

**EIGHTH DAY**  
**REGULAR MEETING**

**June 13, 2006**

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 9:34 a. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Legislators Romaine, Schneiderman, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley and Stern.

Legislators Browning, Mystal and Cooper arrived at 9:35 a.m.  
Legislator D'Amaro arrived at 9:38 a.m.  
Legislator Caracappa arrived at 9:50 a.m.  
Deputy Presiding Officer Viloría-Fisher arrived at 10:00 a.m.

Pledge of Allegiance.

-----

Statements and Presentations  
Public Portion

**[THE MEETING WAS RECESSED AT 12:28 P.M. FOR LUNCH AND RESUMED AT 2:37 P.M.]**

The Clerk called the roll and the following were found present: Presiding Officer Lindsay; Deputy Presiding Officer Viloría-Fisher; Legislators Romaine, Schneiderman, Browning, Eddington, Montano, Barraga, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislator Kennedy arrived at 2:50 p.m.  
Legislator Alden arrived at 3:08 p.m.  
Legislator Losquadro arrived at 3:15 p.m.  
Legislator Caracappa arrived at 4:10 p.m.

-----

**Legislator Montano made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 13-4-1-0. Legislators Romaine, Alden, Barraga, and Kennedy voted no. Legislator Nowick abstained.**

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1503-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Tabled 5/16/2006

**RESOLUTION NO. 473 -2006, TO READJUST,  
 COMPROMISE, AND GRANT REFUNDS AND CHARGE-  
 BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:  
 COUNTY LEGISLATURE (CONTROL NO. 750-2006)**

**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.

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
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)

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	HUNTINGTON	04/05	N/A	400 239 4 17	8,066.65	3,735.16	4,331.49
A	HUNTINGTON	05/06	N/A	400 25902 1 1.43	13,331.98	7,527.23	5,804.75
A	HUNTINGTON	05/06	N/A	400 25902 1 1.38	11,569.82	5,402.26	6,167.56
A	HUNTINGTON	05/06	N/A	400 27 3 27	3,214.32	0.00	3,214.32
A	HUNTINGTON	05/06	N/A	400 166 4 65	8,398.91	1,576.98	6,821.93
A	BROOKHAVEN	05/06	6342860	200 597 1 4	6,165.99	2,637.27	3,528.72
A	BROOKHAVEN	05/06	8405795	204 17 4 19	4,562.23	1,413.11	3,149.12
A	BROOKHAVEN	05/06	0516370	200 180 1 65	5,157.41	2,429.41	2,728.00
A	BROOKHAVEN	05/06	8107142	208 9 1 4	439,582.14	266,760.91	172,821.23
A	BROOKHAVEN	05/06	8230200	202 5 3 11	15,344.02	10,968.73	4,375.29
A	BROOKHAVEN	05/06	4118205	200 820 2 1	7,071.76	2,251.64	4,820.12
A	BROOKHAVEN	05/06	5835810	200 518 2 12	5,548.59	2,593.23	2,955.36
A	BROOKHAVEN	05/06	6843300	200 767 3 29.2	4,969.26	2,329.92	2,639.34
A	BROOKHAVEN	05/06	3406520	200 958 8 34	4,494.79	1,184.51	3,310.28
A	BROOKHAVEN	05/06	3901740	200 936 3 14	5,372.28	1,975.78	3,396.50
A	BROOKHAVEN	05/06	2909160	200 893 3 49	4,407.27	1,601.88	2,805.39
A	BROOKHAVEN	05/06	5008607	200 59210 1 98	3,347.16	562.43	2,784.73
A	BROOKHAVEN	05/06	8608981	200 203 4 19.8	10,697.72	4,616.62	6,081.10
C	ISLIP	05/06	067171	500 357 3 18	6,017.72	3,410.79	2,606.93
A	SMITHTOWN	05/06	BK 11 458726	800 47 1 22	9,179.72	3,846.69	5,333.03

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1504-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Tabled 5/16/2006

**RESOLUTION NO. 474 -2006, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND CHARGE-**

**BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:  
COUNTY LEGISLATURE (CONTROL NO. 751-2006)**

**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.

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
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)

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BABYLON	05/06		0100/128-1-1.3	7035.13	2966.96	4068.17
A	BROOKHAVEN	05/06		0200/206-5-41.2	609705.88	532156.13	77549.75
A	BROOKHAVEN	05/06		0200/287-3-4	6185.99	228.36	5957.63
A	BROOKHAVEN	05/06		0200/315-5-34.1	413177.25	362102.27	51074.98
C	BROOKHAVEN	05/06		0200/345-1-1.5	76459.04	63630.34	12828.70
A	BROOKHAVEN	05/06		0200/404-4-3.7	113909.57	82194.19	31715.38
A	BROOKHAVEN	05/06		0200/445-6-17	5262.41	369.87	4892.54
A	BROOKHAVEN	05/06		0200/453-3-37	6854.66	3612.94	3241.72
A	BROOKHAVEN	05/06		0200/535-3-22	5672.28	2404.78	3267.50
A	BROOKHAVEN	05/06		0200/688-3-4.3	442784.05	310488.93	132295.12
C	BROOKHAVEN	05/06		0200/740-3-4	18290.94	5624.09	12666.85
A	BROOKHAVEN	05/06		0200/921-3-4.1	163164.71	159035.87	4598.84
A	BROOKHAVEN	05/06		0200/1-8-20.847	27323.00	11777.15	15545.85
A	ISLIP	05/06		0500/285-2-6.4	14455.03	11888.23	2566.80
A	ISLIP	05/06		0500/346-3-65	22806.10	18459.69	4346.41
A	RIVERHEAD	05/06		0600/125-1-8.1	9813.46	5614.12	4199.34

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1506-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/16/2006

RESOLUTION NO. 475 -2006, TO READJUST,  
 COMPROMISE, AND GRANT REFUNDS AND  
 CHARGEBACKS ON CORRECTION OR  
 ERRORS/COUNTY TREASURER BY: COUNTY  
 LEGISLATURE #245

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Brookhaven:				
0200-874.00-02.00-044.000 (Item# 9990013)	2005/06	\$12,008.75	\$0.00	\$12,008.75

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1507-2006  
 Introduced by Presiding Officer, on request of the County Executive

Laid on Tabled 5/16/2006

**RESOLUTION NO. 476 -2006, TO READJUST,  
 COMPROMISE, AND GRANT REFUNDS AND CHARGE-  
 BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:  
 COUNTY LEGISLATURE (CONTROL NO. 752-2006)**

**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.

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
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)

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BROOKHAVEN	05/06	8100658	0208 14 1 19	20,253.36	11,276.80	8,976.56
A	BROOKHAVEN	05/06	2030560	0200 554 3 4.18	43,819.49	6,259.94	37,559.55
C	BROOKHAVEN	05/06	5315130	0200 589 1 4	15,021.69	12,312.85	2,708.84
A	BROOKHAVEN	05/06	4920415	0200 942 4 3	50,343.86	44,785.56	5,558.30
A	BROOKHAVEN	05/06	6503162	0200 763 2 3	8,056.75	3,533.16	4,523.59
A	BROOKHAVEN	05/06	5902760	0200 468 6 10	14,122.86	7,767.57	6,355.29
A	BROOKHAVEN	05/06	1511141	0200 34 2 11.1	9,782.94	4,731.88	5,051.06
C	BROOKHAVEN	05/06	1212550	0200 51 1 26	12,864.63	127.38	12,737.25
C	BROOKHAVEN	05/06	8609480	0200 110 3 7	27,957.24	16,308.39	11,648.85
A	BROOKHAVEN	04/05	5601170	0200 539 7 31.2	5,722.64	2,739.02	2,983.62
A	BROOKHAVEN	05/06	8005745	0200 655 5 15.3	823,109.91	680,244.08	142,865.83
A	BROOKHAVEN	05/06	8005746	0200 655 5 15.4	26,920.01	22,348.67	4,571.34
A	BROOKHAVEN	05/06	3407700	0200 958 7 42	4,808.58	386.18	4,422.40
A	BROOKHAVEN	04/05	3407700	0200 958 7 42	4,556.24	366.07	4,190.17
A	BROOKHAVEN	03/04	3407700	0200 958 7 42	4,407.48	353.29	4,054.19
C	BROOKHAVEN	05/06	1618240	0200 35 5 60.1	5,396.34	2,174.11	3,222.23
A	BROOKHAVEN	05/06	8413245	0200 98250 4 1	14,536.78	9,245.64	5,291.14
A	BROOKHAVEN	05/06	3282080	0200 98620 3 16	6,481.31	3,031.57	3,449.74

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1508-2006  
 Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/16/2006

RESOLUTION NO. 477 -2006, TO READJUST,

COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #244

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Brookhaven:				
0200-206.00-01.00-029.000 (Item#9990051)	2005/06	\$12,133.45	\$0.00	\$12,133.45
0200-255.00-02.00-012.000 (Item#9990053)	2005/06	\$12,133.45	\$0.00	\$12,133.45
0204-010.00-02.00-011.000 (Item#8405832)	2003/04	\$ 9,841.61	\$0.00	\$ 9,841.61
0204-010.00-02.00-011.000 (Item#8405832)	2004/05	\$10,559.43	\$0.00	\$10,559.43
0204-010.00-02.00-011.000 (Item#8405832)	2005/06	\$11,019.35	\$0.00	\$11,019.35
0204-010.00-02.00-014.000 (Item#8406840)	2003/04	\$ 6,378.85	\$0.00	\$ 6,378.85
0204-010.00-02.00-014.000 (Item#8406840)	2004/05	\$ 6,844.10	\$0.00	\$ 6,844.10
0204-010.00-02.00-014.000 (Item#8406840)	2005/06	\$ 7,142.19	\$0.00	\$ 7,142.19
0204-010.00-02.00-017.000 (Item#8408495)	2003/04	\$ 5,011.94	\$0.00	\$ 5,011.94
0204-010.00-02.00-017.000 (Item#8408495)	2004/05	\$ 5,377.50	\$0.00	\$ 5,377.50
0204-010.00-02.00-017.000 (Item#8408495)	2005/06	\$ 5,611.72	\$0.00	\$ 5,611.72
0204-010.00-02.00-018.001 (Item#8306424)	2004/05	\$64,725.40	\$0.00	\$64,725.40
0204-010.00-02.00-018.001 (Item#8306424)	2005/06	\$67,544.52	\$0.00	\$67,544.52

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1509-2006

Laid on Tabled 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 478 -2006, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL NO. 753-2006)**

**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.

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
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)

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	05/06	5620410	200 471 6 17	5,272.09	2,664.43	2,607.66
A	BROOKHAVEN	05/06	6460004	200 620 5 10	8,628.10	3,591.75	5,036.35
A	BROOKHAVEN	05/06	6209690	200 690 1 46	4,444.93	1,330.41	3,114.52
A	BROOKHAVEN	05/06	8322442	200 973 1 1.3	28,148.51	16,663.91	11,484.60
C	BROOKHAVEN	05/06	1902101	200 127 1 1.2	4,341.66	453.61	3,888.05

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

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

Intro. Res. No. 1510-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 479 -2006, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #246

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Brookhaven:				
0200-061.00-04.00-007.000 (Item# 8618670)	2005/06	\$2,737.47	\$0.00	\$2,737.47

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1563-2006

Laid on Table 5/16/2006

Introduced by Presiding Office, on request of the County Executive

RESOLUTION NO. 480 -2006, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #247

**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.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Huntington:				
0400-604.00-10.00-102.000	2005/06	\$94,676.09	\$0.00	\$94,676.09

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

**RESOLUTION NO. 481 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS MUD CREEK COUNTY PARK – JEROME NORTON PROPERTY, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Jerome Norton Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.25 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Jerome Norton Property, 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 Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1535-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 482 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS MUD CREEK COUNTY PARK – HOWARD NORTON PROPERTY, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Howard Norton Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.5 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Howard Norton Property, 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 Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1536-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 483 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION**

**PURPOSES KNOWN AS THE OROWOC CREEK COUNTY  
PARK ADDITION – VILARDI PROPERTY, TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Orowoc Creek County Park Addition – Vilardi Property Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.675 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as The Orowoc Creek County Park Addition – Vilardi Property, Town of Islip 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 thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1537-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 484 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED 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 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 infrastructure improvements to the property, including accessibility for the physically challenged (ADA compliance) and electrical, plumbing and HVAC upgrades that are necessary prior to public use of the Manor; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

**WHEREAS**, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR Part 617.5(c)(1)(2) and (25) and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated April 24, 2006 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 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)(1)(2) and (25) and Chapter 279 of the Suffolk County Code, which project consists of the maintenance and

rehabilitation involving no substantial changes to an existing structure or in-kind reconstruction of a structure or facility including upgrading buildings to meet building and fire codes and 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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1538-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 485 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE DWARF PINE PLAINS COUNTY PARK – WALSH PROPERTY, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Dwarf Pine Plains County Park – Walsh Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.092 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as the Dwarf Pine Plains County Park – Walsh Property, Town of Southampton 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 thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1539-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 486 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF SIDEWALKS ON CR 10, ELWOOD ROAD FROM CR 11, PULASKI ROAD TO THE LIRR, CP #5497, TOWN OF HUNTINGTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of Sidewalks on CR 10, Elwood Road from CR 11, Pulaski Road to the LIRR, CP #5497, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project consists of constructing curb and sidewalks along the West side of CR 10, Elwood Road from CR 11, Pulaski Road to the LIRR tracks. Southbound left turn lane for 10<sup>th</sup> Avenue will be added. This project will provide safety improvements for pedestrian traffic of Northport High School; 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 April 19, 2006 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 April 24, 2006 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 Construction of Sidewalks on CR 10, Elwood Road from CR 11, Pulaski Road to the LIRR, CP #5497, Town of Huntington 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 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 the Suffolk County Code;

- 2.) 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
- 3.) Traffic and pedestrian safety will be improved;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1540-2006  
 Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 487 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SAGAPONACK GREENBELT COUNTY PARK ADDITION – MCGEE N/K/A SAINS PROPERTY, TOWN OF SOUTHAMPTON**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Sagaponack Greenbelt County Park Addition – McGee n/k/a Sains Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.49 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as the Sagaponack Greenbelt County Park Addition – McGee n/k/a Sains Property, Town of Southampton 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 thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1541-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 488 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF CR 58, OLD COUNTRY ROAD, AT PULASKI ROAD, CP #5543, PH II, TOWN OF RIVERHEAD**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 58, Old Country Road, at Pulaski Road, CP #5543, Ph II, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project will improve intersection operation and drainage at the existing Old Country Road (CR 58) – Mill Road – Pulaski Street intersection. The project would remove Pulaski Street from the intersection and realign it with the existing Riverhead Centre (Home Depot) shopping driveway and signal. All drainage will be channeled through the existing northern recharge basin and additional leaching pools and a Bay Saver or equivalent system installed; 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 November 16, 2005 and April 19, 2006 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 April 24, 2006 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 Reconstruction of CR 58, Old Country Road, at Pulaski Road, CP #5543, Ph II, Town of Riverhead 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 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 the Suffolk County Code;
- 2.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 3.) Current direct discharges of road runoff to freshwater wetlands will be eliminated; and
- 4.) Drainage and traffic safety will be improved;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1542-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 489 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS MUD CREEK COUNTY PARK – RICHARD NORTON PROPERTY, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Richard Norton Property, Town of

Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.25 acres of land by Suffolk County for open space preservation purposes; and

**WHEREAS**, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Planning and subsequently sent out to all concerned parties; and

**WHEREAS**, at its April 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; 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 April 24, 2006 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 Acquisition of Land for Open Space Preservation Purposes Known as Mud Creek County Park – Richard Norton Property, 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 Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1588-2006  
Introduced by Presiding Officer

Laid on Table 5/16/2006

**RESOLUTION NO. 490 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SAFETY AND SECURITY IMPROVEMENTS TO SEWER DISTRICT NO. 15, NOB HILL, RONKONKOMA, (CP 8103), TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Safety and Security Improvements to Sewer District No. 15, Nob Hill, Ronkonkoma, (CP 8103), Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the paving of a 5,250 sq. ft. area and relocation of a fence to improve sludge withdrawal as well as the landscaping next to the fence; 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 March 15, 2006 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 March 20, 2006 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 Safety and Security Improvements to Sewer District No. 15, Nob Hill, Ronkonkoma, (CP 8103), Town of Islip 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 of Title 6 NYCRR which sets forth thresholds for determining significant effect 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 the Suffolk County 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);
- 4.) Plant security and access will be improved; and
- 5.) The fence will be landscaped;

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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1564-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 491 -2006, AMENDING THE 2006 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO WSNCHS EAST, INC./SOUTH OAKS HOSPITAL FOR GAMBLING SERVICES**

**WHEREAS**, effective July 1, 2005 the New York State Office of Alcoholism and Substance Abuse Services (OASAS) assumed responsibility for overseeing outreach, prevention, treatment, training and certification related to pathological gambling services in New York State; and

**WHEREAS**, the approved New York State budget for Fiscal Year 2005-2006 includes additional funding in Aid to Localities funding to support services directed at compulsive gamblers; and

**WHEREAS**, New York State OASAS sought proposals from provider agencies to provide increased education, prevention and treatment services for this target population; and

**WHEREAS**, the New York State OASAS has selected WSNCHS East, Inc./South Oaks Hospital for a 2006 Local Fiscal Year Gambling treatment award in the amount of \$107,492 and a Local Fiscal Year Gambling prevention award in the amount of \$79,992; and

**WHEREAS**, this unallocated additional 100% State aid is not currently included in the 2006 Adopted Operating Budget; now therefore, be it

**1<sup>st</sup> 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:

<b>REVENUES</b>	<u>AMOUNT</u>
001-HSV-3488 State Aid: Compulsive Gambling	\$187,484

**ORGANIZATIONS**

Department of Health Services (HSV)  
 Division of Community Mental Hygiene Services  
 Community Mental Hygiene/Substance Abuse Services  
 001-HSV-4310

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2006 Adopted</u>	<u>2006 Modified Adopted</u>	<u>Change</u>
HKC1	WSNCHS East, Inc./South Oaks Hospital	\$0	\$187,484	+\$187,484

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with WSNCHS East, Inc. /South Oaks Hospital; and be it further

**3<sup>rd</sup> 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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1565-2006

Laid on Table 5/16/2006

Introduced by Presiding Office, on request of the County Executive

**RESOLUTION NO. 492 -2006, AMENDING THE 2006  
ADOPTED OPERATING BUDGET TO ACCEPT AND  
APPROPRIATE 100% STATE AID FROM THE NEW YORK  
STATE OFFICE OF MENTAL HEALTH TO EXISTING CASE  
MANAGEMENT PROGRAMS IN SUFFOLK COUNTY**

**WHEREAS**, the New York State Office of Mental Health has awarded 100% State Aid in the amount of \$19,464,174 for programs administered by the Suffolk County Division of Community Mental Hygiene Services; and

**WHEREAS**, the 100% State Aid in the amount of \$89,272 remains unallocated; and

**WHEREAS**, the New York State Office of Mental Health and the Department of Health Services, Division of Community Mental Hygiene Services have worked jointly on developing a fully blended case management model for existing case management programs within Suffolk County; and

**WHEREAS**, the expansion to all blended teams increases the quality of service to the high-risk, seriously, and persistently mentally ill population who are currently served in this program; and

**WHEREAS**, the reconfiguration of a fully blended team model results in movement and reorganization of funding within the existing case management agencies based on the fiscal models established by the New York State Office of Mental Health; and

**WHEREAS**, this unallocated 100% state aid is not currently included in the 2006 Adopted Operating Budget; now therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate this 100% State aid funding as follows:

REVENUES  
001-3493 State Aid: Community Support Services

AMOUNT  
\$89,272

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
Community Support Services  
001-HVS-4330

<u>XORG</u>	<u>OBJECT NAME</u>	2006 <u>Adopted</u>	2006 <u>Modified</u>	<u>Change</u>
ANL2	Pederson Krag Support Case Mngmt	\$314,532	\$305,216	-\$9,316
APK1	Sayville Project Support Case Mngmt	\$266,767	\$305,216	+\$38,449
GNR1	Federation of Org Supp Case Mngmt	\$619,156	\$686,736	+\$67,580
GNS1	Clubhouse of Suffolk Supp Case Mgt	\$295,306	\$305,216	+\$9,910
GUT1	Family Service League Supp Case Mgt	\$523,531	\$534,128	+\$10,597
GZC1	FEGS Support Case Management	\$409,468	\$381,520	-\$27,948

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute contracts with Pederson Krag Center, Sayville Project, Federation of Organizations, Clubhouse of Suffolk, Family Service League, and J.C.S.L.I.-FEGS; and be it further

**3<sup>rd</sup>** **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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1566-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 493 -2006, AMENDING THE 2006 ADOPTED**

**OPERATING BUDGET TO ACCEPT AND APPROPRIATE  
ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE  
OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE  
SERVICES TO THE TOWN OF SMITHTOWN-HORIZONS FOR  
MEDICALLY SUPERVISED OUTPATIENT SERVICES**

**WHEREAS**, the approved New York State budget for Fiscal Year 2006 includes additional funding in Aid to Localities funding to support services directed at individuals who suffer from chemical abuse or dependence, their family members and/or significant others; and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services (OASAS), mandates that medical staff be part of the multi-disciplinary team and the designation of a Medical Director for Medically Supervised Outpatient Services; and

**WHEREAS**, the New York State OASAS has awarded the Town of Smithtown-Horizons additional 100% State aid in the amount of \$20,000 for the 2006 local fiscal year to convert their Non-Medically Supervised Outpatient Services to Medically Supervised Outpatient Services; and

**WHEREAS**, this unallocated additional 100% State aid is not currently included in the 2006 Adopted Operating Budget; now therefore be it

**1<sup>st</sup> 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:

<b>REVENUES</b>	<u>AMOUNT</u>
001-HSV – 3486 State Aid: Narcotics Addiction Control	\$20,000

**ORGANIZATIONS**

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
Community Mental Hygiene/Substance Abuse Services  
001-HSV-4310

<u>XORG</u>	<u>OBJECT NAME</u>	2006 <u>Adopted</u>	2006 Modified <u>Adopted</u>	<u>Change</u>
AVH1	Town of Smithtown-Horizons	\$585,855	\$605,855	+\$20,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with the Town of Smithtown-Horizons; and be it further

**3<sup>rd</sup> 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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1567-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 494 -2006, AMENDING THE 2006 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY MENTAL HYGIENE SERVICES FOR VARIOUS CONTRACT AGENCIES**

**WHEREAS**, the New York State Office of Mental Health has awarded 100% State Aid in the amount of \$19,464,172 for programs administered by Suffolk County Department of Health Services, Division of Community Mental Hygiene Services; and

**WHEREAS**, 100% State aid in the amount of \$197,218 remains unallocated; and

**WHEREAS**, the appropriation of this net deficit funding will bring the 2006 Adopted Operating Budget up to the requested 100% State aid level of funding for these programs; and

**WHEREAS**, these programs provide services to our target population of seriously and persistently mentally ill clients; and

**WHEREAS**, this unallocated 100% state aid is not currently included in the 2006 Adopted Operating Budget; now therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate this 100% State aid funding as follows:

**REVENUES**

**AMOUNT**

001-3493 State Aid: Community Support Services

\$197,218

ORGANIZATIONS

Department of Health Services (HSV)  
 Division of Community Mental Hygiene Services  
 Community Support Services  
 001-HSV-4330

<u>XORG</u>	<u>OBJECT NAME</u>	2006		<u>Change</u>
		<u>Adopted</u>	<u>Modified</u>	
AHM1	Federation of Organizations	\$ 416,208	\$ 436,808	+\$20,600
AHP2	Federation of Organizations	\$1,605,820	\$1,608,720	+\$ 2,900
GPC1	HALI Peer Advocacy	\$ 51,189	\$ 51,723	+\$ 534
GZ11	Federation Adult Home Case Mgmt	\$ 120,740	\$ 241,480	+\$120,740
HEW1	Clubhouse Adult Home Case Mgmt	\$ 20,000	\$ 72,444	+\$52,444

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Federation of Organizations, Inc., Hands Across Long Island, and Clubhouse of Suffolk; and be it further

**3<sup>rd</sup>** **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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1568-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 495 -2006, ACCEPTING AND APPROPRIATING 100% STATE 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 FIREARM LAB CAPACITY ENHANCEMENT INITIATIVE**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical,

Legal Investigations and Forensic Sciences for the Firearm Lab Capacity Enhancement Initiative in the amount of \$57,093 for the period 03/31/06-03/31/07; and

**WHEREAS**, this grant funding is provided to reduce gun violence and to remove illegal guns from the streets of New York; and

**WHEREAS**, the 100% State grant funds are not included in the Suffolk County 2006 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$57,093 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-3322 Target Crime-Aid to Prosecution	\$57,093

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Medical, Legal Investigations and Forensic Sciences  
Firearm Lab Capacity Enhancement Initiative  
001-HSV-4732

<u>Equipment</u>	<u>\$57,093</u>
2080 Medical, Dental & Lab Equipment	\$57,093

and be it further

**2<sup>nd</sup>** **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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

**RESOLUTION NO. 496 -2006, AMENDING THE 2006 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO THE TOWN OF HUNTINGTON/STARSHINE FOR MEDICALLY SUPERVISED OUTPATIENT SERVICES**

**WHEREAS**, the approved New York State budget for Fiscal Year 2006 includes funding to support services directed at individuals who suffer from chemical abuse or dependence, their family members and/or significant others; and

**WHEREAS**, the New York State OASAS has awarded the Town of Huntington/Starshine program additional 100% State aid in the amount of \$70,000 to facilitate the conversion of their non-medically supervised outpatient services to medically supervised outpatient services; and

**WHEREAS**, this unallocated 100% additional State aid is not currently included in the Suffolk County 2006 Adopted Operating Budget; now therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate this 100% additional State aid funding as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-3486 State Aid: Narcotics Addiction Control	\$70,000

APPROPRIATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
Community Mental Hygiene/Substance Abuse Services  
001-HSV- 4310

ORGANIZATION:

<u>XORG</u>	<u>OBJECT NAME</u>	2006 <u>Adopted</u>	2006 Modified <u>Adopted</u>	<u>Change</u>
AUG1	Town of Huntington/Starshine	\$543,948	\$613,948	+\$70,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with the Town of Huntington; and be it further

**3<sup>rd</sup> 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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1655-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 497 -2006, ACCEPTING AND APPROPRIATING 100% STATE FUNDS FROM THE NYS OFFICE OF CHILDREN AND FAMILY SERVICES TO THE DEPARTMENT OF PROBATION TO IMPLEMENT A NEW COMPONENT IN THE MENTAL HEALTH/JUVENILE JUSTICE DIVERSION PROJECT AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS

**WHEREAS**, the NYS Office of Children and Family Services has awarded a five year contract to the Suffolk County Department of Probation for the MENTAL HEALTH/JUVENILE JUSTICE DIVERSION PROJECT for the period 4/1/02-12/31/06; and

**WHEREAS**, the intent of this project is to conduct mental health and substance abuse assessments of the local Juvenile Delinquent population at an early level of intervention and provide appropriate referrals for treatment in an effort to reduce residential care placements; and

**WHEREAS**, the NYS Office of Children and Family Services will enhance the Mental Health/Juvenile Justice Diversion Project by providing additional funding in the amount of \$20,000 for the period of 1/1/06-12/31/06 for contractual services and equipment to implement a new program component; and

**WHEREAS**, this new program component, known as T.A.S.T.E., will provide four group sessions designed to assist the youth in getting through their probation successfully and avoiding residential placement. The four topics of discussion in these groups are 1. Thinking errors, 2. Anger management, 3. Social skills and 4. Talking Empathy; and

**WHEREAS**, these grant funds have not been included in the 2006 Operating Budget; now therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$20,000.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3623-State Aid: Juvenile Delinquent	\$20,000
Probation Department (PRO) Mental Health/Juvenile Justice Diversion Project 001-3175	
<u>2000-Equipment</u>	<u>\$2,500</u>
2020-Office Machines	\$2,500
<u>4000-Contractual Expenses</u>	<u>\$17,500</u>
4560-Fees For Services: Non Employees	\$17,500

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Reporting Categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR55.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1630-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 498 -2006, ACCEPTING AND APPROPRIATING 100% REIMBURSABLE FUNDS FOR THE STATE PHARMACEUTICAL ASSISTANCE PROGRAM (SPAP)**

**WHEREAS**, the State has made available to Suffolk County funding for the State Pharmaceutical Assistance Program in the amount of **\$288,813**; and

**WHEREAS**, this grant will be utilized to assist EPIC enrollees/Medicare beneficiaries in making decisions regarding their prescription drug coverage throughout Suffolk County; and

**WHEREAS**, said program is to run from October 1, 2005 through September 30, 2006; and

**WHEREAS**, \$108,659 in additional funds have not been included in the 2006 Adopted County Budget; and

**WHEREAS**, \$180,154 in personnel wages, fringe and operational expenses will be used to reimburse the County for expenses included in the 2006 County Budget; and

**WHEREAS**, it is in the best interest of the County to accept these funds; now, therefore be it

**RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds:

<b>REVENUES:</b>	<b><u>AMOUNT</u></b>
001-4772 Federal Aid: Programs for Aging	
	<b>\$108,659</b>
 <b>ORGANIZATIONS:</b>	
<b>County Executive Human Services: Office for the Aging 001-EXE-6804</b>	
<b><u>Supplies</u></b>	
3010 Supplies	<b><u>\$4,200</u></b>
	\$4,200
<b><u>Advertising</u></b>	<b><u>\$6,000</u></b>
3770 Advertising	\$6,000
<b><u>Contracted Expenses</u></b>	<b><u>\$98,459</u></b>
4980-Contracted Agencies	
	\$98,459
	9

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1297-2006

Laid on Table 3/14/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 499 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 CHARLES  
R. DENNINGER (SCTM NO. 0200-853.00-05.00-028.000)**

**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 853.00 Block 05.00 Lot 028.000 and acquired by Tax Deed on March 19, 1987 from General L. Rains, the County Treasurer of Suffolk County, New York, and recorded on March 19, 1987 in Liber 10274 at Page 403 and described as follows, Town of Brookhaven, otherwise known as Lot Nos. 7543 to 7545 Inc. in the Map of Mastic Park under Map No. 245, Section 8, which was filed in the office of the Clerk of Suffolk County on March 13, 1922; 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**, Charles R. Denninger, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,850.00. 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 \$3,600.00, 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 \$3,850.00, 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, be it therefore

**1<sup>st</sup> 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

**2<sup>nd</sup> 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.

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Charles R. Denninger, 149 Patchogue Avenue, Mastic, New York 11950.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

**Intro. Res. No. 1505-2006 Laid on Table 5/16/2006**  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 500 -2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1328-2005**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1328-2005; and

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

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

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

**Resolution No. 1328-2005**

In the Resolution Title please delete "(CP 5510)" and insert "(CP 5521)".

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1514-2006  
Introduced by Legislator Alden

Laid on Table 5/16/2006

**RESOLUTION NO. 501 –2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
169-2006**

**WHEREAS**, Resolution No. 169-2006 when adopted contained a technical error;  
and

**WHEREAS**, the Suffolk County Legislature desires to make the technical correction to Resolution No. 169-2006; now, therefore, be it

**RESOLVED**, that Appendix A of Resolution No. 169-2006 be and it hereby is corrected as follows:

APPROPRIATIONS:

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
-----------	------------	------------	------------	-----------------	---------------

001 FRE 3400 4981 Islip Terrace Fire District -\$500

TO:

<u>FD</u>	<u>AGY</u>	<u>Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	FRE	3400	4981	<b>Islip Terrace Fire Department</b>	<b><u>T</u> +\$500</b>

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1547-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 5/16/2006

**RESOLUTION NO. 502 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 244-2006, WHICH AUTHORIZED CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 129-2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 244-2006; and

**WHEREAS**, this resolution when adopted contained a technical error which referred to the wrong Capital Project number; and

**WHEREAS**, subsequent to the adoption of Resolution No. 244-2006 the Department of Audit and Control requested the Executive's Budget Office to change the Capital Project number assigned under Resolution No. 244-2006; and

**WHEREAS**, the County Legislature 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. 244-2006**

In the title and first RESOLVED paragraph change the Project No.:

**FROM:**

**TO:**

Project No.  
5115

Project No.  
**5546**

In the second RESOLVED paragraph change the Project No.:

**FROM:**

**TO:**

Project No.  
525-CAP-5115.110

Project No.  
525-CAP-**5546.113**

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1549-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. 503 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW  
13-1976 YURY SANTANA AND NORMA SANTANA, HIS WIFE  
(SCTM NO. 0500-117.00-03.00-003.001)**

**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 117.00 Block 03.00 Lot 003.001 and acquired by Tax Deed on December 28, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 4, 2000 in Liber 12011 at Page 409 and described as follows, Town of Islip, N x Evergreen Avenue, E x N/F Yury and Norma Santana, S x N/F Jose and Gloria Arias and Carlos Pocasangre, W x N/F Mary Manzella; 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**, Yury Santana and Norma Santana, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$12,500.00. 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 \$12,500.00, 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 \$12,500.00, 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, be it therefore

**1<sup>st</sup>** **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

**2<sup>nd</sup>** **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.

**3<sup>rd</sup>** **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 Yury Santana and Norma Santana, 1080 Sullivan Street, Bay Shore, New York 11706.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1550-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 504 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW  
13-1976 CYNTHIA HILL (SCTM NO. 0200-976.90-01.00-  
034.000)**

**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 976.90 Block 01.00 Lot 034.000 and acquired by Tax Deed on July 5, 2001 from Joseph Sawicki, Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001 in Liber 12129 at Page 300 and described as follows, Town of Brookhaven, Map of Mastic Estates, Map No. 1365, Lot No. 1125; 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**, Cynthia Hill, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,000.00. 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 \$6,000.00, 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 \$6,000.00, 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, be it therefore

**1<sup>st</sup> 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

**2<sup>nd</sup>** **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.

**3<sup>rd</sup>** **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 Cynthia Hill, 301 Jefferson Drive, Mastic Beach, NY 11951.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1551-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/16/2006

**RESOLUTION NO. 505 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
RICARDO HANLEY AND CLAUDETTE HANLEY AND  
GWENDOLYN HANLEY ALL AS TENANTS WITH RIGHT  
OF SURVIVORSHIP (SCTM NO. 0200-230.00-06.00-011.004)**

**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 230.00 Block 06.00 Lot 011.004 and acquired by Tax Deed on July 5, 2001 from Joseph Sawicki Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001 in Liber 12129 at Page 300 and described as follows, Town of Brookhaven, Highland Park Map 476 PL 21, Lot 29; 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**, Ricardo Hanley and Claudette Hanley and Gwendolyn Hanley, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,000.00. 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 \$2,000.00, 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 \$2,000.00, 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, be it therefore

**1<sup>st</sup>** **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

**2<sup>nd</sup>** **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.

**3<sup>rd</sup>** **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 Ricardo Hanley and Claudette Hanley and Gwendolyn Hanley, 63 Pine Street, Port Jefferson Station, New York 11776.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1552-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 506 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 1170 STATION ROAD CORP. (SCTM NO. 0200-843.00-02.00-005.001)**

**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 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 843.00, Block 02.00, Lot 005.001, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 1 & 9 and part of Lots 2 & 10 as shown on a certain map entitled "Map of New York & Brooklyn Suburban Investment Co., Maps 3, 4, 6, 9" and filed in the Office of the Clerk of the County of Suffolk on December 16, 1897 as Map No. 98; 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 September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112.

**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**, MARIA FERNANDES, as Mortgagee, has made application of said above described parcel and MARIA FERNANDES, as Mortgagee, has paid the application fee

and \$2,927.31, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to 1170 STATION ROAD CORP., 239 North Ocean Avenue, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1553-2006 Laid on Table 5/16/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 507 -2006, AUTHORIZING THE SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY  
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX  
ACT CHRISTINA THOMAS, Executrix of the Estate of Evangelos  
J. Thomas a/k/a Evangelos John Thomas and MAUREEN  
METAKES, Administratrix of the Estate of Gustave Metakes  
a/k/a Gus Metakes (SCTM NO. 0200-973.40-02.00- 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 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 973.40, Block 02.00, Lot 040.000, and acquired by tax deed on August 28, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 1, 2000, in Liber 12067, at Page 720, and otherwise known as and by Town of Brookhaven, Swan Lake Est Map 1771 Sec 2 Lot 112 N 20 Ft 113 S 45'; 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 28, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 1, 2000 in Liber 12067 at Page 720.

**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**, MAUREEN METAKES, Administratrix of the Estate of Gustave Metakes a/k/a Gus Metakes, has made application of said above described parcel and MAUREEN METAKES, Administratrix of the Estate of Gustave Metakes a/k/a Gus Metakes, has paid the application fee and will be paying \$58,867.10 as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHRISTINA THOMAS, Executrix of the Estate of Evangelos J. Thomas a/k/a Evangelos John Thomas and MAUREEN METAKES, Administratrix of the Estate of Gustave Metakes a/k/a Gus Metakes, 105 Candy Lane, Syosset, New York 11791, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1554-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 508 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT RUDOLF P. FLESCH & VERONICA FLESCH (SCTM NO. 0200-548.00-01.00-003.000)**

**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 548.00, Block 01.00, Lot 003.000, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112, and otherwise known as and by Town of Brookhaven, bounded northerly by now or formerly the Great South Bay Girl Scout Council, bounded easterly by German Blvd and now or formerly Rudolf P. Flesch and Veronica Flesch, bounded southerly and westerly by now or formerly the Great South Bay Girl Scout Council; 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 September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112.

**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**, RUDOLF P. FLESCH has made application of said above described parcel and RUDOLF P. FLESCH has paid the application fee and \$3,085.00, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to RUDOLF P. FLESCH & VERONICA FLESCH, 70 German Blvd., Yaphank, New York 11980, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1555-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 509 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LUKE BRENNAN and JACQUELINE BRENNAN (SCTM NO. 0200-473.00-06.00-058.000)**

**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 473.00, Block 06.00, Lot 058.000, and acquired by tax deed on August 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005, in Liber 12403, at Page 637, and otherwise known as and by Township of Brookhaven, Suffolk County, State of New York, known and designated as and by the plots Number 65, 66, 67, on a certain map entitled " Map of Natures Gardens, Section Three", situated at Selden, Suffolk County , New York, property of O.L. Schwencke Land and Investment Company, surveyed by Herman P. Hawkins, Civil Engineer and filed in the Suffolk County Clerk's office at Riverhead, September 10, 1931 as Map No. 630; 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 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005 in Liber 12403 at Page 637.

**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**, OPTION ONE MORTGAGE CORPORATION, by Elpiniki M. Bechakas, Esq. and Steven J. Baum, P.C., has made application of said above described parcel and OPTION ONE MORTGAGE CORPORATION, by Elpiniki M. Bechakas, Esq. and Steven J. Baum, P.C., has paid the application fee and \$1,533.36, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LUKE BRENNAN and JACQUELINE BRENNAN, 26 Blue Point Road, Selden, New York 11784, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1556-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 510 -2006, AUTHORIZING THE  
SALE,  
PURSUANT TO LOCAL LAW 16-1976, OF REAL  
PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK  
COUNTY TAX ACT ROBERT L. LANGHORNE and BARBARA  
T. LANGHORNE  
(SCTM NO. 0900-144.00-01.00-056.000)**

**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 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 144.00, Block 01.00, Lot 056.000, and acquired by tax deed on February 19, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003, in Liber 12237, at Page 537, and otherwise known as and by Town of Southampton, Southampton at Flanders as shown on a certain map entitled "Map of Riverhead Estates Section B" and filed in the Suffolk County Clerk's Office on March 4, 1944, as Map #1398, as and by lots numbered 49 and 50; 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 February 19, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003 in Liber 12237 at Page 537.

**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**, BARBARA T. LANGHORNE, has made application of said above described parcel and BARBARA T. LANGHORNE, has paid the application fee, and BARBARA T. LANGHORNE and ROBERT L. LANGHORNE will be paying \$52,529.19 as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROBERT L. LANGHORNE,

at 79 Vail Avenue, Riverhead, New York 11901, and BARBARA T. LANGHORNE, at 87 Industrial Blvd., Riverhead, New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Vioria-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1557-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 511 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ANTHONY DANIELS (SCTM NO. 0900-139.00-02.00-003.000)**

**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 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 02.00, Lot 003.000, and acquired by tax deed on August 4, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 8, 2005, in Liber 12402, at Page 494, and otherwise known as and by Town of Southampton, Sch Dist 02 N-Quogue Rd, E-Quogue Rd, S-Carter, W-Midgett; 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 4, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 8, 2005 in Liber 12402 at Page 494.

**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**, ELIZABETH DANIELS, as prior owner, has made application of said above described parcel and ELIZABETH DANIELS and ANTHONY DANIELS have paid the application fee and \$12,084.93, as payment of taxes, penalties, interest, and any other charges

due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ANTHONY DANIELS, 63 Lewis Street, Riverhead, New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1558-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 512 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF ANNA GIORDANO, a/k/a Anna M. Giordano a/k/a Ann M. Giordano, by Joseph Schullik, as Administrator (SCTM NO. 0500-075.00-01.00-021.000)**

**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 075.00, Block 01.00, Lot 021.000, and acquired by tax deed on January 27, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 29, 2003, in Liber 12232, at Page 747, and otherwise known as and by Town of Islip, Map of Brentwood in the Pines, Number 336, Sec 2, Parts of 8, 9, 10, 15 and 16, and filed in the Office of the Clerk of Suffolk County on April 8, 1915; 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 27, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 29, 2003 in Liber 12232 at Page 747.

**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**, JOSEPH SCHULLIK has made application of said above described parcel and JOSEPH SCHULLIK has paid the application fee and \$48,218.55, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2005; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH SCHULLIK, as Administrator of the Estate of Anna Giordano a/k/a Anna M. Giordano a/k/a Ann M. Giordano, c/o William T. Shepard, P.C., 192 Lexington Avenue, Suite 701, New York, New York 10016, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1559-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 513 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT VIRGINIA DE HART, Surviving Spouse of a Tenancy by the Entirety (SCTM NO. 0206-018.00-03.00-014.000)**

**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 Port Jefferson, 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 0206, Section 018.00, Block 03.00, Lot 014.000, and acquired by tax deed on August 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005, in Liber 12403, at Page 637, and otherwise known as and by lying and being in the Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, being lot number 25 as shown on a certain map entitled, "Map of Laurel Centre, Section 1" made by Herman P. Hawkins and duly filed in the Office of the Clerk of Suffolk County on January 30, 1924 as Map No. 195; 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 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005 in Liber 12403 at Page 637.

**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**, VIRGINIA DE HART has made application of said above described parcel and VIRGINIA DE HART has paid the application fee and \$725.00, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to VIRGINIA DE HART, Surviving Spouse of a Tenancy by the Entirety, 163 North Country Road, Port Jefferson, New York 11777, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1622-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 514 -2006, AUTHORIZING THE  
ISSUANCE OF A CERTIFICATE OF ABANDONMENT  
OF THE INTEREST OF THE COUNTY OF SUFFOLK  
IN PROPERTY DESIGNATED AS TOWN OF HUNTINGTON,  
SUFFOLK COUNTY TAX MAP NO. 0400-145.00-01.00-  
085.001 PURSUANT TO SECTION 40-D OF THE  
SUFFOLK COUNTY TAX ACT**

**WHEREAS**, a parcel of property lying, situate and being in the Town of Huntington, designated as Suffolk County Tax Map Number 0400-145.00-01.00-085.001 known as Filed Map No. 778 Section C Lots Nos. 8 & 9 formerly assessed to Donald J. Rose; and

**WHEREAS**, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 0400-145.00-01.00-085.001, by tax deed dated May 17, 2005, and recorded on May 19, 2005 in the Suffolk County Clerk's Office in Liber 12388 at page 086 for unpaid 2002/2003 taxes; and

**WHEREAS**, it has been determined that due to parcel being erroneously assessed, 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 Division of Real Estate, the tax deed to Suffolk County will be canceled pursuant to Section 40-D of the Suffolk County Tax Act. 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: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1627-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/16/2006

**RESOLUTION NO. 515 -2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
287-2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 287-2006; and

**WHEREAS**, this resolution when adopted contained a technical error; and

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

**1<sup>st</sup>RESOLVED**, that the Clerk of the Legislature shall make the following technical correction of the 1<sup>st</sup> Resolved clause in Resolution No. 287-2006 as hereby amended to read as follows:

**2<sup>nd</sup>RESOLVED**, that the Director of the Division of Real Estate, or her 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 to acquire fee title to the property listed herein below from the reputed owner, the funding for which shall be provided under the Suffolk County Community Greenways Fund, Section 12A-1.A.(2), of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
----------------	------------------------------------------	---------------	---------------------------------------

<b>No. 1</b>	District Section Block Lot	0404 011.00 02.00 004.000	0.17±	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
<b>No. 2</b>	District Section Block Lot	0404 <u>011.00</u> 02.00 005.000	<u>0.17±</u>	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
<b>No. 3</b>	District Section Block Lot	0404 011.00 02.00 006.000	0.37±	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
<b>No. 4</b>	District Section Block Lot	0404 011.00 02.00 007.000	0.37±	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
<b>No. 5</b>	District Section Block Lot	0404 011.00 02.00 008.001	0.92±	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961

Total = 2.0± acres

[Underline indicates correction]

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1643-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 516 -2006, AUTHORIZING A TECHNICAL CORRECTION TO THE 2006 ADOPTED OPERATING BUDGET**

**WHEREAS**, the 2006 Adopted Operating Budget provides funding for the Southeast Concerned Citizens Civic Association in the amount of \$5,500; and

**WHEREAS**, these funds were inadvertently placed in the Department of Economic Development and Workforce Housing rather than the County Executive - Youth Bureau; and

**WHEREAS**, both the organization, pseudo code, and funding will remain the same; now therefore be it

**RESOLVED**, that the Clerk of the Legislature shall make the following technical correction transferring a contract agency to its proper department as shown below:

**FROM:** Econ Development and Workforce Housing: 001-ECD-6410-HIQ1 \$5,500

**TO:** County Executive – Youth Bureau 001-EXE-7320-HIQ1 \$5,500

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1649-2006  
Introduced by Legislator Montano

Laid on Table 5/16/2006

**RESOLUTION NO. 517 –2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
1037-2005**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1037-2005; and

**WHEREAS**, this resolution when adopted contained a technical error; and

**WHEREAS**, Resolution No. 1037-2005 appropriated funds in connection with the Central Islip Civic Council; and

**WHEREAS**, the appropriation for this entity must be changed to enable the funding allocated to be used for the intended purpose; and

**WHEREAS**, the County Legislature desires a technical correction to the resolution; now therefore be it

**RESOLVED**, that the Clerk of the Legislature shall make the following technical correction to adopted Resolution No. 1037-2005.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	ECD	GZZ1	6410	4980	CENTRAL ISLIP CIVIC COUNCIL	-\$85,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	<b>EXE</b>	GZZ1	<b>7320</b>	4980	CENTRAL ISLIP CIVIC COUNCIL	+\$85,000

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1656-2006 Laid on Table 5/16/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

**RESOLUTION NO. 518 -2006, SALE OF  
COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-  
1976  
PRIME PROPERTY I, LLC (SCTM NO. 0200-852.00-04.00-  
085.000)**

**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 852.00, Block 04.00 Lot 085.000 and being declared surplus property at the Southeast Corner of County Road 80, Montauk Highway (also known as S.R. 27A) and Madison Street and described as follows, Town of Brookhaven; and

**ALL**, that certain piece, or parcel of land situated at Mastic, Town of Brookhaven, Suffolk County, New York, being more particularly described as follows:

BEGINNING at the corner formed by the intersection of the Southerly side of Montauk Highway, (County Road 80), and the Easterly side of Madison Street; thence along the projection of the Easterly side of Madison Street, N 1 49' 50" E for a distance of 22.18 feet; THENCE N 84 33' 20" E for a distance of 100.80 feet; THENCE S 1 49'50" W for a distance of 22.18 feet to the Northeast corner of Lot 2334, as said lot is shown on the map of Mastic Park, filed in the Office of the Suffolk County Clerk on March 21,1921, as map number 275; THENCE along the Northerly lines of lots 2334 to 2330, inclusive, as shown on said map, S 84 33' 20" W for a distance of 100.80 feet to the POINT OF BEGINNING. Said tract contains 2217 square feet, more or less.

**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, Prime Property I, LLC**, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,500. 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 \$6,500, 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 \$6,500, 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 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 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. Premises will be subject to no ingress or egress from Montauk Highway into subject premises. Also excepting and reserving to any and all utilities, the right of access at all times for the update, maintenance and service of their facilities. THESE covenants and restrictions 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 Prime Property I, LLC, 648 Horseblock Road, Farmingville, New York 11738.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 18-0.**

Intro. Res. No. 1240A-2006

**BOND RESOLUTION NO. 519 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS TO FINANCE THE COST OF THE ROCKY POINT TOWER SITE (CP 3235)**

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 the Rocky Point tower site, as authorized in the 2006 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 (\$65,000 for planning, \$85,000 for construction, \$50,000 for site improvements and \$1,300,000 for equipment. 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 Section 11.00 a. 25 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 18-0.**

Intro. Res. No. 1240-2006  
Introduced by Legislators Losquadro and Romaine

Laid on Table 2/7/2006

**RESOLUTION NO. 520 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE ROCKY POINT TOWER SITE (C.P. 3235)**

**WHEREAS**, the Police Commissioner has requested funds for a 800 MHz radio site to fill in coverage areas due to hilly terrain in the seventh precinct; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of the radio site under Capital Project No. 3235; 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 2006 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 program with a priority ranking of fifty-two (52) 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 an unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; that the 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 of Title 6 NYCRR which sets forth thresholds for determining significant effect 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 or the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater);
- 4.) The area adjacent to the tank has previously been cleared and fenced; and
- 5.) The antennas are unobtrusive next to the existing tank and other antennas already exist on the tank; 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:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3235.110	28	Planning for Rocky Point Radio Tower Site	\$65,000
525-CAP-3235.310	28	Construction for Rocky Point Radio Tower Site	\$85,000
525-CAP-3235.410	28	Site Improvements for Rocky Point Tower Site	\$50,000
525-CAP-3235.510	28	Equipment for Rocky Point Radio Tower Site	\$1,300,000

(Fund 001-Debt Service)

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Horsley made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.**

Intro. Res. No. 1343-2006

Laid on Table 3/14/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 521 -2006, REVIEW OF AUCTION  
RULES FOR THE DISPOSITION OF SURPLUS PROPERTY  
ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A14 of the Administrative Code, Laws of Suffolk County, Part II (herein the "Code"); and

**WHEREAS**, §14-30(L) and §712-6 of Code pertain to the formulation and adoption of auction rules and procedures; and

**WHEREAS**, §712-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Planning, Environment and Energy, Division of Real Estate Property Acquisition and Management; and

**WHEREAS**, the Department of Planning, Environment and Energy, Division of Real Estate Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now therefore be it

**1<sup>ST</sup> RESOLVED**, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
Intro. Res. No. 1343-2006

Laid on Table 3/14/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 521 -2006, REVIEW OF AUCTION RULES FOR THE DISPOSITION OF SURPLUS PROPERTY ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT**

**WHEREAS**, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A14 of the Administrative Code, Laws of Suffolk County, Part II (herein the "Code"); and

**WHEREAS**, §14-30(L) and §712-6 of Code pertain to the formulation and adoption of auction rules and procedures; and

**WHEREAS**, §712-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Planning, Environment and Energy, Division of Real Estate Property Acquisition and Management; and

**WHEREAS**, the Department of Planning, Environment and Energy, Division of Real Estate Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now therefore be it

**1<sup>ST</sup> RESOLVED**, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 17-1. Legislator Alden voted no.**

Intro. Res. No. 1413-2006 Laid on Table 4/4/2006  
Introduced by Legislators D’Amaro, Cooper, Montano, Presiding Officer Lindsay, Browning, Stern, Eddington, Mystal, Vilorio-Fisher, Horsley and Schneiderman

**RESOLUTION NO. 522 -2006, ESTABLISHING A COMMISSION TO EVALUATE SCHOOL DISTRICT EXPENSES AND EFFICIENCY**

**WHEREAS**, property taxes on Long Island are two and one half times the national average, and 66.5% of all property taxes collected fund school district operations; and

**WHEREAS**, the average homeowner’s tax bill in Suffolk County, for all taxing jurisdictions, has trended up at a compound rate of 5.61% per year since 1970; and

**WHEREAS**, 56% of local residents said they are somewhat or very likely to move in the next five years to an area with lower housing costs and property taxes. This includes 70% of the residents in the all-important 18-34 bracket; and

**WHEREAS**, school district spending has grown faster than nearly every other level of government on Long Island, increasing 28% between 1998 and 2003; and

**WHEREAS**, the annual cost of living in Suffolk County is growing at a faster rate than wages and income, making it increasingly difficult for residents to afford to live, work, and raise a family in Suffolk County; and

**WHEREAS**, increasing school taxes contribute to the high cost of living in Suffolk County; and

**WHEREAS**, the issues resulting from high school taxes, and their impact on the ability of Suffolk's residents to live and work in Suffolk County, have been well documented and defined; and further study to define the problem would be duplicative; and

**WHEREAS**, studies show there are many complex factors influencing school property taxes including rising energy costs, unfunded mandates, escalating insurance, pension and healthcare costs, administrative and educator costs, salaries and benefits, insufficient State aid, and the costs of upkeep and maintenance of school buildings, grounds and equipment; and

**WHEREAS**, no single factor influencing school taxes is solely responsible for rising school property taxes. Many factors that cause rising school taxes are beyond the direct control of school districts and require the intervention of State and federal government; and

**WHEREAS**, despite the need for State and federal problem solving, there are cost cutting and efficiency measures that can be taken on a local level; and

**WHEREAS**, to properly begin the process of reducing school property taxes through local efforts, there is a need to go beyond finger pointing and heated rhetoric, and to "fix the problem, not the blame" by beginning a rational process of discussion and analysis between all groups impacting, or impacted by, school property taxes to reach a consensus on ways to properly reduce school district expenses and make school operations more efficient without merging school districts, increasing class size or impacting the quality of education delivered by dedicated educators to our children; and

**WHEREAS**, if school operations are made more efficient and costs can be reduced, more funds will be available to fund quality education for the school children of Suffolk County; now, therefore be it

**1st RESOLVED**, that a Commission known as the "Commission to Evaluate School District Expenses and Efficiency" is hereby established to analyze school district spending in Suffolk County, study cost cutting ideas, and to offer recommendations that will increase school district efficiency and reduce school district spending, without combining school districts, increasing class size, or compromising the quality education delivered within local school districts; and be it further

**2nd RESOLVED**, that this Commission shall consist of the following fourteen (14) members:

- 1) the Presiding Officer of the Suffolk County Legislature, or his designee, who shall serve as Chair;
- 2) the County Executive, or his designee;
- 3) the Minority Leader of the Suffolk County Legislature, or his designee;
- 4) the Director of the Legislature's Budget Review Office, or her designee,
- 5) New York State Comptroller, or his designee;
- 6) the Director of the Long Island Regional Planning Board or his/her designee;
- 7) a representative of the Long Island Association;
- 8) one (1) representative from a recognized taxpayer advocacy organization to be selected by the Presiding Officer of the Suffolk County Legislature;
- 9) a representative from the Nassau/Suffolk School Boards Association;
- 10) a representative of the Suffolk County School Superintendent's Association;
- 11) a representative of a community or civic organization, to be appointed by the Presiding Officer of the Suffolk County Legislature;
- 12) a representative of the Suffolk Region P.T.A.;
- 13) a representative of the American Association of Retired Persons; and
- 14) a representative of the Regional Chapter of New York State United Teachers (NYSUT);

and be it further

**3rd** **RESOLVED**, that the Commission shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chair of the Commission, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

**4th** **RESOLVED**, that the members of said Commission shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**5th** **RESOLVED**, that the Commission 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 Chair upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Commission. Written notice of the time and place of such special meetings shall be given by the secretary 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 eight (8) members of the Commission shall constitute a quorum to transact the business of the Commission at both regular and special meetings; and be it further

**7th** **RESOLVED**, that the Commission may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Commission with such endeavors, said total expenditures not to exceed Five Thousand Dollars (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

**8th** **RESOLVED**, that clerical services involving the month-to-month operation of this Commission, as well as supplies and postage as necessary, will be provided by the staff of the Suffolk County Legislature; and be it further

**9th**           **RESOLVED**, that the Commission 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 Commission may delegate to any member of the Commission the power and authority to conduct such hearings and meetings; and be it further

**11th**           **RESOLVED**, that the Commission 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 Commission is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk 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

**13th**           **RESOLVED**, that this special Commission shall submit a written report of its findings and determinations together with its recommendations for action, if any, 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

**14th**           **RESOLVED**, that the Commission shall expire, and the terms of office of its members terminate, as of March 1, 2007 at which time the Commission 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) 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 14-4. Legislators Mystal, Stern, D'Amario and Cooper voted no.

Intro. Res. No. 1158-2006  
 Introduced by Legislator Viloría-Fisher

Laid on Table 2/7/2006

**RESOLUTION NO. 523 –2006, AMENDING THE 2006  
 OPERATING BUDGET TO TRANSFER FUNDING FOR THE  
 SUFFOLK COMMUNITY COUNCIL TRANSPORTATION  
 ADVOCACY PROGRAM**

**WHEREAS**, the Transportation Advocacy Program provided by the Suffolk Community Council works to provide improved transportation for mentally impaired County residents; and

**WHEREAS**, the 2006 Adopted Operating Budget provides \$20,000 for this program in the Department of Public Works; and

**WHEREAS**, it is the desire of the Legislature that funding for this agency be transferred to the Department of Health Services Division of Community Mental Hygiene; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DPW	GXP1	1490	4980	SUFFOLK COMM COUNCIL TRANSP ADVCY	- \$20,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	HSV	GXP1	4310	4980	SUFFOLK COMM COUNCIL TRANSP ADVCY	+ \$20,000

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 Community Council Transportation Advocacy program.

DATED: June 13, 2006

**\*\*VETOED BY THE COUNTY EXECUTIVE ON JUNE 29, 2006\*\***

**\*\*JULY 29, 2006 NO FURTHER ACTION\*\***

-----

**Legislator Stern made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 18-0.**

Intro. Res. No. 1239-2006

Laid on Table 2/7/2006

Introduced by Legislators Stern, Lindsay, Romaine, Horsley, Cooper, Eddington, Browning, Montano, Mystal, Viloría-Fisher, D'Amaro, Alden, Losquadro, Schneiderman, Caracappa, Barraga, Kennedy, and Nowick

**RESOLUTION NO. 524 -2006, ESTABLISHING A NEW PROGRAM IN THE OFFICE OF WOMEN'S SERVICES FOR MITIGATING DOMESTIC VIOLENCE**

**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 County programs or departments; or makes transfers of appropriations that are offset by reductions in other programs; and

**WHEREAS**, the Family Violence Task Force has recognized the need in Suffolk County to provide assistance to victims of domestic violence and those who are seeking divorce; and

**WHEREAS**, funding for such services was included in the 2006 Adopted Budget within the Department of Social Services and these funds are available; and

**WHEREAS**, the Office of Women's Services provides assistance to victims of domestic violence, including the operation of a victim's helpline which provides information and referrals on a range of issues affecting victims including domestic violence, sexual harassment and legal rights; and

**WHEREAS**, representatives from the County Attorney's Office have developed a more cost effective initiative to oversee the domestic violence divorce assistance program; now, therefore, be it

**1<sup>st</sup>** **RESOLVED**, that the 2006 Adopted 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;

**FROM:**

		<u>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
001-DSS-6017-4980-AMF1	N/S Law Services	\$270,225	\$183,000	(\$87,225)
001-DSS-6073-4980-TSL1	Touro Law School	\$ 75,000	\$ -0-	(\$75,000)

**TO:**

		<u>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
001-EXE-8051-4980-TSL2	Touro Law School	\$0	\$75,000	+\$75,000
001-EXE-8051-4980-AMF2	N/S Law Services	\$0	\$87,225	+\$87,225

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the County Executive and the Director of Women's Services be and they hereby are authorized to execute a contract for divorce assistance programs for victims of domestic violence with **Touro Law School** for uncontested matrimonials and Nassau Suffolk Law Services for contested matrimonials.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.**

Intro. Res. No. 1409-2006

Laid on Table 4/4/2006

*Introduced by Presiding Officer, on request of the County Executive and Legislators Viloría-Fisher, Cooper, Browning, Alden, D'Amaro, Losquadro, Schneiderman, Mystal and Stern*

**RESOLUTION NO. 525 -2006, ADOPTING LOCAL LAW NO. 32 -2006, A LOCAL LAW FURTHER EXTENDING FIRST TIME**

**HOMEOWNER COUNTY PROPERTY TAX EXEMPTION**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on May 16, 2006, a proposed local law entitled, **“A LOCAL LAW FURTHER EXTENDING FIRST TIME HOMEOWNER COUNTY PROPERTY TAX EXEMPTION,”** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

**LOCAL LAW NO. 32 -2006, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW FURTHER EXTENDING FIRST TIME HOMEOWNER COUNTY PROPERTY TAX EXEMPTION**

**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, pursuant to New York Real Property Tax Law § 457, the County of Suffolk offers the alternative partial real property tax exemption for first time homeowners based on income and a six year declining schedule in order to create a positive climate for economic growth and attracting future homeowners.

This Legislature further finds that the New York State Legislature recently amended New York Real Property Tax Law § 457 to allow local municipalities the option to extend the date at which a contract of sale must be signed by first time homeowners to be eligible for the program and to obtain the tax exemption.

Therefore, the purpose of this law is to conform the local first time homeowner County property tax exemption to State law.

**Section 2. Amendment.**

Section 458-35 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 458

TAXATION

\* \* \* \*

ARTICLE XIII

Exemption for First-Time Homeowners

\* \* \* \*

**§ 458-35. Applicability to newly constructed property; cutoff date for exemption.**

\* \* \* \*

- B. No exemption shall be allowed pursuant to this article for any newly constructed primary residential property purchased by a first-time homebuyer on or after December 31, [2005] 2010, unless such purchase is pursuant to a binding written contract entered into prior to December 31, [2005] 2010; provided, however, that any first-time homebuyer who is allowed an exemption pursuant to this article prior to such date shall continue to be allowed further exemptions pursuant to [this] § 458-33 of this article.

**Section 3. Applicability.**

This law shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2006.

**Section 4. Filing.**

The Clerk of the Suffolk County Legislature is hereby directed to file a copy of this law with the State Board of Real Property Services and the ten (10) town assessors who prepare the assessment roll on which the taxes of this County are levied.

**Section 5. 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 6. 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 7. Effective Date.**

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

[ ] Brackets denote deletion of language  
\_\_ Underlining denotes addition of new language

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County  
after a public hearing duly held on June 26, 2006

Date: June 28, 2006

Filed with the Secretary of State on July 24, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Montano was not present.**

Intro. Res. No. 1498-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Viloría-Fisher

**RESOLUTION NO. 526 –2006, AMENDING THE 2006  
OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE  
JOHN T. MATHER MEMORIAL HOSPITAL**

**WHEREAS**, education, life skills and long term employment can be provided to Temporary Assistance for Needy Families (TANF) eligible persons; and

**WHEREAS**, the John T. Mather Memorial Hospital is in need of Nursing Assistants; and

**WHEREAS**, the 2006 Operating Budget contains surplus funds for the Veterans Emergency Transportation (VET); and

**WHEREAS**, the 2006 Operating Budget does not include funding for the TANF Health Worker Training Initiative for the John T. Mather Memorial Hospital; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to provide an additional \$10,000 in funding for Nursing Assistant's training and to allow John T. Mather Memorial Hospital to continue providing this initiative in 2006; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

APPROPRIATIONS:

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	GRG1	6510	4980	VET Veterans Emergency Transportation	-\$10,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	HSV	XXXX	4100	4980	John T. Mather Memorial Hospital	+\$10,000

and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign a pseudo code for the John T. Mather Memorial Hospital; and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for public health benefit and the sole purpose of the TANF Health Worker Training Initiative.

DATED: June 13, 2006

**\*\*VETOED BY THE COUNTY EXECUTIVE ON JUNE 30, 2006\*\***

**\*\*JULY 30, 2006 NO FURTHER ACTION\*\***

-----

**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1500-2006  
 Introduced by Legislator Horsley

Laid on Table 5/16/2006

**RESOLUTION NO. 527      -2006, AMENDING THE 2006  
 OPERATING BUDGET AND TRANSFERRING FUNDS FOR  
 THE TOWN OF BABYLON**

**WHEREAS**, the 2006 Operating Budget does not include sufficient funding to provide the Town of Babylon with a youth court whereby youth's misbehavior can be evaluated and adjudicated by their peers; and

**WHEREAS**, the Town of Babylon is in need of a youth court; and

**WHEREAS**, the 2006 Operating Budget contains surplus funds for the Cedar Beach Youth Project; and

**WHEREAS**, the 2006 Operating Budget does not include funding for the Town of Babylon; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to provide \$10,612 to fund a youth court for the Town of Babylon; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	ACX1	7320	4980	Cedar Beach Youth Project	-\$10,612

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	XXXX	7320	4980	Town of Babylon	+\$10,612

and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign a pseudo code for the Town of Babylon; and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for youth benefit and the sole purpose of funding a youth court for the Town of Babylon.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Mystal made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.**

Intro. Res. No. 1501-2006  
Introduced by Legislator Mystal

Laid on Table 5/16/2006

**RESOLUTION NO. 528 –2006, AMENDING THE 2006 OPERATING BUDGET AND TRANSFERRING FUNDS FOR CERTAIN CONTRACTED AGENCIES (LONG ISLAND CITIZENS FOR COMMUNITY VALUES AND ISLAND HARVEST)**

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds to provide youth, families and individuals with necessary services and opportunities for a more wholesome lifestyle; and

**WHEREAS**, the contracted agencies Long Island Citizens for Community Values and Island Harvest can provide these services to Suffolk County citizens; and

**WHEREAS**, the 2006 Operating Budget contains surplus funding in the Department of Economic Development for these contracted agencies; and

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds for these contracted agencies in the Executive's Division of Youth Bureau and the Department of Social Services; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to provide \$2,000 to fund Long Island Citizens for Community Values and \$5,000 to fund Island Harvest; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

APPROPRIATIONS:

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	ECD	HAU1	6410	4980	Long Island Citizens for Common Values	-\$2,000
001	ECD	HIR1	6410	4980	Island Harvest	-\$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	<b>EXE</b>	HAU1	<b>7320</b>	4980	<b>Long Island Citizens for Community Values</b>	+\$2,000
001	<b>DSS</b>	<b>HNC1</b>	<b>6004</b>	4980	Island Harvest	+\$5,000

and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for Suffolk County societal benefit and the sole purpose of funding the contracted agencies Long Island Citizens For Community Values and Island Harvest.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1518-2006  
Introduced by Legislators Alden and Montano

Laid on Table 5/16/2006

**RESOLUTION NO. 529 –2006, AMENDING THE 2006 OPERATING BUDGET AND TRANSFERRING FUNDS FOR PRONTO OF LONG ISLAND, INC.**

**WHEREAS**, the 2006 Operating Budget provided \$14,000 in the Department of Social Services for the contract agency, Thomas I. Conerty Outreach Center of Brentwood, Inc., pseudo code HGL1; and

**WHEREAS**, the agency has merged with and formally changed their name to Pronto of Long Island, Inc.; and

**WHEREAS**, Pronto of Long Island, Inc. is included in the 2006 Operating Budget in the Department of Social Services, pseudo code ANU1; and

**WHEREAS**, in order for the contract agency intended to receive the designated funding it is necessary to transfer funding from appropriation 001-6015-4980, pseudo code HGL1 to appropriation 001-6004-4980, pseudo code ANU1; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	HGL1	6015	4980	Thomas I. Conerty Outreach Center of Brentwood, Inc.	-\$14,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	ANU1	6004	4980	Pronto of Long Island, Inc.	+\$14,000

and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Pronto of Long Island, Inc.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

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

**RESOLUTION NO. 530                    -2006, AMENDING THE 2006  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
SUSTAINABLE LONG ISLAND**

**WHEREAS**, funding was not included in the 2006 Adopted Operating Budget for Sustainable Long Island; and

**WHEREAS**, the 2006 Operating Budget contains surplus appropriations for The Community Foundation of Centereach; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	ECD	6410	HQJ1	4980	THE COMMUNITY FOUNDATION OF CENTEREACH	-\$25,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	SUSTAINABLE LONG ISLAND	+\$25,000

and be if further

**RESOLVED**, that the funds appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Sustainable Long Island; and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign an appropriate pseudo code as necessary to Sustainable Long Island.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: June 30, 2006

-----

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

Intro. Res. No. 1531-2006  
Introduced by Legislator Alden

Laid on Table 5/16/2006

**RESOLUTION NO. 531 –2006, AMENDING THE 2006 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE GREATER SAYVILLE FOOD PANTRY AND ISLIP CHILDREN’S ENDOWMENT FUND**

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds to provide youth, families and individuals with necessary services and opportunities for a more wholesome lifestyle; and

**WHEREAS**, the contracted agencies Greater Sayville Food Pantry and Islip Children’s Endowment Fund can furnish these services to Suffolk County citizens; and

**WHEREAS**, the 2006 Operating Budget contains surplus appropriations for the contracted agency VET Veterans Emergency Transportation; and

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds for the Greater Sayville Food Pantry and Islip Children’s Endowment Fund; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to provide \$5,000 to fund supplemental provisions for the Greater Sayville Food Panty and \$5,000 to fund the after prom breakfast and 5K run for the Islip Children’s Endowment Fund; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	GRG1	6510	4980	VET Veterans Emergency Transp	-\$10,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	XXXX	6004	4980	The Greater Sayville Food Pantry	+\$5,000
001	EXE		7320	4980	Islip Children's Endowment Fund	+\$5,000
		XXXX				

and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign pseudo codes to the Greater Sayville Food Pantry and to the Islip Children's Endowment Fund; and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for Suffolk County societal benefit and the sole purpose of funding the Greater Sayville Food Pantry and Islip Children's Endowment Fund.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Horsley made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.**

Intro. Res. No. 1544-2006

Laid on Table 5/16/2006

Introduced by Legislators Horsley, and Mystal

**RESOLUTION NO. 532 -2006, AMENDING THE 2006  
OPERATING BUDGET AND APPROPRIATING FUNDS IN  
CONNECTION WITH THE BABYLON CITIZENS COUNCIL ON  
THE ARTS**

**WHEREAS**, the Adopted 2006 Operating Budget included \$50,000 for the Babylon Arts Council and \$15,000 for the Babylon Citizens Council on the Arts; and

**WHEREAS**, these two entities are one in the same and legally known as the Babylon Citizens Council on the Arts; and

**WHEREAS**, the intent of this Legislature is to provide the Babylon Citizens Council on the Arts with \$65,000; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	PKS	GTN1	7110	4980	BABYLON ARTS COUNCIL	-\$50,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	PKS	HKP1	7110	4980	BABYLON CITIZENS COUNCIL ON THE ARTS	+\$50,000

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 Babylon Citizens Council on the Arts.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Stern made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.**

Intro. Res. No. 1585-2006  
Introduced by Legislator Stern

Laid on Table 5/16/2006

**RESOLUTION NO. 533            -2006, AMENDING THE 2006  
OPERATING BUDGET AND TRANSFERRING FUNDS TO  
VARIOUS AGENCIES**

**WHEREAS**, insufficient funding was included in the 2006 Adopted Operating Budget to fund various agencies including Parents for Megan’s Law, Half Hollow Hills Little League, Deer Park Little League, Suffolk Y Jewish Community Center “Mind Body & Spirit Center”, and Friendship Circle; 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 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	7320	HFT1	4980	Long Island Educational Resources, Inc.	-\$97,048

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	7320	GHD1	4980	Parents for Megan’s Law	\$32,805
001	EXE	7320	XXXX	4980	Half Hollow Hills Little League	\$10,000
001	EXE	7320	XXXX	4980	Deer Park Little League	\$5,000
001	EXE	6773	XXXX	4980	Suffolk Y Jewish Community Center “Mind Body & Spirit Center”	\$5,000
001	EXE	8050	XXXX	4980	Friendship Circle	\$5,000
001	EXE	8050	XXXX	4980	Developmental Disabilities Institute	\$5,290
001	EXE	6510	XXXX	4980	Huntington Veterans Advisory Board/Huntington Human Services Institute	\$5,000
001	EXE	7320	XXXX	4980	Dix Hills Soccer Club	\$5,000
001	EXE	7320	XXXX	4980	St. Matthews Athletic Department	\$3,000
001	ECD	6410	XXXX	4980	Sons of Italy – Brumidi Lodge	\$2,500
001	EXE	7320	XXXX	4980	John McMahon Sr. Roller Hockey Club	\$2,000
001	EXE	6510	XXXX	4980	Deer Park Veterans Association (VFW Edward Piesker Post)	\$2,500
001	ECD	6410	XXXX	4980	Greenlawn Civic Association	\$2,500

001	EXE	7320	XXXX	4980	Suffolk Association for Jewish Educational Services, Inc. – Teen Action Project	\$2,953
001	EXE	8050	XXXX	4980	Nassau/Suffolk Services for the Autistic, Inc.	\$8,500

and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding agencies listed above; and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign appropriate pseudo codes as necessary.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
 County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1587-2006

Laid on Table 5/16/2006

Introduced by Legislators Nowick and Kennedy

**RESOLUTION NO. 534 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AMENDING THE 2006 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR IMPROVEMENTS TO SEWER DISTRICT NO. 6 – KINGS PARK (CP 8144)**

**WHEREAS**, there is a need for planning for expanding the capacity of the Kings Park Sewer District; and

**WHEREAS**, there are insufficient funds in the 2006 Capital Budget and Program for planning an expansion of Suffolk County Sewer District No. 6 - Kings Park; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund provide \$300,000 to plan for the expansion of and improvements to Suffolk County Sewer District No. 6 – Kings Park; and

**WHEREAS**, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; 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 2006 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-two (72) 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 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8144

Project Title: Improvements to Sewer District No. 6 – Kings Park

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning, Design and Supervision	\$660,000	\$0	\$300,000 A
<b>TOTAL</b>	<b>\$15,347,857</b>	<b>\$0</b>	<b>\$300,000</b>

and be it further

**RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2006 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$300,000

527-IFT-R404-Transfer from Fund 404

\$300,000

**RESOLVED**, that funds in the amount of \$300,000 in from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8144.111	50	Improvements to Sewer District No. 6 – Kings Park	\$300,000

and be it further

**RESOLVED**, that the Administrative Head of the Sewer Districts be and hereby is authorized, directed and empowered to issue an RFP and enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to consultant assistance for the planning and design of this project; 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 Section 617.5 (C) (18), (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.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1594-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 5/16/2006

**RESOLUTION NO. 535 –2006, TRANSFERRING  
CONTINGENT FUNDING FOR VARIOUS CONTRACT  
AGENCIES (PHASE II)**

**WHEREAS**, funds were included in a Legislative Contingency account in the 2006 Operating Budget (001-MSC-1994-4981) to supplement County services via non-profit agencies; and

**WHEREAS**, these funds are used to support not-for-profit agencies for services including, but not limited to, supplementation of County services for: breast health education and outreach, veterans programs, hospices, senior citizen and youth programs, domestic violence programs, food pantry services, other comparable health and safety programs, and for economic development and revitalization; and

**WHEREAS**, appropriation of funds to these not-for-profit agencies early in the fiscal year will enhance their ability to develop contracts with the County and will help to provide services in a timely fashion; and

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

**RESOLVED**, that the Adopted 2006 County Operating Budget is hereby amended as shown in the attached Appendix A, which is attached hereto and made a part of this resolution.

DATED: June 13, 2006

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

<b>APPENDIX A</b>		
<b>FROM:</b>	<b>AMOUNT</b>	
001-MSC-1994-4981 Contingent: Legislative Programs	<b>\$436,170</b>	
<b>TO:</b>		
	<b>Phase II- 2006</b>	<b>FD-AG-ORG-OBJ</b>
<b>CONTRACT AGENCY</b>		
Adelante of Suffolk County, Inc.	\$500	001-EXE-7320-4981
Adelphi University (NY Statewide Breast Cancer Hotline & Support Program)	\$1,000	001-HSV-4100-4981
All Faith Soccer League - St. Jude Church	\$2,000	001-EXE-7320-4981
American Legion - Northport Post #694	\$2,500	001-EXE-6510-4981
American Legion Post #360 (Huntington)	\$1,000	001-EXE-6510-4981

American Legion Post 1533 - Arthur H. Clune	\$1,000	001-EXE-6510-4981
American Legion Post 1880 - Leisure Village	\$500	001-EXE-6510-4981
American Legion Post 1887 - Leisure Knoll	\$500	001-EXE-6510-4981
American Legion Post 352 - Leisure Glen	\$500	001-EXE-6510-4981
American Legion Post 388 Chelberg Battle	\$500	001-EXE-6510-4981
Animal Rescue Fund of the Hamptons, Inc.	\$1,000	001-PKS-7110-4981
Art League of Long Island, Inc.	\$1,000	001-ECD-6410-4981
Artist Alliance of East Hampton	\$500	001-ECD-6410-4981
Babylon Breast Cancer Coalition, Inc.	\$2,000	001-HSV-4100-4981
Babylon Little League	\$1,000	001-EXE-7320-4981
Babylon Rotary Foundation, Inc.	\$1,000	001-EXE-7320-4981
Babylon Village Arts Council	\$1,500	001-ECD-6410-4981
Babylon Village Chamber of Commerce, Inc.	\$1,000	001-ECD-6410-4981
Babylon Village Educational Foundation, Inc.	\$1,000	001-EXE-7320-4981
Bay Shore Beautification Society, Inc.	\$1,000	001-ECD-6410-4981
Bay Shore Brightwaters Little League Inc.	\$500	001-EXE-7320-4981
Bay Shore Historical Society	\$1,000	001-PKS-7510-4981
Bay Shore-Brightwaters Public Library	\$2,650	001-ECD-6410-4981
Bayport-Blue Point Youth Lacrosse League, Inc.	\$2,000	001-EXE-7320-4981
Bellport Area Community Action Committee Inc. (Boys and Girls Club)	\$1,000	001-EXE-7320-4981
Bellport Area Community Action Committee, Inc. (Boys and Girls Club)	\$1,000	001-EXE-7320-4981
Bicycle Path School PTA (Pre-K/Kindergarten)	\$800	001-EXE-7320-4981
Big Brothers Big Sisters of Long Island, Inc.	\$500	001-EXE-7320-4981
Boy Scouts of America (Troop 60)	\$1,000	001-EXE-7320-4981
Boys & Girls Club of Suffolk County, Inc.	\$2,000	001-EXE-7320-4981
Breast Cancer Help, Inc.	\$500	001-HSV-4100-4981
Brentwood Historical Society	\$1,000	001-PKS-7510-4981
Bridgehampton Chamber Music Association Inc.	\$1,000	001-ECD-6410-4981
Bridgehampton Childcare & Recreational Center	\$1,500	001-EXE-7320-4981
Bridgehampton Historical Society Inc.	\$500	001-PKS-7510-4981
Bridgehampton Village Improvement Society, Inc.	\$500	001-ECD-6410-4981
Brighter Tomorrows	\$2,000	001-DSS-6017-4981
Brookhaven Wheelchair Athletes, Inc.	\$1,000	001-EXE-8050-4981
Brookhaven WheelchairAthletes, Inc.	\$500	001-EXE-8050-4981
Brookhaven WheelchairAthletes, Inc.	\$1,000	001-EXE-8050-4981
Brookhaven WheelchairAthletes, Inc.	\$1,000	001-EXE-8050-4981
Cayuga Elementary School PTA	\$800	001-EXE-7320-4981
Center for Philosophy, Law and Citizenship, Inc. (SUNY Farmingdale)	\$500	001-LAW-8040-4981
Centereach High School PTA	\$800	001-EXE-7320-4981
Chamber of Commerce of Greater Bay Shore, ETAL	\$1,000	001-ECD-6410-4981
Child Care Council of Suffolk, Inc.	\$1,000	001-DSS-6135-4981

Children's Museum of the East End	\$1,500	001-EXE-7320-4981
Christ Episcopal Church	\$2,000	001-DSS-6004-4981
Civil Air Patrol - Brian M. Mooney Cadet Squadron	\$1,000	001-EXE-7320-4981
Community Presbyterian Church (Shepard's Table)	\$1,500	001-DSS-6004-4981
Comsewogue Youth Club, Inc.	\$500	001-EXE-7320-4981
Comsewogue Youth Club, Inc.	\$1,000	001-EXE-7320-4981
Connetquot Touchdown Club, Inc.	\$1,000	001-EXE-7320-4981
Connetquot Youth Soccer League, Inc.	\$500	001-EXE-7320-4981
Coram PTA	\$500	001-EXE-7320-4981
Cornerstone Church of God in Christ Inc	\$700	001-DSS-6004-4981
Cornerstone Church of God in Christ Inc. (Harrison Hale Community Action Center)	\$1,470	001-EXE-7320-4981
Covenant Presbyterian	\$1,000	001-DSS-6004-4981
Dawnwood Middle School PTA	\$800	001-EXE-7320-4981
Deeper Life Fellowship in Christ Inc.	\$2,000	001-DSS-6004-4981
Deer Park Falcon Football Inc.	\$1,000	001-EXE-7320-4981
Deer Park High School Booster Club, Inc.	\$1,000	001-EXE-7320-4981
Deer Park Little League, Inc.	\$1,000	001-EXE-7320-4981
Disabled American Veterans	\$500	001-EXE-6510-4981
Disabled American Veterans Post #190	\$1,500	001-EXE-6510-4981
Dix Hills Volunteer Fire Department	\$2,000	001-FRE-3400-4981
Dream Catcher Creations, LLC (Dreamcatchers Theatre Inc.)	\$1,000	001-EXE-7320-4981
East Hampton Chamber of Commerce, Inc.	\$1,000	001-ECD-6410-4981
East Hampton Meals On Wheels, Inc.	\$1,000	001-EXE-6773-4981
East Hampton Youth Court	\$500	001-EXE-7320-4981
East Islip Fire Department	\$500	001-FRE-3400-4981
East Islip Main Street Restoration Project, Inc.	\$1,000	001-ECD-6410-4981
East Islip Soccer Club	\$1,000	001-EXE-7320-4981
Eastport-South Manor Sports Association, Inc.	\$1,000	001-EXE-7320-4981
Economic Opportunity Council of Suffolk, Inc.	\$35,000	001-HSV-4005-4981
EECO FARM LTD	\$1,000	001-ECD-6410-4981
Elwood Council of PTA (UFSD)	\$3,000	001-EXE-7320-4981
Eugene Auer PTA	\$800	001-EXE-7320-4981
Excel Disabled Equestrians, Inc.	\$600	001-EXE-8050-4981
Exchange Ambulance of the Islips	\$500	001-EXE-7320-4981
Faith Baptist Church Youth Awareness Inc.	\$2,000	001-EXE-7320-4981
Family Counseling Service, The	\$1,000	001-HSV-4320-4981
Family Service League of Suffolk County, Inc.	\$1,000	001-DSS-6004-4981
Feel Better Kids, Inc	\$1,000	001-DSS-6004-4981
Flanders, Riverside and Northampton Community Association, Inc.	\$1,000	001-ECD-6410-4981
For the Kids Foundation of East Islip, Inc.	\$2,000	001-EXE-7320-4981
Fountain of Youth Day Care	\$1,500	001-DSS-6170-4981

Four S American Legion Post #1635	\$1,000	001-EXE-6510-4981
Friends of Karen, Inc.	\$500	001-DSS-6004-4981
Friends of Newfield High School Music, Inc.	\$500	001-EXE-7320-4981
Friends of St. Patrick, Inc.	\$3,500	001-ECD-6410-4981
Friends of the Retired and Senior Volunteer Program of Suffolk County, Inc. (RSVP)	\$500	001-EXE-6773-4981
Friends of the Retired and Senior Volunteer Program of Suffolk, Inc. (RSVP)	\$500	001-EXE-6773-4981
Friends of the Retired and Senior Volunteer Program of Suffolk, Inc. (RSVP)	\$1,000	001-EXE-6773-4981
Friendship Senior Club, Inc.	\$1,500	001-EXE-6773-4981
Gatlot Avenue PTA	\$800	001-EXE-7320-4981
Gemini Youth Orchestras (Training Orchestra, Inc.)	\$1,500	001-EXE-7320-4981
Girl Scouts of Suffolk County, Inc.	\$2,000	001-EXE-7320-4981
God's Provisions, Inc. (Food Outreach)	\$500	001-DSS-6004-4981
Grace Lutheran Church	\$1,000	001-DSS-6004-4981
Great South Bay Audubon Society, Inc.	\$1,000	001-PKS-7110-4981
Greater Port Jefferson Arts Council, Inc.	\$1,000	001-ECD-6410-4981
Guide Dog Foundation	\$1,000	001-EXE-8050-4981
Guild Hall of East Hampton, Inc.	\$2,000	001-ECD-6410-4981
Half Hollow Hills Central School District PTA	\$3,000	001-EXE-7320-4981
Hampton Bays Historical and Preservation Society	\$1,000	001-PKS-7510-4981
Hampton Bays Public Library	\$1,250	001-EXE-7320-4981
Hampton's International Film Festival, Inc.	\$1,000	001-ECD-6410-4981
HANDS Inc. (Handicapped Adults New Directions in Suffolk)	\$300	001-EXE-8050-4981
HANDS Inc. (Handicapped Adults New Directions in Suffolk)	\$500	001-EXE-8050-4981
Harborfields Council of PTA's	\$3,000	001-EXE-7320-4981
Hawkins Path Elementary School PTA	\$800	001-EXE-7320-4981
Heckscher Youth Program, Inc.	\$1,000	001-EXE-7320-4981
Heer Park Civic Association of Lindenhurst, Inc.	\$1,000	001-ECD-6410-4981
Helping Hand Rescue Mission Inc.	\$1,000	001-DSS-6004-4981
Herstory Writers Workshop, Inc.	\$500	001-EXE-8051-4981
Hills/Elwood Youth Lacrosse, Inc.	\$1,000	001-EXE-7320-4981
Historical Society of Greater Pt Jefferson Inc	\$300	001-PKS-7510-4981
Holbrook Chamber of Commerce, Inc.	\$4,200	001-ECD-6410-4981
Holbrook Road PTA	\$800	001-EXE-7320-4981
Hope House Ministries, Inc. (W.A.H. III Memorial Fund)	\$750	001-EXE-7320-4981
Hope Lutheran Church	\$1,000	001-DSS-6004-4981
Hospice Care Network	\$1,000	001-HSV-4010-4981
Huntington Breast Cancer Action Coalition, Inc.	\$1,000	001-HSV-4100-4981
Huntington Community First Aid Squad, Inc.	\$1,000	001-FRE-3400-4981
Huntington Community First Aid Squad, Inc.	\$1,500	001-FRE-3400-4981
Huntington Detachment #792-MCL (Marine Corps League, Inc.,etal)	\$1,000	001-EXE-6510-4981
Huntington Foundation for Excellence in Education	\$5,000	001-EXE-7320-4981

Huntington Freedom Center, Inc.	\$1,000	001-EXE-7320-4981
Huntington Freedom Center, Inc.	\$1,000	001-EXE-7320-4981
Huntington Freedom Center, Inc.	\$1,000	001-EXE-7320-4981
Huntington Human Services Institute Inc.	\$1,000	001-EXE-8051-4981
Huntington Station Enrichment Center, Inc. (Boys & Girls Club)	\$1,000	001-EXE-7320-4981
Huntington Township Chamber of Commerce	\$1,000	001-ECD-6410-4981
Huntington Township Chamber of Commerce Inc.	\$1,000	001-ECD-6410-4981
Huntington Village Lacrosse Club Inc.	\$1,000	001-EXE-7320-4981
Huntington Village Theater Company, Inc.	\$1,000	001-ECD-6410-4981
I R I E Therapeutic Equestrian Program	\$2,000	001-EXE-7320-4981
Interfaith Nutrition Network - Invited Inn	\$1,000	001-DSS-6004-4981
Interfaith Nutrition Network -The Island Inn	\$1,000	001-DSS-6004-4981
Jericho Elem. PTA	\$800	001-EXE-7320-4981
Jewish Association for Services for the Aged (Suffolk Y Jewish Community Center)	\$1,000	001-EXE-6773-4981
Jewish War Veterans of the USA Inc	\$300	001-EXE-6510-4981
John J. McMahon Memorial Roller Hockey Club, Inc.	\$2,000	001-EXE-7320-4981
Joint Civic Association of the Village of Lindenhurst, Inc.	\$1,000	001-ECD-6410-4981
Keep Islip Clean, Inc. (KIC)	\$500	001-ECD-6410-4981
Kevin Williams Memorial Foundation (Charitable Corporation)	\$1,500	001-EXE-7320-4981
Kiwanis International Club Lindenhurst NY, Inc.	\$1,000	001-EXE-7320-4981
Knights of Columbus Home Association & OLPH Council 794	\$1,000	001-HSV-4100-4981
Knights of Deer Park, Inc. & Our Lady of the Rosary (Columbus Council # 4428)	\$2,000	001-EXE-7320-4981
Landings Civic Association	\$1,000	001-ECD-6410-4981
League of Women Voters Inc	\$1,000	001-BOE-1450-4981
League of Women Voters Inc.	\$1,000	001-BOE-1450-4981
Lily Pond Resident's Association	\$500	001-ECD-6410-4981
Lindenhurst Chamber of Commerce	\$1,000	001-ECD-6410-4981
Lindenhurst National Little League	\$1,000	001-EXE-7320-4981
Lindenhurst Touchdown Club, Inc.	\$1,000	001-EXE-7320-4981
Lindenhurst Youth Services Board, Inc.	\$2,000	001-EXE-7320-4981
Lions Club of Bay Shore	\$1,000	001-ECD-6410-4981
Little League of the Three Villages	\$500	001-EXE-7320-4981
Little Shelter Animal Adoption Center Inc	\$1,000	001-HSV-4010-4981
Lloyd Harbor Historical Society, Inc.	\$1,000	001-PKS-7510-4981
Long Island 2 Day Walk to Fight Breast Cancer, Inc.	\$1,000	001-HSV-4150-4981
Long Island Cares, Inc.	\$5,500	001-DSS-6004-4981
Long Island Food Effort (Senior Citizens Aid Association, Inc.)	\$500	001-DSS-6004-4981
Long Island Housing Partnership, Inc.	\$1,000	001-ECD-6410-4981
Long Island Housing Partnership, Inc.	\$1,000	001-ECD-6410-4981
Long Island Maritime Museum	\$1,000	001-PKS-7510-4981
Long Island Pine Barrens Society, Inc.	\$1,000	001-PKS-7110-4981

Long Island Seaport & Eco Center Inc	\$500	001-PKS-7110-4981
Long Island Senior Games, Inc.	\$500	001-EXE-6773-4981
Long Island Senior Games, Inc.	\$1,000	001-EXE-6773-4981
Long Island Symphonic Choral Association (LISCA)	\$1,000	001-ECD-6410-4981
Long Island Synchronized Swim Team	\$1,000	001-EXE-7320-4981
Long Island Thunder (Baseball)	\$500	001-EXE-7320-4981
Long Island Traditional Music Assn.	\$500	001-ECD-6410-4981
Long Island Voices Foundation, Inc.	\$500	001-EXE-7320-4981
Long Island Warriors (Baseball Club)	\$2,000	001-EXE-7320-4981
Long Island Works Coalition	\$500	001-EXE-7320-4981
Longwood Central School District (Veteran's Memorial)	\$2,000	001-EXE-6510-4981
Lumberjacks Lou's Community Boxing, Inc.	\$1,000	001-EXE-7320-4981
Lynvett Football and Cheerleading Association, Inc.	\$2,000	001-EXE-7320-4981
Lynwood Avenue Elementary School PTA	\$800	001-EXE-7320-4981
Marine Corps League, Inc.	\$1,000	001-EXE-6510-4981
Mastic Sports Club, Inc.	\$2,000	001-EXE-7320-4981
Medford Volunteer Ambulance Inc.	\$4,000	001-FRE-3400-4981
Melville Foundation	\$1,000	001-EXE-7320-4981
Meridale Park Civic Association of Lindenhurst, NY, Inc.	\$1,000	001-ECD-6410-4981
Middle Country CSD (Friends of Selden Middle School Band)	\$500	001-EXE-7320-4981
Middle Country Special Education PTA	\$800	001-EXE-7320-4981
Miller Place-Mt. Sinai Historical Society, Inc.	\$500	001-PKS-7510-4981
Moriches Bay Historical Society	\$500	001-PKS-7510-4981
Mothers Against Drunk Driving (MADD)	\$1,000	001-EXE-7320-4981
Mothers Against Drunk Driving (MADD)	\$1,000	001-EXE-7320-4981
NABF/North Shore Royals	\$2,000	001-EXE-7320-4981
National Association of Puerto Rican Hispanic Social Workers, Inc.	\$1,000	001-EXE-7320-4981
National Audubon Society, Inc.	\$2,500	001-PKS-7110-4981
Navy Seabee Veterans of America	\$1,000	001-EXE-6510-4981
New Community Cinema Inc.	\$1,500	001-ECD-6410-4981
New Lane Memorial PTA	\$800	001-EXE-7320-4981
New York Chariots of Fire, Inc.	\$1,000	001-EXE-8050-4981
Newfield High School PTA	\$800	001-EXE-7320-4981
North Babylon Athletic Club	\$1,000	001-EXE-7320-4981
North Babylon Patriots Soccer Club, Inc.	\$1,000	001-EXE-7320-4981
North Coleman Road School PTA	\$800	001-EXE-7320-4981
North Fork Environmental Council, Inc.	\$2,000	001-PKS-7110-4981
North Lindenhurst Civic Association, Inc.	\$2,000	001-ECD-6410-4981
North Shore Colts Athletic Association, Ltd.	\$1,500	001-EXE-7320-4981
North Shore Holiday House Inc.	\$1,500	001-EXE-7320-4981
North Shore National LL	\$500	001-EXE-7320-4981

Northport Arts Coalition, Inc.	\$1,000	001-ECD-6410-4981
Northport Historical Society	\$1,000	001-PKS-7510-4981
Northport Youth Center Soccer League	\$2,000	001-EXE-7320-4981
Northport Youth Soccer League	\$1,000	001-EXE-7320-4981
Old Whalers' Landmark Restoration Campaign, Inc.	\$500	001-PKS-7510-4981
Opportunities Industrialization Center of Suffolk County, Inc.	\$1,000	001-EXE-7320-4981
Options for Community Living, Inc.	\$500	001-DSS-6008-4981
Options for Community Living, Inc.	\$500	001-DSS-6004-4981
Our Lady of Lourdes (Parish Outreach)	\$1,000	001-DSS-6004-4981
Oxhead Rd. Elementary School PTA	\$800	001-EXE-7320-4981
Parent/Child Home Program, Inc.	\$600	001-DSS-6008-4981
Pat-Med Booster Club (Youth Football & Cheerleading Club, Inc.)	\$3,000	001-EXE-7320-4981
Peconic Chamber Orchestra	\$1,000	001-ECD-6410-4981
Peconic Community Council, Inc.	\$500	001-ECD-6410-4981
Pedersen-Krag Center, Inc.	\$1,000	001-HSV-4330-4981
Pilot International Foundation, Inc.	\$1,000	001-EXE-7320-4981
Port Jefferson Station Terryville Chamber of Commerce	\$1,000	001-ECD-6410-4981
Port Jefferson Station/Terryville Civic Association, Inc.	\$500	001-ECD-6410-4981
Pronto of Long Island, Inc.	\$1,000	001-DSS-6004-4981
Pronto of Long Island, Inc.	\$2,000	001-DSS-6004-4981
REACH Community & Youth Agency	\$1,500	001-EXE-7320-4981
Response of Suffolk County, Inc.	\$500	001-HSV-4320-4981
Retreat, Inc.	\$500	001-DSS-6035-4981
Ridge PTA	\$500	001-EXE-7320-4981
Robert Moses MS PTA (Hiawatha Elementary School)	\$800	001-EXE-7320-4981
Rocky Point Elementary PTA	\$500	001-EXE-7320-4981
Rocky Point Historical Society, Inc.	\$500	001-PKS-7510-4981
Rockys Fund Dog Rescue Welcome Home Sanctuary, Inc.	\$1,000	001-HSV-4010-4981
Rotary International Sayville	\$1,000	001-ECD-6410-4981
Rusy Bohm Post #411 American Legion, Inc.	\$1,000	001-EXE-6510-4981
Sachem High School East PTA	\$800	001-EXE-7320-4981
Sachem High School North PTA	\$800	001-EXE-7320-4981
Sachem Touchdown Club, Inc.	\$800	001-EXE-7320-4981
Sag Harbor Historical Society	\$500	001-PKS-7510-4981
Sag Harbor UFSD (Yard)	\$500	001-EXE-7320-4981
Sagtikos Manor Historical Society	\$1,000	001-PKS-7510-4981
Samoset Middle School PTA	\$800	001-EXE-7320-4981
Save The Beaches Fund, Inc.	\$1,000	001-PKS-7110-4981
Save-A-Pet Animal Rescue Inc.	\$500	001-HSV-4010-4981
School-Business Partnership of Long Island, Inc.	\$2,000	001-EXE-7320-4981
SCO Family of Services (Madonna Heights)	\$1,000	001-DSS-6010-4981

SCORE (Service Corps of Retired Executives)	\$1,000	001-EXE-6773-4981
Selden Middle School PTA	\$800	001-EXE-7320-4981
SeniorNet (Family Service League)	\$1,000	001-EXE-6773-4981
Shoreham-Wading River Community Education Program	\$1,000	001-EXE-7320-4981
Smithtown CSD	\$500	001-EXE-6773-4981
Smithtown SC (Kickers Soccer Club)	\$2,000	001-EXE-7320-4981
Solar Community Corp	\$2,000	001-EVE-8200-4981
Sound Symphony, Inc.	\$1,000	001-ECD-6410-4981
South East Concerned Civic Association, Inc. (SECCA)	\$2,500	001-EXE-7320-4981
South Fork Community Health Initiative, Inc.	\$2,500	001-HSV-4100-4981
South Huntington Educational Foundation Inc.	\$1,000	001-EXE-7320-4981
South Huntington UFSC (Wildcat Booster Club)	\$1,000	001-EXE-7320-4981
South Huntington UFSD (Walt Whitman Marching Band Parents Association)	\$2,000	001-EXE-7320-4981
South Shore Restoration Group, Inc.	\$1,000	001-DPW-1494-4981
South Shore Soccer Club, Inc.	\$1,000	001-EXE-7320-4981
St Patrick's Family Outreach	\$1,000	001-DSS-6004-4981
St. Anne's Gardens Housing Development Fund Company, Inc.	\$1,500	001-EXE-6773-4981
St. Anne's R.C.C. (Youth Group)	\$500	001-EXE-7320-4981
St. Anthony's Bread Outreach	\$1,000	001-DSS-6004-4981
St. Cyril & Methodius Parish Outreach	\$1,000	001-DSS-6004-4981
St. Elizabeth CYO	\$1,000	001-EXE-7320-4981
St. Elizabeth RC Church Outreach	\$1,000	001-DSS-6004-4981
St. Frances Cabrini R.C.C. (Seniors)	\$1,250	001-EXE-6773-4981
St. Hugh / St. Elizabeth Baseball League	\$1,000	001-EXE-7320-4981
St. Hugh of Lincoln Athletic Association	\$1,000	001-EXE-7320-4981
St. Hugh of Lincoln Parish Outreach	\$1,000	001-DSS-6004-4981
St. James Church Our Daily Bread Soup Kitchen and Food Pantry	\$1,000	001-DSS-6004-4981
St. James-Smithtown American LL	\$2,000	001-EXE-7320-4981
St. John Evangelist R.C.C.	\$1,000	001-EXE-7320-4981
St. John the Baptist Diocesan High School	\$1,000	001-EXE-7320-4981
St. John's Church	\$1,000	001-PKS-7510-4981
St. Joseph's RCC (Parish Outreach)	\$500	001-DSS-6004-4981
St. Louis deMontfort RCC (Outreach)	\$1,500	001-DSS-6004-4981
St. Patrick Church - Hospitality Center	\$1,000	001-DSS-6004-4981
St. Peters Evangelical Lutheran Church	\$1,000	001-DSS-6004-4981
Stagecoach Elementary School PTA	\$500	001-EXE-7320-4981
Starflower Experiences, Inc.	\$1,000	001-EXE-7320-4981
Suffolk Coalition To Prevent Alcohol & Drug Dependencies	\$500	001-EXE-8051-4981
Suffolk Community College Association, Inc. - LI Shakespeare Festival	\$1,000	001-EXE-7320-4981
Suffolk Community College Foundation, Inc. (Men's Basketball)	\$2,000	001-EXE-7320-4981
Suffolk County Archaeological Association	\$500	001-PKS-7510-4981

Suffolk County Coalition Against Domestic Violence, Inc.	\$500	001-DSS-6017-4981
Suffolk County Coalition Against Domestic Violence, Inc.	\$500	001-DSS-6017-4981
Suffolk County Girl Scout Council, Inc.	\$2,000	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc.	\$500	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc.	\$500	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc.	\$1,000	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc.	\$1,500	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc.	\$2,000	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc. (SU 44)	\$250	001-EXE-7320-4981
Suffolk County Girl Scouts Council, Inc. (Troop 2827)	\$250	001-EXE-7320-4981
Suffolk County Perinatal Coalition, Inc	\$1,000	001-HSV-4100-4981
Suffolk County Police Athletic League, Inc.	\$1,000	001-EXE-7320-4981
Suffolk County United Veterans, Inc.	\$500	001-EXE-6510-4981
Suffolk Network of Adolescent Pregnancy, Inc., SNAP LI	\$1,000	001-EXE-7320-4981
Sunshine Center, Inc.	\$1,000	001-EXE-7320-4981
Survivors Art Foundation	\$500	001-ECD-6410-4981
Taproot Workshop, Inc.	\$1,000	001-EXE-6773-4981
Tecumseh PTA (Elementary School)	\$800	001-EXE-7320-4981
The Community Programs Center of Long Island	\$500	001-EXE-7320-4981
The Community Programs Center of Long Island	\$1,000	001-EXE-7320-4981
The Community Programs Center of Long Island	\$1,000	001-EXE-7320-4981
The Constantino Brumidi Lodge # 2211 (Sons of Italy)	\$1,000	001-DSS-6004-4981
The East Islip Historical Society	\$500	001-PKS-7510-4981
The Heckscher Museum	\$1,000	001-PKS-7110-4981
The Huntington Historical Society	\$2,000	001-PKS-7510-4981
The Society of St. Johnland	\$4,500	001-DPW-1494-4981
Three Village Historical Society, Inc.	\$2,000	001-PKS-7510-4981
Three Village Meals on Wheels, Inc.	\$1,100	001-EXE-6773-4981
Three Village Midget Baseball League, Inc.	\$500	001-EXE-7320-4981
Touchdown Club of West Babylon, Inc.	\$1,000	001-EXE-7320-4981
Town of Brookhaven Brookwood on the Lake (Senior Citizen Club)	\$500	001-EXE-6773-4981
Town of Brookhaven Centereach Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Eastwood Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Friar Circle Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Lake Ronkonkoma Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Mark Tree Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Medford Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Selden Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven St. Joseph's Village Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Terryville Senior Citizen Club	\$500	001-EXE-6773-4981
Town of Brookhaven Westfield Senior Citizen Club	\$500	001-EXE-6773-4981

Town of Islip Breast Cancer Coalition, Inc.	\$500	001-HSV-4150-4981
Town of Islip Breast Cancer Coalition, Inc.	\$1,500	001-HSV-4100-4981
Tri Community and Youth Agency, Inc.	\$1,000	001-EXE-7320-4981
Tri Community and Youth Agency, Inc.	\$1,500	001-EXE-7320-4981
Tri-Community & Youth Agency, Inc.	\$1,000	001-EXE-7320-4981
Trinity Lutheran Church	\$500	001-EXE-7320-4981
Unitarian Universalist Fellowship of Huntington	\$1,000	001-DSS-6010-4981
Unity Drive School PTA	\$800	001-EXE-7320-4981
Veterans of Foreign Wars Post #5348	\$1,000	001-EXE-6510-4981
VFW Nathan Hale Post No. 1469	\$1,000	001-EXE-6510-4981
VFW Post #4927 (Tordik Diederich Duffield)	\$1,000	001-EXE-6510-4981
VFW Post 414	\$500	001-EXE-6510-4981
VFW Post 6249 (Fischer-Hewins)	\$1,500	001-EXE-6510-4981
VFW Post 6249 (Fischer-Hewins)	\$1,500	001-EXE-6510-4981
Victims Information Bureau of Suffolk, Inc.	\$2,000	001-DSS-6017-4981
Victory Church of God	\$1,000	001-EXE-8051-4981
Village of the Branch Soccer Club (St. Patrick's)	\$2,000	001-EXE-7320-4981
Volunteers for FISH of Babylon, Inc.	\$1,000	001-DSS-6004-4981
Waverly Avenue PTA (Elementary School)	\$800	001-EXE-7320-4981
West Babylon Football League, Inc.	\$1,000	001-EXE-7320-4981
West Islip American Legion Post #1738	\$1,000	001-EXE-6510-4981
West Islip Beautification Society Inc	\$1,000	001-ECD-6410-4981
West Islip Breast Cancer Coalition for Long Island, Inc.	\$1,000	001-HSV-4150-4981
West Islip Swim Club Inc.	\$1,000	001-EXE-7320-4981
West Islip Symphony Orchestra	\$1,000	001-ECD-6410-4981
West Islip U.F.S.D. - Robotics Team	\$1,000	001-EXE-7320-4981
Westhampton Cultural Consortium, Inc.	\$1,000	001-ECD-6410-4981
Westhampton Youth Alliance	\$1,000	001-EXE-7320-4981
Whaling Museum Society, Inc.	\$1,500	001-PKS-7110-4981
William Floyd Union Free School District (Community Summit)	\$1,000	001-EXE-7320-4981
Worldwide Voices, Inc.	\$1,000	001-ECD-6410-4981
Yaphank Historical Society, Inc.	\$1,000	001-PKS-7510-4981
Yaphank Presbyterian Church	\$1,000	001-EXE-7320-4981
YMCA of Long Island, Inc.	\$1,000	001-EXE-7320-4981
Youth Directions & Alternatives C.Y.A.	\$1,000	001-EXE-7320-4981
	<b>\$436,170</b>	

-----

**Legislator Montano made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1595-2006

Laid on Table 5/16/2006

Introduced by Legislators Montano and Mystal

**RESOLUTION NO. 536            -2006, AMENDING THE 2006  
OPERATING BUDGET AND TRANSFERRING FUNDS FOR  
COFA AND ST. MARTIN OF TOURS KNIGHTS OF COLUMBUS**

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds to provide youth with necessary services and opportunities for a more wholesome lifestyle; and

**WHEREAS**, the contracted agencies COFA and St. Martin of Tours Knights of Columbus can furnish these services to Suffolk County Youth; and

**WHEREAS**, the 2006 Operating Budget inadvertently contains funds for these contracted agencies in the improper appropriations; and

**WHEREAS**, the 2006 Operating Budget does not include funds for COFA and St. Martin of Tours Knights of Columbus in the Youth Bureau appropriation; and

**WHEREAS**, it is the desire of the Suffolk County Legislature to Amend the 2006 Operating Budget to provide \$10,000 to fund supplemental provisions for COFA and \$1,000 to fund a holiday party for handicapped children by St. Martin of Tours Knights of Columbus; and

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

**RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	HCP1	6510	4980	COFA	-\$10,000
001	ECD	HBO1	6410	4980	St. Martin of Tours Knight of Columbus	-\$1,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	HCP1	<b>7320</b>	4980	COFA	<b>+\$10,000</b>
001	<b>EXE</b>	HBO1	<b>7320</b>	4980	<b>St. Martin of Tours Knights of Columbus</b>	<b>+\$1,000</b>

and be it further

**RESOLVED**, that the monies appropriated pursuant to this resolution shall be used exclusively for Suffolk County Youth benefit and the sole purpose of funding COFA and St. Martin of Tours Knights of Columbus.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County  
Date: June 20, 2006

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

Intro. Res. No. 1533-2006

Laid on Table 5/16/2006

Introduced by Legislators Alden, Nowick, Horsley, Eddington, Barraga, Browning, Stern and Presiding Officer Lindsay

**RESOLUTION NO. 537 -2006, DESIGNATING THE LAST WEEK IN APRIL AS "ALEC'S WEEK"**

**WHEREAS**, over 2,400 children are backed-over every year in the United States by sport utility vehicles; and

**WHEREAS**, in April of 2004, sixteen month old Alec Nelson was killed in such a tragic accident; and

**WHEREAS**, legislation has been introduced in the United States Senate requiring the U.S. Department of Transportation to issue regulations aimed at reducing these kinds of accidents that frequently kill or injure children; and

**WHEREAS**, Suffolk County has also introduced legislation to require new car dealers to be notified when information becomes available regarding laws, rules and other information concerning child safety and SUVs; and

**WHEREAS**, drivers are becoming more aware of the risks associated with driving SUV's and other large vehicles, but further public education is required; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby designates the last week in April, commencing 2007, and every year thereafter, as "Alec's Week", in honor of Alec Nelson to help raise awareness and educate Suffolk County residents of the risks associated with blind spots of big vehicles and the equipment that is available that can help prevent children being backed-over by large vehicles; 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

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

Intro. Res. No. 1597-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 538 -2006, APPROVING AND  
AUTHORIZING A CONTRACT TO PROMOTE CONVENTION  
BUSINESS AND TOURISM IN SUFFOLK COUNTY**

**WHEREAS**, Section 1202-o of the NEW YORK STATE TAX LAW authorizes Suffolk County to impose a tax upon persons occupying hotel or motel rooms in Suffolk County; and

**WHEREAS**, Section 1202-o of the NEW YORK STATE TAX LAW requires that two-thirds of the revenue generated by this tax be delivered to a tourism promotion agency which the County contracts with to administer programs to promote convention business and tourism; and

**WHEREAS**, the County of Suffolk, through its Department of Economic Development and Workforce Housing, issued a Request for Proposals (RFP) in October, 2005, to provide services for the promotion of tourism, convention and sports event business in Suffolk County; and

**WHEREAS**, the Long Island Convention and Visitors Bureau and Sports Commission, located at 330 Motor Parkway, Suite 203, Hauppauge, NY, 11788, was the successful respondent to the County's RFP; and

**WHEREAS**, pursuant to Local Law 19-2005, the County's contracts with tourism promotion agencies require legislative approval; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute an agreement with the Long Island Convention and Visitors Bureau and Sports Commission to provide services for the promotion of tourism convention and sports event business in Suffolk County, in accordance with the terms of this resolution and in substantial conformance with the form annexed; and be it further

**2<sup>nd</sup> RESOLVED**, that 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 (NYCRR) and within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing agency administration and management and the 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 is hereby directed to circulate any appropriate SEQRA notices of non-applicability or non-significance in accordance with this law.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

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

Intro. Res. No. 1614A-2006

**BOND RESOLUTION NO. 539 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$440,000 BONDS TO FINANCE THE COST OF PLANNING FOR THE LIBRARY AND LEARNING RESOURCE CENTER AT THE SUFFOLK COUNTY COMMUNITY COLLEGE - EASTERN CAMPUS (CP 2189.110)**

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 \$440,000 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 the Library and Learning Resource Center at Suffolk County Community College - Eastern Campus, as authorized in the 2006 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 \$880,000. The plan of financing includes (a) the expenditure of \$440,000 in State Aid funds expected to be received from the State of New York, (b) the issuance of \$440,000 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 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: June 3, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

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

Intro. Res. No. 1614-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 540 -2006, APPROPRIATING FUNDS  
IN CONNECTION WITH THE LEARNING RESOURCE CENTER  
– EASTERN CAMPUS (CP 2189)**

**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 2006 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 2006 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 \$440,000 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

**1<sup>st</sup>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 I or Unlisted action. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>RESOLVED**, that it is hereby determined that this project, with a priority ranking of 71 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

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$440,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<b>Project Title</b>	<b>JC</b>	<b>Amount</b>
525-CAP-2189.110	Planning for Learning Resource Center – Eastern Campus	30	\$440,000

and be it further

**4<sup>th</sup>RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<b>Project Title</b>	<b>JC</b>	<b>int</b>
525-CAP-2189.110	Planning for Learning Resource Center – Eastern Campus	30	\$440,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----

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

Intro. Res. No. 1623-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 541 -2006, APPROPRIATING FUNDS  
TO IMPLEMENT OUT-OF-COUNTY TUITION PAYMENT  
POLICY FOR SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Resolution No. 663-2000, amended Resolution No. 184-1996, to establish a policy to reduce out-of-County tuition costs by providing a financial incentive to the Suffolk County Community College based on the reduction in the number of student's headcount, who choose to attend SUNY Community Colleges outside of Suffolk County, measured against the baseline college fiscal year September 1, 1994 to August 31, 1995, beginning in fiscal years September 1, 1999 with the Suffolk County Comptroller to submit to the Clerk of the County Legislature an annual certification by December 31<sup>st</sup> of each year detailing the number of students who have attended SUNY Community Colleges outside of Suffolk County; and

**WHEREAS**, the Suffolk County Community College is entitled to a maximum incentive of two hundred (\$200.00) dollars per student who chooses not to attend a community college outside of Suffolk County based upon the above described Comptroller certifications; and

**WHEREAS**, the incentive payment must be reimbursed to Suffolk County Community College via a duly enacted resolution of the County Legislature, separate and apart from the normal County contribution to the Community College; and

**WHEREAS**, the Suffolk County Comptroller has forwarded the information to the Clerk of the County Legislature for fiscal year 2005; and

**WHEREAS**, the Suffolk County Community College Adopted Budget for 2005-2006 included \$31,600 for this incentive; and

**WHEREAS**, based on the Comptroller's certification, the total amount of the incentive should be \$35,600; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the additional Four Thousand and 00/100 (\$4,000.00) dollars is hereby appropriated to the Suffolk County Community College as its out-of-County tuition incentive payment for fiscal year 2005 bringing the annual total to \$35,600.00; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Adopted 2005/2006 Operating Budget is hereby amended as follows:

	<u><b>ADOPTED:</b></u>	<u><b>MODIFIED:</b></u>	<u><b>CHANGE:</b></u>
Medical Assistance/ MMIS – Assistance Programs 001-DSS-6103-4610	\$237,844,226	\$237,840,226	-\$4,000
Transfer to Fund 818 001-IFT-E818-9600	\$5,305,151	\$5,309,151	+\$4,000
Out of County Tuition: County Incentive Program 818-SCC-2251	\$31,600	\$35,600	+\$4,000

and be it further

**3<sup>rd</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----

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

Intro. Res. No. 1628-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 542 -2006, AUTHORIZING USE OF PROPERTY AT GABRESKI AIRPORT BY THE KIWANIS CLUB OF GREATER WESTHAMPTON**

**WHEREAS**, the Kiwanis Club of Greater Westhampton is a not-for-profit organization;  
and

**WHEREAS**, the Kiwanis Club of Greater Westhampton will host its annual fundraising carnival on July 6<sup>th</sup> through July 9<sup>th</sup>, 2006; and

**WHEREAS**, the Kiwanis Club of Greater Westhampton has submitted to the Gabreski Airport, a request to utilize property for the purposes of this event; and

**WHEREAS**, the Department of Economic Development and Workforce housing has reviewed this application and recommends the Legislature approve this request with a fee of \$1,600; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between the Kiwanis Club of Greater Westhampton and the County of Suffolk, in substantial accordance with the agreement annexed; and be it further

**2<sup>nd</sup> 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.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 15-1-2-0. Legislator Caracappa voted no. Legislators Losquadro and Alden abstained.**

Intro. Res. No. 1288-2006

Laid on Table 3/14/2006

Introduced by Legislators Vilorio-Fisher, Schneiderman and Horsley

**RESOLUTION NO. 544 –2006, CREATING A HOMESTEAD A-SYST TASK FORCE TO MINIMIZE THE USE OF PESTICIDES AND FERTILIZERS THROUGH A COUNTY-WIDE EDUCATION PROGRAM**

**WHEREAS**, pesticides and fertilizers are widely used by homeowners and businesses to maintain lawns and gardens in Suffolk County; and

**WHEREAS**, the Long Island Index reports that the use of pesticides in Suffolk County is among the highest in the State, and the use of pesticides continues to increase in our County; and

**WHEREAS**, many Suffolk residents are unaware of the health and environmental risks associated with pesticides and fertilizers; and

**WHEREAS**, a public education program that informs citizens of the risks associated with pesticides and fertilizers, provides instruction in their proper use and suggests alternatives to these products, will promote the health and safety of Suffolk County residents; now, therefore be it

**1st RESOLVED**, that a Homestead A-Syst Task Force is hereby created to develop an informational program that will educate the citizens of Suffolk County as to the environmental and health risks associated with pesticides and fertilizers and describe steps that may be taken to minimize these risks; provide instruction in the proper use of pesticides and fertilizers; and describe alternatives to pesticides and fertilizers in maintaining lawns and gardens; and be it further

**2nd RESOLVED**, that the Task Force shall develop informational literature suitable for distribution to the public; and be it further

**3rd RESOLVED**, that the Task Force shall consist of the following thirteen (13) members:

1. Chair of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature, or his/her designee, who shall serve as Chairperson;
2. the Presiding Officer of the Suffolk County Legislature, or his designee;
3. the Commissioner of the Department of Energy and Environment, or his/her designee;
4. a representative from the Cornell Cooperative Extension of Suffolk County;
5. a member of the Nassau-Suffolk Landscape Gardeners Association;
6. one (1) member from a recognized environmental organization, to be appointed by the County Executive;
7. one (1) member from a recognized environmental organization, to be appointed by the Presiding Officer;
8. a representative from the Suffolk County Water Authority;

9. a representative from the Long Island Farm Bureau;
10. a representative from the Long Island Pest Control Association;
11. a representative from the Long Island Arborist Association;
12. a representative from the Department of Health Services (Peconic Estuary); and
13. an individual who is a graduate of a Master Gardener Program and a homeowner, to be appointed by the Suffolk County Legislature;

and be it further

**4th**           **RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, 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

**5th**           **RESOLVED**, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairperson of the Task Force; and be it further

**6th**           **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**7th**           **RESOLVED**, that the Task Force 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 therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

**8th**           **RESOLVED**, that seven (7) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

**9th**           **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the Department of Health Services; and be it further

**10th**          **RESOLVED**, that the Task Force 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

**11th**          **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

**12th**          **RESOLVED**, that the Task Force 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

**13th**           **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least three (3) public hearings throughout the County of Suffolk 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

**14th**           **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate thirty (30) days subsequent to submission of its written report, at which time the Task Force shall deposit the records of its proceedings with the Clerk of the Legislature; and be it further

**15th**           **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

**16th**           **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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1465-2006

Laid on Table 4/4/2006

Introduced by Legislator Eddington and Presiding Officer Lindsay

**RESOLUTION NO. 545 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (U.A. THEATER AND SURROUNDING 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**, Resolution No. 840-2004 entitled the Save Open Space Bond Act authorizes the removal of development rights from County acquired parcels for the purposes of Workforce Housing; 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 Property Acquisition within the County Department of Planning, or his or her 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 the preservation of Open Space purposes;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 977.40 Block 01.00 Lot 003.001 p/o	19.9	UA Theater 7132 Regal Lane Knoxville, TN 37918
2	District: 0200 Section 977.40 Block 01.00 Lot 002.001 p/o	12.1	Fairway Manor, Inc. 400 Montauk Highway, Ste 100 West Islip, NY 11795
3	District: 0200 Section 979.02 Block 07.00 Lot 001.000 p/o	3.5	Two Guys LLC 48 Lolly Lane Centereach, NY 11720
4	District: 0200 Section 977.40 Block 01.00 Lot 005.000 p/o	0.98	Amdry Homes, Inc. c/o Mattituck Development Corp. 48 Lolly Lane Centereach, NY 11720
5	District: 0204 Section 007.00 Block 03.00 Lot 001.000	2.7	Amdry Homes, Inc. c/o Mattituck Development Corp. 3 Deer Track Lane Hillsdale, NY 12529
6	District: 0200 Section 977.40	0.92	Robert Affenita PO Box 253

	Block	01.00		Blue Point, NY 11715
	Lot	004.000 p/o		
7	District:	0204	0.47	Robert Affenita
	Section	007.00		PO Box 253
	Block	03.00		Blue Point, NY 11715
	Lot	023.000 p/o		
TOTAL ACREAGE			±40.57	

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 the Preservation of Open Space acquisitions; and be it further

**3rd RESOLVED**, that the Director of the Department of Planning, in consultation with the Department of Health Services, is authorized to interpret and report the number of WHDRs that may be yielded from the subject property in the event that said property is to be purchased with Save Open Space Bond funds in accordance with Suffolk County Resolution No. 840-2004; and be it further

**4th RESOLVED**, that the County Department of Planning, Division of Real Property Acquisition within 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

**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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

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

Intro. Res. No. 1513-2006  
Introduced by Legislators Romaine and Losquadro

Laid on Table 5/16/2006

**RESOLUTION NO. 546 -2006, AUTHORIZING PLANNING STEPS FOR IMPLEMENTING GREENWAYS PROGRAM IN CONNECTION WITH ACQUISITION OF ACTIVE PARKLANDS – SUFFOLK COUNTY TAX MAP NO. 0600-075.00-03.00-004.000 (ZOUMAS PROPERTY - TOWN OF RIVERHEAD)**

**WHEREAS**, Resolution No. 559-1999, a "Charter Law Adding Article XII-A to the Suffolk County Charter to Provide a Suffolk Community Greenways County Fund" was approved by the electorate on November 3, 1999, thereby making \$20 Million available for land acquisition under the Suffolk County Active Parklands Acquisition Program; and

**WHEREAS**, the Northeast Youth Sports Association (NEYSA) has proposed an active parkland acquisition for the captioned property for use as youth sports fields and other community recreational needs; and

**WHEREAS**, NEYSA has made a commitment to Suffolk County to assume responsibility for construction and maintenance of the fields; now, therefore be it

**1st RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to 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 to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Active Parklands Acquisition Program, the funding for which shall be provided under the Suffolk Community Greenways County Fund, i.e. Section 12A-1(A)(2) of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600 Section 075.00 Block 03.00 Lot 004.000	18	Ioannis & William Zoumas Route 25A Wading River, NY 11792

and be it further

**2nd RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections 12-A(A)(2), (5) and (6) of the SUFFOLK COUNTY CHARTER in connection with such active parklands acquisitions; and be it further

**3rd RESOLVED**, that the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, 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 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 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 Active Parklands Acquisition Program acquisitions as such funds may be necessary under the Suffolk Community Greenways County 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), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, 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: June 13, 2006

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

-----

**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 18-0.**

Intro. Res. No. 1517-2006  
Introduced by Legislator Viloría-Fisher

Laid on Table 5/16/2006

**RESOLUTION NO. 547 –2006, APPOINTING MEMBER TO  
THE COUNCIL ON ENVIRONMENTAL QUALITY TO  
REPRESENT HISTORIC PRESERVATION INTERESTS (MARY  
ANN SPENCER)**

**WHEREAS**, appointments to the Council on Environmental Quality (CEQ) are within the exclusive purview of the County Legislature under Section 1-3(A) of the Suffolk County Charter; and

**WHEREAS**, Local Law No. 11-2006 expanded the membership of the CEQ to include a representative with an environmental protection background and a representative committed to the preservation of historic buildings; now, therefore, be it

**1st RESOLVED**, that **Mary Ann Spencer**, whose current address is 6 Carlton Avenue, East Setauket, New York, 11733, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) and (G) of the Suffolk County Charter, to represent historic preservation interests for a term of office to expire five years from the effective date of this Resolution.

DATED: June 13, 2006

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) AND (G) OF THE SUFFOLK COUNTY CHARTER

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Deputy Presiding Officer Vioria-Fisher. The resolution was passed 12-1-5-0. Legislator Barraga voted no. Legislators Montano, Alden, Mystal, D'Amario and Cooper abstained.**

Intro. Res. No. 1520-2006

Laid on Table 5/16/2006

Introduced by Legislators Losquadro and Vioria-Fisher

**RESOLUTION NO. 548 -2006, DONATION AND DEDICATION OF CERTAIN LANDS TO COUNTY PARKS - A SCDHS BOARD OF REVIEW TRANSFER OF DEVELOPMENT RIGHTS (File No. S05-04-0019)**

**WHEREAS**, a variance is being required by the Suffolk County Department of Health Services Board of Review in order to go forward with a project as described in a Report of Findings and Recommendations regarding the applicant, Thomas Cramer on behalf of Kazi, (File No. S05-04-0019); and

**WHEREAS**, the Board of Review has, under Section 760-607 (A)(1) and (B)(1) of the SUFFOLK COUNTY SANITARY CODE, granted the request for a variance on January 20, 2005 and subsequent letter dated September 9, 2005, subject to the applicant's purchase of development rights or credits for the excess density required and a transfer of property for development rights with covenants to sterilize said property so as to protect surface and groundwater quality by establishing limits on population density; and

**WHEREAS**, the Board of Review specifically imposed a condition that the owner place a covenant upon the receiving parcel(s), known as S.C.T.M. No. District 0500 Section 063.00 Block 03.00 Lot 055.000, more particularly described on Schedule "A" attached hereto and made a part hereof, and on the transfer parcel(s) known as S.C.T.M. No. District 0200 Section 212.00 Block 03.00 Lot 002.000, more particularly described on Schedule "B" attached hereto and made a part hereof and whereby the parcel(s) described in Schedule "B" shall be sterilized by the property owner and transferred and dedicated to the County of Suffolk for Open Space Parkland Purposes in exchange for the transfer of its Development Density Rights from this parcel(s) to the property described in Schedule "A"; and

**WHEREAS**, the Suffolk County Department of Planning has recommended this proposed transfer in a Memorandum to the County Department of Health Services, Division of Environmental Quality, dated August 24, 2005 as provided in Schedule "C"; and

**WHEREAS**, the Towns of Islip and Brookhaven have approved such transfer of development rights between their respective towns as provided in documents in Schedule "D"; now, therefore be it

**1st RESOLVED**, that the County of Suffolk hereby accepts the donation, transfer and dedication of the property described in Schedule "B", subject to it being sterilized by the owner for Open Space Purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions, entered into by the applicant, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

**2nd RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the Suffolk County Charter, to execute such documents as are necessary to acquire said parcel(s) as described in Schedule "B"; and be it further

**3rd RESOLVED**, that the Assessor of the Town of Brookhaven, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law pursuant to Section 406(1) of the NEW YORK REAL PROPERTY TAX LAW; and be it further

**4th RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy shall transfer jurisdiction of said land as described in Schedule "B", to the Suffolk County Department of Parks, Recreation and Conservation for open space preservation pursuant to Section 1-7 of the SUFFOLK COUNTY CHARTER as land dedicated to open space preservation in the Miller Place-Yaphank Road Nature Preserve Area (BR17) and subject to the continued right to use said premises for passive recreational purposes; and be it further

**5th RESOLVED**, that the property described in Schedule "B" be dedicated for open space preservation under the jurisdiction of the Suffolk County Department of Parks, Recreation and Conservation and subject to the continued right to use said premises for passive recreational purposes; and be it further

**6th RESOLVED**, that such property shall not be taken nor otherwise disposed of nor used for any purpose not specified in this resolution unless authorized by Charter Law subject to mandatory referendum under Section 1-7(D) of the SUFFOLK COUNTY CHARTER; 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 an unlisted action which will not have a significant effect 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 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) which sets forth thresholds for determining significant effect on the environment;
2. The property will be dedicated for open space preservation under the jurisdiction of the Suffolk County Department of Parks, Recreation and Conservation; and
3. The site will only be used for passive recreational purposes;

and be it further

**8th RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with CEQ; and be it further

**9th 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: June 13, 2006

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

**Schedule "A"**

SCTM No.: District 0500, Section 063.00 Block 03.00 Lot 055.000

**Schedule "B"**

SCTM No. : District 0200 Section 212.00 Block 03.00 Lot 002.000

**Schedule "C"**

**Schedule "D"**

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

Intro. Res. No. 1526-2006  
Introduced by Legislator Kennedy

Laid on Table 5/16/2006

**RESOLUTION NO. 549 –2006, AUTHORIZING PLANNING  
STEPS FOR THE ACQUISITION OF LAND UNDER THE FIRST**

**¼% SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (APPROVED 1987, AMENDED 1996) – TOWN OF SMITHTOWN – KAPPLER COURT PROPERTY – (SCTM NO. 0800-171.00-04.00-031.000)**

**WHEREAS**, the first ¼% Suffolk County Drinking Water Program, approved in 1987 and amended in 1996, authorized the use of one-third of any surplus funds in the program for the acquisition of parkland in various towns, including the Town of Smithtown, on a pro rata basis as determined by population; and

**WHEREAS**, adequate funding is provided for, under the first Suffolk County Drinking Water Protection Program (formerly Section C12-5(E) of the SUFFOLK COUNTY CHARTER) for the acquisition of such land; now, therefore, be it

**1st RESOLVED**, that the following parcel is hereby approved for preliminary planning steps and ultimate inclusion in the first Suffolk County Drinking Water Protection Program:

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NO.</u>	<u>ACRES</u>	<u>REPUTED OWNER</u>
No. 1	Dist. 0800 Sec. 171.00 Block 04.00 Lots 031.000	.25	Casaga Builders Corp. c/o Frederick P. Stern, Esq. 320 Carleton Avenue Suite 2400 Central Islip, NY 11722

and be it further

**2nd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management in the County Department of Environment and Energy is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire fee simple absolute or a lesser interest (i.e. conservation easement) 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

**3rd RESOLVED**, that the County Division of Real Property Acquisition and Management is hereby authorized to use such appraisals as may be made available by other municipalities for the purpose of such acquisition, if deemed cost effective and appropriate by the Department; 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Cooper The resolution was passed 18-0.**

Intro. Res. No. 1543-2006  
Introduced by Legislators Losquadro and Romaine

Laid on Table 5/16/2006

**RESOLUTION NO. 550 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (TALL GRASS 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. 8707.210, Project Name: Acquisition of Farmland Development Rights; and

**WHEREAS**, the State of New York and the Town of Brookhaven have expressed an interest in a partnership for the purchase of this property; now, therefore, be it

**1st RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to 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. 8707.210, 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 Acquisition of Farmland Development Rights;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 104.00 Block 02.00	38±	DeLalio Sod Farms, Inc. 652 Deer Park Avenue Huntington Station, NY 11746

	Lot	014.03		
2	District:	0200	55±	Leonard DeLalio
	Section	126.00		652 Deer Park Avenue
	Block	02.00		Huntington Station, NY 11746
	Lot	001.005		
3	District:	0200	72.9	DeLalio Sod Farms, Inc.
	Section	104.00		652 Deer Park Avenue
	Block	02.00		Huntington Station, NY 11746
	Lot	021.003		
4	District:	0200	.03	DeLalio Sod Farms, Inc.
	Section	104.00		652 Deer Park Avenue
	Block	02.00		Huntington Station, NY 11746
	Lot	014.004		
Total Acreage			165.93±	

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)(3) and (6) of the SUFFOLK COUNTY CHARTER in connection with the Acquisition of Farmland Development Rights; and be it further

**3rd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, 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 Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject 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

**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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----

**Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.**

Intro. Res. No. 1573-2006  
Introduced by Legislator Romaine

Laid on Table 5/16/2006

**RESOLUTION NO. 551 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (STANKEVICH PROPERTY) TOWN OF SOUTHOLD (1000-023.00-02.00-05.007 & 05.008)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 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 Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to 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 for environmentally sensitive land protection;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 1000 Section 023.00 Block 02.00 Lots 05.007 & 05.008	2	George C. Stankevich 74 Montauk Highway Suite 22 East Hampton, NY 11937

and be it further

**2nd RESOLVED**, that the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, 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), (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 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1590-2006  
Introduced by Legislator Mystal

Laid on Table 5/16/2006

**RESOLUTION NO. 552 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (PUGLISI PROPERTY) VILLAGE OF AMITYVILLE**

**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**, the Village of Amityville has indicated a willingness to enter into an agreement with the County of Suffolk to preserve and maintain the property; 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; now, therefore, be it

**1st RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to 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 Greens, Hamlet Parks, or Pocket Parks purposes;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0101. Section 008.00 Block 04.00 Lot 048.000	27,186 sq. ft.	Anthony J. Puglisi Mary Ann Puglisi 400 Merrick Road Amityville, NY 11701

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 Parks or Pocket Parks acquisitions; and be it further

**3rd RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----  
**Legislator Romaine made motion for the following resolution, seconded by Deputy Presiding Officer Vilorina-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1607-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 553 -2006, AMENDING THE ADOPTED 2006 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO LONG ISLAND SOUND AT CR 48, MIDDLE ROAD, IN THE VICINITY OF HASHAMOMUCK BEACH (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 stormwater remediation to Long Island Sound @ CR 48, Middle Road, in the vicinity of Hashamomuck Beach; 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 2006 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 2006 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-three (73) 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

**2<sup>nd</sup> 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 8-0109 (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; and be it further

**3<sup>rd</sup> RESOLVED**, that sufficient funds exist within Fund 477 Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2006 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$1,700,000

and be it further

**5<sup>th</sup> RESOLVED**, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$1,700,000

and be it further

**6<sup>th</sup> RESOLVED**, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8240

Project Title: Storm Water Remediation at Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction			\$1,700,000 \$0 \$1,700,000
TOTAL	\$1,700,000	\$0	\$1,700,000

and be it further

7<sup>th</sup> **RESOLVED**, that the transfer in the amount of \$1,700,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.318	50	Storm Water Remediation at Various County Roads	\$1,700,000

and be it further

8<sup>th</sup> **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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----  
**Legislator Stern made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 18-0.**

Intro. Res. No. 1610-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Cooper and Stern

**RESOLUTION NO. 554 -2006, AUTHORIZING ACQUISITION  
OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN**

**SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – BYLLOTT PROPERTY – FRESH POND ADDITION (TOWN OF HUNTINGTON – SCTM NO. 0400-015.00-02.00-038.000)**

**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 and Permitting the Transfer of Development Rights” was approved by the electorate on November 2, 2004; and

**WHEREAS**, Resolution No. 1361-2004 appropriated \$30 million for acquisitions under the Open Space component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund; and

**WHEREAS**, Resolution No. 621-2004, authorized planning steps for the acquisition of the subject property; 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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Three Hundred Twenty Five Thousand Dollars (\$325,000.00±), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0400	1.0± acres	William & Robin Bylloft
	Section 015.00		15 Woodmere Drive
	Block 02.00		Northport, NY 11768
	Lot 038.000		

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Three Hundred Twenty Five Thousand Dollars (\$325,000.00±), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$325,000±, subject to a final survey, from previously appropriated funds in Capital Project 8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5<sup>th</sup> RESOLVED**, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, one (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

**6<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

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

**8<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

**9<sup>th</sup> RESOLVED**, in accordance with Section 279-5(c)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----  
**Legislator Browning made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1611-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

**RESOLUTION NO. 555 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – GILBERT/BLYDENBURGH PROPERTY – FORGE RIVER WATERSHED (TOWN OF BROOKHAVEN – SCTM NO. 0200-750.00-06.00-017.000)**

**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 and Permitting the Transfer of Development Rights” was approved by the electorate on November 2, 2004; and

**WHEREAS**, Resolution No. 1361-2004 appropriated \$30 million for acquisitions under the Open Space component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund; and

**WHEREAS**, Resolution No. 621-2004, authorized planning steps for the acquisition of the subject property; 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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Sixty Five Thousand Dollars (\$65,000.00±), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 750.00 Block 06.00 Lot 017.000	0.426± acres	Ross S. Gilbert, 4318 Eldorado Spring Dr. Boulder, CO 80303 50% interest  Karen S. Blydenburgh, 9627 Eaton Gardens La. #102 Fort Meyers, FL 33919 25% interest  Kevin T. Gilbert, 780 Old Medford Ave. Medford, NY 11763 25% interest

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Sixty Five Thousand Dollars (\$65,000.00±), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$65,000±, subject to a final survey, from previously appropriated funds in Capital Project 8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering

reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5<sup>th</sup> RESOLVED**, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, one (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

**6<sup>th</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

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

**8<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

**9<sup>th</sup> RESOLVED**, in accordance with Section 279-5(c)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: June 16, 2006

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

Intro. Res. No. 1612-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Nowick

**RESOLUTION NO. 556 -2006 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – MONTAGNA PROPERTY – FRESH POND ADDITION (TOWN OF SMITHTOWN – SCTM NO. 0800-001.00-02.00-024.000 p/o)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 1139-2004, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had 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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Six Hundred Ninety Thousand Dollars (\$690,000.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0800 Section 001.00 Block 02.00 Lot 024.000 p/o	2.0±	Christopher & Janet Montagna 1 Breezehill Road Northport, NY 11768

and, be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Six Hundred Ninety Thousand Dollars (\$690,000.00±), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$690,000.00±, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDX2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel shall transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and be it further

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

**7<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

**8<sup>th</sup> RESOLVED**, in accordance with Section 279-5(c)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006  
-----

**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1613-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Horsley, Mystal and Stern

**RESOLUTION NO. 557 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – MASTIC HOMES, LTD PROPERTY – SANTAPOGUE CREEK (TOWN OF BABYLON - SCTM NO. 0103-012.00-04.00-061.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of

November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(a) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

**WHEREAS**, Resolution No. 621-2004, authorized planning steps for the acquisition of the subject property; and

**WHEREAS**, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and had 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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Eighty Thousand Dollars (\$180,000.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0103	1.30± acres	Mastic Homes, Ltd.
	Section 012.00		145 E. Sunrise Hwy.- Suite 6
	Block 04.00		Lindenhurst, NY 11757
	Lot 061.000		

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Eighty Thousand Dollars (\$180,000.00±), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$180,000.00±, subject to a final survey, from previously

appropriated funds in MY-176-LAW-GDX2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**5<sup>th</sup> RESOLVED**, that the subject parcel(s) shall transferred to the Department of Parks, Recreation and Conservation for passive recreation use; and be it further

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

**7<sup>th</sup> RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

**8<sup>th</sup> RESOLVED**, in accordance with Section 279-5(c)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to

prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

-----  
**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1561-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 558 -2006, APPROVING THE REAPPOINTMENT OF CRISTINA C. BONUSO AS A MEMBER OF THE SUFFOLK COUNTY YOUTH BOARD COORDINATING COUNCIL REPRESENTING LEGISLATIVE DISTRICT NO. 5**

**WHEREAS**, the term of office of Cristina C. Bonuso has expired as of March 31, 2006; now, therefore, be it

**RESOLVED**, that the reappointment of **Cristina C. Bonuso**, currently residing at 47 Buccaneer Lane, East Setauket, New York 11733, as a member of the Suffolk County Youth Board Coordinating Council, representing the 5th Legislative District, for a term of office expiring March 31, 2009, is hereby approved, said appointment effective the date of enactment of this resolution pursuant to the provisions of Section A3-5 of the Suffolk County Administrative Code.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

**Cristina C. Bonuso**  
**47 Buccaneer Lane**  
**East Setauket, New York 11733**  
**(631) 751-6474**

**ACADEMIC  
PREPARATION**

1975 M.S. Secondary Education  
C.W. Post Center, Long Island  
University

1971 B.A. History, Wagner College  
Staten Island, New York and  
Bregenz, Austria

*Cum Laude*

**EDUCATIONAL  
EXPERIENCE**

Sept. 1984  
to  
Present

**Substitute Teacher**

\* Instruction of students at all grade  
Levels K-12, in all ability levels,  
Special Education through Honors

Three Village Schools  
Ward Melville H.S.  
Murphy Junior H.S.  
Gelinas Junior H.S.  
Mount, Minnesauke,  
Nassakeag

Comsewogue Schools  
Comsewogue H.S.  
J.F.K. Middle School  
Norwood Avenue School  
Clinton Avenue School

Wantagh Schools  
Wantagh Middle School

**Private/ School Tutor**

Sept. 1984  
to  
Present

\* Individual instruction of children and  
adults in American History, Global Studies,  
Advanced Placement European History,

Three Village Schools  
& Community

Advanced Placement American History  
\* Remedial Reading, English as a Second Language

### **Teacher of English-Leave Replacement**

Fall 2001

Three Village Schools  
Murphy J.H.S.

- \* Participated in House Plan Collaborative
- \* Helped plan & execute 7th Grade Welcome Breakfast and Class Trip
- \* Worked collaboratively with Special Ed./Inclusion staff

### **Cheerleading Coach**

1994-1999

Three Village Schools

- \* NCA Certified Coach, instructed Junior High and Senior High Teams for NCA Eastern Divisional Championships,,
- \* Coordinated Spring & Summer Cheerleading Clinics

### **Computer Tutor-Leave Replacement**

Sept. 1993

to

Jan. 1994

Three Village Schools  
Gelinis J.H.S.

- \* Instructed students in Computer Lab
- \* Assisted instruction for Social Studies & English Classes
- \* Provided materials and instruction for research projects

### **After Hours Club- Teacher/Advisor**

Sept. 1993

To

Three Village Schools  
Gelinis J.H.S.

- \* Designed and ran a program open to all students Featuring recreational activities-arts, crafts, music, Games reading, contests
- \* First Prize Winner of Stony Brook Scarecrow Contest

### **Summer School Teacher**

Summer 1986

Wantagh Schools

- \* Instruction of students, grades 7-12 in. Social Studies, elementary and middle school; Reading, ESL
- \* Created ESL Curriculum

### **Teacher of Social Studies & Reading**

Sept. 1971

- \* Instruction of S.S students at all grade levels 7-12

to  
June 1980

Valley Stream CHSD  
South Jr.-Sr. H.S.

- in all ability groupings-Honors, Regents, Non-Regents
- \* Instruction of Remedial, Corrective, and Learning Disabled Readers
- \* Authored several N.Y.S. Social Studies Curriculums
- \* Involved in numerous extra-curricular activities: Class Advisor, Drama Productions, Varsity & Junior Varsity Cheerleading Coach, Ski Club & Horseback Riding Club Advisor

### **BUSINESS/COMMUNITY EXPERIENCE**

Feb. 2001  
to  
Present

#### **Suffolk County Youth Board**

- \* Member of Coordinating Council for Suffolk County Legislative District #5

1984-1992

Dr. J.S. Miller  
Port Jefferson

#### **Receptionist & Dental Assistant**

- \* Responsible for managing office, schedules, files, insurance
- \* Operatory Assistant to Dentist

### **COMMUNITY ACTIVITIES**

- \* PTA member and class mother for 7 years at Minnesauke School, Three Village
- \* Sixth Grade Coordinator for Minnesauke School and Graduation Coordinator
- \* Vice President PTSO, Gelinas J.H.S. School, Three Village
- \* Buildings and Grounds Planning Committee for Three Village Bond Referendum
- \* Site Based Management Team Member, Gelinas J.H.S. Three Village
- \* Education 2000-District Planning Committee Three Village School District
- \* Site Based Management Team- Ward Melville H.S.
- \* President PTSA Ward Melville H.S.
- \* Hiring Committee Community Member, Three Village School District
- \* No More Hunger Food Campaign PTSA High School Coordinator, Three Village Schools
- \* Habitat for Humanity Team Coordinator
- \* Suffolk County Girl Scout Leader to

Daisy, Brownie, Junior, Cadette, &  
Senior Troops  
\* Executive Council Member & Publicity  
\* Coordinator for Suffolk County Girl  
Scout Service Unit 56  
\* Service Unit Delegate to Girl Scouts of  
Suffolk County  
\* Executive Board Member of Island  
Estates Community Association

**HONORS**

Althea Honor Society, Wagner College  
Silver Medalist, Bregenz, Austria Ski Team  
Who's Who in American Universities and Colleges  
Who's Who in Greek Fraternities & Sororities  
Girl Scout Recognition for Leadership Service  
NCA Outstanding Coach Award  
Friend of Education Award, Three Village Teachers

-----

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

Intro. Res. No. 1569-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 559 -2006, AMENDING THE 2006  
ADOPTED OPERATING BUDGET TO REALLOCATE FUNDING  
WITHIN THE SUFFOLK COUNTY DEPARTMENT OF HEALTH  
SERVICES, DIVISION OF PATIENT CARE SERVICES TO  
MATCH FUNDING AS REQUESTED BY THE NEW YORK  
STATE DEPARTMENT OF HEALTH**

**WHEREAS**, the New York State Department of Health has recently decided to  
reassign its contract for the Healthy Women Partnership of Suffolk County from the American  
Cancer Society to Peconic Bay Medical Center; and

**WHEREAS**, the Suffolk County Department of Health Services, Division of  
Patient Care Services currently has a contract with the American Cancer Society for patient  
navigation services to clients screened through the Healthy Women Partnership at County  
Health Centers; and

**WHEREAS**, this patient navigation service is an essential component of the success of the Healthy Women Partnership of Suffolk County; and

**WHEREAS**, this transition from the American Cancer Society to Peconic Bay Medical Center would be effective 7/1/2006; and

**WHEREAS**, this reassignment would ensure continuity of patient navigation services providing breast or cervical cancer screening to clients at the health centers, and would be in the best interest of the underserved patients seen through Healthy Women Partnership of Suffolk County; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Suffolk County 2006 Adopted Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to reallocate \$81,600 of funding as follows:

<u>FROM:</u>	<u>Change +/-</u>
Department of Health Services, Division of Patient Care Services 001-4100-GGB1 American Cancer Society	-\$81,600
<u>TO:</u>	
Department of Health Services, Division of Patient Care Services 001-4100-4980 Contracted Agencies	+\$81,600

and be it further

**2<sup>nd</sup>** **RESOLVED**, that this transition is being requested by the New York State Department of Health with the support of leadership at each of the respective agencies; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Peconic Bay Medical Center and terminate the contract with American Cancer Society; and be it further

**4<sup>th</sup>** **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.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----  
**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Deputy Presiding Officer Viloría-Fisher was not present.**

Intro. Res. No. 1578-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer Lindsay and Deputy Presiding Officer Viloría-Fisher

**RESOLUTION NO. 560 –2006, APPROVING THE APPOINTMENT OF BENJAMIN J. LUFT, MD, AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF HEALTH**

**WHEREAS**, appointments to the Suffolk County Board of Health are within the purview of the County Legislature under Section 9-4 of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the term of office of Theodore A. Jospe expired on July 31, 2001, which has resulted in his appointment being in holdover status; now, therefore be it

**RESOLVED**, that **Benjamin J. Luft, MD**, whose current home address is 2 Schooners Cove, East Setauket, NY 11733, be and he is hereby appointed as a member of the Suffolk County Board of Health, pursuant to Section 9-4 of the SUFFOLK COUNTY CHARTER, for a term of office to expire on July 31, 2007.

DATED: June 13, 2006

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 9-4 OF THE SUFFOLK COUNTY CHARTER

-----

**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0. Legislator Alden abstained.**

Intro. Res. No. 1579-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer Lindsay and Deputy Presiding Officer Viloría-Fisher

**RESOLUTION NO. 561 –2006, APPROVING THE APPOINTMENT OF DAVID K. PARKINSON AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF HEALTH**

**WHEREAS**, appointments to the Suffolk County Board of Health are within the purview of the County Legislature under Section 9-4 of the SUFFOLK COUNTY CHARTER; and

**WHEREAS**, the term of office of Melvin Fritz expired on September 25, 1992, which has resulted in his appointment being in holdover status; now, therefore, be it

**RESOLVED**, that **David K. Parkinson**, whose current home address is 39 Sea Court Lane, Port Jefferson, NY 11777, be and he is hereby appointed as a member of the Suffolk County Board of Health, pursuant to Section 9-4 of the SUFFOLK COUNTY CHARTER, for a term of office to expire on September 25, 2010.

DATED: June 13, 2006

-----  
**Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.**

Intro. Res. No. 1583-2006  
Introduced by Legislator Romaine

Laid on Table 5/16/2006

**RESOLUTION NO. 562 –2006, DIRECTING THE DEPARTMENT OF HEALTH SERVICES TO CONDUCT A HEALTH ASSESSMENT OF CRAB CREEK, SHELTER ISLAND, FOR DREDGING PURPOSES**

**WHEREAS**, pursuant to Sections A8-4 and A8-5 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, the Dredge Project Screening Committee conducts preliminary investigations into the feasibility and desirability of proposed County dredging projects and forwards their determinations to this Legislature; and

**WHEREAS**, one of the criteria for County dredge projects is that the proposed dredging project will reduce public health problems based upon a certification by the Suffolk County Department of Health Services; and

**WHEREAS**, the Dredge Project Screening Committee and the Suffolk County Department of Public Works have on several occasions requested the Department of Health Services to evaluate the Crab Creek (Shelter Island) site to determine if health problems (i.e. mosquito breeding) could be reduced through dredging; and

**WHEREAS**, the Department of Health Services has not performed this assessment; and

**WHEREAS**, the Dredge Project Screening Committee cannot complete their findings regarding Crab Creek until the Department of Health Services makes a public health determination; now, therefore be it

**1st RESOLVED**, that the Department of Health Services is hereby directed to assess the Crab Creek site in Shelter Island to determine if dredging would reduce public health problems; and be it further

**2nd RESOLVED**, that the Department of Health Services shall perform this assessment within sixty (60) days of the effective date of this Resolution; and be it further

**3rd RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----

**Legislator Stern made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0. Legislator Alden abstained.**

Intro. Res. No. 1657-2006

Laid on Table 5/16/2006

Introduced by Legislators Stern, Eddington, Romaine, Presiding Officer Lindsay, Browning, Mystal, D'Amaro and Vilorio-Fisher

**RESOLUTION NO. 563 -2006, ESTABLISHING A POLICY  
REQUIRING THE USE OF MERCURY-FREE VACCINES IN  
COUNTY HEALTH CENTERS**

**WHEREAS**, mercury is a toxic substance that can cause damage to nerve and brain tissue; and

**WHEREAS**, a mercury derived preservative known as thimerosal has been used in the vaccine manufacturing process since the late 1920's, predating the creation of the federal Food and Drug Administration ("FDA"); and

**WHEREAS**, since the late 1980's, the number of vaccines given to American children has expanded while the age at which vaccinations are administered has been lowered; and

**WHEREAS**, the American Academy of Pediatrics and the United States Public Health Service recommended in 1999 that mercury be removed as soon as possible from all vaccines because of the potential for neurological damage posed by mercury; and

**WHEREAS**, most vaccines recommended for use in children are now mercury-free, with the exception of the flu shot; administering the standard flu shot to a child age three and under results in mercury exposure levels far in excess of maximum adult exposure limits set the FDA; and

**WHEREAS**, public concern about the presence of mercury in vaccines is undermining the effectiveness of immunization programs that protect the public health; and

**WHEREAS**, eliminating the mercury in vaccines would minimize public fear, increase public confidence in the safety of the vaccine supply and serve to protect children from the potential negative impacts of mercury exposure; and

**WHEREAS**, effective July 1, 2008, the State of New York will sharply proscribe the amount of mercury that may be present in vaccines that are administered to children age three and under and to pregnant women; and

**WHEREAS**, until the state law takes effect, the County of Suffolk believes it necessary to take action to protect its citizens; now, therefore be it

**1st RESOLVED**, it shall be the policy of the County of Suffolk to administer mercury-free vaccines in its health centers and facilities to pregnant women and children age three and under; and be it further

**2nd RESOLVED**, that the Commissioner of the Department of Health Services is hereby authorized, empowered and directed to take all actions necessary and appropriate to implement this policy in all county public health centers and facilities by December 31, 2006; and be it further

**3rd RESOLVED**, that the Commissioner of the Department of Health Services may authorize the use of vaccines containing mercury when he or she determines it is necessary to respond to a public health emergency and/or there are insufficient amounts of mercury free vaccines to adequately protect the public health; 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

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

Intro. Res. No. 1560-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/16/2006

**RESOLUTION NO. 564 -2006, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF PUBLIC WORKS (SENIOR INDUSTRIAL WASTE PRETREATMENT TECHNICIAN)**

**WHEREAS**, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

**WHEREAS**, on the basis of this review they have determined that the new title of Senior Industrial Waste Pretreatment Technician be created; and

**WHEREAS**, there are sufficient unexpended and uncommitted funds in the Department of Public Works Budget to cover the cost; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Classification and Salary Plan and the Department of Public Works Operating Budget be and they are hereby amended as follows:

**ADDITION TO CLASSIFICATION AND SALARY PLAN**

<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
7678	C	Senior Industrial Waste Pretreatment Technician	23	02

**AMENDMENT TO OPERATING BUDGET  
ADDITION**

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
61-8197-1600-0140	7678	C	Senior Industrial Waste Pretreatment Technician	23	02

**DELETION**

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
61-8197-1600-0163	7677	C	Industrial Waste Pretreatment Technician	20	02

and be it further

**2<sup>nd</sup> RESOLVED**, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

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

Intro. Res. No. 1571-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 565 -2006, AMENDING THE 2006 OPERATING BUDGET TO CREATE ONE NEW POSITION WITHIN THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF ENVIRONMENTAL QUALITY**

**WHEREAS**, the Suffolk County Department of Health Services must maintain a well drilling operation in order to protect public health and environmental quality, fulfill contractual obligations, and provide support to over a dozen County programs; and

**WHEREAS**, over the last six years, the Office of Water Resources has received one million dollars from NYSDEC to monitor groundwater impacts resulting from the use of regulated pesticides, with future contracted five-year funding periods expected to match that sum; and

**WHEREAS**, this grant funding will be jeopardized in the absence of well drilling operations to fulfill the contractual obligations; and

**WHEREAS**, the well drilling operation provides critical information on pesticide occurrence to agencies performing a wide array of health and environmental studies, and is critical to our understanding of our Sole Source Aquifer and its relationship to the long-term viability of neighboring wetland and surface water ecosystems; and

**WHEREAS**, in addition to completing critical elements of the Pesticide Program Work Plan, the well drilling unit routinely installs monitoring and supply wells for other County agencies including Public Works and Parks; and

**WHEREAS**, critical hydrogeological information is provided to public water suppliers and County residents in the planning of their individual water supply, and sewage and storm water disposal systems; and

**WHEREAS**, the addition of a Well Driller I is critical to the maintenance of minimum staffing for the well drilling crew; and

**WHEREAS**, sufficient funds currently exist within the Department of Health Services, Division of Environmental Quality 001-4400-1100, to pay the costs associated with this one (1) position; now therefore be it

**1<sup>st</sup> RESOLVED**, that the following position be and they hereby are created in the Department of Health Services 2006 Adopted Operating Budget as follows:

Department of Health Services (HSV)  
Division of Environmental Quality  
001-HSV-4400

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>No. Created</u>
4400-2610-0204	7240	Well Driller I	NC	20	1

and be it further

**2<sup>nd</sup>** **RESOLVED**, that following the creation of the above position the following position be and it hereby is abolished in the Department of Health Services as follows:

Department of Health Services (HSV)  
Division of Services for Children with Special Needs  
Preschool Flow Through Grant  
001-HSV-4815

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>No. Abolished</u>
4815-1000-0100	0021	Clerk Typist	C	09	1

and be it further

**3<sup>rd</sup>** **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.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 16, 2006

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

Intro. Res. No. 1601-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 566 –2006, AUTHORIZING THE SALE OF  
COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION  
72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF  
ISLIP FOR AFFORDABLE HOUSING PURPOSES**

**WHEREAS**, the County of Suffolk is the fee owner of a certain parcel which is particularly described hereto:

**ALL**, that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being at Central Islip, 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 143.00, Block 01.00, Lot 028.000, and acquired by tax deed on January 27, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 29, 2003, in Liber 12232, CP 747 and otherwise known as and by Town of Islip; and known and designated as lots 20, 21 and 22 in block number 29 on a certain map entitled, "Map showing the location of a portion of land situated near Central Islip and adjoining the Long Island Railroad laid out into City lots", said map being filed in the Office of the Clerk of the County of Suffolk on the 16<sup>th</sup> day of February, 1871 as map number 35, which said lots, according to said map, are more particularly bounded and described as follows:

BEGINNING at a point on the Southerly side of Cypress Street, distant 250.00 feet Westerly from the corner formed by the intersection of said Southerly side of Cypress Street with the Westerly side of Boulevard Avenue;

RUNNING THENCE Southerly, at right angles to the said Southerly side of Cypress Street, 100.00 feet;

THENCE Westerly, parallel with the said Southerly side of Cypress Street, 75.00 feet:

THENCE Northerly, again at right angles to the said Southerly side of Cypress Street, 100.00 feet to the said Southerly side thereof; and

THENCE Easterly, along the said Southerly side of Cypress Street, 75.00 feet to the point or place of BEGINNING.

**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 Islip, 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

**1<sup>st</sup>** **RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, 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 Islip 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, 2007, 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 Islip 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

**2<sup>nd</sup>** **RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, 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.

**3<sup>rd</sup>** **RESOLVED**, the conveyance of this parcel to the Town of Islip 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

**4<sup>th</sup>** **RESOLVED**, that Patricia B. Zielenski, Director of Real Estate, 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

**5<sup>th</sup>** **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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----  
**Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1626-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 567 -2006, TRANSFERRING AND APPROPRIATING LIVING WAGE CONTINGENCY FUNDS TO THE FEDERATION OF ORGANIZATIONS FOR THE NYS MENTALLY DISABLED, INC., RESPITE FEE SUBSIDY**

**WHEREAS**, a contingency fund was established in the 2006 Suffolk County Operating Budget for the express purpose of implementing the Living Wage Law, Local Law No. 12-2001; and

**WHEREAS**, Local Law No. 12-2001, the Living Wage Law, ensures that employees of County contractors and subcontractors and beneficiaries of tax, loan, grant and other subsidy assistance provided by the County earn an hourly wage that is sufficient for a family of four to live at or above the federal poverty level; and

**WHEREAS**, the Federation of Organizations for the NYS Mentally Disabled, Inc., provides support and assistance to caregivers of frail elderly family members through the Respite Fee Subsidy contract with the Suffolk County Office for the Aging; and

**WHEREAS**, additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

**FROM:**

001-MS-C-1998-4770  
Suffolk County Living Wage Contingency Fund

**AMOUNT**

\$25,446

**TO:**

001-EXE-GFC2-4980  
Federation of Organizations for the NYS Mentally  
Disabled, Inc., Respite Fee Subsidy

\$25,446

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----  
**Legislator Browning made motion for the following resolution, seconded by  
Legislator Eddington The resolution was passed 18-0.**

Intro. Res. No. 1528-2006  
Introduced by Legislator Browning

Laid on Table 5/16/2006

RESOLUTION NO. 568 -2006, 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 1,800 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**, this Legislature authorized the Mastic Beach Ambulance Company to use the Smith Point County Park for this same purpose in 2005; and

**WHEREAS**, the sign would be posted during the 2006 Labor Day holiday, from September 2, 2006 through September 4, 2006, 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

**1<sup>st</sup>** **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 2006 Labor Day Holiday from September 2, 2006 through September 4, 2006, 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

**2<sup>nd</sup>** **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

**3<sup>rd</sup>** **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

**4<sup>th</sup>** **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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----

**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1529-2006  
Introduced by Legislator Browning

Laid on Table 5/16/2006

**RESOLUTION NO. 569 -2006, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH FIRE DEPARTMENT, INC., FOR FOURTH OF JULY FUND DRIVE**

**WHEREAS**, the Mastic Beach Fire Department responds to over one hundred calls at the Smith Point County Park each year; and

**WHEREAS**, the Mastic Beach Fire Department, Inc. (Department), would like to host a fund drive at Smith Point County Park in Shirley; and

**WHEREAS**, the fund drive for support of the public-safety services provided by the Department would be held during the 2006 Fourth of July holiday, from July 1, 2006 through July 4, 2006; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of One hundred and twenty-five and 00/100 Dollars (\$125.00), plus public-safety services rendered by the Department to the Smith Point County Park, payment of which shall be guaranteed by the Department; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Department; and

**WHEREAS**, the use of County property for such fund drive for support of the public-safety services provided by the Department 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 Smith Point County Park in Shirley, by the Mastic Beach Fire Department, Inc. (the Department), in consideration of the payment of One hundred and twenty-five dollars (\$125.00), and in consideration of public-safety services rendered by the Department to the Smith Point County Park, for the purpose of hosting a fund drive by standing at the tollbooths with a sign asking the public to "help us save you", for support of the public-safety services provided by the Department during the 2006 Fourth of July holidays July 1, 2006 through July 4, 2006, between the hours of 9:30 a.m. and 1:30 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 before this event shall be permitted to occur, the Department must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3rd**           **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 Department at Smith Point County Park in Shirley by the Department; and be it further

**4th**           **RESOLVED**, that the Department 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 in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**5th**           **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

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

Intro. Res. No. 1577-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 5/16/2006

**RESOLUTION NO. 570 –2006, APPOINTING MEMBER TO  
THE LONG ISLAND MARITIME MUSEUM BOARD OF  
TRUSTEES (GEORGE P. HAFELE)**

**WHEREAS**, Local Law No. 6-1997 authorizes the County Legislature to appoint one additional member to the Long Island Maritime Museum Board of Trustees to ensure adequate County representation on the Board; now, therefore be it

**1st**           **RESOLVED**, that **George P. Hafele**, whose current address is 55 Marvin Lane, Islip, NY 11751, is hereby appointed as a member of the Long Island Maritime Museum Board

of Trustees to serve at the pleasure of the County Legislature, pursuant to Section 28-8(B)(3) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to replace Christopher Bodkin.

DATED: June 13, 2006

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

-----  
**Legislator Cooper made motion for the following resolution, seconded by Legislator C'Amaro. The resolution was passed 18-0.**

Intro. Res. No. 1580-2006  
Introduced by Legislator Cooper

Laid on Table 5/16/2006

**RESOLUTION NO. 571 -2006, REAPPOINTING CARL H. LUECKE AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 7)**

**WHEREAS**, the term of office of Carl H. Luecke, as a member of the Suffolk County Vanderbilt Museum Commission expired on May 13, 2006; now, therefore be it

**1st RESOLVED**, that **Carl H. Luecke**, residing at 265 Asharoken Avenue, Northport, New York, 11768, be and he hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No.7, for a term of office to expire May 13, 2010, said reappointment having been made pursuant to the provisions of Section 184-7(A) 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: June 13, 2006

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

-----  
**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1581-2006  
Introduced by Legislator Browning

Laid on Table 5/16/2006

**RESOLUTION NO. 572 -2006, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2006 BY THE MASTICS-MORICHES-SHIRLEY COMMUNITY LIBRARY'S FAMILY LITERACY PROJECT**

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is a not-for-profit organization; and

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project would like to use the Smith Point County Park in Shirley for the purpose of hosting a fund drive, the proceeds of which would go to the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

**WHEREAS**, the parking lot will be used as a staging point and also for parking for participants; and

**WHEREAS**, the 5 Kilometer race will be held in the park itself; and

**WHEREAS**, this race would be held on Saturday, September 9, 2006 from 7:00 a.m. to 12:00 noon; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of One Hundred Twenty-five and 00/100 Dollars (\$125.00), payment of which shall be guaranteed by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

**WHEREAS**, the use of County property for such a fund drive for support of the Mastics-Moriches-Shirley Community Library's Family Literacy Project would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore, be it

**1<sup>st</sup>** **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastics-Moriches-Shirley Community Library's Family Literacy Project, in consideration of the payment of One Hundred Twenty Five and 00/100 Dollars (\$125.00) for the purpose of holding a 5 Kilometer race on September 9, 2006, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured 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

**2<sup>nd</sup>** **RESOLVED**, that before this event shall be permitted to occur, the Mastics-Moriches-Shirley Community Library's Family Literacy Project must apply for and obtain a

permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3<sup>rd</sup>** **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 the Mastics-Moriches-Shirley Community Library's Family Literacy Project at Smith Point County Park in Shirley; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Mastics-Moriches-Shirley Community Library's Family Literacy Project 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

**5<sup>th</sup>** **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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----  
**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1619A-2006

**BOND RESOLUTION NO. 573 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$610,000 BONDS TO FINANCE A PART OF THE COST OF THE RESTORATION OF SMITH POINT COUNTY PARK (CP 7162.317)**

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 \$610,000 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 restoration of Smith Point County Park, as authorized in the 2006 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 \$2,610,000. The plan of financing includes (a) the issuance of \$2,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1180-2005, (b) the issuance of \$610,000 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 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1619-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 574 -2006, APPROPRIATING FUNDS  
IN CONNECTION WITH RESTORATION OF SMITH POINT**

**COUNTY PARK (CP 7162)**

**WHEREAS**, the Commissioner of Parks, Recreation and Conservation has requested funds for the restoration of Smith Point County Park for an electrical service upgrade, erosion control measures, and general improvements in accordance with the adopted master plan for the site; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said construction under Capital Program Number 7162; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolutions No. 571-1998 and reaffirmed by Resolution No. 209-2000 established the use of a priority ranking system, implemented in the Adopted 2006 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 \$610,000 in Suffolk County Serial Bonds; and

**WHEREAS**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 656-1997 determined that these actions constitute a Type I action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.4 (b) (1), (6), and (10) and Chapter 279 of the Suffolk County Code, since it involves adoption of a municipality's Comprehensive Resource Management Plan for Smith Point County Park, which involves activities other than construction of residential facilities that include the physical alteration of more than 2.5 acres within publicly operated park land which will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) All significant habitats including wetlands, dunes and bird breeding areas within the park will be protected;
- 3.) All necessary DEC permits will be obtained; and
- 4.) The Master Plan will enhance recreational activities; now, therefore, be it

**1<sup>st</sup> 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

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$610,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7162.317 (Fund 001 – Debt Service)	Restoration of Smith Point County Park	\$610,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by  
Legislator Eddington The resolution was passed 18-0.**

Intro. Res. No. 1385A-2006

**BOND RESOLUTION NO. 575 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW  
YORK, AUTHORIZING THE ISSUANCE OF \$350,000 BONDS  
TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO  
THE POLICE 800MHZ RADIO COMMUNICATIONS SYSTEM -  
PHASE II (CP 3221.111 and .311)**

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 \$350,000 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 improvements to the Police 800 MHz Radio Communications System - Phase II, as authorized in the 2006 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 \$790,000. The plan of financing includes (a) the issuance of \$400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 459-2003 (\$35,000 for improvements and \$400,000 for equipment), (b) the issuance of \$350,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$35,000 for planning and \$315,000 for improvements) 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 11.00 a. 25 of the Law of the Law, is ten (10) years, computed from December 1, 2003, the date of issuance of the initial bonds issued pursuant to Bond Resolution 459-2003.

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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1385-2006 Laid on Table 3/14/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislators Browning, Losquadro, Vilorio-Fisher, Cooper

**RESOLUTION NO. 576 -2006, AMENDING THE 2006  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING  
FUNDS IN CONNECTION WITH POLICE RADIO TOWER SITES**

**WHEREAS**, the Suffolk County Police Commissioner identified a long standing problem in 2004 related to radio communication that predates the 800 MHZ system for a period of approximately 15 years and which affects all County users including the Police, District Attorney, Sheriff, FRES and Probation; and

**WHEREAS**, the County Police Commissioner initiated a process in 2004 to incrementally deal with this issue by upgrading Radio Towers at various sites within the County of Suffolk and the installation of satellite cell phones; and

**WHEREAS**, I.R. 1240-2006, "Resolution Appropriating Funds in Connection with the Rocky Point Tower Site (C.P. 3235)," provides funds for planning and construction of the Rocky Point Tower site, which action supplements the funding contained in this Resolution; and

**WHEREAS**, Northport Veterans Memorial Hospital, Town of Huntington, has been identified as an appropriate site for a Police Radio Tower and an additional \$350,000 required to construct such a tower at this site; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of Three Hundred Fifty Thousand (\$350,000.00) Dollars in Suffolk County Serial Bonds; now, therefore be it

**1st RESOLVED**, that the 2006 Capital Budget and Program is hereby amended for the Police Radio Tower Site at the Veterans Administration Hospital in Northport as follows:

Project No.: 3301  
 Project Title: Safety Improvements at Various Intersections

	Total Est'd. <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
3. Construction	\$ 8,065,000	\$360,000G	\$10,000G
TOTAL	\$12,412,000	\$560,000	\$210,000

Project No.: 3221  
 Project Title: Improvements to Police 800 MHz Radio Communications System

	Total Est'd. <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$42,000	\$ 0	\$35,000B
3. Construction	\$336,000	\$ 0	\$315,000B
TOTAL	\$2,192,000	\$ 0	\$350,000

and be it further

**2nd RESOLVED**, that the proceeds of \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3221.111 (Fund 001 Debt Service)	28	Planning for Improvements to Police 800 MHz Radio Communications System –Phase II	\$35,000
525-CAP-3221.311 (Fund 001 Debt Service)	28	Improvements to Police 800 MHz Radio Communications System –Phase II	\$315,000

and be it further

**3rd**           **RESOLVED**, no moneys for construction shall be allocated to or expended from Capital Project No. 3221 unless and until a written agreement between the County of Suffolk and the Veterans Administration authorizing the County to place and have access to a full radio communications site at the Veterans Administration Hospital at Middleville Road, Northport, New York is executed; and be it further

**4th**           **RESOLVED**, that Capital Project No. 3215 Police Radio Tower Site at Caumsett State Park in Lloyd Harbor is hereby extended to December 31, 2007, pursuant to Section 4-19(C)(2) of the SUFFOLK COUNTY CHARTER, to accommodate delays caused by the New York State Department of Parks, Recreation, and Historic Preservation; and be it further

**5th**           **RESOLVED**, no moneys for construction shall be allocated to or expended from Capital Project No. 3235 unless and until a written agreement between the County of Suffolk and the Suffolk County Water Authority authorizing the County to place and have access to a full radio communications site at 15 Woodlawn Road, Rocky Point, New York is executed, nor unless and until the SEQRA process for such construction has been completed; and be it further

**6th**           **RESOLVED**, that the Police Commissioner is hereby authorized and empowered to modify the location from the top of the water tank, to a stand-alone site, if necessary, to effectuate the installation of the radio tower at the Veterans Administration Hospital site at Middleville Road in Northport; and is further authorized and empowered to designate appropriate officials to enter upon the Caumsett State Park in Lloyd Harbor and the Veterans Administration Hospital site in Northport for the purpose of gaining access to and installing such radio tower equipment at such sites as may be necessary to fully implement radio communications for the Police Department, Sheriff, District Attorney, FRES, Probation, and other public safety agencies; and be it further

**7th**           **RESOLVED**, that it is determined that this program with a priority ranking of fifty-seven (57) 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

**8th**           **RESOLVED**, that prior to the adoption of any bond resolution authorizing the issuance of bonds to finance construction of a radio tower communications project, an environmental review of the project shall be undertaken and completed in accordance with SEQRA; and be it further

**9th**           **RESOLVED**, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8, Resolution No. 214-2003 classified the action contemplated by this resolution, a radio tower at the Northport Veterans Memorial Hospital, Town of Huntington, as an unlisted action under the provisions of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and pursuant to Chapter 279 of the Suffolk County Code, since the 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 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;**
2. **An existing water tower will be used as the base; and**
3. No significant habitats will be affected.

and be it further

**10th 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 Suffolk County Council on Environmental Quality (CEQ) is hereby directed to prepare and circulate the appropriate SEQRA notice of determination of non-applicability or non-significance in accordance with this Resolution.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----

Legislator Caracappa made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Montano was not present.

Intro. Res. No. 1516A-2006

**BOND RESOLUTION NO. 577 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$30,000 BONDS TO FINANCE THE COST OF A SMOKE SCRUBBER FOR THE FLASHOVER SIMULATOR AT THE VOCATIONAL, EDUCATION, AND EXTENSION BOARD (VEEB) (CP 3405.511)**

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 \$30,000 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 a smoke scrubber for the flashover simulator at the Vocational, Education, and Extension Board (VEEB), as authorized in the 2006 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 \$30,000. The plan of financing includes the issuance of \$30,000 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. 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Caracappa made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Montano was not present.**

Intro. Res. No. 1516-2006  
Introduced by Legislator Caracappa

Laid on Table 5/16/2006

**RESOLUTION NO. 578 -2006, AMENDING THE 2006  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING  
FUNDS IN CONNECTION WITH THE FLASHOVER SIMULATOR  
AT THE VOCATIONAL, EDUCATION, AND EXTENSION  
BOARD (VEEB)**

**WHEREAS**, volunteer firefighters contribute to the public safety, health and general well-being of the residents of Suffolk County at great personal sacrifice; and

**WHEREAS**, the Suffolk County Vocational, Education, and Extension Board (VEEB) was created for the purpose of giving instruction to the volunteer firefighters of the County of Suffolk; and

**WHEREAS**, VEEB needs a smoke scrubber to fix its flashover simulator and improve air quality; and

**WHEREAS**, a flashover is the stage of a fire at which radiant heat from burning objects cause all combustible surfaces to reach their ignition temperature and the entire room erupts into flames; and

**WHEREAS**, the flashover simulator increases the firefighters chance of survival by providing for a controlled environment for firefighters to experience the conditions that lead up to and cause a flashover which better prepares them to recognize a potential flashover situation and determine the appropriate time to leave the fire area; and

**WHEREAS**, it is the desire of the Legislature to amend the 2006 Adopted Capital Budget and to provide necessary equipment to the Department of Fire, Rescue and Emergency Services for the Suffolk County Vocational, Education, and Extension Board for this purpose; 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 2006 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 64 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 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	Total Estimated <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
3. Construction	\$670,000	\$700,000 B	\$670,000 B
TOTAL	\$670,000	\$700,000	\$670,000

Project Number: 3405

Project Title: Improvements to Fire Training Center

<u>Cost Elements</u>	Total Estimated <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
5. Furniture & Equipment	\$30,000	\$0	\$30,000 B

TOTAL \$30,000 \$0 \$30,000

and be it further

**RESOLVED**, that the proceeds of \$30,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3405.511	Improvements to Fire Training Center	\$30,000

and be it further

**RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; 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/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Caracappa made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 17-0-0-1. Legislator Montano was not present.**

Intro. Res. No. 1562-2006 Laid on Table 5/16/2006  
Introduced by Presiding Office, on request of the County Executive and Legislator Stern

**RESOLUTION NO. 579 -2006, ACCEPTING & APPROPRIATING  
A GRANT IN THE AMOUNT OF \$25,000 FROM THE NEW  
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

**FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S  
SECOND PRECINCT COMMUNITY SUPPORT PROGRAM 2006  
WITH 75% SUPPORT**

**WHEREAS**, the New York State Department of Criminal Justice Services has made \$25,000 in Federal pass-through monies from the 2004 Edward Byrne Memorial Formula Grant Program available to Suffolk County to continue to address community concerns regarding gang-related criminal activity through targeted enforcement efforts and educational presentations to school, community and business groups in the area served by the Suffolk County Police Department's Second Precinct; and

**WHEREAS**, the operational period of the Program will be from September 1, 2006, through August 31, 2007; and

**WHEREAS**, the monies for the permanent salaries and fringe benefit match are included in the 2006 Suffolk County Operating Budget; and

**WHEREAS**, said grant funds have not been included in the 2006 Suffolk County Operating Budget; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<b>REVENUE:</b>	<b><u>AMOUNT</u></b>
115-4384-Federal Aid: 2 <sup>nd</sup> Precinct Community Support 2006	\$25,000
 <b>ORGANIZATIONS:</b>	
<b>Police Department (POL)</b>	
<b>2<sup>nd</sup> Precinct Community Support 2006</b>	
<b>115-POL-3279</b>	
 <b><u>1000-Personal Services</u></b>	 <b><u>\$20,011</u></b>
1120-Overtime Salaries	20,011
 <b><u>2000-Equipment</u></b>	 <b><u>\$1,000</u></b>
2500-Other Equipment, Not Otherwise	1,000
 <b><u>Travel</u></b>	 <b><u>\$317</u></b>
4310-Employee Miscellaneous Expense	253
4330-Travel, Other Contracts	64
 <b><i>Employee Benefits</i></b>	
<b>Retirement</b>	
<b>115-EMP-9010</b>	
 <b><u>8000-Employee Benefits</u></b>	 <b><u>\$3,382</u></b>
8280-Employee Retirement System	3,382

**Employee Benefits  
Social Security  
115-EMP-9030**

**8000-Employee Benefits**

8330-Social Security

**\$290**

290

and be it further

**2<sup>nd</sup>** **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Nowick made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Montano was not present.**

Intro. Res. No. 1598-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Kennedy

**RESOLUTION NO. 580 -2006, AUTHORIZING THE SUFFOLK COUNTY POLICE DEPARTMENT (SCPD) TO TRANSFER A DECOMMISSIONED SCPD SECTOR CAR TO THE KINGS PARK HERITAGE MUSEUM**

**WHEREAS**, the Kings Park Heritage Museum is dedicated to educating the public about the history of Kings Park by displaying photographs, artifacts and written word; and

**WHEREAS**, the Kings Park Heritage Museum is a division of the Kings Park Central School District; and

**WHEREAS**, the Director of the Kings Park Heritage Museum on behalf of the Kings Park Central School District has requested a decommissioned SCPD sector car for display; and

**WHEREAS**, the Suffolk County Police Commissioner has indicated his approval;  
and

**WHEREAS**, the Kings Park Central School District Board of Education voted to accept the decommissioned sector car at its regular meeting held on April 18, 2006 under resolution NB#1; now therefore be it

**1<sup>st</sup>** **RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered, and directed to provide the Kings Park Central School District with a decommissioned police car for display in the Kings Park Heritage Museum; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Suffolk County Police Department is hereby authorized and empowered, to the extent that surplus equipment exists to equip the vehicle with:

- a working set of rack lights, siren, searchlight and spotlight,
- a disabled radio and microphone,
- a disabled mobile data terminal,
- a trunk with working trunk lights filled with any police gear which can be spared, and
- a set of 401 plates to commemorate Kings Park's patrol sector;

and be it further

**3<sup>rd</sup>** **RESOLVED**, the Police Department is hereby authorized, empowered, and directed to transfer title of the vehicle to the Kings Park Central School District for use in the Kings Park Heritage Museum with the condition that if and when the Museum ceases to exist, or if the Kings Park Central School District no longer desires to exhibit the above items, then the vehicle and equipment, will not be sold, but title and the equipped vehicle will be transferred back to the Suffolk County Police Department; and be it further

**3<sup>rd</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1624A-2006

**BOND RESOLUTION NO. 581 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,125,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF A ADDITIONAL POLICE HELICOPTER (CP 3117)**

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 \$1,125,000 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 acquisition of an additional police helicopter, as authorized in the 2006 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 \$6,125,000. The plan of financing includes (a) the issuance of \$5,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 123-2006, (b) the issuance of \$1,125,000 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 11.00 a. 32 of the Law of the Law, is five (5) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 123-2006.

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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----

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

Intro. Res. No. 1624-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 582 -2006, APPROPRIATING  
ADDITIONAL FUNDS IN CONNECTION WITH THE PURCHASE  
OF A POLICE HELICOPTER (CP 3117)**

**WHEREAS**, Resolution No. 124-2006 appropriated \$5,000,000 for the purchase of an additional Police Helicopter; and

**WHEREAS**, upon the completion of the bid process, the final price of the helicopter to be purchased was determined to be \$6,124,280; and

**WHEREAS**, the Police Commissioner has requested the additional funds required for the purchase of the additional helicopter; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the additional cost of said purchase under Capital Project No. 3117; 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 2006 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 \$1,125,000 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup>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

**2<sup>nd</sup>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(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

**3<sup>rd</sup>RESOLVED**, that the proceeds of \$1,125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3117.514 (Fund 001-Debt Service)	28	Purchase of an Additional Helicopter	\$1,125,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----

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

Intro. Res. No. 1589-2006

Laid on Table 5/16/2006

Introduced by Legislators Alden, Romaine and Schneiderman

**RESOLUTION NO. 583 -2006, TO EVALUATE THE  
FEASIBILITY OF ESTABLISHING CO-GENERATION AT THE  
YAPHANK SKILLED NURSING FACILITY**

**WHEREAS**, by Resolution No. 316-2006, this Legislature directed the Department of Public Works to issue a Request for Expressions of Interest (RFEI) from energy producers to evaluate the feasibility of establishing co-generation facilities at the Suffolk County facilities in Yaphank and at the North County Complex in Hauppauge; and

**WHEREAS**, the Department of Public Works advises that their preliminary analysis indicates that the Skilled Nursing Facility in Yaphank is the only facility with sufficient thermal load to make co-generation viable; now, therefore be it

**1st RESOLVED**, that Resolution No. 316-2006 is hereby repealed in its entirety; 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 work with the New York State Power Authority (NYPA) and/or issue a Request for Proposals (RFP) to energy producers to confirm the feasibility of establishing a co-generation facility at the Yaphank Skilled Nursing Facility; and be it further

**3rd RESOLVED**, that once the Department of Public Works has completed its analysis the Department shall present to all members of the County Legislature and the County Executive its findings for further action to be taken by the Legislature in establishing a co-generation facility at the Yaphank Skilled Nursing Facility; 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----

**Legislator Romaine made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 13-1-4-0. Legislator Montano voted no. Legislators Horsley, Mystal, Stern and Cooper abstained.**

Intro. Res. No. 1591A-2006

**BOND RESOLUTION NO. 584 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF A NEW BOOSTER PUMP (CP 5201.514)**

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 \$400,000 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 purchase of a new booster pump, as authorized in the 2006 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 \$400,000. The plan of financing includes the issuance of \$400,000 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. 28 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Romaine made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 13-1-4-0. Legislator Montano voted no. Legislators Horsley, Mystal, Stern and Cooper abstained.**

Intro. Res. No. 1591-2006  
Introduced by Legislators Romaine and Browning

Laid on Table 5/16/2006

**RESOLUTION NO. 585 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF A NEW BOOSTER PUMP (CP 5201.514)**

**WHEREAS**, the Department of Public Works is in need of a new booster pump for its dredging operations; and

**WHEREAS**, the 2006 Adopted Capital Budget includes \$1.08 million for outside contractors to survey and dredge County waters; and

**WHEREAS**, the purchase of a new booster pump, will allow the department to dredge more sites each year and reduce the County's reliance on outside contractors to dredge County waters; and

**WHEREAS**, the 2006 Adopted Capital Budget and Program does not include sufficient funds to cover the purchase of this new booster pump, 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 2006 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 \$400,000 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) (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 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 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8180  
 Project Title: Sewer District No. 3 Southwest Sludge Treatment and Disposal Project

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	\$67,600,000	\$45,600,000X	\$45,200,000X
TOTAL	\$72,750,000	\$46,850,000X	\$46,450,000X

Project No.: 5201  
 Project Title: Replacement of Dredge Support Equipment

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$1,000,000	\$50,000B	\$450,000B
TOTAL	\$1,000,000	\$50,000B	\$450,000B

and be it further

**RESOLVED**, that the proceeds of \$400,000 in Suffolk County Serial Bonds be and hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
--------------------	-------------	----------------------	---------------

525-CAP-5201.514 40 Purchase of Booster Pump \$400,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----

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

Intro. Res. No. 1603A-2006

**BOND RESOLUTION NO. 586 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$175,000 BONDS TO FINANCE A PART OF THE COST OF REPLACEMENT OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CP 1706.327)**

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 \$175,000 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 replacement of fossil fuel, toxic and hazardous material storage tanks, as authorized in the 2006 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 \$305,000. The plan of financing includes (a) the issuance of \$130,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 440-2005, (b) the issuance of \$175,000 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 11.00 a. 88 of the Law of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 440-2005.

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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1603-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 587 -2006, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE TANKS (CAPITAL PROJECT NUMBER 1706)**

**WHEREAS**, the Commissioner of Public Works has requested funds for continuing the Project for the Replacement/Clean up of Fossil Fuel, Toxic and Hazardous Material Storage Tanks; and

**WHEREAS**, there are sufficient funds within the 2006 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 as reaffirmed by Resolution No. 209-2000 has established a priority ranking system of Capital Projects 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 \$ 175,000.00 in Suffolk County Serial Bonds; now, therefore be it

**RESOLVED**, that as the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations that the Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby determines that this action constitutes a Type II action pursuant to Volume 6 of the 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 Seventy-Six (76) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as 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 to continue the Construction for the Replacement/ Clean up of Fossil Fuel, Toxic and Hazardous Material Storage Tanks; and be it further

**RESOLVED**, that the proceeds of \$175,000.00 in Suffolk County Serial Bonds be and they are hereby appropriated as follows.

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-Cap-1706.327 (Fund 001-Debt Service)	20	Replacement/Cleanup Fossil, Toxic Hazardous Material Storage Tanks	\$175,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 18-0.**

Intro. Res. No. 1605A-2006

**BOND RESOLUTION NO. 588 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$6,250,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 (CP 8117.111 and .311)**

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 \$6,250,000 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 improvements to Suffolk County Sewer District No. 11, as authorized in the 2006 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 \$6,250,000. The plan of financing includes the issuance of \$6,250,000 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. 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 18-0.**

Intro. Res. No. 1605-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO.

589 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SERIAL BONDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN (CP #8117)

**WHEREAS**, the Selden Wastewater Treatment Plant requires equipment, systems, and infrastructure improvements; and

**WHEREAS**, the Administrative Head of Sewer District No. 11 - Selden has requested that funds be appropriated to cover engineering and construction costs associated with the improvement project; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program under Capital Project 8117 to cover the authorization 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 2006 Capital Budget, as the basis for funding Capital Projects such as this project; and

**WHEREAS**, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 430 of 2003 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 11 - Selden constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5(c); and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$6,250,000 in Serial Bonds; now therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy (70), 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

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget be and it hereby is amended as follows:

Program No.: 8117  
 Project Name: Improvements to Sewage Treatment Facilities - Sewer District 11 - Selden

	Total Est'd  Cost	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
1. Planning, Design & Supervision	\$ 750,000	\$ 450,000 X	\$ 750,000 X
3. Construction	\$ 5,500,000	\$5,800,000 X	\$ 5,500,000 X

TOTAL \$ 6,250,000 \$6,250,000 \$ 6,250,000

X-Sewer District Serial Bonds

and be it further

3<sup>rd</sup> **RESOLVED**, that the proceeds of \$6,250,000 in Suffolk County Serial Bonds be and hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
528-CAP-8117.111	Improvements to Sewage Treatment Facilities - Selden Sewer District - Planning, Design and Supervision	\$ 750,000
528-CAP-8117.311	Improvements to Sewage Treatment Facilities - Selden Sewer District - Construction	\$ 5,500,000

and be it further

4<sup>th</sup> **RESOLVED**, that the Administrative Head of the Sewer District 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 engineering and construction of improvements to SD 11 - Selden.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1606-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO.  
590 -2006,TRANSFERRING ASSESSMENT  
STABILIZATION RESERVE FUNDS TO THE CAPITAL  
FUND, AMENDING THE 2006 OPERATING BUDGET,  
AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM,  
AND APPROPRIATING FUNDS FOR SUFFOLK COUNTY  
SEWER DISTRICT NO. 15 - NOB HILL (CP 8138)

**WHEREAS**, the Nob Hill Wastewater Treatment Plant has process tanks and infrastructure systems that require reconstruction and/or replacement; and

**WHEREAS**, previous funds were appropriated in Resolution No. 993-2004; and

**WHEREAS**, engineering evaluations have identified additional improvements needed to the process tanks; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund loan the district \$300,000 for the purpose of implementing the project; and

**WHEREAS**, the repayment amount and schedule of payback of said loan will be a payback period of twenty years; 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 2006 Capital Budget, as the basis for funding Capital Projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8, Resolution No. 283-2001 determined that the proposed improvement project constitutes a Type II action, pursuant to Sections 617.5 (c) (20) and (27) of Volume 6 of the New York Code of Rules and Regulations; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-nine (69), 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

**3<sup>rd</sup> RESOLVED**, that funds from the Assessment Stabilization Reserve Fund be appropriated in the sum of \$300,000 for the purpose of implementing the project; and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2006 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$300,000
527-IFT-R404-Transfer from Fund 404	\$300,000

and be it further

**5<sup>th</sup> RESOLVED**, that the 2006 Capital Budget be and it hereby is amended as follows:

Project No.: 8138  
Project Name: Improvements to Suffolk County Sewer District No. 15 - Nob Hill

Adopted Revised

	Total Est'd Cost	2006 Capital Budget & Program	2006 Capital Budget & Program
3. Construction	\$ 300,000	\$ 0	\$ 300,000-A
TOTAL	\$ 300,000	\$ 0	\$ 300,000-A

A - Assessment Stabilization Reserve Fund

and be it further

**6<sup>th</sup>** **RESOLVED**, that funds in the amount of \$300,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>PROJECT NO.</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
528-CAP-8138.311	Construction Improvements to Suffolk County Sewer District No. 15 - Nob Hill	\$ 300,000

and be it further

**7<sup>th</sup>** **RESOLVED**, that the Administrative Head of the Sewer District 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 at SD 15 - Nob Hill.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

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

Intro. Res. No. 1608-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 591 -2006, AUTHORIZING THE PURCHASE OF UP TO FOUR PARATRANSIT VANS FOR ITS SENIOR CITIZENS TRANSPORTATION PROGRAM AND RELATED EQUIPMENT ON BEHALF OF THE TOWN OF SMITHTOWN AND AMENDING THE 2006 CAPITAL BUDGET**

**AND ACCEPTING AND APPROPRIATING FEDERAL AID (80%), STATE AID (10%) AND TOWN FUNDS (10%) IN CONNECTION WITH THIS PURCHASE (CP 5658)**

**WHEREAS**, Resolution No. 1145-2005 authorized the filing for and the execution of a grant with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) on behalf of the Town of Smithtown for the purchase paratransit vans and related equipment; and

**WHEREAS**, federal grant NY-03-0440 was submitted on April 18, 2006, whereby FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the Town providing 10% of the cost of this project; and

**WHEREAS**, FTA approval of grant NY-03-0440 which provides FFY2004 earmarked funds for Smithtown Senior Citizen Program Bus Replacement, is expected within 60 days; 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 2006 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, the total cost of the purchase is estimated to be \$242,718; and

**WHEREAS**, there is no County share involved in this project; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program; now, therefore, be it

**1<sup>st</sup> 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 materials, 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project has been classified as a priority ranking of sixty-two (62) and 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

**3<sup>rd</sup> RESOLVED**, that the Purchasing Division is authorized to acquire up to four (4) paratransit vans including related equipment on behalf of the Town of Smithtown subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

**4<sup>th</sup> RESOLVED**, that the 2006 Capital Budget and Program is hereby amended as follow:

Proj. No. 5658  
 Project Title: Purchase of Public Transit Vehicles

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$81,506,500	\$156,000B \$156,000S \$1,248,000F \$ 0 0	\$156,000B \$180,272S \$1,442,174F \$24,272O
6. TOTAL	\$81,749,218	\$1,560,000	\$1,802,718

and be it further

**5<sup>th</sup> RESOLVED**, that the Town funds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.534	Purchase of four (4) paratransit vans and related equipment-Smithtown	\$24,272

and be it further

**6<sup>th</sup> RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.534	Purchase of four (4) paratransit vans and related equipment-Smithtown	\$24,272

and be it further

**7<sup>th</sup> RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.534	Purchase of four (4) paratransit vans and related equipment-Smithtown	\$194,174

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept Town, State and Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 28, 2006

-----  
**Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Intro. Res. No. 1609-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 592 -2006, ACCEPTING A CLEAN WATER/CLEAN AIR BOND ACT GRANT FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND AUTHORIZING EXECUTION OF AGREEMENTS TO ACCEPT GRANTS TO IMPROVE SEWER DISTRICT NO. 1 - PORT JEFFERSON**

**WHEREAS**, the sewerage facilities require improvement as mandated by the Long Island Sound Study; and

**WHEREAS**, three applications were made in regard to the NYS Clean Water/Clean Air Bond Act with grants received to improve and/or rehabilitate Sewer District 1 - Port Jefferson; and

**WHEREAS**, Sewer District 1 - Port Jefferson (SD 1) has been notified of three Clean Water/Clean Air Bond Act grants to improve its effluent with regard to nutrient removal in accordance with the Long Island Sound Study; and

**WHEREAS**, NYS has approved these three grants with funding in an amount of \$3,048,950, \$9,148,550, and \$1,298,500 for a total of \$13,496,000 from the Clean Water/Clean Air Bond Act subject to execution of an agreement for funding; and

**WHEREAS**, pursuant to State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter "SEQRA"), this resolution constitutes an unlisted action pursuant to the provisions of NYCRR Part 617.5 and Chapter 279 of the Suffolk County Code in that the resolution consists of authorizing acceptance of a grant necessary to formulate a proposal for action but does not commit the County to commence or approve an action and thus has no further responsibilities under SEQRA; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive of Suffolk County or his designee is hereby authorized to execute an agreement for State assistance on behalf of the County of Suffolk, New York, with the New York State Department of Environmental Conservation; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive of Suffolk County or his designee is hereby authorized to execute grant and cooperative agreements on behalf of the County of Suffolk with the New York State Department of Environmental Conservation.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1616-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator Mystal

**RESOLUTION NO. 593 -2006, TRANSFERRING ESCROW ACCOUNT REVENUES FUNDS TO THE CAPITAL FUND, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR IMPROVEMENTS AND/OR REHABILITATION OF EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8170)**

**WHEREAS**, pursuant to Section 271 of the County Law, Suffolk County Sewer District No. 3 - Southwest was established by resolution of the Board of Supervisors on the 9<sup>th</sup> of June 1969, and approved by the electorate at the general election held in November 1969; and

**WHEREAS**, the district became operational on October 10, 1981, and since said time the district has been operational, and now a portion of the sewerage facilities require improvement and/or rehabilitation; and

**WHEREAS**, the Administrative Head of Sewer District No. 3 - Southwest has requested that previously received connection fees, which are deposited in escrow accounts, be appropriated to cover costs associated with the sewerage facility improvement and/or rehabilitation; and

**WHEREAS**, sufficient funds are available in the escrow accounts established and containing connection fees to cover the costs of the improvement and/or 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 2006 Capital Budget, and as the basis for funding capital projects such as this project; and

**WHEREAS**, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Introductory Resolution No. 1321 of 2002 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer

District No. 3 - Southwest constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5(c)(1), (2) and (7); now, therefore, be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty six (66) 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

**2<sup>nd</sup> RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are 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:

<b>From <u>Escrow Account</u></b>	<b>To <u>Capital Fund Sewer Revenues</u></b>	<b><i>Amount</i></b>	<b><u>Accrued Interest</u></b>
Villages @Huntington Section 4 & 5 HU1066	528-2122 Sewer Service Charge	\$ 937,200	Yes
SCCC Western Campus 1 of 6 IS0535	528-2122 Sewer Service Charge	\$ 15,178	Yes
NY Power Authority IS1300	528-2122 Sewer Service Charge	\$ 150,000	Yes
Whitman Corp Park HU1171	528-2122 Sewer Service Charge	\$ 187,500	Yes
Belmont Villas BA1234	528-2122 Sewer Service Charge	\$ 396,000	Yes
CQ2 Office Bldg HU 1447	528-2122 Sewer Service Charge	\$ 187,500	Yes
50 Republic Rd. HU 1379	528-2122 Sewer Service Charge	\$ 77,790	Yes
110 Sand Company HU 1040	528-2122 Sewer Service Charge	\$ 225,000	Yes
<b>Total SCSD #3</b>		<b>\$ 2,176,168</b>	Yes

and be it further

**3<sup>rd</sup> RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed \$2,176,168 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

**4<sup>th</sup> RESOLVED**, that the 2006 Capital Budget be and it hereby is amended as follows:

Program No.: 8170  
 Project Name: Improvements to Sewage Treatment Facilities Southwest Sewer District

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
Planning, Design & Supervision	\$4,769,065	\$2,000,000-X	\$713,968-E \$1,286,032-X
Construction	\$68,684,980	\$19,000,000-X	\$1,462,200-E \$17,537,800-X
<b>TOTAL</b>	<b>\$73,454,045</b>	<b>\$21,000,000</b>	<b>\$21,000,000</b>

E- Escrow Funds

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$2,176,168 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
528-CAP-8170.114	Improvements to Sewage Treatment Facilities - Southwest Sewer District - Planning, Design and Supervision	\$713,968 + Accrued Interest
528-CAP-8170.315	Improvements to Sewage Treatment Facilities - Southwest Sewer District - Construction	\$1,462,200 + Accrued Interest

DATED: June 13, 2006

APPROVED

BY:

/s/ Steve Levy  
County

Executive of Suffolk County

Date: June 28,

2006

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

Intro. Res. No. 1617-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 594 -2006, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATION FOR STORM REMEDIATION IMPROVEMENTS FOR CR 94A, CENTER DRIVE SOUTH AT LITTLE PECONIC RIVER, TOWN OF SOUTHAMPTON (CAPITAL PROGRAM NUMBER 8240.312)**

**WHEREAS**, Resolution No. 311-2005 approved funding in connection with Storm Remediation Improvements for CR 94A, Center Drive South at Little Peconic River; and

**WHEREAS**, this resolution appropriated \$1,145,000 in construction funding; and

**WHEREAS**, a portion of this funding is necessary for planning; and

**WHEREAS**, there exists enough funding in the construction phase of this project to cover the planning costs; and

**WHEREAS**, it is necessary to amend Resolution No. 311-2005 by re-appropriating \$145,000 from construction to planning; now, therefore, be it

**1<sup>st</sup>RESOLVED**, that the 8<sup>th</sup> RESOLVED clause of Resolution No. 311-2005 is hereby amended by reducing the appropriation for construction by \$145,000 and increasing the appropriation for planning by \$145,000 as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>		<u>Amount</u>
525-CAP-8240.111	50	Storm Water Remediation on Various County Roads	[\$0 ]	<u>\$145,000</u>

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>		<u>Amount</u>
525-CAP-8240.312	50	Storm Water Remediation on Various County Roads	[\$1,145,000]	<u>\$1,000,000</u>

[ ] Brackets denote deletion of existing language

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 29, 2006

-----

**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1620-2006 Laid on Table 5/16/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislator Mystal

**RESOLUTION NO. 595 -2006, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATION FOR STORM REMEDIATION IMPROVEMENTS FOR CR 96, GREAT EAST NECK ROAD AT EVERGREEN STREET, TOWN OF BABYLON (CP 8240.313)**

**WHEREAS**, Resolution No. 312-2005 approved funding in connection with Storm Remediation Improvements for CR 96, Great East Neck Road at Evergreen Street; and

**WHEREAS**, this resolution appropriated \$1,150,000 in construction funding; and

**WHEREAS**, a portion of this funding is necessary for planning; and

**WHEREAS**, there exists enough funding in the construction phase of this project to cover the planning costs; and

**WHEREAS**, it is necessary to amend Resolution No. 312-2005 by re-appropriating \$120,000 from construction to planning; now, therefore, be it

**RESOLVED**, that the 8<sup>th</sup> RESOLVED clause of Resolution No. 312-2005 is hereby amended by reducing the appropriation for construction by \$120,000 and increasing the appropriation for planning by \$120,000 as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>		<u>Amount</u>
525-CAP-8240.112	50	Storm Water Remediation on Various County Roads	[\$0]	<u>\$120,000</u>

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>		<u>Amount</u>
525-CAP-8240.313	50	Storm Water Remediation on Various County Roads	[\$1,150,000]	<u>\$1,030,000</u>

[ ] Brackets denote deletion of existing language

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

DATED: June 13, 2006

APPROVED BY:

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

Date: June 29, 2006

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 18-0.**

Intro. Res. No. 1621-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Horsley, Mystal

RESOLUTION NO. 596 -2006, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING ADDITIONAL FUNDS FOR CONSTRUCTION OF A MARINE BOAT PUMP OUT FACILITY IN THE SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (CP 8170)

**WHEREAS**, the Bergen Point Wastewater Treatment Plant is located in West Babylon adjacent to Mudd Creek and the Great South Bay; and

**WHEREAS**, those water bodies are utilized by numerous sailing vessels that are in need of an environmentally sound means to dispose of their wastes; and

**WHEREAS**, the construction of a marine boat pump out facility on Mudd Creek with discharge to holding tanks and the Bergen Point Wastewater Treatment Plant is a benefit to the environment, the County and District; and

**WHEREAS**, an application for a Clean Water/Clean Water Bond Act for the project was successful in an amount of \$72,250; and

**WHEREAS**, bids for construction were received on June 14, 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 contract and complete the project; and

**WHEREAS**, the Administrative Head of Sewer District No. 3 – Southwest has requested that funds be appropriated to cover construction costs associated with the project; and

**WHEREAS**, it is proposed that \$150,000 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 (hereinafter "SEQRA") Resolution No. 246 of 1997 determined that the proposed marine boat pump out facility improvement constitutes a Type unlisted action pursuant to the provisions of 6NYCRR Part 617 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 priority ranking system, implemented in the Adopted 2006 Capital Budget, and as the basis for funding capital projects such as this project; now therefore, be it

**1<sup>st</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of ninety (90) 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

**2<sup>nd</sup>** **RESOLVED**, that additional funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of \$150,000 for the purpose of implementing the project; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the County Treasurer and County Comptroller be and they are hereby authorized to amend the 2006 Adopted Operating Budget to transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
405-IFT-E528-Transfer to Fund 528	\$150,000
528-IFT-R405-Transfer from Fund 405	\$150,000

and be it further

**4<sup>th</sup>** **RESOLVED**, that the 2006 Capital Budget be and it hereby is amended as follows:

Program: 8170.410  
 Project Name: Improvements to Suffolk County Sewer District No. 3 – Southwest

	Total Est'd <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
4. Site Improvements	\$150,000	\$ - 0 -	\$150,000-A
TOTAL	\$150,000	\$ - 0 -	\$150,000-A

A- Assessment Stabilization Reserve Fund

and be it further

5<sup>th</sup> **RESOLVED**, that funds in the amount of \$150,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
528-CAP-8170.410	Improvements to Sewer District 3 - Southwest -Site Improvements	\$150,000

and be it further

6<sup>th</sup> **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 construction of improvements at Sewer District No. 3 Southwest.

**DATED: June 13, 2006**

**APPROVED**

**BY:**

**/s/ Steve Levy**  
**County Executive of Suffolk County**

**Date: June 28, 2006**

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 18-0.**

Intro. Res. No. 1631-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 597 -2006, AMENDING RESOLUTION NOS. 492-1999, 1299-2000, 516-2001 AND 1158-2005, FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF BRIDGE ON CR 83, NORTH OCEAN AVENUE, OVER THE LONG ISLAND EXPRESSWAY, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5849)**

**WHEREAS**, Resolution No. 492-1999 appropriated \$480,000 and apportioned the share allocation as 80% Federal funds, 11% State Marchiselli funds and 9% County funds; and

**WHEREAS**, Resolution No. 1299-2000 revised the apportionment of funding for this \$480,000 as 80% Federal funds, 15% State Marchiselli funds and 5% County funds; and

**WHEREAS**, Resolution No. 516-2001 appropriated an additional \$120,000 for this project and apportioned the funding for the entire \$600,000 as 80% Federal funding, 12.5% State Marchiselli funding and 7.5% County funding; and

**WHEREAS**, Resolution No. 1158-2005 appropriated and additional \$185,000 for this project and apportioned the share allocation for this additional \$185,000 as 80% Federal funding and 20% County funding; and

**WHEREAS**, New York State has subsequently allocated a fifteen percent (15%) share from State Marchiselli funding for the entire \$785,000 cost of this project; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions based on actual expenditures; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5849.110 be amended to reflect the additional fifteen percent (15%) State Marchiselli aid dedicated in the amount of \$117,750; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5849.110 be amended to reflect a total cost of \$785,000 with eighty percent (80%) Federal reimbursement in the amount of \$628,000, fifteen percent (15%) State Marchiselli aid reimbursement in the amount of \$117,750, and a five (5%) County share of \$39,250; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$39,250; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$39,250 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$117,750; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$628,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$745,750; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 18-0.**

Intro. Res. No. 1632-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 598 -2006, AMENDING RESOLUTION NO'S. 884-1996, AND 1037-1999 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF BRIDGE ON CR 83, NORTH OCEAN AVENUE, OVER THE LONG ISLAND EXPRESSWAY, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5849.310)**

**WHEREAS**, Resolution No's. 796-2003, 901-2004, 1401-2004 and 1158-2005 appropriated \$9,400,000 under Capital Project No. 5849.310 for this project; and

**WHEREAS**, Federal Funds are available for this project under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21) formally known as the Intermodal Surface Transportation Efficiency Act (ISTEA) with a share allocation of eighty percent (80%) in federal funds and twenty percent (20%) in County funds; and

**WHEREAS**, New York State has subsequently allocated a 9.28% share from State Marchiselli funding; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions based on actual expenditures; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5848.310 be amended to reflect the additional 9.28% State Marchiselli aid dedicated in the amount of \$872,250; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5849.310 be amended to reflect a total cost of \$9,400,000 with 80% Federal reimbursement in the amount of \$7,520,000, 9.28% State Marchiselli aid reimbursement in the amount of \$872,250, and a 10.72% County share of \$1,007,750; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$1,007,750; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$1,007,750 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$872,250; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$7,520,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$8,392,250; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1633-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 599 -2006, AMENDING RESOLUTION NO'S. 1157-2002, AND 1338-2004 FOR PARTICIPATION IN CONSTRUCTION IN CONNECTION A CLOSED LOOP TRAFFIC SIGNAL SYSTEM (CAPITAL PROGRAM NUMBER 3309)**

**WHEREAS**, Resolution No. 473 of 2003 appropriated \$1,000,000 under Capital Project No. 3309.310 for this project and apportioned the funding allocation at eighty percent (80%) in federal funds and twenty percent (20%) in County funds; and

**WHEREAS**, Resolution No. 1338 of 2004 identified this project erroneously as PIN 0757.67; and

**WHEREAS**, Federal Funds are available for this project, identified as PIN 0756.72, under the Transportation Equity for the 21<sup>st</sup> Century (TEA 21); and

**WHEREAS**, the County was required to first instance fund this project and subsequently receive reimbursement based on actual expenditures; and

**WHEREAS**, New York State has subsequently allocated a fifteen percent (15%) share from State Marchiselli funding; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 3309.310 be amended to reflect the additional fifteen percent (15%) State Marchiselli aid dedicated in the amount of 150,000; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 3309.310 be amended to reflect a total cost of \$1,000,000 with eighty percent (80%) Federal reimbursement in the amount of \$800,000, fifteen percent (15%) State Marchiselli aid reimbursement in the amount of \$150,000, and a five (5%) County share of \$50,000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$50,000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$50,000 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$150,000; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$800,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$950,000; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Legislator D'Amato made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1634-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 600 -2006, AMENDING RESOLUTION NO. 1325-2005 FOR PARTICIPATION IN CONSTRUCTION IN CONNECTION WITH THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN**

**STATE PARKWAY, TOWN OF BABYLON (CAPITAL PROGRAM NUMBER 5851)**

**WHEREAS**, Resolution No. 1325 of 2005 appropriated \$9,280,000 under Capital Project No. 5851.310 for this project; and

**WHEREAS**, Federal Funds are available for this project, identified as PIN 0756.71, under the Transportation Equity for the 21<sup>st</sup> Century (TEA 21) ; and

**WHEREAS**, Resolution No. 1325 of 2005 apportioned the funding allocation at eighty percent (80%) in federal funds and twenty percent (20%) in County funds; and

**WHEREAS**, New York State has subsequently allocated a fifteen percent 10.81% share from State Marchiselli funding; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions based on actual expenditures; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5851.310 be amended to reflect the additional fifteen percent 10.81% State Marchiselli aid dedicated in the amount of \$1,003,250; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5851.310 be amended to reflect a total cost of \$9,280,000 with 80% Federal reimbursement in the amount of \$7,424,000, 10.81% State Marchiselli aid reimbursement in the amount of \$1,003,250, and a 9.19% County share of \$852,750; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$852,750; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$852,750 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$1,003,250; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$7,424,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$8,392,320; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and Federal aid in connection with this project.

**DATED: June 13, 2006**

**APPROVED**

**BY:**

**/s/ Steve Levy  
County Executive of Suffolk County**

**Date: June 28, 2006**

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

Intro. Res. No. 1635A -2006

**BOND RESOLUTION NO. 601 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS TO FINANCE THE COUNTY'S SHARE OF THE COST OF CONSTRUCTION OF A CLOSED LOOP TRAFFIC SIGNAL SYSTEM (CP 3309.311)**

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 \$1,700,000 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 County's share of the cost of construction of a closed loop traffic signal system, as authorized in the 2006 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 \$1,700,000. The plan of financing includes the issuance of \$1,700,000 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or \$340,000) 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. 72 (a) of the Law of the Law, is twenty (20) 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

-----

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

Intro. Res. No. 1635-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 602 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN A CLOSED LOOP SIGNAL SYSTEM (CAPITAL PROGRAM NUMBER 3309)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with a Closed Loop Signal System; and

**WHEREAS**, there are Federal funds available for this project, identified as PIN 0756.72 under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), with a share allocation of 80% Federal funds and 20% County funds; and

**WHEREAS**, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program under C.P. 3309 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 2006 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 \$1,700,000 in Suffolk County Serial Bonds; now therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1175-1995 classified the action contemplated by this as a Type II Action which will not have a significant effect on the environment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-five (55) 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

**3<sup>rd</sup> 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

**4<sup>th</sup> RESOLVED**, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3309  
 Project Title: Closed Loop Traffic Signal System

	Total Est'd <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u> \$112,500B	Revised 2006 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$4,262,500	\$450,000B	\$ 0
3. Construction	<u>\$3,137,500</u>	<u>\$227,500B</u> <u>\$910,000F</u>	<u>\$ 340,000B</u> <u>\$1,360,000F</u>
TOTAL	\$7,400,000	\$1,700,000	\$1,700,000

**5<sup>th</sup> RESOLVED**, that the proceeds of \$1,700,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3309.311	50	Closed Loop Traffic Signal System	\$1,700,000

and be it further

**6<sup>th</sup> RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$340,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of 1,360,000; and be it further

**8<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of 1,360,000; and be it further

**9<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this

project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1636A-2006

**BOND RESOLUTION NO. 603 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF ENGINEERING FOR INTERCHANGE IMPROVEMENTS FOR CR 111, PORT JEFFERSON-WESTHAMPTON ROAD, FROM THE LONG ISLAND EXPRESSWAY EXIT 70 TO CHAPMAN BOULEVARD, TOWN OF BROOKHAVEN (CP 5123.110)**

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 engineering for interchange improvements for CR 111, Port Jefferson-Westhampton Road, from the Long Island Expressway exit 70 to Chapman Boulevard, Town of Brookhaven, as authorized in the 2006 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 Section 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: June 13, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1636-2006 Laid on Table 5/16/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Schneiderman

**RESOLUTION NO. 604 -2006, APPROPRIATING FUNDS IN CONNECTION WITH INTERCHANGE IMPROVEMENTS FOR CR 111, PORT JEFFERSON-WESTHAMPTON ROAD, FROM THE LONG ISLAND EXPRESSWAY EXIT 70 TO CHAPMAN BLVD., TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5123)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with Interchange Improvements for CR 111, Port Jefferson-Westhampton Road, from the LIE Exit 70 to Chapman Blvd.; and

**WHEREAS**, there are sufficient funds within the 2006 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 2006 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

**1<sup>st</sup> 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) (18), (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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, 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

**3<sup>rd</sup> 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

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5123.110	50	Engineering for Interchange Improvements for CR 111, Port Jefferson-Westhampton Road, from the Long Island Expressway Exit 70 to Chapman Blvd.	\$200,000

DATED: June 13, 2006

APPROVED BY:

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

Date: June 29, 2006

-----  
**Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.**

Intro. Res. No. 1637A-2006

**BOND RESOLUTION NO. 605 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$350,000 BONDS TO FINANCE A PART OF THE COST OF THE PLANNING FOR THE RECONSTRUCTION OF CR 11, PULASKI ROAD, FROM WOODBURY ROAD TO DEPOT ROAD, TOWN OF HUNTINGTON (CP 5168.111)**

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 \$350,000 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 planning for the reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road, Town of Huntington, as authorized in the 2006 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 \$610,000. The plan of financing includes (a) the expenditure of \$10,000 monies transferred from the General Fund pursuant to Resolution No. 1401-1988, (b) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 265-1994, (c) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 775-2000, (d) the issuance of \$350,000 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 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.**

Intro. Res. No. 1637-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 606 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 11, PULASKI ROAD, FROM WOODBURY ROAD TO DEPOT ROAD, TOWN OF HUNTINGTON (CAPITAL PROGRAM NUMBER 5168)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road; and

**WHEREAS**, there are sufficient funds within the 2006 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 2006 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 \$350,000 in Suffolk County Serial Bonds; now therefore be it

**1<sup>st</sup> 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"), 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, 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

**3<sup>rd</sup> 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

**4<sup>th</sup> RESOLVED**, that the proceeds of \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5168.111	50	Reconstruction of CR 11, Pulaski Road	\$350,000

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

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

Intro. Res. No. 1638-2006 Laid on Table 5/16/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 607 -2006, AMENDING RESOLUTION NOS. 1306-1996 and 778-2000, FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF CR 67 MOTOR PARKWAY BRIDGE AT THE LONG ISLAND EXPRESSWAY EXIT 55, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5172)**

**WHEREAS**, Resolution No. 1306-1996 appropriated \$15,000 and apportioned the share allocation as 80% Federal funds and 20% County funds; and

**WHEREAS**, Resolution No. 778-2000 appropriated \$1,685,000 and apportioned the share allocation as 80% Federal funds and 20% County funds; and

**WHEREAS**, New York State has subsequently allocated a 15% share from State Marchiselli funding for the entire \$1,700,000 cost of this project; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the Federal and State portions based on actual expenditures; now therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5172.110 be amended to reflect the additional fifteen percent (15%) State Marchiselli aid dedicated in the amount of \$255,000; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5172.110 be amended to reflect a total cost of \$1,700,000, with a share allocation of 80% Federal

reimbursement in the amount of 1,360,000, 15% State Marchiselli aid reimbursement in the amount of \$255,000, and a 5% County share of \$85,000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$85,000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$85,000 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$255,000; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$1,360,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$1,615,000; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 18-0.**

Intro. Res. No. 1639-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 608 -2006, AMENDING RESOLUTION NO. 990-2004, FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5516.111)**

**WHEREAS**, Resolution No. 990-2004 appropriated \$1,000,000 and apportioned the share allocation as 80% Federal funds and 20% County funds; and

**WHEREAS**, New York State has subsequently allocated a 15% share from State Marchiselli funding for the entire \$1,000,000 cost of this project; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the Federal and State portions based on actual expenditures; now therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5516.111 be amended to reflect the additional fifteen percent (15%) State Marchiselli aid dedicated in the amount of \$150,000; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the cost of Capital Project 5516.111 be amended to reflect a total cost of \$1,000,000 with a share allocation of 80% Federal reimbursement in the amount of \$800,000, 15% State Marchiselli aid reimbursement in the amount of \$150,000, and a 5% County share of \$50,000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$50,000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$50,000 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$150,000; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$800,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$950,000; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

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

Date: June 16, 2006

-----

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

**RESOLUTION NO. 609 - 2006, AMENDING RESOLUTION NO. 1159-2003 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS (CAPITAL PROGRAM NUMBER 3301.343)**

**WHEREAS**, Resolution No. 1159-2003 designated \$730,000 in C.P. 3301.343 as the total project cost for CR 35, Park Avenue @ CR 11, Pulaski Road and apportioned the share allocation as 80% Federal funds and 20% County funds; and

**WHEREAS**, New York State has subsequently allocated a fifteen percent (15%) share from State Marchiselli funding; and

**WHEREAS**, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the Federal and State portions based on actual expenditures; now therefore be it

**1<sup>st</sup> RESOLVED**, that the apportionment of the total cost \$730,000 for CR 35, Park Avenue @ CR 11, Pulaski Road under Capital Project 3301.343 be amended to reflect an additional fifteen percent (15%) State Marchiselli aid dedicated in the amount of \$109,500; and be it further

**2<sup>nd</sup> RESOLVED**, that the apportionment of the total cost of CR 35, Park Avenue @ CR 11, Pulaski Road under Capital Project 3301.343 be amended to reflect a total cost of \$730,000 with eighty percent (80%) Federal reimbursement in the amount of \$584,000, fifteen percent (15%) State Marchiselli aid reimbursement in the amount of \$109,500, and a five (5%) County share of \$36,500; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$36,500; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any federal or state aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$36,500 for the County share; and be it further

**5<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$109,500; and be it further

**6<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$584,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$693,500; and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----

**Legislator D'Amaro made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1466-2006

Laid on Table 4/4/2006

Introduced by Legislators D'Amaro, Mystal, Stern and Montano

**RESOLUTION NO. 610 -2006, ADOPTING LOCAL LAW NO. 33 -2006, A CHARTER LAW TO AMEND AND STRENGTHEN REQUIREMENTS FOR FISCAL IMPACT AND REVENUE IMPACT STATEMENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on May 16, 2006 a proposed local law entitled, "**A CHARTER LAW TO AMEND AND STRENGTHEN REQUIREMENTS FOR FISCAL IMPACT AND REVENUE IMPACT STATEMENTS**"; now, therefore, be it

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

**LOCAL LAW NO. 33 -2006, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO AMEND AND STRENGTHEN REQUIREMENTS FOR FISCAL IMPACT AND REVENUE IMPACT STATEMENTS**

**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 fiscal impact statements and revenue impact statements must be prepared for all County legislation that has, or may have, a fiscal impact on Suffolk County or any of its political subdivisions.

This Legislature also finds that fiscal impact revenue impact statements are intended to give this Legislature, and the public at large, an opportunity to thoroughly consider the costs and associated economic effects of proposed legislation before legislative action is taken.

This Legislature further determines that the preparation of fiscal impact and revenue impact statements is sometimes delayed and, as a result, legislation does not always receive the most careful scrutiny prior to its being acted upon.

This Legislature also finds and determines that fiscal impact and revenue statements should be prepared in the early stages of the legislative process to ensure that Legislators and other interested parties have an opportunity to review fiscal information in a timely and careful manner and to request more information if these statements are incomplete or inadequate.

Therefore, the purpose of this law is to require the preparation of fiscal impact statements and revenue impact statements before resolutions, local or charter laws may be discharged from legislative committees.

## **Section 2. Amendments.**

Section C2-12 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

### **§ C2-12. Legislative consideration of proposed local laws and resolutions.**

\* \* \* \*

#### D. Fiscal Impact statement.

- 1) No proposed local law, resolution or charter law which has or which may tend to have a fiscal impact upon Suffolk County or any of its political subdivisions may be discharged from the legislative committee of the County Legislature to which is has been assigned, or be eligible for approval by the full Legislature [enacted by this Legislature] unless it shall have appended thereto a written statement as to the estimated annual fiscal impact of such legislation.

\* \* \* \*

#### E. Revenue impact statement.

- 1) No proposed local law, resolution or Charter law [or operating budget] which proposes to reduce or eliminate a county-generated revenue (imposed or established by Suffolk County, not a state, federal, town or village grant) may be discharged from the legislative committee of the County Legislature to which it has been assigned, or be eligible for approval by the full Legislature and no operating budget which proposes to reduce or eliminate a county-generated revenue (imposed or established by Suffolk County, not a state, federal, town or village grant) may be enacted into law by the County of Suffolk, unless it shall have appended thereto a written statement as to how the loss of revenue shall be accommodated by the County of Suffolk for a period of at least three (3) years from the standpoint of:
  - a) Adjustments in other revenues;
  - b) Reduction in appropriations;
  - c) Reductions or elimination of programs;

- d) Abolition of positions of employment;
- e) Consolidation of government functions; and/or
- f) Use of reserves or fund balances.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all local laws and resolutions offered for filing with the Clerk of the Suffolk County Legislature occurring on or after the effective date of this law.

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language

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

**DATED: June 13, 2006**

**BY:**

**Levy**

**Executive of Suffolk County**

**APPROVED**

**/s/ Steve**

**County**

**after a public**

hearing duly held on June 26, 2006

28, 2006

Date: June

Secretary of State on July 24, 2006

Filed with the

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

Intro. Res. No. 1512-2006  
Introduced by Legislator Browning

Laid on Table 5/16/2006

**RESOLUTION NO. 611 -2006, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO KATHLEEN LAROCCA (SCTM NO. 0200-979.10-06.00-047.000)**

**WHEREAS**, the County of Suffolk is the fee owner of 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 Mastic Beach, Town of Brookhaven, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0200, Section 979.10, Block 06.00 Lot 047.000, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274 at Page 112, and otherwise known as and by Town of Brookhaven, Mastic Beach 1004 5089 to 5093 Inc.

and

**WHEREAS**, Kathleen LaRocca was the former owner of said real property; and

**WHEREAS**, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

**WHEREAS**, an investigation by the Office of Legislator Browning has determined that said non-payment of taxes on the part Kathleen LaRocca was not an intentional act but was due to circumstances beyond her control, more fully described in the documents attached hereto; and

**WHEREAS**, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

**WHEREAS**, the above described parcel has been appraised by the County Department of Planning, Division of Real Estate, at \$110,000.00; and

**WHEREAS**, the Director of the Division of Real Estate, or his or her deputy, will receive and deposit the sum of \$3,352.29 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

**RESOLVED**, that the Director of the Division of Real Estate, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Kathleen LaRocca  
6 Juniper Road  
Mastic Beach, NY 11951

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Horsley made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 16-1-1-0. Legislator Barraga voted no. Legislator Alden abstained.**

Intro. Res. No. 1521-2006

Laid on Table 5/16/2006

Introduced by Legislators Horsley, Kennedy, Romaine, Browning and Cooper

**RESOLUTION NO. 612 –2006, DIRECTING THE SUFFOLK COUNTY ATTORNEY TO INTERVENE IN THE PUBLIC SERVICE COMMISSION PROCEEDINGS RELATING TO NATIONAL GRID’S ACQUISITION OF KEYSpan**

**WHEREAS**, the State of New York created the Long Island Power Authority (LIPA) to provide safe and adequate electric service at lower rates; and

**WHEREAS**, LIPA has been Long Island’s primary electric service provider since 1998; and

**WHEREAS**, LIPA has contracted with KeySpan Corp. to manage LIPA’s electric distribution system; and

**WHEREAS**, it was recently disclosed that a London based company, National Grid, is poised to purchase KeySpan for \$11.8 billion; and

**WHEREAS**, this prospective purchase creates a number of issues that are of serious concern to all Long Islanders; and

**WHEREAS**, LIPA's Chairman has stated that he is concerned that LIPA and its customers will receive only a tiny portion of the "synergy" savings projected from the proposed acquisition; and

**WHEREAS**, many energy experts believe that National Grid's acquisition of KeySpan should be conditioned on their agreement to repower Long Island's outdated power plants to ensure greater efficiency and protect our environment; and

**WHEREAS**, there is also concern that National Grid will reduce the local workforce and customer service will suffer as a result; and

**WHEREAS**, the New York State Public Service Commission (PSC) must review the National Grid acquisition of KeySpan; and

**WHEREAS**, Suffolk County government has traditionally taken an active role on behalf of Long Island's over-burdened ratepayers; and

**WHEREAS**, this Legislature believes that Suffolk County must take an active role in the PSC proceedings to ensure that the interests of Suffolk County's electric ratepayers are adequately protected;

**WHEREAS**, pursuant to §109 of New York Public Service Law, each municipal corporation is entitled to appear as a party in any PSC proceeding involving rates, service or other matters affecting the municipal corporation; now, therefore be it

**1st RESOLVED**, that pursuant to Article 16 of the SUFFOLK COUNTY CHARTER, the Suffolk County Attorney is hereby authorized, empowered and directed to intervene, on behalf of the County of Suffolk, in the PSC proceedings related to National Grid's acquisition of KeySpan, to advocate for rate relief, repowering of plants, and adequate customer service, consistent with the terms of this resolution; and be it further

**2nd RESOLVED**, that the Suffolk County Attorney is further authorized, to the extent permissible under the law, to work in a cooperative manner with the County of Nassau and any other municipality that is seeking to represent the interests of ratepayers before the PSC; and be it further

**3rd RESOLVED**, that should the County Attorney determine to employ special counsel to represent the interests of the County of Suffolk, any agreement to employ such special counsel shall require Legislative approval, in accordance with Article 16 of the SUFFOLK COUNTY CHARTER; 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: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator Montano made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Intro. Res. No. 1576-2006  
Introduced by Legislators Montano and Mystal

Laid on Table 5/16/2006

**RESOLUTION NO. 613 -2006, APPOINTING MEMBER TO THE JUDICIAL FACILITIES AGENCY (JOHN J. COLLADO)**

**WHEREAS**, §2350-c(1) of the NEW YORK PUBLIC AUTHORITIES LAW, as amended by the New York State Legislature in 2005, established a Suffolk County Judicial Facilities Agency whose governing body consists of six (6) members, all of whom shall be residents of Suffolk County, to be appointed as follows:

- 1.) one member to be appointed by the Presiding Officer of the County Legislature, without confirmation by the County Legislature;
- 2.) one member to be appointed by the Minority Leader of the County Legislature, without confirmation by the County Legislature;
- 3.) two members to be appointed by the County Legislature, but not subject to review or veto by the County Executive; and
- 4.) two members to be appointed by the County Executive, but not subject to confirmation by the County Legislature; and

**WHEREAS**, the amended State law provides that each member of the Judicial Facilities Agency so appointed shall serve a three year term but the members first appointed by the County Legislature shall be appointed for an initial term of four years; now, therefore be it

**1st RESOLVED**, that **John J. Collado**, residing in Brentwood, New York, is hereby appointed as a member of the Suffolk County Judicial Facilities Agency for a term of office to expire February 17, 2010; 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: June 13, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND §2350-c(1) OF THE NEW YORK PUBLIC AUTHORITIES LAW

-----  
**Legislator Browning made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.**

Intro. Res. No. 1584-2006  
Introduced by Legislator Browning

Laid on Table 5/16/2006

**RESOLUTION NO. 614 –2006, APPOINTING MEMBER TO  
THE JUDICIAL FACILITIES AGENCY (MASON BRYANT)**

**WHEREAS**, §2350-c(1) of the NEW YORK PUBLIC AUTHORITIES LAW, as amended by the New York State Legislature in 2005, established a Suffolk County Judicial Facilities Agency whose governing body consists of six (6) members, all of whom shall be residents of Suffolk County, to be appointed as follows:

- 5.) one member to be appointed by the Presiding Officer of the County Legislature, without confirmation by the County Legislature;
- 6.) one member to be appointed by the Minority Leader of the County Legislature, without confirmation by the County Legislature;
- 7.) two members to be appointed by the County Legislature, but not subject to review or veto by the County Executive; and
- 8.) two members to be appointed by the County Executive, but not subject to confirmation by the County Legislature; and

**WHEREAS**, the amended State law provides that each member of the Judicial Facilities Agency so appointed shall serve a three year term but the members first appointed by the County Legislature shall be appointed for an initial term of four years; now, therefore, be it

**1st** **RESOLVED**, that **Mason Bryant**, residing in Coram, New York, is hereby appointed as a member of the Suffolk County Judicial Facilities Agency for a term of office to expire February 17, 2010; 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: June 13, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND §2350-c(1) OF THE NEW YORK PUBLIC AUTHORITIES LAW

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

Intro. Res. No. 1600-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 615 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (TOWN OF ISLIP) (SCTM NO. 0500-120.00-03.00-062.000)**

**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; and

**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, for the reconstruction of Carleton Avenue, County Road 17, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 120.00, Block 03.00 Lot 062.000 and acquired by condemnation CR17 – Index 96-3965, Title Vested May 3, 1996, Declaration of surplus property by Department of Public Works on April 4, 1997 and described as follows:

BEGINNING at a point on the westerly boundary of the existing Carleton Avenue at the intersection of the said boundary with the northerly boundary of Brightside Avenue, said point being 49.50 feet distant westerly, measured at right angles from station 214 + 08± of the hereinafter described survey center line, for the construction of Carleton Avenue, County Road 17; thence, westerly along the last mentioned boundary, the following two (2) courses and distances:

- 1) 25+ feet to a point 63.66 feet distant westerly, measured at right angles, from station 213 + 87± of said centerline: and
- 2) 60± feet to a point 123± feet distant westerly, measured at right angles, from station 213 + 78± of said centerline: said point being the division line between the lands of the County of Suffolk, reputed owner on the east and Blanch M.

Tambrino, reputed owner on the west: thence along said division line 151± feet to a point 144± feet distant westerly, measured at right angles, from station 215 + 27±, said point being on the division line between the lands of County of Suffolk, reputed owner on the south and the lands of the Town of Islip, reputed owner on the north; thence, along said division line 91± feet to a point on the westerly boundary of said existing Carleton Avenue, the last mentioned point being 53.81 feet distant westerly measured at right angles, from station 215 + 41± of said centerline; thence, southerly along the last mentioned westerly boundary, 133± feet to the point or place of beginning, being 12,392± S.F. or 0.285 acres more or less; and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Islip has requested that the County of Suffolk convey this parcel to it (see annexed resolution - Exhibit "A"); and

**WHEREAS**, the Suffolk County Department of Planning has approved the proposed transfer and use of this parcel; and

**1<sup>st</sup>** **RESOLVED**, that Patricia B. Zielenski, Director of the Division of Real Estate or her Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the above described terms and conditions to said Town of Islip for the sum of \$11,870.36 plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Town of Islip will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Islip, at any time, uses or attempts to use said subject parcel for other than parking 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 parking purposes; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said quitclaim deed issued by Patricia B. Zielenski, Director of the Division of Real Estate pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

**4<sup>th</sup>** **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that 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).

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006  
-----

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

Intro. Res. No. 1602-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 616 -2006, AUTHORIZING THE SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (TOWN OF ISLIP) (SCTM NO. 0500-199.00-01.00-013.001)**

**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; and

**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 199.00, Block 01.00 Lot 013.001 and acquired by Quitclaim Deed on April 24, 1970 from Chester F. Jacobs the County Treasurer of Suffolk County, New York, in Liber 6734 at Page 5 and described as follows, Town of Islip, N x LIRR, E x N/F Bayfair S/4, S x Sonja Road, W x Taylor Avenue; and

**WHEREAS**, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

**WHEREAS**, the Town of Islip has requested that the County of Suffolk convey this parcel to it (see annexed resolution - Exhibit "A"); and

**WHEREAS**, the Suffolk County Department of Environment and Energy has approved the proposed transfer and use of this parcel; and

**1<sup>st</sup> RESOLVED**, that Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management or her Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the above described terms and conditions to said Town of Islip for the sum of \$1.00 (to be waived) plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Town of Islip will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for buffer and natural drainage purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Islip, at any time, uses or attempts to use said subject parcel for other than buffer and natural drainage 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 buffer and natural drainage purposes; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said quitclaim deed issued by Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

**4<sup>th</sup>** **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that 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).

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

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

Intro. Res. No. 1641-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 617 -2006, AUTHORIZING THE  
EXTENSION OF A LEASE FOR PREMISES LOCATED AT**

**116 HAMPTON ROAD, SOUTHAMPTON, NEW YORK FOR  
USE BY THE DISTRICT ATTORNEY'S OFFICE – EAST END  
BUREAU**

**WHEREAS**, the District Attorney's Office has occupied approximately 1,332 square feet of office space in the building located at 116 Hampton Road, Southampton, New York for use by the East End Bureau of the District Attorney's Office for the past ten years; and

**WHEREAS**, in consideration of the County's use of the Town premises the Town leased office space from the County, located at Francis S. Gabreski Airport, Westhampton Beach, New York, for its Fire Marshall's Offices ; and

**WHEREAS**, the Town no longer needs to rent this space at Francis S. Gabreski Airport because the Fire Marshall has relocated; and

**WHEREAS**, the District Attorney's Office desires to continue to rent office space at 116 Hampton Road (Town Hall); and

**WHEREAS**, the Space Management Steering Committee recommended the approval of this lease agreement on January 26, 2006; and

**WHEREAS**, sufficient funds have been provided in the 2006 Operating Budget for lease payments for the subject premises; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that 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 Sections 617.5(1), (20) and (27) of the New York Code of Rules and Regulations (NYCRR) and Section 8-0109 of the New York Environmental Conservation Law in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA; Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a Lease Agreement in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: June 13, 2006

BY:

Executive of Suffolk County

2006

APPROVED

/s/ Steve Levy  
County

Date: June 28,

-----  
**Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Intro. Res. No. 1650-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 5/16/2006

**RESOLUTION NO. 618 –2006, TO ACCEPT THE SURRENDER OF CROSS BAY FERRY LICENSE BY BAY SHORE FERRY, INC.**

**WHEREAS**, Resolution No. 343-2003 approved a cross bay ferry license for the Bay Shore Ferry, Inc. to operate a ferry service over the waters of the Great South Bay; and

**WHEREAS**, Resolution No. 344-2003 authorized a rate schedule for Bay Shore Ferry, Inc.; and

**WHEREAS**, Resolution No. 643-2004 authorized an amended cross bay ferry license for Bay Shore Ferry, Inc.; and

**WHEREAS**, the Suffolk County Legislature has received a notarized letter, dated May 8, 2006 advising that the Bay Shore Ferry, Inc. wishes to surrender said license; now, therefore be it

**1st RESOLVED**, that, pursuant to Chapter 287 of the SUFFOLK COUNTY CODE, the Suffolk County Legislature hereby accepts the surrender of license from Bay Shore Ferry, Inc., dated May 8, 2006, to operate a ferry service in Suffolk County; 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: June 13, 2006**

**BY:**

**Levy**

**Executive of Suffolk County**

**28, 2006**

**APPROVED**

**/s/ Steve**

**County**

**Date: June**

-----  
**Legislator Romaine made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 18-0.**

Intro. Res. No. 1802 -2006  
Introduced by Presiding Officer on request of the County Executive and Legislators Romaine and Nowick

Laid on Table 6/13/2006

**RESOLUTION NO. 619 -2006, ADOPTING LOCAL LAW  
NO. 34 -2006, A LOCAL LAW TO FACILITATE  
IMPLEMENTATION OF RECIPROCAL MUNICIPAL LIVERY  
BUSINESS REGISTRATION**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on June 13, 2006, a proposed local law entitled, **“A LOCAL LAW TO FACILITATE IMPLEMENTATION OF RECIPROCAL MUNICIPAL LIVERY BUSINESS REGISTRATION,”** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

**LOCAL LAW NO. 34 -2006, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO FACILITATE IMPLEMENTATION OF  
RECIPROCAL MUNICIPAL LIVERY BUSINESS REGISTRATION**

**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 several revisions need to be made to Resolution Number 1417-2005, “A Local Law to Register Livery Businesses in Suffolk County,” adopted December 20, 2005, to facilitate reciprocity with neighboring municipalities in connection with the fees imposed for registering and licensing livery businesses.

This Legislature hereby finds and determines that Suffolk County livery operators will be placed at a significant disadvantage with their counterparts in Nassau County and neighboring municipalities unless the County is able to secure a workable reciprocity regulation law with Nassau County and the neighboring municipalities.

Therefore, the purpose of this law is to establish requirements that would enable Suffolk County to provide reciprocal fee and registration standards with other municipalities.

**Section 2. Amendments.**

I.) Section 2 of Resolution Number 1417-2005 is hereby amended to read as follows:

**Section 2. Definitions.**

BASE STATION - The location from which a livery vehicle is dispatched.

CONVICTION – A finding of guilty after a trial or a plea of guilty to an offense.

\* \* \* \* \*

OPERATE – To pick up and drop off passengers.

PERMIT TO OPERATE – To own or lease the base station from which a livery vehicle is dispatched.

PERSON – an individual, a partnership, an unincorporated association, a corporation or any other legal entity.

II.) Section 5 of Resolution Number 1417-2005 is hereby amended to read as follows:

**Section 5. Required Records.**

\* \* \* \* \*

B.) A registrant shall provide copies of [the] valid New York State driver licenses to operate livery vehicles for [of] each driver of a livery vehicle employed by the registrant.

C.) An applicant for a certificate of livery business registration shall file a sworn affidavit with the Office of Consumer Affairs, Licensing Bureau, certifying that such applicant obtained, at his/her/its own expense, certified documentation of fingerprinting and a recent criminal history record check for each of the applicant's livery drivers demonstrating that each driver: 1) does not possess a record of conviction of any crime under any state, local or federal law for a period of ten (10) years prior to the date of the affidavit; 2) does not possess a record of conviction of a felony offense under any state, local or federal law; and 3) does not possess a record of conviction of a misdemeanor offense contained in any of the following provisions of the New York State Penal Law:

- a) Assault and related offenses as set forth in Article 120;
- b) Sex offenses as set forth in Article 130;
- c) Kidnapping, coercion and related offenses as set forth in Article 135;
- d) Burglary and related offenses as set forth in Article 140;
- e) Theft as set forth in Articles 155 (Larceny) and 158 (Welfare Fraud) and sections 165.00, 165.05, 165.09, 165.17, and 165.40 of Article 165 (Other Offenses Relating to Theft);

- f) Forgery and related offenses as set forth in sections 170.05, 170.20, 170.45, and 170.47;
- g) False written statements as set forth in Article 175;
- h) Insurance fraud as set forth in section 176.10;
- i) Offenses against the public administration as set forth in Articles 195 and sections 200.30 and 200.35 of Article 200;
- j) Perjury and related offenses as set forth in Article 210;
- k) Offenses against public health and morals as set forth in Articles 220 (Controlled Substances) and 221 (Offenses Involving Marijuana);
- l) Gambling as set forth in Article 225;
- m) Prostitution offenses as set forth in sections 230.20 and 230.40;
- n) Offenses against public order as set forth in Article 240.00;
- o) Offenses against public sensibilities as set forth in section 245.00 and 245.11;
- p) Offenses relating to children, disabled persons and vulnerable elderly persons as set forth in Article 260;
- q) Firearms and other dangerous weapons as set forth in Article 265;
- r) Licensing and other provisions relating to firearms as set forth in section 400.00; and
- s) Hate crimes as set forth in Title Y.

Subsequent to issuance of a certificate of livery business registration by the County of Suffolk, applicant shall file with the Office of Consumer Affairs, Licensing Bureau, additional sworn affidavits certifying the aforementioned information within ten (10) days after each new livery driver is employed by such applicant. The applicant's failure to timely provide such additional affidavit or affidavits may result in suspension, revocation, or non-renewal of the applicant's livery business registration, in addition to such penalties authorized by § 345-9 and § 345-12 of the Suffolk County Code.

- [C.] D. The records required pursuant to this section shall be provided to the Office of Consumer Affairs each time a registrant applies for a renewed certificate of registration.

III.) A new Section 6 of Resolution Number 1417-2005 is hereby added to read as follows:

**Section 6. Reciprocity.**

- A.) A person who possesses a livery vehicle/business license or registration issued by a jurisdiction outside the County of Suffolk that reciprocates with the County of Suffolk in permitting livery businesses registered by Suffolk County to operate within such jurisdiction either without the necessity of obtaining a license or registration from such jurisdiction or upon payment of a five-dollar (\$5.00) per vehicle registration fee or such vehicle registration fee charged to a Suffolk County livery business, whichever is greater, shall, (i) upon proof of such license or registration; and (ii) payment of a five-dollar (\$5.00) per vehicle registration fee or such vehicle registration fee charged by the reciprocating municipality for a Suffolk County livery business, whichever is greater, be exempt from all

but five dollars (\$5.00) or such vehicle registration fee charged to a Suffolk County livery business, as applicable, of the County of Suffolk's registration fees.

B.) A person who possesses a livery business registration issued by Suffolk County that seeks to register with Nassau County, a municipality that reciprocates with Suffolk County in permitting livery vehicles registered by Suffolk County to operate within such reciprocating jurisdiction upon payment of no more than a five-dollar (\$5.00) per vehicle registration fee, shall be required to present to Nassau County with such application:

A copy of a certificate of livery business registration by the County of Suffolk and such other information and documentation that may be required or requested by the Director or Commissioner of the pertinent reciprocating municipality.

C.) With respect to all municipalities other than Nassau County that provide reciprocity to Suffolk County in connection with the licensing and registration of livery vehicles and businesses, a person who possesses a livery business registration issued by Suffolk County, that seeks to register with such other reciprocating municipality, shall be required to present to the reciprocating municipality whatever fee and/or documentation is required by such municipality.

IV.) Sections 6, 7, 8, 9 and 10 of Resolution Number 1417-2005 are hereby renumbered as follows:

\* \* \* \* \*

**Section [6] 7. Penalties.**

\* \* \* \* \*

**Section [7] 8. Applicability.**

\* \* \* \* \*

**Section [8] 9. Severability.**

\* \* \* \* \*

**Section [9] 10. SEQRA Determination.**

\* \* \* \* \*

**Section [10] 11. Effective Date.**

\* \* \* \* \*

**Section 3. Applicability.**

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

**Section 4. Severability.**

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

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

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

[ ] Brackets denote deletion of existing language.  
\_\_\_ Underlining denotes addition of new language.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County  
after a public hearing date held on June 26, 2006

Date: June 28, 2006

Filed with the Secretary of State on July 24, 2006

-----

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

Intro. Res. No. 1682-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 6/13/2006

**RESOLUTION NO. 620 -2006, AUTHORIZING USE OF LONG ISLAND MARITIME MUSEUM PROPERTY BY FRIENDS OF BRADSTOCK FOR A MUSIC AND ARTS FESTIVAL FUNDRAISER**

**WHEREAS**, the Friends of Bradstock is a not-for-profit organization; and

**WHEREAS**, the Friends of Bradstock would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their annual Music and Arts Festival Fundraiser, the proceeds of which go to local not-for-profits organizations throughout the County of Suffolk based on need and amount of funds raised; and

**WHEREAS**, the festival will be held on the grounds of the Long Island Maritime Museum on Sunday, September 3, 2006 between the hours of 10:00 a.m. to 10:00 p.m.; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of Five Hundred and 00/100 Dollars (\$500.00), payment of which shall be guaranteed by Friends of Bradstock; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Friends of Bradstock; and

**WHEREAS**, the use of County property for such a fundraiser to support local not-for-profit organizations promotes the general welfare of the residents of Suffolk County; now, therefore be it

**1st RESOLVED**, that the use of County-owned property, i.e. the Long Island Maritime Museum in the County Park in West Sayville, in consideration of the payment of Five Hundred and 00/100 Dollars (\$500.00), for the purpose of hosting a Music and Arts Festival Fundraiser on September 3, 2006 between the hours of 10:00 a.m. and 10:00 p.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the entity Friends of Bradstock, 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 before this event shall be permitted to occur, the Friends of Bradstock must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3rd 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 the support of local not-for-profit organizations throughout the County of Suffolk by the Friends of Bradstock at the Long Island Maritime Museum in the County Park in West Sayville; and be it further

**4th RESOLVED**, that the Friends of Bradstock 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

**5th RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: June 13, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: June 20, 2006

-----  
**Legislator D'Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 18-0.**

Mem. Res. No. 29-2006 LOT 5/16/2006  
Introduced by Legislator D'Amaro, Stern, Cooper, Mystal, Horsley, Browning, Romaine, Eddington, Vilorio-Fisher, Caracappa, Losquadro, Schneiderman, Alden

**MEMORIALIZING RESOLUTION IN SUPPORT OF  
ESTABLISHING A PROCEDURE FOR THE CIVIL  
COMMITMENT OF SEXUALLY VIOLENT PREDATORS**

**WHEREAS**, studies have consistently demonstrated a high rate of recidivism among convicted sex offenders; and

**WHEREAS**, studies also show that sex offenders often victimize children; according to the United States Department of Justice, a 1991 survey of incarcerated sex

offenders found that approximately two-thirds of sex offenders committed crimes against children; and

**WHEREAS**, this Legislature believes that sexually violent predators pose a continuing danger to the public, and particularly children, after they are released from incarceration, and the citizens of Suffolk County require protection from this danger; and

**WHEREAS**, many states across the nation have enacted statutes that allow for the civil commitment of sexually violent predators to secure treatment facilities, but New York does presently have such a law; and

**WHEREAS**, legislation has been introduced in the New York State Senate that would establish procedures for the civil commitment and continued treatment of sexually violent predators, before they are released from confinement; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Senate Bill S.6325, which would protect the public from sexually violent predators who are likely to engage in repeated acts of sexual violence by providing for the civil commitment of these offenders at secure treatment facilities where they would receive care and treatment; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s:\memres\mr-civil commitment

-----  
**Legislator Romaine made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.**

Mem. Res. No. 30 -2006  
Introduced by Legislator Romaine, Viloría-Fisher

LOT 5/16/06

**MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE CLIMATE STEWARDSHIP AND INNOVATION ACT OF 2005**

**WHEREAS**, global warming is one of the most pressing environmental problems of our times; and

**WHEREAS**, carbon dioxide and other greenhouse gases released by fossil fuel consumption, deforestation, and other human activity can trap heat in our atmosphere for 100 years or longer with devastating environmental consequences; and

**WHEREAS**, the current United States policy on global warming has been one of indifference, out of step with world opinion, at a time when global warming pollution is continuing to increase; and

**WHEREAS**, this Legislature believes that our national government must take action now to address this critical issue; and

**WHEREAS**, the Climate Stewardship and Innovation Act of 2005 has been introduced in the United States Congress to establish a program for market-driven reduction of greenhouse gases through the use of tradeable allowances, to provide for various climate change innovation initiatives and to create a loan guarantee and technology challenge program to encourage technological innovation for reducing greenhouse gases; now, therefore, be it

**RESOLVED**, that this Legislature hereby requests the U.S. Congress to enact the Climate Stewardship and Innovation Act of 2005 (S.1151); and be it further

**RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

**DATED: June 13, 2006**

s:\memres\mr-us-climate-stewardship

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 18-0.**

Mem. Res. No 32 -2006

LOT 5/16/06

Introduced by Legislator Stern, Kennedy, Lindsay, Browning, Cooper, Vilorio-Fisher, Romaine, Schneiderman, Losquadro, Eddington, Montano, Alden, Nowick, Horsley, Mystal, D'Amaro

**MEMORIALIZING RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO PASS THE MENTAL HEALTH PARITY BILL KNOWN AS "TIMOTHY'S LAW"**

**WHEREAS**, the New York State Assembly recently passed Assembly Bill A02912A which would ensure that mental health and chemical dependency coverage is provided by insurers on terms comparable to health care and medical services; and

**WHEREAS**, such legislation is necessary to recognize the serious health issues experienced by those who suffer from mental illness and chemical dependency; and

**WHEREAS**, it is in the best interest of all New Yorkers that the stigma associated with mental illness be reduced and that mental illness be treated, for health insurance purposes, equally with physical illness; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports Assembly Bill No. A02912A and urges the passage of the companion bill in the New York State Senate S06735, which will provide New York residents with health insurance coverage for mental illnesses and chemical dependency equal to the coverage provided for physical ailments; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s:\memres\mr-timothy's-law

-----

**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 18-0.**

Mem. Res. No. 33-2006

LOT 5/16/2006

Introduced by Legislator Browning, Romaine, Schneiderman, Kennedy, D'Amaro, Montano, Horsley, Caracappa, Losquadro, Eddington, Alden, Nowick, Mystal, Stern, Cooper, Vilorio-Fisher, Lindsay

**MEMORIALIZING RESOLUTION REQUESTING STATE OF NEW YORK TO SHARE COUNTY JAIL CONSTRUCTION COSTS**

**WHEREAS**, in the last decade, 36 of the State's 62 counties have constructed, expanded, or renovated their correctional facilities; and

**WHEREAS**, this construction is most often undertaken to meet the requirements of the New York State Commission of Corrections; and

**WHEREAS**, counties typically issue bonds to finance the cost of these large projects, and this leads to property tax increases; and

**WHEREAS**, Suffolk County's situation typifies this problem: responding to State requirements, Suffolk County will expend hundreds of millions of dollars on new jail construction in the next few years, which may lead to property tax increases; and

**WHEREAS**, it is reasonable to expect the State of New York to share in the cost of jail construction which is essentially State mandated; and

**WHEREAS**, legislation has been introduced in the New York State Legislature which would require the State to share in these County jail construction costs; now, therefore, be it

**1st RESOLVED**, that this Legislature supports New York State Assembly Bill A10546, which would require the State of New York to pay 40% of the costs of design, construction, reconstruction, rehabilitation, improvement or renovations of county jails in the State; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s:\memres\mr-share jail costs

-----  
**Legislator Mystal made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 18-0.**

Mem. Res. No. 34-2006

LOT 5/16/2006

Introduced by Legislator Mystal, Browning, Romaine, Lindsay, Eddington, Schneiderman, Stern, Horsley, D'Amaro

**MEMORIALIZING RESOLUTION REQUESTING STATE OF  
NEW YORK TO AMEND THE DOMESTIC RELATIONS LAW  
IN CONNECTION WITH DETERMINATIONS OF CHILD  
CUSTODY IN MATRIMONIAL ACTIONS**

**WHEREAS**, military personnel serving overseas are faced with the reality of life and death on a daily basis to protect the freedom of all our citizens; and

**WHEREAS**, these military personnel are deployed for several months to several years at a time to hostile territories around the globe and to other locations around the nation, leaving their loved ones behind to perform day- to-day family functions; and

**WHEREAS**, often times, when military personnel are deployed for long periods of time, the family unit disintegrates to a point of separation, divorce, or annulment; and

**WHEREAS**, military personnel should not lose custody of their children because they have been deployed away from their family; and

**WHEREAS**, legislation has been introduced in the New York State Assembly to prevent courts from using deployment and military status as a detrimental factor in determining

child custody, a necessary safeguard for military or militia personnel that put their lives on the line to protect our freedoms; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill No. A10436 to protect the rights of military personnel in child custody issues by preventing courts from using deployment and military status as a detrimental factor in determining child custody when a suitable child care plan is presented for the period of such deployment; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s:\memres\mr-deployment-child-care

-----

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

Mem. Res. No. 35-2006

LOT 5/16/2006

Introduced by Legislator Stern, Romaine, Browning, Vilorio-Fisher, Mystal, Lindsay, Schneiderman, Caracappa, Losquadro, Eddington, Montano, Alden, Kennedy, Nowick, Horsley, D'Amaro, Cooper

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE  
COMBATING AUTISM ACT OF 2005**

**WHEREAS**, for many years autism was estimated to occur in 4.5 out of 10,000 births, but more recently the prevalence of autism has been estimated as high as one-quarter of one percent to one-half of one percent of the population; and

**WHEREAS**, there are a number of suspected causes of autism, including genetic influences, environmental factors and exposures to viruses and vaccinations, but there is no known unique cause of autism; and

**WHEREAS**, heightened public awareness of autism has focused attention on the need for more research into the causes and possible treatment of autism; and

**WHEREAS**, legislation has been introduced in the United States Senate that is designed to expand, intensify and coordinate research on autism disorders; now, therefore, be it

**RESOLVED**, that this Legislature hereby supports United States Senate Bill S.843 which directs the Director of the National Institutes of Health to develop and oversee implementation of a comprehensive, long-range plan for the conduct and support of research on autism disorders, and to submit to Congress a scientifically justified estimate for research on autism disorders; and be it further

**RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

**DATED: June 13, 2006**

S:\memres\mr-us-autism

-----  
**Legislator Romaine made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 18-0.**

Mem. Res. No. 36-2006

LOT 5/16/2006

Introduced by Legislator Romaine, Horsley, Browning, Alden, Schneiderman, D'Amaro, Nowick, Stern, Mystal, Kennedy, Caracappa

**MEMORIALIZING RESOLUTION IN SUPPORT OF  
REQUIRING LIPA TO PROVIDE NOTICE TO THE PUBLIC  
SERVICE COMMISSION PRIOR TO IMPLEMENTATION OF  
RATE INCREASES**

**WHEREAS**, LIPA's rates have been raised seven times since 2001, increasing more than 34% without ever going before the Public Service Commission as required in the agreement authorizing LIPA to issue debt; and

**WHEREAS**, LIPA has also included costs within its fuel surcharge that are not part of the industry standard; and

**WHEREAS**, under similar circumstances, the Public Service Commission would not allow other public utilities to include such costs in a fuel surcharge; and

**WHEREAS**, LIPA's customers should not continue to suffer from a lack of strong oversight by the Public Service Commission; and

**WHEREAS**, Long Island ratepayers will benefit from a thorough and comprehensive review of LIPA rate requests by the Public Service Commission; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports Senate Bill No. S.6827 and Assembly Bill No. A.10073 which would mandate that LIPA rates not be increased an average of two and one-half percent over a twelve month period without the approval of the Public Service Commission; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver;

to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s:\memres\mr-LIPA-review

-----  
**Legislator Horsley made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.**

Mem. Res. No. 37 -2006  
Introduced by Legislator Horsley

LOT 5/16/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE  
COMMUNITY BROADBAND ACT OF 2005**

**WHEREAS**, the development of broadband access can enhance public safety, increase educational opportunities, and spur economic development; and

**WHEREAS**, a recent study showed that the United States has dropped to twelfth place worldwide in the percentage of its citizens with broadband connection; and

**WHEREAS**, local governments across the country are seeking to play a role in making broadband access universal and affordable; and

**WHEREAS**, Suffolk County is now exploring the feasibility of developing a public or private partnership to achieve wireless access throughout Suffolk County; and

**WHEREAS**, fourteen states have reacted to this trend by passing legislation to prohibit or restrict the ability of local municipalities to offer high-speed Internet to their citizens; and

**WHEREAS**, enacting barriers to broadband development and access does not serve the public interest; now, therefore, be it

**RESOLVED**, that this Legislature hereby supports United States Senate bill S.1294, which will prevent states from prohibiting municipalities from offering high speed Internet services and thereby preserve and protect the ability of local governments to provide broadband capability and services; and be it further

**RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

**DATED: June 13, 2006**

**s:\memres\mr-uscommunity-broadband-act-2005**

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

Mem. Res. No. 38 -2006  
Introduced by Legislator Romaine

LOT 5/16/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF  
ESTABLISHING THE LONG ISLAND SOUND  
STEWARDSHIP INITIATIVE**

**WHEREAS**, the Long Island Sound is a national treasure of great cultural, environmental, and ecological importance; and

**WHEREAS**, approximately 28,000,000 people live within 50 miles of Long Island Sound, which is about 10% of the population of the United States; and

**WHEREAS**, activities that depend on the environmental health of Long Island Sound contribute more than \$5,000,000,000 each year to the regional economy; and

**WHEREAS**, that portion of the shoreline of Long Island Sound that is accessible to the general public (estimated at less than 20% of the total shoreline) is not adequate to serve the needs of the area; and

**WHEREAS**, existing shoreline facilities are overburdened and underfunded and large parcels of open space that are publicly owned are strained by the effort to balance the demand for recreation with the needs of sensitive natural resources; and

**WHEREAS**, approximately 1/3 of the tidal marshes of the Long Island Sound are filled and many of the remaining marshes have been dyked, ditched or impounded; and

**WHEREAS**, much of the remaining Long Island Sound natural landscape is vulnerable to further development and requires protection; and

**WHEREAS**, action is required at all levels of government to protect the ecology of the Long Island Sound; and

**WHEREAS**, legislation has been introduced in the United States Congress that would establish the Long Island Sound Stewardship Initiative for the purpose of identifying, protecting and enhancing sites within the Long Island Sound ecosystem, with significant ecological, educational, open space, public access or recreational value; now, therefore, be it

**RESOLVED**, that this Legislature hereby supports H.R. 5160, to establish the Long Island Sound Stewardship Initiative to identify and protect important sites in the Long Island Sound ecosystem; and be it further

**RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

**DATED: June 13, 2006**

s:\memres\mr-us-li-sound-stewardship-initiative

-----  
**Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 18-0.**

Home Rule Message No. 3 -2006

LOT 5/16/06

Introduced by Legislator Romaine, Losquadro, Vilorio-Fisher, Alden, Schneiderman, Browning

**HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE AMEND THE TAX LAW AUTHORIZING THE COUNTY OF SUFFOLK TO BE EXEMPT FROM CERTAIN TAXES RELATED TO THE PURCHASE OF ANY HYBRID, FUEL EFFICIENT, ALTERNATIVE FUEL, "CLEAN FUEL", OR ELECTRIC MOTOR VEHICLE (ASSEMBLY BILL A.10407)**

**WHEREAS**, cars and light trucks in the United States consume 8.2 million barrels of oil each day which translates into 300 million metric tons of carbon emitted into the atmosphere; and

**WHEREAS**, carbon dioxide emissions due to transportation are the largest portion of all carbon dioxide emissions, more than from factories, homes and all other sources; and

**WHEREAS**, fuel efficient vehicles, such as hybrid, alternative fuel, "clean fuel" or electric motor vehicles consume less gasoline and produce less carbon dioxide emissions per mile than vehicles powered by conventional gasoline engines; and

**WHEREAS**, these fuel efficient vehicles currently on the consumer market cost approximately two-thousand five hundred (\$2,500) dollars to seven-thousand (\$7,000) dollars more than comparable vehicles equipped with conventional gasoline engines; and

**WHEREAS**, there is currently legislation pending before the New York State Assembly to permit Suffolk County to be exempt from sales and compensating use taxes on hybrid, alternative fuel, "clean fuel" or electric motor vehicles; and

**WHEREAS**, consumers should be given an additional financial incentive to purchase hybrid vehicles to promote their use, thereby lessening the impact of harmful carbon dioxide emissions on the environment; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Assembly Bill No. A.10407 which would authorize the County of Suffolk to elect to exempt hybrid, fuel efficient, alternative fuel, "clean fuel", or electric motor vehicles from sales and compensating use taxes; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

S:\memres\hr-hybrid-tax-exemption

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

Home Rule Message No.8-2006

LOT 6/13/2006

Introduced by Presiding Officer Lindsay, Romaine, Vilorio-Fisher, Nowick

**HOME RULE MESSAGE REQUESTING THE STATE OF  
NEW YORK TO AUTHORIZE THE COUNTY OF SUFFOLK  
TO ENFORCE STATE LAW REGULATING PET DEALERS  
(S.7658)**

**WHEREAS**, the State of New York enacted state legislation regulating pet dealers and mandating an annual inspection of pet stores beginning in 2002; and

**WHEREAS**, the State does not have sufficient manpower to enforce the law and carry out inspections; and

**WHEREAS**, in order to assist the State of New York and to protect animals from abuse and neglect, Suffolk County is willing to act to have the state law enforced at the local level; now, therefore be it

**1st RESOLVED**, that this Legislature hereby requests the State of New York to enact Senate Bill S.7658, which would authorize the County of Suffolk to enforce the provisions

of Article 26-A of the New York Agriculture and Markets Law, relating to the care of animals by pet dealers, and empower the County of Suffolk to contract with the Suffolk County Society for the Prevention of Cruelty to Animals to conduct inspections of pet dealers and to respond to complaints concerning pet dealers in the County of Suffolk; and be it further

**2nd** **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 13, 2006

s\memres\HR-Pet Dealers Senate

-----  
**Legislator Eddington made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 18-0.**

Introduced by Presiding Officer Lindsay  
5/16/06

Laid on Table

**PROCEDURAL RESOLUTION NO. 5 –2006, TO SET A PUBLIC HEARING REGARDING THE EXTENSION OF PASSENGER FERRY LICENSE FOR DAVIS PARK FERRY COMPANY**

**WHEREAS**, Davis Park Ferry Co., Inc., has applied to the Suffolk County Legislature by petition dated March 22, 2006, pursuant to Article 8 of the NAVIGATION LAW and Section 71 of the TRANSPORTATION CORPORATIONS LAW of the State of New York and Local Law No. 7 of 1982 of Suffolk County for the extension of its existing passenger ferry license and franchise for service between Patchogue, New York and the Fire Island communities of Davis Park and Watch Hill, all within the County of Suffolk, at existing rates heretofore approved by the Suffolk County Legislature; now, therefore be it

**RESOLVED**, that

Consideration of the application of Davis Park Ferry Co., Inc., for the purposes of publication of the notice required by the Suffolk County Legislature, of the Public Hearing on this application, shall be held at the regular meeting of the Suffolk County Legislature on the 27th day of June, 2006, at the time set aside for Public Hearings at Riverhead, New York; and be it further

**RESOLVED**, that pending the consideration of the application and the public hearing, the application be and it hereby is referred to the Public Works and Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED: Adopted 6/13/06

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

s:\procedural resolutions\motion-davis-park-ferry