented in the adopted 2005 Capital Budget, and as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available from connection fees in escrow accounts to cover the costs of the improvement and/or rehabilitation; now therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (7), (18), (21), (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-two (72) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they are hereby authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To** Capital Fund Sewer Revenues	**Amount**	**Accrued Interest**
Fox Ridge BR 817	527-Sewer Service Charge	$405,000	Yes
Fox Ridge BR 817	527-Sewer Service Charge	$1,200	Yes
Trikay Associates IS 1291	527-Sewer Service Charge	$13,800	Yes
Burger King at Waverly Ave BR 1291	527-Sewer Service Charge	$35,100	Yes
Total SCSD #14		$455,100	Yes

and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $455,100, plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

RESOLVED, that the 2005 Capital Budget be and it hereby is amended as follows:

Program No. 8118
Project Name: Improvements to - SD 14 - Parkland

	Total Est'd Cost	Current 2005 Capital Budget & ***Program***	Revised 2005 Capital Budget & ***Program***
1. Planning, Design & Supervision	$50,000	0	$50,000 O

			+ Accrued Interest
3. Construction	$405,100	$350,000 X	$405,100 O
			+ Accrued Interest
TOTAL	$455,000	$350,000	$455,100

and be it further

RESOLVED, that the proceeds of $455,100 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

Project No.	**Project Title**	**Amount**
527-CAP-8118.111	Improvements to Sewer District 14 - Parkland - Planning, Design and Supervision	$ 50,000 + Accrued Interest
527-CAP-8118.311	Improvements to SCSD No. 14 - Parkland - Construction	$405,100 + Accrued Interest

and be it further

RESOLVED, that the Administrative Head of Sewer Districts be and he hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the design and construction of improvements at Sewer District No. 14 - Parkland.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.

Intro. Res. No. 1319-2005 Laid on Table 3/15/2005
Introduced by Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 334 –2005, TRANSFERRING ESCROW ACCOUNT FUNDS TO THE CAPITAL FUND, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING DESIGN AND CONSTRUCTION FUNDS FOR SEWER SYSTEM IMPROVEMENTS TO THE SUFFOLK COUNTY

SEWER DISTRICT NO. 14 - PARKLAND (CP 8151)

WHEREAS, Sewer District Number 14 - Parkland was created in 1979 and the sewer system requires improvements and rehabilitation; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of priority ranking system, implemented in the Adopted 2005 Capital Budget, and as the basis for funding capital projects such as this project; and

WHEREAS, the Administrative Head of Sewer District No. 14 - Parkland has requested that funds be appropriated to cover design and construction costs associated with the improvement project; and

WHEREAS, sufficient funds are available from connection fees in escrow accounts to cover the costs of the improvement and/or rehabilitation; now therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (7), (18), (21), (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-four (74) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they are hereby authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To** Capital Fund Sewer Revenues	**Amount**	**Accrued Interest**
Gateway Plaza BR 919	527- Sewer Service Charge	$358,317	Yes
Total SCSD #14		$358,317	Yes

and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $358,317, plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

RESOLVED, that the 2005 Capital Budget be and it hereby is amended as follows:

Program No. 8151
Project Name: Improvements to Sewer System -

SD 14 - Parkland

	Total Est'd ***Cost***	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
1. Planning, Design & Supervision	$50,000	0	$50,000 + Accrued Interest
3. Construction	$308,317	$300,000	$308,317 + Accrued Interest
TOTAL	$358,317	$300,000	$358,317

and be it further

RESOLVED, that the proceeds of $358,317 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

Project No.	**Project Title**	**Amount**
527-CAP -8151.110	Improvements to Sewer System Sewer District 14 - Parkland - Planning, Design and Supervision	$ 50,000 + Accrued Interest
527-CAP-8151.310	Improvements to Sewer System SCSD No. 14 - Parkland - Construction	$308,317 + Accrued Interest

and be it further

RESOLVED, that the Administrative Head of Sewer Districts be and he hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the design and construction of sewer system improvements at Sewer District No. 14 - Parkland.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Binder made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1320-2005 Laid on Table 3/15/2005

Introduced by Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 335-2005, TRANSFERRING ESCROW ACCOUNT FUNDS TO THE CAPITAL FUND, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING CONSTRUCTION FUNDS FOR IMPROVEMENTS TO THE SUFFOLK COUNTY SEWER DISTRICT NO. 10 - STONY BROOK (CP 8175)

WHEREAS, Sewer District Number 10 - Stony Brook was created in 1978 and the sewer system requires infrastructure improvements; and

WHEREAS, the Administrative Head of Sewer District No. 10 - Stony Brook has requested that funds be appropriated to cover construction costs associated with the improvement project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of priority ranking system, implemented in the Adopted 2005 Capital Budget, and as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds are available from connection fees in escrow accounts to cover the costs of the improvement and/or rehabilitation; now therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines, in accordance with CEQ Resolution No. 23-05, that that this law constitutes an Unlisted action which will not have significant adverse impacts on the environment under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code since the project simply involves the modernization and upgrading of existing facilities; and

RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they are hereby authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

From Escrow Account	**To** Capital Fund Sewer Revenues	**Amount**	**Accrued Interest**

BR1030 Lot 31	527- Sewer Service Charge	$12,211.58	Yes
BR1030 Lot 141	527- Sewer Service Charge	$10,478.75	Yes
BR1030 Lot 182	527- Sewer Service Charge	$ 1,691.97	Yes
BR1030 Lot 3	527- Sewer Service Charge	$19,682.39	Yes
BR1030 Lot 30	527- Sewer Service Charge	$ 9,808.50	Yes
BR1030 Lot 2	527- Sewer Service Charge	$22,069.13	Yes
BR1030 Lot 7	527- Sewer Service Charge	$16,478.28	Yes
BR1030 Lot 30	527- Sewer Service Charge	$15,105.09	Yes
BR1030 Lot 17	527- Sewer Service Charge	$16,674.45	Yes
BR1030 Lot 15	527- Sewer Service Charge	$18,194.77	Yes
Total SCSD #10		$142,394.91	Yes

and be it further

RESOLVED, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed $142,394.91, plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

RESOLVED, that the 2005 Capital Budget be and it hereby is amended as follows:

Program No. 8175
Project Name: Improvements to - SD 10 - Stony Brook

	2005 Capital Budget &	Revised 2005 Capital Budget &

	Total Est'd Cost	Program	Program
3. Construction	$ 250,000	$250,000 X	$142,394.91 O + Accrued Interest
TOTAL	$ 250,000	$250,000	$142,394.91

and be it further

RESOLVED, that the proceeds of $142,394.91 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

Project No.	**Project Title**	**Amount**
527-CAP-8175.311	Improvements to SCSD No. 10 - Stony Brook - Construction	$142,394.91 + Accrued Interest

and be it further

RESOLVED, that the Administrative Head of Sewer Districts be and he hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the design and construction of improvements at Sewer District No. 10 - Stony Brook.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Kennedy made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1321-2005 Laid on Table 3/15/2005
Introduced by Legislators Kennedy and Foley

RESOLUTION NO. 336 –2005, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORM WATER REMEDIATION CONSTRUCTION AND IMPROVEMENTS AT SOUTHEAST INTERSECTION OF LAKE SHORE DRIVE AND LAKE TERRANCE IN LAKE RONKONKOMA, TOWN OF BROOKHAVEN, (CP 8710.312)

WHEREAS, the Lake Ronkonkoma water shed has been identified by the Suffolk County Planning Department as an area of critical importance; and

WHEREAS, remediation of storm water runoff would improve Lake Ronkonkoma's water quality and would meet the objectives of the 1986 "Clean Lakes Study for Lake Ronkonkoma" prepared by the Suffolk County Planning Department and the New York State Department of Environmental Conservation, (DEC); and

WHEREAS, the total project cost shall approximate $600,000, of which the DEC has made a final round of grant funding under the 1996 Clean Water/Clean Air Bond Act available for 50% of the project costs, to be applied for in April 2005; and

WHEREAS, the Town of Brookhaven has indicated an ability to provide 25% of said project costs; and

WHEREAS, the County of Suffolk is the owner of most of the shoreline bordering the Town of Brookhaven and the County wishes to enter into an agreement to fund the remaining 25% of the cost of this storm water remediation project to insure that County properties are not contaminated from this runoff; and

WHEREAS, the County seeks to promote collaborative efforts among multiple levels of government that yield benefits which inure to all residents; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, sufficient funds were included in the 2005 Operating Budget in appropriation 401-IFT-E525, transfer to Capital Fund, for Pay-As-You-Go financing for recurring and low cost capital projects; now, and therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of 78 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that 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 Part 617.5(C) (20), and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the 2005 Capital Budget and Program be and is hereby amended as follows:

Project Title: Storm Water Remediation Construction and Improvements at Southeast Intersection of Lake Shore Drive and Lake Terrace Lake Ronkonkoma, Town of Brookhaven

Cost Elements	Total	Current 2005	Revised 2005

	Estimated Cost	Capital Budget & Program	Capital Budget & Program
Construction	$150,000	$0	$150,000 G
TOTAL	$150,000	$0	$150,000

and be it further

RESOLVED, that the $150,000 in be and they hereby are appropriated as follows:

Project Number	JC	Project Title	Amount
525-8710.312	50	Storm Water Remediation Construction and Improvements at Southeast Intersection of Lake Shore Drive and Lake Terrace Lake Ronkonkoma, Town of Brookhaven	$150,000

and be it further

RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to allocate funding from appropriation 401-IFT-E525, Transfer to Capital Fund, as follows:

Revenues**:**	Amount
525-IFT-R401 Transfer from General Capital Reserve Fund	$150,000

Project No.	Project Title	Amount
525-CAP-8710.312	Storm Water Remediation Construction and Improvements at Southeast Intersection of Lake Shore Drive and Lake Terrace Lake Ronkonkoma, Town of Brookhaven	$150,000

and be it further

RESOLVED**, that the County Executive be and hereby is authorized to enter into such agreements as may be necessary to implement this Resolution, including but not limited to, an agreement pursuant to General Municipal Law section 119-o between the County and the Town.**

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 19, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1322-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer pursuant to Rule 3A-14 of the Rules of the Suffolk County Legislature

RESOLUTION NO. 337 –2005, TO SET PUBLIC HEARING FOR AMENDMENT TO BAY SHORE FERRY, INC., LICENSE

WHEREAS, Resolution No. 343-2003 granted Bay Shore Ferry, Inc. a five year license to operate a public ferry service on the Great South Bay, which was amended by Resolution No. 643-2004; and

WHEREAS, Resolution No. 344-2003 established a schedule of service and rates; and

WHEREAS, Flynn's Casino has hereby withdrawn its consent to Bay Shore Ferry to land at its dock located on Ocean Parkway, Fire Island, New York, for the purpose of operating a public ferry service; and

WHEREAS, the license issued to Bay Shore Ferry, Inc. to operate a public ferry service on the Great South Bay must be amended to reflect this change; and

WHEREAS, pursuant to Section 287-2(D) of the Suffolk County Code, a license may be amended only after a public hearing has taken place; now, therefore be it

1st **RESOLVED**, that pursuant to Section 287-2(D) of the Suffolk County Code, a public hearing shall be held on May 10, 2005 at the Public Works and Public Transportation Committee meeting at the William H. Rogers Legislative Building in Hauppauge at 1:30 p.m. for the purpose of amending the license issued to the Bay Shore Ferry, Inc.; and be it further

2nd **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: April 5, 2005

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: April 14, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1334A-2005

BOND RESOLUTION NO. 338 - 2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $5,000,000 BONDS TO FINANCE THE STRENGTHENING AND IMPROVING OF COUNTY ROADS (CP 5014)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $5,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the connection with the strengthening and improving of County roads, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $5,000,000. The plan of financing includes the issuance of $5,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 20 of the Law of the Law, is fifteen (15) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with

respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1334-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 339 -2005, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction for Strengthening and Improving County Roads; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $5,000,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1171-1995 classified the action contemplated by this as a Type II action; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

RESOLVED, that the proceeds of $5,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
Ref-525-CP# 5014.340	50	Strengthening and Improving County Roads	$5,000,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Kennedy made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 11-3-4-0. Legislators Viloria-Fisher, Foley, and Lindsay voted no. Legislators Montano, Bishop, Mystal and Cooper abstained.

Intro. Res. No. 2328-2004 Laid on Table 12/21/2004
Introduced by Legislator Kennedy

RESOLUTION NO. 340 –2005, CREATING A GEOGRAPHICAL INFORMATION SYSTEMS COMMITTEE

WHEREAS, the Suffolk County Legislature recognizes the importance of establishing, developing, and deploying of a Geographical Information System (GIS) in and for the County of Suffolk; and

WHEREAS, the Suffolk County Legislature approved in the 2005 budget process a new position in the Planning Department to coordinate Geographic Information System (GIS) use and development of geographical data bases in Suffolk County Departments and the continue the sharing of data with other users such as the Suffolk County Water Authority, LIPA, and other governmental units in the County; and

WHEREAS, the Suffolk County Clerk has implemented a land records imaging system, an on-line land records, liens, judgments, court records, and other associated records systems; and

WHEREAS, the Suffolk County Office of Real Property Services, presently vends Suffolk County Tax Map data in CD form, readily accessible for computer processing; and

WHEREAS, the Suffolk County Treasurer maintains tax history information in computer format, which is presently accessible through computer terminals in the public access section of the County Clerk's Office; and

WHEREAS, the Suffolk County GIS database has been compiled and maintained, and may be further enhanced through linking with the above-referenced databases; and

WHEREAS, standardization of data input, transfer, and access through the assessment, review, and recommendation process will yield cost savings, enhanced accessibility, and economic benefits through prudent marketing to the business community; and

WHEREAS*,* the GIS Committee shall have established four primary goals, from which the activities of the Committee shall be derived. Those goals shall be as follows:

1.) Enhance and support the GIS role in public safety and homeland security functions now being administered by County agencies;
2.) Protect and preserve the identity of Suffolk County citizens, and to act as a gatekeeper for data and image access;
3.) Normalize data from the various repositories identified throughout the County;
4.) Explore methods to offset expenditure associated with development and operation of GIS;

And to further promote the improvement, and reliability of GIS visual images as well as the associated data related to the image; now, therefore, be it

1st **RESOLVED**, that a Geographical Information System (GIS) Advisory Committee (hereinafter referred to as "GIS Advisory Committee") shall be created, for the purpose of reviewing all associated land records, tax map, tax history, health department, planning, and other associated data bases, for the purpose of reviewing input protocol, referral format, and remote access opportunities for the purpose of conducting an inventory, needs assessment, and putting forth a short range as well as a long range plan; and be it further

2nd **RESOLVED**, that the GIS Advisory Committee shall be comprised of the following nine (9) members:

1.) the Presiding Officer, or his/her designee;

2.) the Director of the Legislative Office of Budget Review (BRO), or his/her designee;

3.) the Suffolk County Clerk, or his/her designee from the Optical Imaging Unit;

4.) the Suffolk County Treasurer, or his/her designee;

5.) the Suffolk County Executive, or his/her designee from the Executive Office Technology Unit;

6.) the Director of Real Property Tax Services, or his/her designee;

7.) an individual with experience in GIS to be appointed by Legislature;

8.) the Deputy County Executive for Finance and Management; and

9.) the Director of Planning, or his/her designee, who shall serve as the Chairman;

and be it further

3rd **RESOLVED,** that the GIS Committee, or its designees, shall undertake following activities during the course of review and study:

A.)

1.) Inventory all County based data sets that are related to the successful operation of an integrated County GIS system; Establish the requirements associated with the compilation of such data sets – i.e. statutory, regulatory, or by departmental convention.

2.) Identify the frequency with which all data is routinely updated, and the present access arrangements now in existence for each data set; Identify the storage software, i.e., Oracle, Microsoft, etc., the software version, and the entry protocol associated with each data set.

3.) Identify the accuracy verification process utilized for each of the respective data sets.

4.) Identify redundancies in captured data, as well as captured and stored mapping: tax maps, subdivision maps, well and septic system maps, etc.

5.) Identify any specialized equipment residing within the various County Departments that facilitates data and image import into an integrated GIS system: Scanners, plotters, imaging equipment; identify the potential for excess capacity/off hours use of equipment by other County Departments.

6.) Establish a requirement that a simple cost/benefit analysis accompany any purchase order for software/hardware acquisition or modification, including the cost-to-carry, reflecting annual licensing and/or maintenance fees.

7.) Identify best use practices for the sharing of data and imagery among County Departments; detail these practices and distribute to all County Departments; Establish a Memorandum of Understanding (MOU) to be executed by Non-Executive Departments that reflect a voluntary willingness to abide by consistent standards to facilitate GIS data transfer, without impacting statute based data collection requirements.

The above inventory should be achieved through the circulation of a survey, as well as from direct input from departments to the committee members. This inventory should be compiled in 60 days or less, and should be assembled in a simple, usable document.

B.)

1.) A short range plan (12 – 18 months) as well as a long range plan (60 months) should be established for the purpose of identifying immediate and achievable objectives for the GIS Committee, as well as for the purpose of guiding and directing the appropriation of funds, the pursuit of grant applications, and the development of expanded or new uses for GIS.

2.) A hierarchy of priorities should be established, placing primary emphasis on health and public safety. In these two categories, specific objectives should be established for the assemblage and use of GIS data. An order of priorities should be further defined from this inception point, which would include uses for Planning Department, Department of Public Works, Management Information Services, and other natural County users.

3.) The plans should be further revised to identify intra-County users, as well as external users. External users should be further identified as collaborative/exchange with municipal and quasi-municipal repositories (Towns, Villages, Suffolk County Water Authority, KeySpan) or solely use, such as Fire Departments, Volunteer Ambulance Corps.

4.) Other users should be identified as individual/informational/educational/ and commercial access.

5.) Access protocol should be proposed for both intra-county groups, as well as other municipals.

6.) Grant opportunities and applications shall be identified and solicited, but shall not be authorized without prior Legislative approval.

C.) Committee members may request that the County Attorney's Office compile an inventory of the legal basis for Department operations. Where appropriate, recommendations may be made to amend New York State Laws and Regulations to allow for better interaction, coordination and exchange of data and mapping, without compromising the intent of the statute.

D.) Aerial Orthography – Identify the present inventory, determine the usefulness of the same, and determine a cost basis to update and maintain the imagery; establish shared use mechanisms with other levels of government concerning aerial photography and imagery.

E.) Establish a protocol for the representation of the GIS Committee at MIS working committee and steering committee meetings, so that full analysis can be achieved for all County GIS based projects.

4th **RESOLVED**, that the GIS Advisory Committee shall present a written report to the County Executive and the Presiding Officer of the County Legislature, and file a copy of said report with the Clerk of the Suffolk County Legislature within nine (9) months after the effective date of this Resolution, which report shall include the Committee's initial work and shall make

recommendations to the Legislature for policy establishment, change and implementation. No formal policy shall be adopted or changed without a duly enacted Resolution of the Suffolk County Legislature, and be it further

5th **RESOLVED**, that the GIS Advisory Committee shall present a written report to the County Executive and the Presiding Officer of the County Legislature, and file a copy of said report with the Clerk of the Suffolk County Legislature every six (6) months following its initial report required hereinabove detailing the activities, accomplishments and needs of the Committee, and be it further

6th **RESOLVED**, that the GIS Advisory Committee shall establish a regular meeting schedule, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his own initiative or upon receipt of a written request therefor signed by at least three (3) members of the GIS Advisory Committee. Written notice of the time and place of such special meetings shall be given by the Chair to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

7th **RESOLVED**, that five (5) members of the GIS Advisory Committee shall constitute a quorum to transact the business of the GIS Advisory Committee at both regular and special meetings; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of the GIS Advisory Committee, as well as supplies and postage as necessary, will be provided by the staff of the Suffolk County Department of Planning; and be it further

9th **RESOLVED**, that the GIS Advisory Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

10th **RESOLVED**, that the GIS Advisory Committee may delegate to any member of the GIS Advisory Committee the power and authority to conduct such hearings and meetings; and be it further

11th **RESOLVED**, that the GIS Advisory Committee shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

12th **RESOLVED**, that the GIS Advisory Committee shall expire, and the terms of office of its members terminate, as of December 31, 2007 at which time the GIS Advisory Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

13th **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: April 5, 2005

VETOED BY THE COUNTY EXECUTIVE ON APRIL 6, 2005

**VETO OVERRIDE NOT ADOPTED ON APRIL 21, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.

Intro. Res. No. 1137-2005 Laid on Table 2/15/2005
Introduced by Legislator O'Leary

RESOLUTION NO. 341 -2005, ESTABLISHING A YAPHANK CENTER DEVELOPMENT REVIEW COMMITTEE

WHEREAS, the County of Suffolk currently owns approximately 400 acres of vacant land in Yaphank; and

WHEREAS, this property has been the subject of numerous proposals in the past which have not come to fruition; and

WHEREAS, several recent proposals have been discussed for development of this property, including an office incubator, sport/entertainment facility, a NASCAR race track, affordable workforce housing units, outdoor skating rinks, swimming pools, and other types of recreational activities; and

WHEREAS, the Suffolk County Executive has issued Executive Order No. 4-2005 in which he instructs the Director of Planning to prepare a Site Evaluation Study for the 400+ acres of vacant land owned by the County to solicit a Request for Proposal (RFP) or a Request for Expressions of Interest (RFEI) from those who may be interested in developing the Yaphank site by December 31, 2005; and

WHEREAS, this property is one of the largest tracts of developable vacant land owned by the County in which a revenue-generating operation compatible with the needs of the local residents and with the needs of all the residents of Suffolk County could be constructed, and it is vitally important that the most beneficial use of this property be carefully scrutinized; now, therefore be it

1st **RESOLVED**, that a Yaphank Center Development Committee is hereby created to review any existing proposal and make recommendations to the County Executive and to the Suffolk County Legislature for the future development of the Yaphank County Center; and be it further

2nd **RESOLVED**, that this Yaphank Center Development Committee (Committee) shall consist of the following ten (10) members:

1.) The Suffolk County Executive, or his designee;

2.) The Presiding Officer of the Suffolk County Legislature, or his designee;

3.) The Suffolk County Legislator representing the Third Legislative District, or his representative;

4.) The Director of the Suffolk County Department of Planning, or his designee, who shall act as Chairman;

5.) The Commissioner of the Suffolk County Department of Economic Development and Workforce Housing, or his designee;

6.) A resident of the Third Legislative District, to be selected by the County Executive;

7.) A resident of the Third Legislative District, to be selected by the Suffolk County Legislator from the Third Legislative District; and

8.) The Executive Director of the Association for a Better Long Island (ABLI), or his designee; and

9.) The Town of Brookhaven's Commissioner of Planning, Environment and Land Management, or his designee; and

10.) The Director of the Legislative Office of Budget Review, or his designee

and be it further

3rd **RESOLVED**, that the Committee shall hold its first meeting no later than thirty (30) days after the appointment of all members, which meeting shall be convened by the Chairman of the Committee, for the purpose of organization; and be it further

4th **RESOLVED**, that the members of said Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

5th **RESOLVED**, that the Committee shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request therefore signed by at least three (3) members of the Committee. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

6th **RESOLVED**, that six (6) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

7th **RESOLVED**, that clerical services involving the month-to-month operation of this Committee, as well as supplies and postage as necessary, will be provided by the staff of the County Department of Planning; and be it further

8th **RESOLVED**, that the Committee may conduct community meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

9th **RESOLVED**, that the Committee may delegate to any member of the Committee the power and authority to conduct such community meetings; and be it further

10th **RESOLVED**, that the Committee shall cooperate with the County Executive and with Legislative Committees of the County Legislature and make available to each, upon request, any records and other data it may accumulate or obtain; and be it further

11th **RESOLVED**, that the Committee is hereby authorized, empowered, and directed to hold at least one (1) public hearing in the Yaphank community to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

12th **RESOLVED**, that this Committee shall submit written recommendations for action, if any, for the future development of the Yaphank County Center, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

13th **RESOLVED**, that, upon the presentation of the report of this Review Committee, the Director of Suffolk County Department of Planning shall issue a Request for Proposal (RFP) or a Request for a Request for Expressions of Interest (RFEI) to be circulated for the most beneficial use of this site, which RFP or RFEI shall utilize the findings and determinations of the Review Committee; and be it further

14th **RESOLVED**, that the Committee shall expire, and the terms of office of its members terminate, as of December 31, 2005 at which time the Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

15th **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: April 5, 2005

VETOED BY THE COUNTY EXECUTIVE ON APRIL 6, 2005

** APRIL 21, 2005 NO FURTHER ACTION TAKEN**

Legislator Montano made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 18-0.

Intro. Res. No. 1196-2005 Laid on Table 3/15/2005
Introduced by Legislator Montano

RESOLUTION NO. 342 –2005, AUTHORIZING TRANSFER OF SURPLUS MEDICAL EQUIPMENT AND SUPPLIES TO MURIEL GORDON FOUNDATION

WHEREAS, the Suffolk County Department of Health Service General Operations has a list of medical equipment and supplies which have been declared surplus; and

WHEREAS, a not-for-profit and public service organization in Suffolk County has requested the donation of medical equipment and supplies from the Suffolk County of Health Services; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this medical equipment and supplies; now, therefore, be it

1st **RESOLVED,** that the Suffolk County Department of Health Services is hereby authorized, empowered, and directed, to transfer the following surplus medical equipment and supplies to the following not-for-profit organization, for use within its facilities for nominal consideration, which list of surplus medical equipment and supplies is attached hereto as Exhibit "A";

To:	**Medical Equipment and Supplies**
Muriel Gordon Foundation 13 Sycamore Street Central Islip, NY 11722 Contact: Muriel Gordon Telephone: (631) 232-0345	Exhibit "A"

and be it further

2nd **RESOLVED,** that the above described surplus medical equipment and supplies is hereby declared to be scrap value only and is transferred to the above listed not-for-profit for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED,** that the above named organization shall assume responsibility for the removal and transportation of said medical equipment and supplies; and be it further

4th **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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

BAY SHORE ITEMS AVAILABLE FOR DONATION

12/9/04

6 wall mirrors
6 wall-mounted fans
2 gooseneck lamps
1 IV holder on wheels
3 small cabinets
1 box of floor stripper – 5 gallon
1 box of floor wax- 5 gallon
1 box red (infectious waste) bags
1 box surgical gowns
1 blood pressure unit
1 Clay Adams Centrifuge (control #92605)
1 Dynac Centrifuge (control # 67385)
1 overflow valve
1 computer table (in 3 boxes)
5 exam tables
6 waste paper baskets
1 plastic cart
1 scale
1 table (3' x 8')
1 folding table (3'x 8') (control # 73097)
1 gurney
14 stackable chairs
4 folding chairs
18 office chairs
1 file cabinet (control # 62342)
1 single pedestal desk (control #67591)

EXHIBIT "A"

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator O'Leary. The resolution was passed 18-0.

Intro. Res. No. 1224-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of the County Clerk

RESOLUTION NO. 343 –2005, AUTHORIZING THE COUNTY CLERK TO FILE AN APPLICATION FOR ADDITIONAL STATE MORTGAGE TAX REIMBURSEMENT

WHEREAS, Section 262 of the NEW YORK TAX LAW allows the County Clerk to receive all necessary expenses, as approved and allowed by the New York State Tax Commission, by retention from mortgage proceeds actually collected; and

WHEREAS, the Suffolk County Clerk's Office has sought and retrieved mortgage tax reimbursement in the amount of $1,684,870.00 for 2004-2005; and

WHEREAS, the County Clerk's basic expenses in collecting mortgage tax has increased; and

WHEREAS, the County Clerk's Office collected a recorded $273,372,474.00 in mortgage tax in 2004 compared to $244,672,577.00 collected in 2003; and

WHEREAS, the Suffolk County Clerk is now entitled to retain annually from the mortgage tax collected which moneys could be utilized to offset budgetary shortfalls or tax increases in the County operating budget; and

WHEREAS, the County Clerk, has determined that his Office is eligible to retain $1,748,558.00 of mortgage tax collected to offset expenses in his office; now, therefore be it

RESOLVED, that the Suffolk County Clerk is hereby authorized, empowered, and directed, pursuant to Section 18-2 of the SUFFOLK COUNTY CHARTER, to file an application with the New York State Commissioner of Taxation and Finance, for additional funding in the amount of $1,748,558.00 that the County of Suffolk may be entitled to as a result of actual collection of the New York State mortgage tax proceeds by the Suffolk County Clerk's Office, as set forth in Exhibit "A" attached hereto and made part hereof.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

EXHIBIT "A"

2005

MORTGAGE TAX COST ANALYSIS
NON PERSONNEL COSTS

I.	Support Costs - Data Processing Total Data Processing Costs - $585,604.17 15% Attributable		$ 87,840.63
II.	General Office Supplies Total - $75,621.00 14% Attributable		$ 10,587
III.	Postage Total - $245,203.16 156,133 Mortgages at	$1.11	$ 173,308
IV.	Service and Maintenance of Equipment Total - $ 64,023.26 14% Attributable		$ 8,963.26
V.	Rental of Office Space 6,174 Square Feet at $15.00 per Square Foot		$ 92,610.00
		SUB TOTAL	**$ 373,308.45**

MORTGAGE TAX PERSONNEL COSTS

Total costs include 30% for Fringe Benefits See attached Personnel Cost Analysis	$1,375,250.00
SUB TOTAL	**$1,375,250.00**
TOTAL MORTGAGE TAX COSTS	**$1,748,558.45**

Legislator Tonna made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 18-0.

Intro. Res. No. 1292-2005 Laid on the Table 3/15/2005
Introduced by Legislator Tonna

RESOLUTION NO. 344 -2005, AUTHORIZING WAIVER OF INTEREST AND PENALTIES FOR PROPERTY TAX FOR RANDY KROMOL (SCTM NO. 0400-240.00-01.00-116.000)

WHEREAS, Randy Kromol is the owner of record of a parcel of real property located at 37 Pioneer Boulevard, Huntington Station, NY 11746, bearing SCTM No. 0400-240.00-01.00-116.000; and

WHEREAS, the Town of Huntington has documented that their records reflected an incorrect mailing address for Randy Kromol which resulted in a late property tax payment for first half 2004 tax year; and

WHEREAS, as a result, Mr. Kromol did not pay his taxes in a timely manner; and

WHEREAS, the penalty and interest charges that became due when his real property taxes were not paid in a timely manner impose a financial hardship on this property owner; and

WHEREAS, the County Department of Finance and Taxation has indicated its willingness to waive the penalty and interest for the first half of the 2004 tax bill of the property owner; now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the Suffolk County Treasurer, pursuant to Section 30 of the SUFFOLK COUNTY TAX ACT, to accept the amount of Three Thousand Nine Hundred Ninety-Seven Dollars and 24/100 Dollars ($3,997.24) for the first half of taxes for tax year 2004 and advertising charges, if applicable, in full payment of back taxes from the property owner without payment of the interest charges and penalty charges in the amount of Four Hundred Thirteen Dollars and 81/100 Dollars ($413.81) for a parcel in Huntington Station, New York, bearing Suffolk County Tax Map No. 0400-240.00-01.00-116.000.

Tax Year:	**Taxes:**	**Penalty and Interest To Be Waived:**
2004/1st half	$ 3,997.24	$ 413.81
TOTAL:	$ 3,997.24	$ 413.81

and be it further

2nd **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: April 5, 2005

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 14, 2005

Legislator O'Leary made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1307-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 345 –2005, APPROVING THE APPOINTMENT OF MICHAEL E. DIFFLEY TO DETECTIVE LIEUTENANT IN THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, on August 25, 1999, Section 6-3(A) and (B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE was amended by Local Law No. 26-1999, extending anti-nepotism provisions to cover relatives of Police Department officials when the position is not being filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, the Suffolk County Police Commissioner intends to appoint MICHAEL E. DIFFLEY, brother of Suffolk County Police Detective Sergeant John J. Diffley, to a position of Detective Lieutenant in the Suffolk County Police Department; and

WHEREAS, the position to be filled is authorized in the Police Department's 2005 Operating Budget; and

WHEREAS, the individual noted is well qualified to fill this position; now, therefore, be it

RESOLVED, that the appointment indicated above is hereby approved and shall be effective upon appointment by the Police Commissioner after approval of this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator O'Leary made motion for the following resolution, seconded by Deputy Presiding Officer Carpenter. The resolution was passed 18-0.

Intro. Res. No. 1308-2005 Laid on Table 3/15/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 346 –2005, APPROVING THE APPOINTMENT OF JAMES P. MURPHY TO DETECTIVE SERGEANT IN THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, on August 25, 1999, Section 6-3(A) and (B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE was amended by Local Law No. 26-1999, extending anti-nepotism provisions to cover relatives of Police Department officials when the position is not being filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, the Suffolk County Police Commissioner intends to appoint JAMES P. MURPHY, brother of Suffolk County Police Lieutenant Michael S. Murphy, to a position of Detective Sergeant in the Suffolk County Police Department; and

WHEREAS, the position to be filled is authorized in the Police Department's 2005 Operating Budget; and

WHEREAS, the individual noted is well qualified to fill this position; now, therefore, be it

RESOLVED, that the appointment indicated above is hereby approved and shall be effective upon appointment by the Police Commissioner after approval of this Resolution.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 11, 2005

Legislator Schneiderman made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Tonna was not present.

Intro. Res. No. 2313-2004 Laid on Table 12/21/2004
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 347 –2005, AMENDING THE 2005 OPERATING BUDGET TO TRANSFER FUNDS FROM THE SUFFOLK COUNTY WATER PROTECTION FUND (477) RESERVE FUND TO THE SUFFOLK COUNTY DEPARTMENT OF PLANNING FOR A STUDY ON THE EFFECTS OF THE DUCK FARMING INDUSTRY ON LONG ISLAND

WHEREAS, Local Law No. 35 of 1999 created a "Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers"; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program (SCWQPRP) component of Local Law No. 35 of 1999 requires that 11.25% of the total revenues generated be used to offset the County cost of environmental programs including programs to remediate nonpoint source pollution and implement best management practices; and

WHEREAS, Resolution Nos. 662 of 2000 and 659 of 2002 initiated and implemented the Suffolk County Water Quality Protection and Restoration Program funded by a portion of the revenues to be generated by the extension of the ¼% sales tax during the period from December 1, 2000 to December 31, 2013; and

WHEREAS, the Suffolk County Department of Planning has requested funding for a program to study the effects of the duck farming industry on Long Island in accordance with the requirements of Resolution Nos. 662 of 2000 and 659 of 2002; and

WHEREAS, the cost of this project is $22,000 and is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, there are sufficient funds in the reserved fund balance of Fund 477, Suffolk County Water Protection Fund; now, therefore, be it

RESOLVED, that the County of Suffolk hereby appropriates $22,000 from the Water Quality Protection and Restoration Program Environmental Programs Trust Fund in the Suffolk County Operating Budget, established under Section 12-2(A)(2) of the Suffolk County Charter, as follows:

From:	Amount
Fund 477 Water Quality (Reserve Fund Balance)	$22,000
To:	
477-PLN-8220-4560 Suffolk County Department of Planning	$22,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Cooper made motion for the following resolution, seconded by Legislator Binder. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1286-2005 Laid on Table 3/15/2005
Introduced by Legislator Cooper

RESOLUTION NO. 348 -2005, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (MOHLENHOFF PROPERTY) TOWN OF HUNTINGTON

WHEREAS, Resolution No. 840-2004 adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the acquisition of lands for open space preservation; the acquisition of lands to be used as Hamlet Greens, Hamlet Parks or Pocket Parks; and for the acquisition of farmland development rights; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 8706.210, Project Name: Hamlet Greens, Hamlet Parks or Pocket Parks; and

WHEREAS, the Town of Huntington has indicated a willingness to enter into an agreement to demolish and remove any existing structures and improve the property for athletic fields; and

WHEREAS, the Town of Huntington will be responsible for the management and maintenance of the athletic fields; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Estate, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section C14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd Resolved Clause of this Resolution, funding for which shall be provided in Capital Project No. 8706.210, to acquire title to the parcels listed herein below from the reputed owners for inclusion in the

Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for Hamlet Parks - active parkland purposes:

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0400	5.25	John Mohlenhoff & Associates
	Section	134.00		33 W. Rogues Path
	Block	03.00		Huntington, NY 11743
	Lot	007.000		

Property is located at 19 W. Rogues Path

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		REPUTED OWNER AND ADDRESS
2	District:	0400	John Mohlenhoff & Associates
	Section	134.00	33 W. Rogues Path
	Block	03.00	Huntington, NY 11743
	Lot	008.000	

Property is located at 15 W. Rogues Path

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
3	District:	0400	3.93	Mohlenhoff & Associates LLC
	Section	134.00		33 W. Rogues Path
	Block	03.00		Huntington, NY 11743
	Lot	009.000		

Property is located at the corner of Oakwood Road and Rogues Path

Total acreage = 10.68

and be it further

2nd **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections C36-1(A)(2)(5) and (6) of the SUFFOLK COUNTY CHARTER in connection with the Hamlet Greens, Hamlet Park, or Pocket Parks acquisitions; and be it further

3rd **RESOLVED**, that the County Department of Planning, Division of Real Estate in the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and

directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

4th **RESOLVED**, that the County Department of Planning is further authorized, empowered, and directed to work in cooperation with the County Department of Health Services to determine the number of Workforce Housing Development Rights (WHDR) that may be transferred from this property upon acquisition, pursuant to C36-1(B) of the SUFFOLK COUNTY CHARTER; and be it further

5th **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund; and be it further

6th **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) 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 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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 19, 2005

Legislator Cooper made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Tonna was not present.

Intro. Res. No. 1092-2005 Laid on Table 2/15/2005
Introduced by Legislators Cooper, Caracciolo, Bishop, Viloria-Fisher and Schneiderman

RESOLUTION NO. 349 –2005, PROMOTING THE PRESERVATION OF SUFFOLK'S ENVIRONMENT BY PURCHASING "GREEN" POWER

WHEREAS, the County of Suffolk has historically been a nationwide leader in the preservation of environment; and

WHEREAS, this leadership has resulted in the preservation of more open space and farmland than most states; and

WHEREAS, most recently the County has continued its leadership by instituting a "Green Clean" Program for safer County buildings, a LEED Pilot Program for more environmentally friendly County construction and a bio-diesel pilot program for cleaner air; and

WHEREAS, power generation from polluting non-renewable resources, such as oil and coal, results in serious human impairments, negative impacts on wildlife, plants, and the natural environment, and has become a factor in conflicts over the world's dwindling non-renewable resources; and

WHEREAS, energy conservation has not fulfilled its promise to reduce the serious negative impacts caused by fossil fuels used for energy generation; and

WHEREAS, the use of clean renewable energy sources, such as wind, solar, ocean, geothermal and hydro, has many benefits; minimal environmental impacts; increased income for local producers of such energy sources and dramatic air quality improvement; and

WHEREAS, the County of Suffolk wishes to exercise leadership in this most important environmental effort; now, therefore be it

1st **RESOLVED**, that it shall be the policy of the County of Suffolk to improve environmental quality and redirect energy policy, promote energy efficiency, clean energy production and clean renewable energy markets; and be it further

2nd **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER, to purchase energy from sources that include a growing proportion of non-polluting renewable energy technologies with a goal of no less than 25% by 2010, provided, however, that the total additional cost of the energy purchased from such technologies shall not exceed five hundred thousand dollars ($500,000.00) per year when compared to the cost of the same quantity of conventional energy; and be it further

3rd **RESOLVED**, that the Commissioner of the Department of Public Works is further authorized, empowered, and directed to issue an annual report to the County Legislature and the County Executive no later than December 31 of each year updating the progress of achieving the 25% goal, said report to be filed with the Clerk of the County Legislature; and be it further

4th **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)(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: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 20, 2005

Legislator Lindsay made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1185-2005 **Laid on Table 3/15/2005**
Introduced by the Presiding Officer on request of County Executive Steve Levy and Legislators Lindsay and Tonna

RESOLUTION NO. 350 -2005, AMENDING THE 2005 OPERATING BUDGET TO TAKE PROACTIVE STEPS NECESSARY TO MITIGATE THE TRICKLE-DOWN EFFECT OF FEDERAL REDUCTIONS TO THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM AND IMPLEMENTING SMART GOVERNMENT PRINCIPLES TO PERFORM NECESSARY COUNTY FUNCTIONS

WHEREAS**, the New York State Department of Labor has not committed to the continuance of WIA Supplemental and Discretionary funding in the amount of approximately $2.3 million over the 2005/2006 calendar year, resulting from the trickle-down effect of the Federal Workforce Investment Act reductions enacted by Congress over the past two (2) years; and**

WHEREAS**, this recent downturn in funding may be exacerbated by future federal reductions in funding to the Suffolk County Labor Department's programs; and**

WHEREAS**, New York State Department of Labor's lack of commitment to continue WIA Supplemental and Discretionary funding has prompted the County to take proactive steps to address this issue; and**

WHEREAS**, it is essential that the County take these steps to avoid the burden of funding this 100% Federal program with County General Fund dollars and to plan a course of action consistent with Smart Government Principles; and**

WHEREAS**, there are an increasing number of functions performed by the Labor Department staff that are consistent and essential for other County government agencies, such as the Parks Department Environmental Stewardship Program and the County's Storm Water Remediation and Management Program; and**

WHEREAS**, the Labor Department staff (Labor Crew Leaders) facilitate,**

enhance, and assist with the environmental cleanup of the County's 50,000 acres of County parklands and environmentally-sensitive properties; and

WHEREAS**, the Parks Department Environmental Stewardship Program initiative established in the 2005 Adopted Operating Budget, under Fund 477 – Suffolk County Water Protection Fund, as part of the $1.8 million already appropriated for Parks Environmental and Organic Maintenance Programs, could be further enhanced by the addition of staff to facilitate:**

1. **Shore stabilization and restoration projects, including the planting of beach grass;**
2. **Stream and pond cleaning, maintenance and rehabilitation to help aquatic vegetation and indigenous fish species;**
3. **Wetland preservation and enhancement;**
4. **Bay scallop and clam reseeding restoration efforts;**
5. **Storm drain and road run-off drain maintenance;**
6. **Sump cleaning and maintenance; and**
7. **Trail construction and maintenance through environmentally-sensitive stream corridors and wetlands; and**

WHEREAS**, transferring Labor Crew Leaders to the Parks Department Environmental Stewardship Program would facilitate the environmental cleanup under the Water Quality Protection component of the ¼ Percent County Water Protection Program; and**

WHEREAS**, the addition of staff and funding to the Parks Department would further supplement the County Executive's Environmental Stewardship Program initiative established in the 2005 Adopted Operating Budget under Fund 477 – Suffolk County Water Protection Fund; and**

WHEREAS**, the Labor Department staff currently performs functions similar to those functions required by the County's Storm Water Remediation and Management Program for which $4.5 million has been appropriated within the 2005 Adopted Operating Budget under Fund 477 – Suffolk County Water Protection Fund for such projects; and**

WHEREAS**, the transfer of Labor Department staff to create a Department of Public Works Storm Water Remediation and Management Unit that would facilitate the repairs, maintenance and replacement of over 2,000 storm water drains County-wide and further enhance the County's Water Quality Protection Program; and**

WHEREAS**, these Smart Government initiatives will benefit both the Parks Department's Environmental Stewardship Program and the County's Storm Water Remediation and Management Program while alleviating a portion of the financial burden facing the Labor Department through fiscal measures that provide a permanent long term solution, rather than a stop gap measure; and**

WHEREAS**, there currently exist appropriations/funds within the Labor**

Department's Contract Agency (001-6380-498) account in the amount of $70,600 which could be better utilized for essential staffing functions performed in-house; now, therefore, be it

1st RESOLVED**, that the Suffolk County Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action, since such actions simply are legislative decisions having no negative effect on the environment and therefore, SEQRA is complete; and be it further**

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept unexpended, uncommitted funds from the Fund 477 Fund Balance to increase the 2005 operating appropriations; and be it further

3rd RESOLVED, that the 2005 Operating Budget be and is hereby amended by appropriating unexpended, uncommitted funds from the Fund 477 Fund Balance as follows:

APPROPRIATIONS:

Parks Department
Environmental Stewardship
477-PKS-7114

	2005 Adopted	**2005 Modified**	**Change**
477-PKS-7114-1060: Longevity	3,050	3,900	850
477-PKS-7114-1080: Retro & Vac Pay	0	30,408	30,408
477-PKS-7114-1100: Permanent Salaries	838,661	1,115,006	276,345
477-PKS-7114-1120: Overtime	75,000	75,000	0
477-PKS-7114-1130: Temp Salaries	56,000	56,000	0
477-PKS-7114-1400: Clean Allowance	2,400	4,200	1,800
477-PKS-7114-1470: Tool Allowance	325	325	0
477-PKS-7114-2050: Other Mot Eqp	98,000	98,000	0
477-PKS-7114-2110: Agri Eqpt	272,000	272,000	0
477-PKS-7114-3090: Radio & Communication	0	1,125	1,125
477-PKS-7114-3150: Gas & Motor Oil	0	100	100
477-PKS-7114-3190: Tools & Implements	0	10,000	10,000
477-PKS-7114-3210: Frm & Agri Sup	340,000	340,000	0

477-PKS-7114-3220: Insecticides	15,000	15,000	0
477-PKS-7114-3310: Clth & Acces	7,000	8,800	1,800
477-PKS-7114-3350: Safety Supplies	0	750	750
477-PKS-7114-3370: Med, Lab Sup	20,000	20,000	0
477-PKS-7114-3520: Rent: Autos	0	11,934	11,934
477-PKS-7114-3680: Rep: Sp Eqp	79,609	79,609	0
477-PKS-7114-4320: Mls: EMPCSEA	3,000	3,000	0
477-PKS-7114-4340: Tvl: Other	10,000	10,000	0
Sub-total			**335,112**

Department of Public Works
Storm Water Remediation and Management
477-DPW-1497

	2005 Adopted	**2005 Modified**	**Change**
477-DPW-1497-1060: Longevity	0	3,050	3,050
477-DPW-1497-1080: Retro & Vac Pay	3,087	29,616	26,529
477-DPW-1497-1100: Permanent Salaries	54,763	322,123	267,360
477-DPW-1497-3010: Office Supplies	0	1,000	1,000
477-DPW-1497-3020: Outside Printing	0	1,000	1,000
477-DPW-1497-3350: Safety Supplies	1,000	1,000	0
477-DPW-1497-3500: Other: Unclassified	0	4,727	4,727
477-DPW-1497-3510: Rent: Business Machines	0	1,440	1,440
477-DPW-1497-3520: Rent: Autos	0	17,901	17,901
Sub-total			**323,007**

Employee Benefits &
Interfund Transfers

	2005 Adopted	**2005 Modified**	**Change**
477-EMP-9010 – State Retirement	79,959	159,909	79,950
477-EMP-9030 – Social Security	112,867	156,868	44,001
477-EMP-9080 – Welfare Fund Contribution	44,109	58,529	14,420
477-IFT-E016 TR to Interdept'al Service Fund	95,094	102,294	7,200

477-IFT-E038 TR to Fund 038	34,635	78,850	44,215
477-IFT-E039 TR to Fund 039	185,867	314,405	128,538
Sub-total			**318,324**
Total			**$976,443**

and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and are hereby authorized to accept Interfund Transfer Revenues and that these Interfund Transfer Revenues are hereby appropriated as follows:

REVENUES:

039-IFT-R477	Transfer from Water Protection Fund	128,538
038-IFT-R477	Transfer from Water Protection Fund	44,215
016-IFT-R477	Transfer from Water Protection Fund	7,200

ORGANIZATIONS:

Employee Benefits
Major Medical Claims
E039-EMP-9060

8000-Employee Benefits	$ 66,840
8360 - Health Insurance	66,840

Employee Benefits
Hospital Claims
E039-EMP-9061

8000-Employee Benefits	$ 61,698
8360 - Health Insurance	61,698

Self Insurance Fund
Worker's Compensation
038-MSC-9040

8000-Employee Benefits	$ 44,215
8601 - Worker's Comp Medical Expense	44,215

Department of Public Works
Road Machinery
E016-DPW-5130

3000-Supplies, Materials & Other Expenses	$ 7,200
3150 - Gasoline and Motor Oil	7,200

and be it further

5th RESOLVED, that the 2005 Operating Budget be and is hereby amended and the following positions be and are hereby transferred as follows:

Labor Department
Job Opportunity & Basic Skills
001-LAB-6380

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	***2005 Change***
7302	N	Labor Crew Leader (35 Hour)	001-6380-0500	14	6	-4 Tr to 477-7114
7304	N	Assistant Labor Crew Leader	001-6380-0500	11	6	-1 Tr to 477-7114

Labor Department
Workforce Investment Act
320-LAB-6300

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	***2005 Change***
7306	N	Bldg Facilities Crew Leader	320-6300-0500	16	6	-1 Tr to 477-1497
3707	C	Senior Neighborhood Aide	320-6300-0400	17	2	-1 Tr to 477-7114
7302	N	Labor Crew Leader (35 Hour)	320-6300-0100	14	6	-3 Tr to 477-1497
7302	N	Labor Crew Leader (35 Hour)	320-6300-0100	14	6	-2 Tr to 477-7114
730	N	Labor Crew Leader (35 Hour)	320-6300-0400	14	6	-1 Tr to 477-

2730						7114-2 Tr to 477-1497
4	N	Assistant Labor Crew Leader	320-6300-0100	11	6	
0021	C	Clerk Typist	320-6300-0400	9	2	7114-1 Tr to 477-1497

Parks Department
Environmental Stewardship
477-PKS-7114

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	2005 Change
3707	C	Senior Neighborhood Aide	477-7114-0400	17	2	+1 Tr fr 320-6300
7302	N	Labor Crew Leader (35 Hour)	477-7114-0400	14	6	+4 Tr fr 001-6380
7302	N	Labor Crew Leader (35 Hour)	477-7114-0400	14	6	+3 Tr fr 320-6300
7304	N	Assistant Labor Crew Leader	477-7114-0400	11	6	+1 Tr fr 001-6380

Department of Public Works
Storm Water Remediation and Management
477-DPW-1497

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	2005 Change
7306	N	Bldg Facilities Crew Leader	477-1497-0300	16	6	+1 Tr fr 320-6300
7302	N	Labor Crew Leader (35 Hour)	477-1497-0300	14	6	+3 Tr fr 320-6300
7304	N	Assistant Labor Crew Leader	477-1497-0300	11	6	+2 Tr fr 320-6300
0021	C	Clerk Typist	477-1497-0300	9	2	+1 Tr fr 320-6300

and be it further

6th RESOLVED, that the 2005 Operating Budget be and is hereby amended and the following positions be and are hereby transferred as follows:

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	2005 Change
0212	C	Account Clerk/Typist	320-6300-0100	11	2	-1 Tr to 477-7114
7304	N	Assistant Labor Crew Leader	001-6380-0500	11	6	-2 Tr to 477-7114

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	2005 Change
0212	C	Account Clerk/Typist	477-7114-0100	11	2	+1 Tr fr 320-6300
7304	N	Assistant Labor Crew Leader	477-7114-0300	11	6	+2 Tr fr 001-6380

and be it further

7th RESOLVED, that the 2005 Operating Budget be and is hereby amended and the following vacant positions be and are hereby abolished as follows:

Spec No.	J/C	Position Title	Fd-Org-Unit	Gr	BU	2005Abolishments
0212	C	Account Clerk/Typist	477-7114-0100	11	2	-1
7001	L	Laborer	477-7114-0300	8	6	-2

and be it further

8th RESOLVED, that the Adopted 2005 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

FROM	TO	AMOUNT
Job Opportunity & Basic Skills Contracted Agencies 001-LAB-6380-4980	Job Opportunity & Basic Skills Interim Salaries 001-LAB-6380-1110	$70,600

and be it further

9th RESOLVED, that any personnel in the Suffolk County Department of Labor affected by the Federal government's reduction in WIA funding to the County Labor

Department's programs shall be placed, to the maximum extent permissible under New York Civil Service Law and Rules, in comparable or closely related positions in other County departments, offices, or agencies, all subject to the normal bump and retreat rules to be implemented under the auspices of the Suffolk County Department of Human Resources, Personnel and Civil Service; and be it further

10th RESOLVED, that this Resolution includes funding for the lease of two (2) full-size vans in the Parks Department, and three (3) full-size vans in the Department of Public Works; and be it further

11th RESOLVED, that the County Executive is authorized to effectuate the above amendment of appropriations, transfers of staff, and contract terminations; and be it further

12th RESOLVED, that this Resolution shall take effect immediately upon adoption.

DATED: April 5, 2005

APPROVED:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Mystal made motion for the following resolution, seconded by Legislator Bishop. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1106-2005 Laid on Table 2/15/2005
Introduced by Legislators Mystal, Carpenter and Bishop

RESOLUTION NO. 351 –2005, AMENDING THE 2005 OPERATING BUDGET AND TRANSFERRING FUNDS TO THE AMITYVILLE CHAMBER OF COMMERCE FOR IMPROVEMENTS TO THE AMITYVILLE POLICE/FIREFIGHTER MEMORIAL

WHEREAS, the 2005 Operating Budget does not include sufficient funding for improvements to the Amityville police/firefighter memorial; and

WHEREAS, this memorial honors those brave individuals that served the Amityville community as police officers and firefighters; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide the Amityville Chamber of Commerce with $50,000 to make the necessary improvements to the Amityville police/firefighter memorial; 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 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;

RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the 2005 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.

FROM:

FD	AGY	X-Org	R-Org	OBJ	ORG Name	Amount
401	IFT	E525		9600	Transfer to Capital Fund	-$50,000
001	IFT	E401		9600	Transfer to General Capital Reserve Fund	-$50,000
401	IFT		R001		Transfer from General Fund	-$50,000

TO:

FD	AGY	X-Org	R-Org	OBJ	ORG Name	Amount
001	ECD	XXXX	6410	4980	Amityville Chamber of Commerce	+$50,000

and be it further

RESOLVED, that the Suffolk County Executive's Budget Office is directed to assign the appropriate pseudo code to the Amityville Chamber of Commerce; and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive use of funding the Amityville Chamber of Commerce for improvements to the Amityville police/firefighter memorial.

DATED: April 5, 2005

VETOED BY THE COUNTY EXECUTIVE ON APRIL 6, 2005

VETO OVERRIDE ADOPTED ON APRIL 21, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 2238A-2004

BOND RESOLUTION NO. 352 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $765,071 BONDS TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT IN SUFFOLK COUNTY PARKS, CUSTOMIZED FOR DISABLED YOUNG CHILDREN (CP 4815)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $765,071 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase and installation of playground equipment in Suffolk County parks, customized for disabled young children, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $765,071 ($187,443 for construction and $577,628 for playground equipment). The plan of financing includes the issuance of $765,071 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 19 (c) of the Law of the Law, is fifteen (15) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both

principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Presiding Officer Caracappa made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 2238-2004 Laid on Table 12/7/2004
Introduced by Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 353 -2005, AMENDING THE 2005 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT IN SUFFOLK COUNTY PARKS, CUSTOMIZED FOR DISABLED YOUNG CHILDREN (CP 4815)

WHEREAS, the Commissioner of Health has requested funds for the purchase and installation of playground equipment in Suffolk County Parks customized for disabled young children; and

WHEREAS, there is currently only one fully handicapped accessible playground in Suffolk County Parks; and

WHEREAS, these playgrounds will allow young disabled children to interact with other children in a playground environment and therefore be educational; and

WHEREAS, the Department of Health Services would like to purchase and install accessible playgrounds in Suffolk County Parks; and

WHEREAS, the 2005 Adopted Capital Budget and Program does not include sufficient funds to cover the entire cost of said purchase and installation, and under the Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000 has established a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $765,071 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8,

hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998 and reaffirmed by Resolution 209-2000; and be it further

RESOLVED, that the 2005 Capital Budget and Program be and they are hereby amended as follows:
Project No.: 8129
Project Title: SD #7 – Medford Sludge Thickening

	Total Estimated Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
3. Construction	$1,000,000	$1,000,000X	$234,929X
TOTAL	$1,000,000	$1,000,000	$234,929

Project No.: 4815
Project Title: Purchase and Installation of Playground Equipment in Suffolk County Parks Customized for Disabled Young Children

	Total Estimated Cost	Current 2005 Capital Budget & Program	Revised 2005 Capital Budget & Program
3. Construction	$187,443	$0	$187,443 B
5. Furniture and Equipment	$577,628	$0	$577,628 B
TOTAL	$765,071	$0	$765,071

and be it further

RESOLVED, that the proceeds of $765,071 in Suffolk County Serial Bonds be and hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-4815.310	40	Construction for the Purchase of Playground Equipment Customized for Disabled Young Children	$ 187,443

Project No.	J.C.	Project Title	Amount

525-CAP-4815.510	40	Playground Equipment Customized for Disabled Young Children	$577,628

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1366A-2005

BOND RESOLUTION NO. 354 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $550,000 BONDS TO FINANCE THE COST OF THE DREDGING OF COUNTY WATERS (CP 5200)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $550,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the dredging of County waters, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $550,000. The plan of financing includes the issuance of $550,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 (c) of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Foley. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1366-2005 Laid on Table 4/5/2005
Introduced by the Presiding Officer on request of County Executive Steve Levy

RESOLUTION NO. 355 -2005, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CAPITAL PROGRAM NUMBER 5200)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Dredging of County Waters; and

WHEREAS, there are sufficient funds within the 2005 Capital Budget and Program to cover the cost of said request; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2005 Capital Budget, 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 $550,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

RESOLVED, that the proceeds of $550,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5200.437	50	Dredging of County Waters	$550,000

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Deputy Presiding Officer Carpenter made motion for the following resolution, seconded by Legislator Lindsay. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1420-2005 Laid on Table 4/5/2005
Introduced by Legislators Lindsay and Carpenter

RESOLUTION NO. 356 -2005, APPROVING THE LEASE OF PREMISES LOCATED AT 30 GREENE AVENUE, SAYVILLE, BY SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, in order to help meet the ongoing critical need for trained nursing personnel to sustain the delivery of quality health care to the residents of Suffolk County, Suffolk County Community College (College) needs to expand its nursing faculty and instructional facilities; and

WHEREAS, the College issued a Request for Proposals (RFP) to design, deliver and lease facilities for Downtown Educational and Professional Development Centers for this and other educational purposes; and

WHEREAS, the Sayville Union Free School District (Lessor) responded to the RFP by offering to lease to the College approximately 13,968 square feet of instructional space at its facility located at 30 Greene Avenue, Sayville, New York for a term to commence August 15, 2005 and terminate August 14, 2011 (with 2-two year options to renew) at the per square foot rental rate of $15 for the first year of the lease (August 15, 2005 through August 14, 2006) and for each subsequent lease year, including option periods, at the per square foot rental rate

of the preceding year increased by a percentage equal to the Consumer Price Index for the New York-Northeastern New Jersey area, based upon the index for all urban consumers (CPI-U) during the preceding twelve (12) month period ending December 31st of each subsequent year; and

WHEREAS, pursuant to Resolution No. 2005.7, the College's Board of Trustees authorized the negotiation of a lease with Lessor; and

WHEREAS, pursuant to Section 6306(4) of the New York State Education Law, the County of Suffolk, as the College's local sponsor, holds title to real property in trust for the uses and purposes of the College; and

WHEREAS, pursuant to Resolution No. 2005.23, the College's Board of Trustees, which has been granted authority to issue SEQRA determinations under the Plan C agreement between Suffolk County and the College, determined that modifications to the facility at 30 Greene Avenue, Sayville, New York is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1), (2) and (25), since it constitutes the maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes, as well as the purchase of equipment; and

WHEREAS, sufficient funds are being designated in the forthcoming College proposed 2005-2006 Operating Budget for lease payments; now, therefore, be it

RESOLVED, that a lease between the College and Lessor be and hereby is approved in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

Legislator Bishop made motion for the following resolution, seconded by Presiding Officer Caracappa. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1427-2005 Laid on Table 4/5/2005
Introduced by Legislators Bishop and Mystal

RESOLUTION NO. 357 -2005, ADOPTING LOCAL LAW NO. 14 -2005, AMENDING RESOLUTION NO. 133-2005, A LOCAL LAW TO UPDATE SUFFOLK COUNTY LIVING WAGE LAW

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 5, 2005, a proposed local law entitled, "**AMENDING RESOLUTION NO. 133-2005, A LOCAL LAW TO UPDATE SUFFOLK COUNTY LIVING WAGE LAW**" now, therefore, be it

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

LOCAL LAW NO. 14 -2005, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING RESOLUTION NO. 133-2005, A LOCAL LAW TO UPDATE SUFFOLK COUNTY LIVING WAGE LAW

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 certain corrections are necessary to clarify the enforcement of Resolution No. 133-2005.

Therefore, the purpose of this law is to amend Resolution No. 133-2005 to clarify and correct the effective date.

Section 2. Amendments.

A.) Section 3. Applicability, of Resolution 133-2005 is hereby amended to read as follows:

This law shall apply to all actions occurring on or after January 1, 2005**[.]**, except, however, Section 347-13(C) shall be applicable on or after January 1, 2006.

B.) Section 6. Effective Date, of Resolution 133-2005 is hereby amended to read as follows:

This law shall take effect immediately upon filing in the Office of the Secretary of State**[.]**except, however, Section 347-13(C) shall be effective January 1, 2006.

Section 3. Applicability.

These amendments shall be applicable on the effective date of Resolution No. 133-2005.

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) 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 on the effective date of Resolution No. 133-2005 and after filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language.
___ Underlining denotes addition of new language.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
After a Public Hearing duly held on April 19, 2005

Date: April 19, 2005
Filed with the Secretary of State on May 9, 2005

Legislator O'Leary made motion for the following resolution, seconded by Legislator Caracciolo. The resolution was passed 17-0-0-1. Legislator Tonna was not present.

Intro. Res. No. 1431A-2005

BOND RESOLUTION NO. 358 -2005

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $50,000 BONDS TO FINANCE THE COST OF THE PLANNING FOR RENOVATION OF SOUTHAVEN COUNTY PARK STABLES (CP 7032)

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the planning for renovation of Southaven County Park Stables, as authorized in the 2005 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $50,000. The plan of financing includes the issuance of $50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: April 5, 2005

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 8, 2005

MEETING ADJOURNED 6:12PM
HENRY BARTON, CLERK OF THE LEGISLATURE