

EIGHTH DAY
REGULAR MEETING

June 27, 2006

Minutes of the Regular Meeting of the County Legislature of Suffolk County, New York, held in the Evans K. Griffing County Center, Maxine Postal Legislative Auditorium, 300 Center Drive, Riverhead, New York, at 9:30 a.m., pursuant to notice duly given.

The meeting was called to order at 9:35 a. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher; Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Barraga, Nowick, Mystal, and D'Amaro.

Legislator Cooper arrived at 9:36 a.m.
Legislator Stern arrived at 9:37 a.m.
Legislator Horsley arrived at 9:39 a.m.
Legislator Alden arrived at 9:44 a.m.
Legislator Kennedy arrived at 10:00 a.m.
Legislator Caracappa arrived at 10:31 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 Eddington made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.

Intro. Res. No. 1742-2006
Introduced by Legislators Eddington, Lindsay, and Cooper

Laid on Table 6/13/2006

RESOLUTION NO. 621 -2006, APPOINTING ALAN J. EHL AS A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA)

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency ("IDA") pursuant to Section 991-a of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856 (2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; now, therefore be it

RESOLVED, that Alan J. Ehl residing at 19 Evergreen Avenue, Middle Island, New York, 11753 be and he hereby is appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace present member Ronald F. Devine; and be it further

RESOLVED, that such member so appointed shall serve at the pleasure of the Suffolk County Legislature; and be it further

RESOLVED, that this resolution shall take effect immediately.

DATED: June 27, 2006

EFFECTIVE PURSUANT TO SECTION 2-15 (A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856 (2) OF THE NEW YORK GENERAL MUNICIPAL LAW

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

Intro. Res. No. 1593-2006

Laid on Table 5/16/2006

Introduced by Legislators Kennedy, Vilorio-Fisher, D'Amato, Stern, Romaine, and Losquadro

RESOLUTION NO. 622 -2006, AMENDING THE ADOPTED 2006 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND WATER QUALITY PROTECTION (Fund 477) AND AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER SYSTEM DISCHARGE REMEDIATION AND STREAM WATER SILT REMOVAL AND REMEDIATION AT THE NISSEQUOGUE TRIBUTARY HEADWATERS NORTH FROM CR 76, TOWNLINE ROAD, TO MILLER'S POND, SMITHTOWN (CP 8710)

WHEREAS, this Resolution is introduced by Legislature Kennedy with the support of County Executive Steve Levy; and

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, various studies and evaluations have been performed concerning the elevated groundwater table and chronic flooding occurring along the Nissequogue Tributary Headwaters, including a three volume report produced as a result of Capital Project 5013 of 1979; and

WHEREAS, basement flooding, roadway obstruction and property damage has been a periodic and episodic hardship experienced by corridor residents residing in the areas of Smithtown, Village of the Branch, and Hauppauge; and

WHEREAS, these conditions are exacerbated during times of heavy rainfall, such as was experienced during the fall and winter of 2005; and

WHEREAS, specific recommendations from C.P. 5013 were made concerning the renovation of multiple stormwater removal systems with direct discharge into the Tributary; and

WHEREAS, it is the desire of the County of Suffolk and the Town of Smithtown to collaborate in a storm water remediation and silt removal project in this area to better control flooding in the immediate area; and

WHEREAS, the removal and remediation of the stream water silt from Nissequogue Tributary Headwaters north from CR 76, Townline Road, to Miller's Pond, Smithtown will assist and contribute to restoring this natural resource; and

WHEREAS, Resolution No. 659 of 2002 created the Suffolk County Water Quality Review Committee (SCWQRC) which Committee, although its role in this process is advisory, should review this request to determine whether it is an allowed use under the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, funding for this project should not be spent until it is approved as a permitted use by the Suffolk County Water Quality Review Committee; and

WHEREAS, there are available Fund 477 funds within the reserved fund balance for Water Quality Protection projects to support the appropriation of funds for this project within the 2006 Capital Budget and Program; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

2nd RESOLVED, that pursuant to Section C12-2(B)(1)(a)(1) of the SUFFOLK COUNTY CHARTER, the County is authorized to fund the investigation and reduction or elimination of sediment accumulation on County-owned property, as a non-point source abatement and control; and be it further

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

4th 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	\$250,000

and be it further

5th 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	525	Transfer from Water Quality Protection	\$250,000

and be it further

6th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project Number: 8710
 Project Title: Water Quality Protection – Nissequogue Tributary Headwaters
 North from CR 76, Townline Road,
 to Miller’s Pond, Smithtown

	<u>Total Est’d Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning	\$ 25,000	\$0	\$ 25,000
3. Construction	\$ 225,000	\$0	\$ 225,000
TOTAL	\$ 250,000	\$0	\$ 250,000

and be it further

7th RESOLVED, that the transfer in the amount of \$250,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.114	50	Nissequogue Tributary Headwaters North from CR 76, Townline Road, to Miller’s Pond, Smithtown	\$250,000

and be it further

8th 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; and be it further

9th RESOLVED, that there shall be no expenditure of County funds on this project unless and until the Town Board of the Town of Smithtown has appropriated, by Town Board resolution, the sum of \$100,000 for this project; and be it further

10th RESOLVED, that authorization to use the funds herein appropriated is hereby limited to the following activities related to the investigation and reduction or elimination of sediment accumulation on County-owned property:

a) undertake a review of previously prepared studies in order to identify additional sources of flooding than those already identified;

b) identify and investigate appropriate and feasible management techniques, mitigation measures and infrastructure improvements, if any, to more effectively address and control periodic flooding in the area;

c) seek to lower water elevations, reduce flooding and improve water quality entering the Nissequogue Tributary Headwaters, north from CR 76, Townline Road, to Miller Pond, Smithtown; and

d) embark upon capital improvements on County-owned property necessary to mitigate the flooding problems; and be it further

11th RESOLVED, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of Smithtown under Section 119-*o* of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision requiring the Town of Smithtown to complete the SEQRA review process for the construction portion of this project within the funds provided herein, and any and all other documents necessary to effectuate the purpose and intent of this Resolution, the form and content of which shall be subject to the approval of the County Attorney; and be it further

12th 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 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 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1807-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 623 –2006, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY FACULTY ASSOCIATION, SUFFOLK COUNTY COMMUNITY COLLEGE, COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR EMPLOYEES COVERED UNDER BARGAINING UNIT NO. 3 FOR THE PERIOD SEPTEMBER 1, 2005, THROUGH AUGUST 31, 2011

WHEREAS, the County Executive, the Director of Labor Relations, and the President of the Faculty Association of Suffolk County Community College have reached an agreement covering the terms and conditions of employment for the period September 1, 2005, through and including August 31, 2011 subject to the approval, to the extent necessary, by the Suffolk County Legislature; and

WHEREAS, such accepted agreement has been set down as a Memorandum of Agreement, a copy of which has been filed with the Clerk of the Suffolk County Legislature; now therefore be it

RESOLVED, that the County Executive be authorized to execute an agreement with the Faculty Association of Suffolk County Community College, in accordance with the memorandum of agreement, dated June 1, 2006, a copy of which is on file with the Clerk of the Suffolk County Legislature covering the terms and conditions of employment of the Faculty Association of Suffolk County Community College, Bargaining Unit No. 3 for the period September 1, 2005, through and including August 31, 2011.

DATED: June 27, 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. 1702-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 624 -2006, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #248

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 & Refund, if paid</u>
Brookhaven:				
0200-419.00-02.00-001.000 (Item # 81-07201)	2003/04	\$7,493.25	\$0.00	\$7,493.25
0200-419.00-02.00-001.000 (Item # 81-07201)	2004/05	\$8,116.28	\$0.00	\$8,116.28
0200-419.00-02.00-001.000 (Item # 81-07201)	2005/06	\$8,709.13	\$0.00	\$8,709.13
0200-487.00-01.00-033.000 (Item # 81-01322)	2003/04	\$156,699.85	\$0.00	\$156,699.85
0200-487.00-01.00-033.000 (Item # 81-01322)	2004/05	\$169,729.05	\$0.00	\$169,729.05
0200-487.00-01.00-033.000 (Item # 81-01322)	2005/06	\$182,126.05	\$0.00	\$182,126.05
0200-806.00-02.00-160.000 Item # 67-55156)	2005/06	\$5,069.36	\$0.00	\$5,069.36

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1703-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 625 -2006, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #249

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 & Refund, if paid</u>
Babylon:				
0100-197.00-03.00-062.000	2003/04	\$11,039.16	\$0.00	\$11,039.16
0100-197.00-03.00-063.000	2003/04	\$ 7,162.21	\$453.71	\$ 6,708.50

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1664-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 626 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES-HOUDE PROPERTY, TOWN OF HUNTINGTON

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 Emerald Estates-Houde Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.84 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 May 17, 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 May 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 Emerald Estates-Houde Property, 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 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1665-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 627 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES-MAURO PROPERTY, TOWN OF HUNTINGTON

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 Emerald Estates-Mauro Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.90 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 May 17, 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 May 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 Emerald Estates-Mauro Property, 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 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1666-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 628 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES-COOPER PROPERTY, TOWN OF HUNTINGTON

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 Emerald Estates-Cooper Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 4.1 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 May 17, 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 May 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 Emerald Estates-Cooper Property, 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 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;
- 2.) The site contains environmentally sensitive lands that should be preserved for open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1668-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 629 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION

PURPOSES KNOWN AS THE EMERALD ESTATES-BORELLI PROPERTY, TOWN OF HUNTINGTON

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 Emerald Estates-Borelli Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.68 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 May 17, 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 May 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 Emerald Estates-Borelli Property, 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:

- 4.) 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;
- 5.) The site contains environmentally sensitive lands that should be preserved as open space; and
- 6.) If not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1669-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 630 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SANTAPOGUE CREEK ADDITION-MASTIC HOMES LTD PROPERTY, VILLAGE OF LINDENHURST

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 Santapogue Creek Addition-Mastic Homes Ltd. Property, Village of Lindenhurst", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.3 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 May 17, 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 May 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 Santapogue Creek Addition-Mastic Homes Ltd. Property, Village of Lindenhurst, 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1670-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 631 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY, FILE #S05-04-0019, MILLER PLACE, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property, File #S05-04-0019, Miller Place, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of land by Suffolk County through a donation of 0.2 acres; 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 May 17, 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 May 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 Donation of Property, File #S05-04-0019, Miller Place, 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;
- 2.) The property adds to the County park property in the area; and
- 3.) 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 27, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 10, 2006

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

Intro. Res. No. 1671-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 632 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FORGE RIVER WATERSHED ADDITION-GILBERT/BLYDENBURGH 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 the Forge River Watershed Addition-Gilbert/Blydenburgh Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.426 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 May 17, 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 May 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 Forge River Watershed Addition-Gilbert/Blydenburgh 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

RESOLUTION NO. 633 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FRESH POND ADDITION-MONTAGNA PROPERTY, TOWN OF SMITHTOWN

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 Fresh Pond Addition-Montagna Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2.0 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 May 17, 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 May 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 Known as the Fresh Pond Addition-Montagna Property, Town of Smithtown, 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1673-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 634 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FRESH POND ADDITION-BYLLOTT PROPERTY, TOWN OF HUNTINGTON

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 Fresh Pond Addition-BylloTT Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.0 acre 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 May 17, 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 May 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 Fresh Pond Addition-Byllott Property, 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 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;
- 2.) The site contains environmentally sensitive lands that should be preserved as open space; 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 that the site would have;

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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

**RESOLUTION NO. 635 -2006, MAKING A SEQRA
DETERMINATION IN CONNECTION WITH THE PROPOSED
SEWER DISTRICT #5 – STRATHMORE HUNTINGTON,
FORCEMAIN REPLACEMENT, TOWN OF HUNTINGTON**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sewer District #5 – Strathmore Huntington, Forcemain Replacement, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of a forcemain which is nearly forty years old; 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 May 17, 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 May 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 Sewer District #5 – Strathmore Huntington, Forcemain Replacement, 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 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; and

- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes;

and 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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1675-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 636 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT (FILE #S02-04-0059), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-04-0059), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.23 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 May 17, 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 May 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 Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-04-0059), 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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

RESOLUTION NO. 637 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT (P. CICORELLI – S02-99-049), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (P. Cicorelli – S02-99-049), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 5.75 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 May 17, 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 May 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 Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (P.Cicorelli – S02-99-049), 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 27, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 13, 2006

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

Intro. Res. No. 1677-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 638 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SAFETY AND SECURITY IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICTS, CP #8103

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Safety and Security Improvements to Suffolk County Sewer Districts, CP #8103", pursuant to Section 6 of Local Law No. 22-1985 which project involves the installation of fire alarms, video surveillance and general infrastructure improvements at 21 sewer districts and 57 pump stations; and

WHEREAS, at its May 17, 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 May 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 CEQ recommendations; now, therefore, be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Safety and Security Improvements to Suffolk County Sewer Districts, CP #8103 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 upgrading of existing facilities and installation of auxiliary 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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1678-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 639 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT (FILE #S02-99-0182), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-99-0182), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.23 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 May 17, 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 May 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 Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-99-0182), 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:

- 2.) 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 27, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 13, 2006

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

Intro. Res. No. 1679-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 640 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT (FILE #R02-05-0677), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #R02-05-0677), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.14 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 May 17, 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 May 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 Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #R02-05-0677), 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:

- 3.) 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 27, 2006

APPROVED BY:

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

Date: July 3, 2006

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

Intro. Res. No. 1680-2006
Introduced by Presiding Officer

Laid on Table 6/13/2006

RESOLUTION NO. 641 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS TO SATISFY A SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT (FILE #S02-05-0027), TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-05-0027), Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.41 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 May 17, 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 May 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 Donation of Property to Suffolk County Parks to Satisfy a SCDHS Transfer of Development Rights Requirement (File #S02-05-0027), Town of Brookhaven, constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter of 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 of 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 27, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 13, 2006

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

Intro. Res. No. 1780-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 642 -2006, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE HIV REPORTING AND PARTNER NOTIFICATION PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 100% State grant funds to the Department of Health Services, Division of Public Health for the HIV Reporting and Partner Notification Program in the amount of \$313,238 for the period 10/01/05-09/30/06; and

WHEREAS, this program receives reports from New York State Department of Health and conducts HIV contact tracing if needed to protect public health; and

WHEREAS, the purpose of this grant funding is to provide these HIV contacts with educational information, referrals for health and human services, counseling and testing; and

WHEREAS, 100% State Aid in the amount of \$6,550 needs to be appropriated for the existing HIV Reporting and Partner Notification Program administered by Suffolk County Division of Public Health; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$6,550 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-3401 Public Health	\$ 6,550

APPROPRIATIONS

Department of Health Services (HSV)
Division of Public Health
HIV Reporting and Partner Notification Program
001-HSV-4108

<u>Equipment</u>	<u>\$ 6,350</u>
2020 Office Machines	\$ 6,350
<u>Travel</u>	<u>\$ 200</u>
4330 Travel Employee Contracts	\$ 200

and be it further

2nd 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 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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. 1781-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 643 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE FAMILY PLANNING PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Patient Care Services for the Family Planning Program in the amount of \$1,236,062 for the period 01/01/06-12/31/06; and

WHEREAS, this grant funding provides family planning and reproductive health services to Suffolk County residents; and

WHEREAS, 100% Federal Aid in the amount of \$70,160 needs to be appropriated for the existing Family Planning Program administered by Suffolk County Division of Patient Care Services; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$70,160 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-4401 Public Health	\$70,160

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Family Planning Program
001-HSV-4135

<u>Equipment</u>	<u>\$ 637</u>
2010 Furniture	\$ 637
 <u>Supplies, Materials & Other</u>	 <u>\$22,844</u>
3370 Medical, Dental & Laboratory Supplies	\$22,844

<u>Travel</u>	<u>\$10,667</u>
4330 Travel Employee Contracts	\$ 7,335
4360 Travel/Training Travel	\$ 3,332

<u>Fees for Services</u>	<u>\$36,012</u>
4560 Fees for Services, Non-Employees	\$36,012

and be it further

2nd 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 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
 Chief Deputy 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. 1783-2006 Laid on Table 6/13/2006
 Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 644 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE PAUL COVERDELL NATIONAL FORENSIC SCIENCES IMPROVEMENT PROGRAM

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Program in the amount of \$53,730 for the period 10/01/05-09/30/06; and

WHEREAS, this grant funding will purchase equipment to improve the quality and timeliness of forensic science in an effort to eliminate backlogs; and

WHEREAS, 100% Federal Aid in the amount of \$12,334 needs to be appropriated for the existing Paul Coverdell National Forensic Sciences Improvement Program

administered by Suffolk County Division of Medical, Legal Investigations and Forensic Sciences;
and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$12,334 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-4320 Crime Control	\$12,334

APPROPRIATIONS

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Paul Coverdell National Forensic Sciences Improvement Program
001-HSV-4729

<u>Equipment</u>	<u>\$12,334</u>
2500 Other Equipment: Unclassified	\$12,334

and be it further

2nd 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 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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. 1784-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 645 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE

**SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES
FOR THE IMMUNIZATION ACTION PROGRAM**

WHEREAS, the New York State Department of Health Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Patient Care Services for the Immunization Action Program in the amount of \$249,900 for the period 04/01/06-03/31/07; and

WHEREAS, the purpose of this grant funding is to ensure that 90% of all children in New York State are completely immunized by their second birthday; and

WHEREAS, 100% Federal Aid in the amount of \$7,383 needs to be appropriated for the existing Immunization Action Program administered by Suffolk County Division of Patient Care Services; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$7,383 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-4401 Public Health	\$7,383

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Immunization Action Program
001-HSV-4116

<u>Equipment</u>	<u>\$ 4,700</u>
2020 Office Machines	\$ 4,700
 <u>Supplies, Materials & Other</u>	 <u>\$ 1,622</u>
3020 Postage	\$ 195
3100 Instructional Supplies	\$ 351
3500 Other: Unclassified	\$ 200
3510 Rent: Business Machines	\$ 876
 <u>Travel</u>	 <u>\$ 1,061</u>
4340 Travel Other Contracts	\$ 1,061

and be it further

2nd 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 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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. 1795-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 646 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO THE SUFFOLK COUNTY PROBATION DEPARTMENT AND THE SHERIFF'S OFFICE

WHEREAS, Suffolk County has received Federal Edward Byrne Memorial Justice Assistance Grant funds in the amount of \$216,465 from the U.S. Department of Justice; and

WHEREAS, the Probation Department has requested \$120,475 to improve community supervision for mentally ill probationers through enhanced transportation services; and

WHEREAS, the Probation Department has requested \$43,500 for professional development of staff working with mentally ill and substance abusing offenders as well as sexual offenders; and

WHEREAS, the Sheriff's Office has requested \$52,490 of said grant funding to purchase software to enable them to update their data management system so that they are able to develop a database that will incorporate all of the key variables on inmates as identified by the National Institute of Corrections that would allow criminal justice decision makers to analyze the inmate population and address overcrowding issues; and

WHEREAS, said funds have not been included in the 2006 Operating Budget; and

WHEREAS, the grant award can begin as of October 1, 2005 and end as of September 30, 2008; and

WHEREAS, on, June 29th 2005 the County's Criminal Justice Coordinating Council held the required public hearing on all funding requests under said grant and after such hearing it was the unanimous recommendation of the Council to approve all such funding requests; now, therefore be it

RESOLVED, that the County Executive is authorized to execute any Agreement with the U.S. Department of Justice, as necessary, to secure said grant funds; and be it further

RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of individuals filling the positions created by this resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

RESOLVED, that 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 \$216,465 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4320 - Federal Aid: Crime Control	\$216,465

APPROPRIATIONS:

Suffolk County Probation Department

Day Reporting

001-PRO-3138

<u>Personnel Services</u>	<u>\$69,200</u>
1100 Permanent Salaries	\$69,200

Equipment	\$25,000
2030 Automobiles	\$25,000

Employee Benefits
Retirement
001-EMP-9010

Employee Benefits	\$8,080
8280-State Retirement	\$8,080

Employee Benefits
Social Security
001-EMP-9030

Employee Benefits	\$5,282
8330-Social Security	\$5,282
Employee Benefits Major Medical Claim 039-EMP-9060	
<u>Employee Benefits</u>	<u>\$10,350</u>
8360-Health Insurance	\$10,350
Employee Benefits Benefit Fund Contribution 001-EMP-9080	
Employee Benefits	\$2,563
8380-Benefit Fund Contribution	\$2,563
Interfund Transfer Transfer to Self Health Insurance 001-IFT-E039	
Interfund Transfer	\$10,350
9600-Transfer to Funds	\$10,350
039-IFT-R001 - Transfer from General Fund	\$10,350
	\$10,350
Suffolk County Criminal Justice Coordinating Council	
001-PRO-6126	
Supplies, Materials and Other Expense	\$5,500
3100 Instructional Supplies	
\$5,500	
<u>Contractual Expenses</u>	<u>\$38,000</u>
4560 Fees for Services: Non-Employee	\$38,000

Suffolk County Sheriff's Office

Jail Data Management System Improvement

001-SHF-3159

<u>3000 Supplies, Materials, Other</u>	<u>\$52,490</u>
3160 Computer Software	\$50,000
3500 Other Unclassified Supplies	\$2,490

and be it further

RESOLVED, that the following position be and it hereby is created as follows:

<u>FUND</u>	<u>JC</u>	<u>SPEC.</u> <u>NO.</u>	<u>POSITION TITLE</u>	<u>GRADE</u>	<u>NO.CREATED</u>
001-3138-0100	C	6501	Probation Assistant	15	1

and be it further

RESOLVED, that following the creation of the above position the following position be and it hereby is abolished in the Probation Department as follows:

<u>FUND</u>	<u>JC</u>	<u>SPEC.</u> <u>NO.</u>	<u>POSITION TITLE</u>	<u>GRADE</u>	<u>NO.ABOLISHED</u>
001-3144-2400-0037	C	6501	Probation Assistant	15	1

and be it further

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

RESOLVED, that the reporting categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR56.

DATED: June 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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. 1663-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 647 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
46-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 46-2006; and

WHEREAS, this resolution when adopted contained 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. 46-2006

1. In the title add **(CP 8709.210)** at the end.
2. In the 2nd, 3rd, and 4th RESOLVED paragraphs change the following:

FROM:

2nd RESOLVED,

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E475	9600	Transfer to Capital Budget	\$23,500.00±

TO:

2nd RESOLVED,

<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	\$23,500.00

FROM:

3rd RESOLVED,

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	475	R477	E475	Transfer from Fund 477	\$23,500.00±

TO:

3rd RESOLVED,

<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 Fund 477	\$23,500.00

FROM:

4th RESOLVED,

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
475-MSC-1940-4770	Suffolk County Water Protection Open Space Preservation	\$23,500.00±*

TO:

4th RESOLVED,

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	Suffolk County Water Protection Open Space Preservation	\$23,500.00

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1667-2006
Introduced by Legislator Romaine

Laid on Table 6/13/2006

**RESOLUTION NO. 648 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
1037-2005**

WHEREAS, Budget Amending Resolution No. 1037-2005, included funding for the Fisher Island Civic Association; and

WHEREAS, the Island Community Board is the correct name of this organization; and

WHEREAS, the ORG name of the above named agency designated in Resolution No. 1037-2005 is incorrect and must be changed to enable the funding allocated to be used for the intended purpose; now, therefore be it

RESOLVED, the ORG name assigned to the Fisher Island Civic Association is hereby corrected and changed as follows:

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	HMC1	6410	4980	Fisher Island Civic Association	\$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	ECD	HMC1	6410	4980	Island Community Board	\$1,000

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1681-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

**RESOLUTION NO. 649 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION
NO. 426-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 426-2006; 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

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

Resolution No. 426-2006

In the 3rd RESOLVED paragraph change the Project No.

FROM:

Project No.
525-CAP-7185.310

TO:

Project No.
525-CAP-7185.311
(Fund 001 – Debt Service)

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1690-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 650 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES A. FUNDERBURKE (SCTM NO. 0100-055.00-01.00-131.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 055.00, Block 01.00, Lot 131.000, and acquired by tax deed on June 28, 1999, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 1, 1999, in Liber 11973, at Page 152, and otherwise known as and by Town of Babylon, Filed Map No. 300 Block 3 Lot 37; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 28, 1999, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 1, 1999 in Liber 11973 at Page 152.

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

WHEREAS, CHARLES A. FUNDERBURKE has made application of said above described parcel and CHARLES A. FUNDERBURKE has paid the application fee and

\$1,115.89, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES A. FUNDERBURKE, 10321 Dickson Lane, Charlotte, North Carolina 28262, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1691-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 651 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CARMINE T. AGNELLO (SCTM NO. 0100-078.00-02.00-052.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 078.00, Block 02.00, Lot 052.000, and acquired by tax deed on July 10, 2003, from Diane M. Stuke, as the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Town of Babylon, known on the map filed in the Office of the Clerk of the County of Suffolk on the 22nd day of May 1922 as Plot 30 in Block C; and

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

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

WHEREAS, CARMINE T. AGNELLO has made application of said above described parcel and MARIE AGNELLO, FOR CARMINE T. AGNELLO, has paid the application fee and \$900.26, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2005; and

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CARMINE T. AGNELLO, c/o Anthony Polichetti, 639 Barclay Avenue, Staten Island, New York 10312, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MARK S. STRUM and SALLY A. STRUM, wife, 130 La Bonne Vie Drive West, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1693-2006
6/13/2006

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 653 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT OLNEY M. GARDINER (SCTM NO. 0300-184.00-06.00-008.000)

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 East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 184.00, Block 06.00, Lot 008.000, and acquired by tax deed on September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003, in Liber 12276, at Page 226, and otherwise known as and by Town of East Hampton, N x Schwenk/Twn, E x Schwenk, S x Rt. 114, W x Map 7710; 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 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003 in Liber 12276 at Page 226.

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, OLNEY M. GARDINER has made application of said above described parcel and OLNEY M. GARDINER has paid the application fee and \$2,886.23, 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

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to OLNEY M. GARDINER, 36 James Lane, East Hampton, New York 11937, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1694-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 654 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EILEEN WERNER (SCTM NO. 0400-165.00-03.00-002.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 165.00, Block 03.00, Lot 002.000, and acquired by tax deed on April 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 5, 2006, in Liber 12444, at Page 171, and otherwise known as and by Town of Huntington, known and designated as Lot #2 on a certain map entitled "Map of Gina Estates" and filed in the Office of the Clerk of the County of Suffolk on August 26, 1963 as Map #3850; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 5, 2006 in Liber 12444 at Page 171.

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, EILEEN WERNER has made application of said above described parcel and EILEEN WERNER has paid the application fee and \$64,112.10, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EILEEN WERNER, 100 Cuba Hill Road, Greenlawn, New York 11740, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1695-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 655 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PATRICIA MURPHY (SCTM NO'S 0500-063.00-01.00-004.000 and 0500-063.00-01.00-005.000)

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 063.00, Block 01.00, Lot 004.000 and District 0500, Section 063.00, Block 01.00, Lot 005.000, and acquired by tax deed on June 29, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397, at Page 973, and otherwise known as and by Town of Islip, being part of Lot 83 and all of Lot 81 on a subdivided tract designated as "Map of Village of Lakeland" filed in the Suffolk County Clerk's Office as Map No. 304, said plot being also shown on "Map of Property of William P. Young" filed in the Office of the Suffolk County Clerk on September 12, 1916 as Map No. 390; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 29, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005 in Liber 12397 at Page 973.

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, PATRICIA MURPHY has made application of said above described parcel and PATRICIA MURPHY has paid the application fee and will be paying a total of

\$37,791.03 as payment of taxes, penalties, interest, recording fees, 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

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PATRICIA MURPHY, 307 Cassa Loop, Holtsville, New York 11742, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1696-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 656 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT WILLIE LEE WILLIAMS & ORA WILLIAMS (SCTM NO. 0500-290.00-01.00-141.000)

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 290.00, Block 01.00, Lot 141.000, and acquired by tax

deed on August 30, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2005, in Liber 12407, at Page 192, and otherwise known as and by Town of Islip, known and designated as part of Lot Nos. 19, 22, and 23 in Block 1 and 2, on a certain map entitled, "Map of Bay Shore Terrace", and filed in the Office of the Clerk of Suffolk County on October 30, 1908, as Map No. 533, and also filed April 8, 1909 as Map No. 378; 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 30, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2005 in Liber 12407 at Page 192.

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, WILLIE LEE WILLIAMS has made application of said above described parcel and WILLIE LEE WILLIAMS has paid the application fee and \$32,284.79, 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

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to WILLIE LEE WILLIAMS & ORA WILLIAMS, 1390 East 3rd Avenue, Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1697-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 657 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT RICHARD E. ALBRECHT as Executor of the Estate of Luella Albrecht (SCTM NO. 0500-346.00-03.00-059.000)

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 346.00, Block 03.00, Lot 059.000, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, known and designated as Lots 11 and 12 on a certain map entitled "Map of Brady Park" filed in the Office of the Clerk of the County of Suffolk on April 19, 1911 as Map No. 649; and

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

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

WHEREAS, RICHARD E. ALBRECHT as agent for Luella Albrecht, has made application of said above described parcel and RICHARD E. ALBRECHT as agent for Luella Albrecht, has paid the application fee and will be paying \$8,130.27 as payment of taxes, penalties, interest, recording fees, 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

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to RICHARD E. ALBRECHT as Executor of the Estate of Luella Albrecht, 62 Carleton Avenue, East Islip, New York 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1698-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 658 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT RICHARD E. ALBRECHT as Executor of the Estate of Luella Albrecht (SCTM NO. 0500-346.00-03.00-065.000)

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 346.00, Block 03.00, Lot 065.000, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, N x now or formerly Albrecht Richard E & Luella, Albrecht Richard E; E x now or formerly Cioffi Albert & Tschersich Joan; S x now or formerly Albrecht Richard & Luella, Holly Robert & Joanne M. Albrecht Richard & Luella; W x Carleton Avenue (CR-17); and

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

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

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 346.00, Block 03.00, Lot 067.001, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, N x now or formerly Klasek Frank & Scarbeck Joan M; E x now or formerly Home Cash Inc., & Klein Matthew, Cioffi Albert & Tschersich Joan; S x now or formerly Albrecht Richard C. & Albrecht Luella, Albrecht Richard E; W x Carleton Ave (CR 17); and

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

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

WHEREAS, RICHARD E. ALBRECHT has made application of said above described parcel and RICHARD E. ALBRECHT has paid the application fee and will be paying \$36,583.17 as payment of taxes, penalties, interest, recording fees, 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

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to RICHARD E. ALBRECHT 50% interest and RICHARD E. ALBRECHT as Executor of the Estate of Luella Albrecht 50% interest, 62 Carleton Avenue, East Islip, New York 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1700-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 660 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHRISTINE ZALOGA (SCTM NO. 0904-003.00-02.00-001.010)

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 Southampton, 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 0904, Section 003.00, Block 02.00, Lot 001.010, 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 Incorporated Village of Southampton, Town of Southampton, Lot Nos. 16, 17, 18 in Block "F" as shown on Subdivision Map of Cameron and Schwenk and filed in the Office of the Clerk of the County of Suffolk on February 19, 1917, as and by Map Number 727; 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, CHRISTINE ZALOGA has made application of said above described parcel and CHRISTINE ZALOGA has paid the application fee and \$862.74, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHRISTINE ZALOGA, 16 Guilfoyle Street, Southampton, New York 11968, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1701-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 661 -2006, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
ELISA CORNELL (SCTM NO. 0200-787.00-04.00-031.000)**

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 787.00 Block 04.00 Lot 031.000 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 described as follows, Town of Brookhaven, Mastic Park Map 735 Sec 5 Lots 4700 & 4701, filed in the Office of the Clerk of Suffolk County on November 26, 1920; 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, Elisa Cornell, 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, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, 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

1st 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,

2nd 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.

3rd RESOLVED, that Director Patricia B. Zielenski and/or her designee, 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 to said Elisa Cornell, 71 Vernon Avenue, Mastic, NY 11950.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1731-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 662 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2006 ADOPTED OPERATING BUDGET AND THE TRANSFER OF CONTRACT AGENCY FUNDING TO THEIR PROPER DEPARTMENTS AND AGENCIES

WHEREAS, the Adopted Operating Budget contains \$45,000 in omnibus funding for the Suffolk Community Council and \$1,000 in omnibus funding for the Thea Bowman Residence in which some portion of the funding was placed in the wrong appropriations; and

WHEREAS, it is the intent of both the Legislature and the County Executive that the funding for these programs be placed in the proper departments and agencies so that services for disabled residents can be provided at no additional cost to the taxpayers; and

WHEREAS, \$20,000 of this funding for Suffolk Community Council and \$1,000 in funding for the Theo Bowman Residence will be administered by the Office of Handicapped Services; and now, therefore, be it

RESOLVED, that the 2006 Adopted Operating Budget be and it hereby is corrected as follows:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>X-ORG</u>	<u>R-ORG</u>	<u>OBJ</u>	<u>ORG NAME</u>	<u>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
001	EXE	6795	GEW1	4980	Suffolk Community Council	\$45,000	\$25,000	(\$20,000)
001	EXE	6773	HCM1	4980	Thea Bowman Residence	\$ 1,000	-0-	(\$ 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>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
001	EXE	8050	HSS1	4980	Suffolk Community Council - Handicapped Programs	-0-	\$20,000	\$20,000
001	EXE	8050	HCM1	4980	Thea Bowman Residence	-0-	\$ 1,000	\$ 1,000

and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agencies.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1741-2006
Introduced by Presiding Officer Lindsay

Laid on Table 6/13/2006

**RESOLUTION NO. 663 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
711 – 2005 (CP 5377)**

WHEREAS, Resolution No. 711-2005 amended the 2005 Capital Budget and Program and appropriated pay-as-you-go funding in connection with erosion mitigation at Unchachogue Creek, Shirley, Town of Brookhaven; and

WHEREAS, the capital project number used for this program was incorrect and must be changed to enable for the proper disbursement and accounting of said funds; now, therefore be it

RESOLVED, that the capital project number shown in the 3rd, 4th and 5th Resolved clauses of Resolution No. 711-2005 is hereby corrected and changed from C.P. number 525-CAP-5377.410 to C.P. number 525-CAP-5378.410.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1750-2006

Laid on Table 6/13/2006

Introduced by Legislators Alden, Browning and Horsley

RESOLUTION NO. 664 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2006 ADOPTED OPERATING BUDGET FOR CONTRACTED AGENCIES IN THE DEPARTMENT FOR THE AGING

WHEREAS, the 2006 Adopted Operating Budget provides funding for certain contracted agencies in the Department for the Aging and Veterans Services; and

WHEREAS, the 2006 Operating Budget when adopted contained technical errors; and

WHEREAS, the County Legislature desires technical corrections to the 2006 Operating Budget; now, therefore be it

RESOLVED, that the 2006 Adopted Operating Budget be and it hereby is corrected as follows:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	AMOUNT
001	EXE	GJC1	6772	4980	Touro Eldercare	-\$15,000
001	EXE	GJH1	6797	4980	American Centers For Senior Citizens	-\$15,000
001	EXE	HCK1	6510	4980	Lindenhurst Village-Senior Van	-\$40,000

TO:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	AMOUNT
001	EXE	GJC1	6773	4980	Touro Eldercare	+\$15,000
001	EXE	GJH1	6773	4980	American Centers For Senior Citizens	+\$15,000
001	EXE	HCK1	6773	4980	Village Of Lindenhurst	+\$40,000

and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agencies.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1754-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 665 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THE BIDWELL FAMILY LIMITED PARTNERSHIP (SCTM NO. 1000-096.00-04.00-004.003)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as

District 1000, Section 096.00, Block 04.00, Lot 004.003, and acquired by tax deed on April 18, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 644, and otherwise known as and by Town of Southold, N x Middle Road (C. R. 48); E x now or formerly Burke Joseph M & Sharon G. Goerler Joanne & King Cheryl, Cutchogue Power Company LLC; S x MTA – Long Island Railroad; W x now or formerly Zuhoski Joseph S. Jr & Sheila, Zuhoski Christopher M. Apadula Frank A. Jr., & Monika, Helinski George S. & Laurie J.; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 18, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 644.

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, PATRICIA BIDWELL has made application of said above described parcel and PATRICIA BIDWELL has paid the application fee and \$62,022.21, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2005; and

1st 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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to THE BIDWELL FAMILY LIMITED PARTNERSHIP, 18910 County Rd. 48, Cutchogue, New York 11935, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 27, 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 Kennedy. The resolution was passed 18-0.

Intro. Res. No. 1075-2006
Introduced by Legislator Alden and Horsley

Laid on Table 1/17/2006

RESOLUTION NO. 666 –2006, TO EVALUATE COUNTY PROPERTIES FOR WORKFORCE HOUSING PURPOSES

WHEREAS, one of the most serious problems facing the County of Suffolk is retention of our workforce, who are discouraged by the high cost of home ownership; and

WHEREAS, the County of Suffolk has enacted programs to enable towns within the County to develop affordable workforce housing; and

WHEREAS, despite the County's support, the cost of housing remains a roadblock to sustained economic growth; and

WHEREAS, this problem causes families to disperse as young people are often forced to leave Suffolk County in order to own their own home; and

WHEREAS, this Legislature wishes to support efforts throughout the County to increase its stock of affordable workforce housing; and

WHEREAS, the first step to a comprehensive plan to provide affordable workforce housing is to inventory County properties to determine the number and location of properties that may be available for this much needed construction; now, therefore be it

1st RESOLVED, that the Commissioner of the Department of Economic Development and Workforce Housing is hereby authorized, empowered, and directed, pursuant to C35-2(V) of the SUFFOLK COUNTY CHARTER, to work with the Suffolk County Director of Planning, the Director of Real Property Acquisition and Management, and the Commissioner of Public Works to compile a list of properties presently owned by the County of Suffolk and to rate the properties as to the feasibility of use for affordable workforce housing; such list shall include properties of over two acres that are not currently being used for another County purpose such as drainage, parks, nature preserve, roads, parking or other public purpose; and be it further

2nd RESOLVED, that the Commissioner of the Department of Economic Development and Workforce Housing is directed to issue a written report to this Legislature within one hundred eighty (180) 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) 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1532-2006
Introduced by Legislators Alden and Horsley

Laid on Table 5/16/2006

**RESOLUTION NO. 667 -2006, APPOINTING MEMBER TO THE
COUNCIL ON ENVIRONMENTAL QUALITY (ENRICO G.
NARDONE)**

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 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 **Enrico G. Nardone**, whose current address is 46 Virginia Road, Babylon, NY 11702, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, as the representative with an environmental preservation and protection background for a term of office to expire five years from the effective date of this Resolution.

DATED: June 27, 2006

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

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

Intro. Res. No. 1546-2006
Introduced by Legislator Mystal

Laid on Table 5/16/2006

RESOLUTION NO. 668 -2006, AUTHORIZING PLANNING STEPS FOR IMPLEMENTING GREENWAYS PROGRAM IN CONNECTION WITH ACQUISITION OF ACTIVE PARKLANDS AT 2275 GREAT NECK ROAD, COPIAGUE (TOWN OF BABYLON)

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 Town of Babylon has proposed an active parkland acquisition for use as playgrounds, soccer field, football field, baseball field, and lacrosse field; for the captioned property; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, 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 for use only as a children's pocket park or playground, 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 0100 Section 177.00 Block 02.00 Lot 083.000	±0.1	RD Associates, Inc. 2275 Great Neck Road Copiague, NY 11726

Located at 2275 Great Neck Road, Copiague, New York 11726

and be it further

2nd 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 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 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

4th RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, 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

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 Active Parklands Acquisition Program acquisitions as such funds may be necessary under the Suffolk Community Greenways County 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), (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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1599A-2006

BOND RESOLUTION NO. 669 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$120,000 BONDS TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS AT CUPSOGUE COUNTY PARK (CP 7080)

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 \$120,000 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 at Cupsogue 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 \$120,000. The plan of financing includes the issuance of \$120,000 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. 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1599-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 670 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF IMPROVEMENTS AT CUPSOGUE COUNTY PARK (CP 7080)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for construction of traffic flow improvements at Cupsogue County Park; and

WHEREAS, the 2006 Capital Program and Budget does not include sufficient funding for this project and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution 571-1998, and reaffirmed by Resolution 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 \$120,000 in Suffolk County Serial Bonds; now, therefore, be it

1st 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

2nd **RESOLVED**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), these actions constitute a Type II action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.5 (c) (7) and Chapter 279 of the Suffolk County Code, since they involve the construction or expansion of a primary or accessory/appurtenant, non residential structure or facility of less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and be it further

3rd **RESOLVED**, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 7080
Project Title: Improvements at Cupsogue County Park

	Total 2006 Estimated Cost	Current 2006 Capital Program and Budget	Revised Capital Program and Budget
3. Construction	<u>\$120,000</u>	\$0	<u>\$120,000</u>
TOTAL	\$120,000	\$0	\$120,000

Project No.: 5737
Project Title: Airport Snow Removal Equipment

	Total 2006 Estimated Cost	Current 2006 Capital Program and Budget	Revised Capital Program and Budget
5. Furniture and Equipment	\$325,000	\$11,125 B \$11,125 S <u>\$422,750 F</u>	\$11,125 B \$11,125 S <u>\$302,750 F</u>
TOTAL	\$325,000	\$445,000	\$325,000

4th **RESOLVED**, that the proceeds of \$120,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7080.311 (Fund 001 – Debt Service)	26	Improvements at Cupsogue County Park -- construction	\$120,000

DATED: June 27, 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 Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1615A-2006

BOND RESOLUTION NO. 671 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS TO FINANCE A PART OF THE COST OF PLANNING FOR IMPROVEMENTS TO THE FOURTH POLICE PRECINCT BUILDING (CP 3184)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$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 a part of the cost of planning for improvements to the Fourth Police Precinct building, 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 \$1,900,000. The plan of financing includes (a) the issuance of \$1,500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 320-2005, (b) the issuance of \$400,000 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. 62 of the Law of the Law, is five (5) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 320-2005.

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 27, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1615-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 672 -2006, APPROPRIATING FUNDS
IN CONNECTION WITH PLANNING FOR THE CONSTRUCTION
OF THE FOURTH PRECINCT (C.P. 3184)**

WHEREAS, the Police Commissioner has requested additional funds for the planning for the construction of the 4th Precinct; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover additional funds for the planning for the construction of the 4th Precinct under Capital Project No. 3184; 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 it is determined that this program with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations (NYCRR) Section 617.5 (c)(21) in that the resolution concerns preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

RESOLVED, that the proceeds of \$400,000 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-3184.117 (Fund 001-Debt Service)	28	Renovations, Construction & Additions to Police Precinct Buildings (4 th Precinct)	\$400,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1618A -2006

BOND RESOLUTION NO. 673 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE THE COST OF PLANNING FOR THE RESTORATION OF WEST NECK FARM (CP 7096.114)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for the restoration of West Neck Farm, 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 \$100,000. The plan of financing includes the issuance of \$100,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Intro. Res. No. 1618-2006 Laid on Table 5/16/2006
Introduced by Presiding Officer, on request of the County Executive and Legislator Cooper

RESOLUTION NO. 674 -2006, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF WEST NECK FARM, HUNTINGTON (CP 7096)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for planning for restoration West Neck Farm (aka Coindre Hall), Huntington; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7096; 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 \$100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

2nd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7096.114 (Fund 001 – Debt Service)	26	Planning for Restoration of West Neck Farm, Huntington	\$100,000

and be it further

3rd 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 (18) and (21), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 17-1-0-0. Legislator Barraga voted no.

Intro Res. No. 1647-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 675 -2006, ADOPTING LOCAL LAW NO. 35-2006, A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on June 13, 2006, a proposed Charter law entitled, "**A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL**," 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. 35 -2006, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

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 Local Law 23-1994, "A Charter Law to Establish 5-25-5 Debt Policy," was adopted for the purpose of making the Capital Program and Budget approval and appropriation process more meaningful and more responsive to the needs of the public and to accommodate increased future debt service payments by prohibiting the issuance of debt to pay for the following County operating expenses:

- 1.) repair and maintenance not significantly extending the useful life of an asset;
- 2.) dredging projects - \$100,000. or less;
- 3.) road and equipment repairs;
- 4.) roof replacement;
- 5.) equipment purchases that may not occur in the same location or department if:
 - a.) costs are incurred on annual basis;
 - b.) item price is \$5,000 or less;
 - c.) aggregate cost is less than \$25,000.00; and
 - d.) useful life is five (5) years or less;
- 6.) 9 mm guns; and
- 7.) soft body armor vests.

This Legislature also finds and determines that Local Law 6-2002, "A Charter Law to Authorize One-Year Rolling Debt under 5-25-5 Law," was adopted for the purpose of waiving the application of the 5-25-5 Law for a one-year period of time during 2002 in order to deal with the economic dislocation arising out of the September 11 Terrorist Attack.

This Legislature further finds that Local Law 8-2003, "A Charter Law to Reauthorize One-Year Rolling Debt under 5-25-5 Law," was adopted to renew the waiver of the application of the 5-25-5 Law for another one-year period of time during 2003 in order to deal with the current fiscal pressures arising out of State-imposed mandates, the aftermath of the September 11 Terrorist Attack, and sluggish economic growth.

This Legislature further finds that Local Law 15-2004, "A Charter Law to Authorize Two-Year Rolling Debt under 5-25-5 Law to Address Budgetary Shortfall," was adopted to waive the application of the 5-25-5 Law for a two-year period of time in order to deal with an anticipated budget shortfall in 2005.

This Legislature also finds that the County is facing a projected budgetary shortfall in 2007 of \$79.9 million at the current time.

This Legislature further determines that interest rates are really low by historical standards, thereby permitting substitution of low cost debt for a limited number of recurring expenses during 2006 and 2007 in order to deal with the enormous impact of the anticipated budget shortfall which will require very dramatic action at the Federal, State, and local level in order to avoid substantial reductions in service and/or substantial increases in taxes.

The adopted 2006 Capital Budget extended the 5-25-5 law to cover items and projects that are not legally required to be paid for from the operating budget in an amount of \$15,349,762.00.

Therefore, the purpose of this law is to waive the application of the 5-25-5 Law for a two-year period of time and to permit traditional normal bonding for items that would otherwise be required to be paid for under the 5-25-5 law in order to deal with the anticipated budget shortfall, said bonding to occur simultaneously with the traditional normal bonding of items that are not mandated to be paid for under the 5-25-5 law.

Section 2. Amendment.

Section 4-19(B) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§4-19. Adoption of capital program.

- A.) Not less than two weeks after the public hearing required by § C4-18 and not later than the 30th day of June, the County Legislature shall adopt the proposed capital program, with or without amendments.
- B.) If the County Legislature does not adopt a capital program on or before the 30th day of June, the proposed capital program shall be deemed adopted as submitted.
 - 1.) Commencing in fiscal year 1996, funding for recurring expenses shall be paid by a transfer from the General Fund rather than through the issuance of debt.
 - 2.) The requirement of subsection (1) of this paragraph shall not apply to recurring expenses incurred, or necessary to

be paid, during fiscal years [2004 and 2005] 2006 and 2007.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law only during fiscal years 2006 and 2007.

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 (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 not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
after a public hearing duly held on July 11, 2006

Date: July 11, 2006

Filed with the Secretary of State on July 24, 2006

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

Intro. Res. No. 1758-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 676 -2006

**RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
DELEGATING TO THE COUNTY COMPTROLLER THE AUTHORITY
TO ISSUE AND SELL BONDS AND NOTES FOR THE FISCAL YEARS
2006, 2007 AND 2008 IN ACCORDANCE WITH THE PROVISIONS OF
THE LOCAL FINANCE LAW**

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. The County Legislature hereby delegates to the County Comptroller the authority to issue and sell bonds and notes of the County of Suffolk for the Fiscal Years 2006, 2007 and 2008 in accordance with the provisions of the New York State Local Finance Law, including but not limited to the authority to issue and sell bonds having substantially level or declining annual debt service, as authorized under Section 21.00(d) of the Local Finance Law.

Section 2. This resolution shall take effect immediately upon approval by the County Executive.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1790-2006

Laid on Table 6/13/2006

Introduced by Legislator Kennedy

RESOLUTION NO. 677 -2006, AUTHORIZING AMENDED SCHOOL TAX WARRANT FOR THE TOWN OF SMITHTOWN

1st RESOLVED, that the taxes and levies, as extended on the 2005-2006 tax and assessment rolls for the Town of Smithtown, is hereby amended to correct the amounts reported for all the Smithtown School Districts to increase the school district tax levy, which the town incorrectly reported to the County Legislature, and the same hereby are ratified and confirmed in the revised amounts set forth in the Exhibits attached hereto and made a part hereof; and be it further

2nd RESOLVED, that the amended tax warrant for the Town of Smithtown for the collection of such taxes (increase of \$114,117.05) as are provided by law be annexed to the tax rolls of the Town of Smithtown, under the seal of the County, and signed by the Presiding Officer and Clerk of the County Legislature.

DATED: June 27, 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. 1524-2006 Laid on Table 5/16/2006
Introduced by Legislators Alden, Nowick, Horsley, Eddington, Barraga, Browning, Stern and Mystal

RESOLUTION NO. 678 -2006, TO ENACT "ALEC'S LAW" TO HELP PROTECT SUFFOLK CHILDREN FROM SUV ACCIDENTS

WHEREAS, Kids and Cars, a not-for-profit group that documents accidents involving children, reports that approximately 300 children were killed in the United States between 2000 and 2004 when automobiles backed over them; and

WHEREAS, many children in Suffolk County have been badly injured and/or killed when sport utility vehicles have backed into unseen children; and

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

WHEREAS, federal legislation has been introduced that would require all passenger vehicles to have a rear-view monitor giving drivers visibility in “blind zones” which can stretch as far as 51 feet, according to Consumer Reports magazine; and

WHEREAS, a recently passed federal bill calls for the National Highway Traffic Safety Administration to document non-traffic related crashes such as back-overs, and to study devices designed to prevent vehicles from accidentally backing over children, a first step to federal action to mandate safety measures; and

WHEREAS, until such time as safety devices are required by the federal government, the County of Suffolk can take measures to help protect Suffolk’s children by disseminating information; now, therefore be it

1st RESOLVED, that pursuant to the provisions of Section C6-2(C) of the SUFFOLK COUNTY CHARTER, the Division of Information Services, within the Department of Information Technology, is authorized, empowered and directed to establish a web page for the purpose of posting current information and statistical data relative to promoting child safety and accident prevention for Sport Utility Vehicle owners; and be it further

2nd RESOLVED, that the Division of Information Services shall compile a list of the names and addresses of all businesses authorized to sell new and used Sport Utility Vehicles in Suffolk County, which shall be updated at least once every twelve (12) months; and be it further

3rd RESOLVED, that Division of Information Services shall establish a link to such web page which link shall be contained on the Suffolk County Executive’s Homepage and shall be available through the Suffolk County Office of Consumer Affairs web page; and be it further

4th RESOLVED, that the Office of Consumer Affairs shall distribute to all new and used car dealers in the County of Suffolk an informational brochure which shall be obtained from an organization that publishes SUV accident prevention pamphlets which focuses on SUV safety and children; 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 (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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 17-0-0-1. Legislator Montano was not present.

Intro. Res. No. 1659-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 679 -2006, APPROVING THE APPOINTMENT OF ISABELLA NANCY RUPP AS A MEMBER OF THE SUFFOLK COUNTY MOTION PICTURE/TELEVISION FILM COMMISSION

WHEREAS, there is a vacant appointment on the Motion Picture/Television Film Commission due to the resignation of Michael A. Johnston; and

WHEREAS, the County Executive wishes to appoint **Isabella Nancy Rupp** as a member of the Suffolk County Motion Picture/Television Film Commission to replace Michael A. Johnston; now, therefore be it

RESOLVED, that the appointment of **Isabella Nancy Rupp**, residing at 26 Peconic Hills Drive, Southampton, New York 11968, as a member of the Suffolk County Motion Picture/Television Film Commission, to fill the balance of an unexpired term of office through December 31, 2007, is hereby approved, said appointment being made by the Suffolk County Executive pursuant to the provisions of Section 58-4 of the SUFFOLK COUNTY CODE.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-1-1. Legislator Stern abstained. Legislator Montano was not present.

Intro. Res. No. 1751-2006

Laid on Table 6/13/2006

Introduced by Legislators Cooper, Stern, and D'Amaro

RESOLUTION NO. 680 -2006, APPOINTING STEVEN ROSSETTI AS A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA)

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency ("IDA") pursuant to Section 991-a

of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856 (2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; now, therefore be it

RESOLVED, that Steven Rossetti residing at 6 Tulip Drive, Huntington, New York, 11743 be and he hereby is appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace present member Emil G. Pavlik, Jr.; and be it further

RESOLVED, that such member so appointed shall serve at the pleasure of the Suffolk County Legislature; and be it further

RESOLVED, that this resolution shall take effect immediately.

DATED: June 27, 2006

EFFECTIVE PURSUANT TO SECTION 2-15 (A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856 (2) OF THE NEW YORK GENERAL MUNICIPAL LAW

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

Intro. Res. No. 1778-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 681 -2006 APPROVING A GROUND LEASE AT SUFFOLK COUNTY COMMUNITY COLLEGE'S EASTERN CAMPUS IN RIVERHEAD, NEW YORK

WHEREAS, Suffolk County Community College (College) had leased a modular building from Resun Corporation (Resun), which was used for educational purposes at its Eastern Campus in Riverhead, New York; and

WHEREAS, the lease between the College and Resun has expired and the modular building was to be dismantled and removed; and

WHEREAS, Long Island University (LIU) will enter into a separate lease with Resun for the modular building and use it to provide graduate courses; and

WHEREAS, LIU desires to lease from the College the land on its Eastern Campus on which the modular building is currently located and desires to have the College provide custodial and security services for the modular building as well as necessary parking; and

WHEREAS, such use will materially enhance and support the College's mission and will also expand the scope of higher education opportunities for the residents of Suffolk County; and

WHEREAS, pursuant to Resolution No. 2006.43, the College's Board of Trustees authorized the negotiation of a lease with LIU; and

WHEREAS, pursuant to Resolution No. 2005.23, the College's Board of Trustees, which has been granted authority to issue SEQRA determinations under the Plan C agreement between Suffolk County and the College, determined that the ground lease at the Eastern Campus in Riverhead, New York is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1), (2) and (25), since it constitutes the maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; now therefore be it

RESOLVED, that a lease between the College and LIU be and hereby is approved in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1490-2006

Laid on Table 4/4/2006

Introduced by Legislators Schneiderman, Presiding Officer Lindsay and Legislator's Horsley and Stern

RESOLUTION NO. 683 -2006, CREATING A REGIONAL SOLID WASTE MANAGEMENT COMMISSION TO REDUCE POLLUTION, TRAFFIC CONGESTION AND FINANCIAL IMPACT OF CURRENT SOLID WASTE DISPOSAL PRACTICES IN SUFFOLK COUNTY

WHEREAS, the residents of Long Island generate nearly nine pounds per person per day of waste, with total residential garbage accounting for nearly five pounds per person per day, a 2.9 percent increase since 2002; and

WHEREAS, Long Island generates 3.81 pounds of municipal solid waste (MSW) per person per day, a 0.8 percent increase since 2003-2004 and an 11.4 percent increase since 2002; and

WHEREAS, residential recycling rates, (not including yard waste, on-site source reduction, nickel deposit cans/bottles, or commercial/construction and demolition recycling) have decreased 14.3 percent since 2003-2004, and 27.1 percent since the year 2002; and

WHEREAS, the handling of household refuse and other forms of solid waste on Long Island has been almost exclusively a function of the towns, which have, among other things, operated landfills to receive household garbage; and

WHEREAS, in 1983 the government of New York State passed the Long Island Landfill law which, for all practical purposes, closed all Long Island landfills by the year 1990; and

WHEREAS, towns now transport to transfer stations or contract with private carters to transport these materials from town facilities; and

WHEREAS, every year 30 percent of Long Island's waste stream, or 1.1 million tons of municipal solid waste, is transported off Long Island, despite the fact that successful town recycling programs—and Long Island's four waste-to-energy incineration facilities, which handle 35 percent of the waste stream—have reduced the volume of solid waste that would otherwise leave the county by trucking, rail, or other methods; and

WHEREAS, the municipal waste moved off Long Island is almost exclusively transported by diesel-powered 22-25 ton capacity trucks to landfills in other states such as Pennsylvania, Virginia, and Ohio; and

WHEREAS, the high price of diesel fuel has driven up the cost of trucking to a number approaching \$100 per ton; and

WHEREAS, the accumulated cost of tipping fees at out of state facilities represents hundreds of millions of dollars removed from the economy of Suffolk County; and

WHEREAS, studies from the Waste Reduction and Management Institute have shown trucking transport rates per ton-mile to be at least 20 times more expensive than transport alternatives such as by rail or sea. They have also shown trucking to entail double the energy costs in terms of gallons of fuel consumed per ton-mile. And, when compared to such alternatives, trucking produces anywhere from 2-10 times the amount of pollutants such as hydrocarbons, carbon monoxide, and nitrous oxide; and

WHEREAS, environmental problems associated with landfilling have led certain states to discontinue this process, further extending the transport distance, increasing the cost of disposal, and make unpredictable the availability of future disposal sites; and

WHEREAS, the Waste Reduction and Management Institute projects the Long Island waste stream to increase to six million tons per year, by the year 2009; and

WHEREAS, in 2009, Long Island will likely transport 38 percent (2.3 million tons per year) of its waste off-Island, since the incineration facilities' capacity will remain fixed. This will increase the daily off-Island trucking rate to 290 18-wheel trucks each carrying 22-25 tons of raw waste to the aforementioned states and others; and

WHEREAS, in August 2009, several town agreements with the Island's incineration facilities will expire, beginning with the contracts the Towns of Brookhaven and Hempstead have with the Hempstead facility operated commercially by the company American Ref-Fuel. When that occurs, said towns may lose access to the incinerator at Hempstead—which handles almost half the Island's waste; and

WHEREAS, in March 2010, all municipal agreements with Long Island incineration facilities will expire, which may leave Long Islanders entirely dependent on the long haul disposal of solid waste; and

WHEREAS, the negative effects associated with waste hauling by truck includes increased costs of air pollution, traffic congestion, road maintenance, and equipment acquisitions; and

WHEREAS, with particular regard to air pollution, when diesel fuel burns, the resulting exhaust is made up of soot and gases. The soot consists of small particles that can be inhaled and deposited in the lungs. According to various estimates, diesel exhaust contains 20-100 times more particles than gasoline exhaust. These particles can carry cancer-causing substances known as polynuclear aromatic hydrocarbons (PAHs); and

WHEREAS, gases in diesel exhaust, such as nitrous oxide, nitrogen dioxide, formaldehyde, benzene, sulfur dioxide, hydrogen sulfide, carbon dioxide, and carbon monoxide can also create health problems including irritation, heartburn, headache, weakness, wheezing, and vomiting. Other studies have shown chronic effects to be increased susceptibility to respiratory illnesses and aggravation of preexisting conditions such as emphysema, asthma, and heart disease; and

WHEREAS, the high cost of waste disposal is felt by every resident in their property tax bill or other fees paid at the point of disposal such as permits and bag fees; and

WHEREAS, the continued process of landfilling entombs a high percentage of re-useable materials such as metals and plastics; and

WHEREAS, taxes applied to the sale of reclaimed materials as well as surcharges and licensing fees associated with processing household waste could be a significant source of revenue for the County which faces a large budgetary shortfall due in large part to weaker than expected growth in sales tax revenues; and

WHEREAS, the handling of solid waste is a regional issue warranting the County's attention and planning assistance; and

WHEREAS, there is an array of new clean technologies for processing solid waste that remove materials such as water, oil and metal, and other technologies that convert waste to energy or other useable products. One such technique called pyrolysis, thermally decomposes wastes in controlled amounts of oxygen to produce valuable petrochemicals; and

WHEREAS, the federal government now provides assistance to localities in developing new means of recovering materials and energy from solid waste; and

WHEREAS, Suffolk County should play a leadership role in transitioning from the current wasteful and expensive system of trucking and landfilling to a new environmentally and economically responsible regional approach to solid waste management; and

WHEREAS, new technologies have the promise of significantly lowering our cost of disposal which will benefit all of our taxpayers; and

WHEREAS, the licensing of a facility and the resale of materials could lead to significant new revenues for Suffolk County; now, therefore be it

1st RESOLVED, that the Regional Solid Waste Management Commission be established and consist of experts to review, analyze, and evaluate current regional solid waste disposal practices in Suffolk County and to evaluate the financial and environmental benefits of new technologies for their use in Suffolk County; and recommend alternatives to current practices that are both environmentally and economically beneficial; and be it further

2nd RESOLVED, for the purposes of this commission, "solid waste" shall include municipal and private solid waste, construction and demolition debris, yard waste, sewage, sludge, and other waste by-products; and be it further

3rd RESOLVED, that the Commission shall seek ways to reduce air pollution and traffic congestion, as well as investigate disposal methods with lower and/or more predictable costs, with particular attention paid to decreased trucking and increased use of rail and other transport methods; and be it further

4th RESOLVED, that the Commission shall examine ways to promote recycling and market development for recycled goods; and be it further

5th RESOLVED, the Commission shall consist of:

1. Commissioner of Department of Environment and Energy, who shall serve as chair,
2. Commissioner or designee of Department of Public Works,
3. Commissioner or designee of Department of Economic Development and Workforce Housing,
4. Chair or designee of Environment Planning and Agriculture Committee,
5. Chair or designee of Economic Development and Energy Committee,
6. Chairman or designee of Public Works and Transportation Committee,
7. Representative of New York State Department of Environmental Conservation who has expertise in solid waste regulations,
8. Representative of the Waste Reduction and Management Institute at Stony Brook,
9. Expert in landfill reclamation,
10. Expert in municipal and commercial Recycling,
11. Director or representative of a large scale successful municipal solid waste program in Suffolk County,
12. Solid Waste Engineer,
13. Representative of Cornell Cooperative Extension,
14. Representative of the Suffolk County Village Officials Association,
15. Representative of an Environmental group to be appointed by the Legislature,
16. Representative of the Suffolk County Supervisor's Association,
17. Representative to be chosen by the Presiding Officer of the Legislature,

18. Member of the Long Island Municipal Waste Officials Association,

6th **RESOLVED**, that the make up of the Commission may be modified by resolution; and be it further

7th **RESOLVED**, that the Commission may seek additional expertise by inviting experts as needed and by designating members to conduct field investigations of facilities and report back to the Commission; and be it further

8th **RESOLVED**, that the Commission may submit requests to the County Executive and/or the County Legislature for approval of necessary and relevant expenditures such as travel expenses or retention of consultants to assist the Commission with such endeavors, said total expenditures are to be paid from appropriations within the Suffolk County Legislature to be identified by the Presiding Officer and not to exceed Five Thousand Dollars (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

9th **RESOLVED**, that the Commission shall file a report within twelve (12) months from the date of its first meeting; and be it further

10th **RESOLVED**, that members shall serve without additional compensation; and be it further

11th **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 Chairperson upon his or her own initiative or upon receipt of a written request therefore 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

12th **RESOLVED**, that ten (10) 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

13th **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

14th **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

15th **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

16th **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

17th RESOLVED, that the Commission 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 Commission shall deposit the records of its proceedings with the Clerk of the Legislature; and be it further

18th 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2006

Legislator Romaine made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-1. Legislator Montano was not present.

Intro. Res. No. 1572-2006

Laid on Table 5/16/2006

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

RESOLUTION NO. 684 -2006 AUTHORIZING ACQUISITION OF A CONSERVATION EASEMENT UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE MANOS PROPERTY (TOWN OF SOUTHOLD – SCTM NO'S. 1000-059.00-05.00-002.001,1000-59.00-05.00-002.003 p/o & 1000-059.00-05.00-027.000)

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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, Resolution No. 1121-2005 appropriated \$12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 273-2005 authorized planning steps for acquisition of the conservation easement; 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 of the conservation easement; now, therefore be it

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the conservation easement set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Seven Hundred Seventy Three Thousand Six Hundred Dollars (\$773,600.00±), 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 1000 Section 059.00 Block 05.00 Lot 002.001	1.2± acres	Stella Manos P.O. Box 530 2147 Lake Drive Southold, NY 11971
No. 2	District 1000 Section 059.00 Block 05.00 Lot 002.003 p/o		Stella Manos P.O. Box 530 2147 Lake Drive Southold, NY 11971
No. 3	District 1000 Section 059.00 Block 05.00 Lot 027.000		James Manos, Esq. & Stella Manos as Co-Trustees of the James Manos Revocable Trust Agreement P.O. Box 530 2147 Lake Drive Southold, NY 11971

and be it further

2nd **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 conservation easement listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Dollars (\$773,600.00 ±), subject to a final survey; and, be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$773,600.00±, subject to a final survey, from previously appropriated funds in

Capital Project 525-CAP-8705.210, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and, be it further

4th **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 other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition of conservation easement, 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

5th **RESOLVED**, that the subject conservation easement shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and, be it further

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

7th **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 conservation easement 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 of conservation easement and preservation of the site would have; and, be it further

8th **RESOLVED**, that 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1596-2006

Laid on Table 5/16/2006

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

RESOLUTION NO. 685 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – 357 BRICK KILN PROPERTY (TOWN OF SOUTHAMPTON – SCTM NO. 0900-030.00-01.00-054.000)

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. 75-2005, 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

1ST 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 Million Five Hundred Thousand Dollars (\$3,500,000.00±), 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</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
	District	0900	9.87±acres	357 Brick Kiln, LLC
	Section	030.00		c/o Randall C. Weichbordt
	Block	01.00		132-2 Main Street
	Lot	054.000		Westhampton Beach, NY 11978

and, be it further

2nd 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 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 Million Five Hundred Thousand Dollars (\$3,500,000.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,500,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-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

4th 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

5th 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, Two (2) 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

6th RESOLVED, that the subject parcel shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

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

8th 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 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

9th 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 27, 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 Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1642A-2006

BOND RESOLUTION NO. 686 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$8,283,000 BONDS TO FINANCE A PART OF THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP 7177.227)

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 \$8,283,000 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 land under the Suffolk County Multifaceted Land Preservation Program, 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 \$20,334,750. The plan of financing includes (a) the issuance of \$12,051,750 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1120-2005, (b) the issuance of \$8,283,000 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. 21 of the Law of the Law, is thirty (30) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1120-2005.

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 27, 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 Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1642B-2006

BOND RESOLUTION NO. 687 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF LAND FOR THE WORKFORCE HOUSING PROGRAM (CP 8704.211)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$5,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of land for the Workforce Housing Program, 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 \$5,000,000. The plan of financing includes the issuance of \$5,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law of the Law, is thirty (30) 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 27, 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 Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1642C-2006

BOND RESOLUTION NO. 688 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE A PART OF THE COST OF LAND ACQUISITION FOR THE WORKFORCE HOUSING PROGRAM (CP 8704.210)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of land acquisition for the Workforce Housing Program, 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 \$5,050,000. The plan of financing includes (a) the issuance of \$5,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1198-2001, (b) the issuance of \$50,000 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. 92 of the Law of the Law, is twenty (20) years, computed from October 15, 2002, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1198-2001.

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 27, 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 Deputy Presiding Officer Viloría-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1642-2006

Laid on Table 5/16/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Alden, Schneiderman, Browning, Viloría-Fisher, Mystal

RESOLUTION NO. 689 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND WORKFORCE HOUSING PROGRAM

WHEREAS, Suffolk County has earned National Recognition for its various land acquisition programs which protect our environment and preserve the unique character of our County; and

WHEREAS, Suffolk County Affordable Housing Program was established to promote the development of affordable housing; and

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

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said requests; 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 even date herewith has authorized the issuance of \$13,333,000 in Suffolk County Serial Bonds to cover the cost of acquiring land under the Suffolk County Multifaceted Land Preservation Program; now, therefore be it

1st 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 (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, not including new programs or major reordering of priorities that may affect the environment; and be it further

2nd RESOLVED, that prior to the approval by this Legislature of any property for acquisition under this capital project, an environmental review of each property shall be undertaken and completed in accordance with SEQRA; and be it further

3rd RESOLVED, that 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; and be it further

4th RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty four (54), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

5th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7177

Project Title: Suffolk County Multifaceted Land Preservation Program

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Program and Budget</u>	<u>Revised 2006 Capital Program and Budget</u>
2. Land Acquisition	\$87,115,000	\$13,333,000 B	\$8,283,000 B
TOTAL	\$87,115,000	\$13,333,000	\$8,283,000

Project No. 8704

Project Title: Purchase and Development of Property for Workforce Housing

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Program and Budget</u>	<u>Revised 2006 Capital Program and Budget</u>
2. Land Acquisition	\$10,050,000	\$ 0	\$5,050,000 B
TOTAL	\$10,050,000	\$ 0	\$5,050,000

and be it further

6th RESOLVED, that the proceeds of \$13,333,000 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-7177.227 Fund 001-Debt Service	Suffolk County Multifaceted Land Preservation Program	\$ 8,283,000
525-CAP-8704.210 Fund 001-Debt Service	Purchase and Development of Property for Workforce Housing (Patchogue Development)	\$ 145,000
525-CAP-8704.211 Fund 001-Debt Service and be it further	Purchase and Development of Property for Workforce Housing	\$ 4,905,000

7th RESOLVED, that no funds appropriated by this resolution may be expended unless and until a resolution authorizing planning and/or acquisition of a piece of property for the purposes of these capital projects has been duly adopted.

DATED: June 27, 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 Montano. The resolution was passed 17-0-0-1. Legislator Schneiderman was not present.

Intro. Res. No. 1755-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 690 -2006, AUTHORIZING ACQUISITION, CONVEYANCE, DEVELOPMENT AND OVERSIGHT OF REAL PROPERTY UNDER SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM (COPPER BEECH VILLAGE – VILLAGE OF PATCHOGUE)

WHEREAS, Local Law No. 13-2000 as amended in its entirety by Local Law 17-2004, known as Suffolk County Administrative Code (“SCAC”) Article XXXVI, as amended, found and determined that there was a need for the County to aid municipalities in providing affordable housing and established the Suffolk County Affordable Housing Opportunities Program; and

WHEREAS, SCAC § A36-2(C) provides a statutory framework for, and authorizes the acquisition of land to be acquired for its Workforce Housing Program by Suffolk County (the “County”) through the use of capital bond proceeds; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing and the Village of Patchogue (the “Village”) have identified a portion of a site for affordable housing, to be known as Copper Beech Village, currently identified with unit numbers, which will supersede the current Suffolk County Tax Map Lot Numbers and will coincide with the proposed Suffolk County Tax Map Lot Numbers to become effective upon the filing of the Subject Unit Designation Map by RMS Engineering, currently dated March 31, 2006 with the Suffolk County Clerk’s Office, which will be as follows: 0204-013.10-01.00-002, 003, 006, 008, 009, 012, 013, 015, 018, 020, 021, 024, 025, 027, 030, 032, 033, 036, 037, 040, 042, 043, 045, 046, 051, 052, 053, 054, 055, 057, 060, 062, 064, 065, 069, 070, 072, 076, 077, and 079 (the “Subject Premises”); and

WHEREAS, Resolution No. 1199-2001 previously appropriated the proceeds of \$5,000,000.00 in Suffolk County Serial Bonds for affordable housing purposes and Resolution No. 689 -2006 appropriated the proceeds of \$5,050,000.00 in Suffolk County Serial Bonds for Workforce Housing acquisitions under the Suffolk County Workforce Housing Program subject to further Legislative approval of a resolution authorizing the planning and/or acquisition of specific projects; and

WHEREAS, Resolution No. 117-2005 authorized planning steps for acquisition of the Subject Premises either currently owned, or to be owned, by Pulte Homes of New York, Inc., (“Pulte”) by the time of the conveyance to the County; and

WHEREAS, The Suffolk County Workforce Housing Commission has indicated its unanimous support of such project; and

WHEREAS, the Environmental Trust Review Board reviewed the appraisals, reviewed the April 18, 2006 report of the Internal Appraisal Review Board, approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition on April 21, 2006; and

WHEREAS, the Village, by its Resolution dated May 22, 2006, has approved a development agreement to be executed by the Village, County and Pulte (the “Development Agreement”), which incorporates a development plan (the “Development Plan”), each of which is in substantially final form, as attached hereto,

detailing the proposed development of 40 units of affordable home ownership housing, in an overall 80 unit development, which meets the requirements of the Suffolk County Affordable Housing Opportunities Program; and

WHEREAS, pursuant to Resolution No. 41-2006 dated March 22, 2006, the Village Board issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Village Board is binding on the County, as an involved agency, pursuant to Volume 6 of New York Compilation of Codes, Rules and Regulations (NYCRR) § 617.6 (b)(3)(ii) and, therefore, SEQRA is complete; now therefore, be it

1st RESOLVED, that the Suffolk County Legislature, on behalf of the County, hereby finds and determines that the Subject Premises meet the requirements of the Suffolk County Affordable Housing Opportunities Program for its Workforce Housing Program, and the need to fill the critical shortage of affordable housing in the County; and accordingly authorizes the development of this project, to be known as Copper Beech Village; and be it further

2nd RESOLVED, that the Development Agreement and the Development Plan are hereby approved; and be it further

3rd RESOLVED, that the Subject Premises, which constitute a portion of Copper Beech Village, subject to a final survey and/or Unit Designation Map is hereby authorized to be acquired, conveyed, developed, supervised and managed, as hereinafter stated, which unit numbers will coincide with the following proposed Suffolk County Tax Map lot Numbers which will be, as follows: 0204-013.10-01.00-002, 003, 006, 008, 009, 012, 013, 015, 018, 020, 021, 024, 025, 027, 030, 032, 033, 036, 037, 040, 042, 043, 045, 046, 051, 052, 053, 054, 055, 057, 060, 062, 064, 065, 069, 070, 072, 076, 077, 079; and be it further

4th RESOLVED, that the Subject Premises is hereby approved for acquisition in the Suffolk County Workforce Housing Program pursuant to SCAC § A36-2(C), for a total purchase price of Three Million Three Hundred and One Thousand Nine Hundred and Sixty and 00/100 Dollars (\$3,301,960.00), to be purchased from Pulte subject to a final survey and/or Unit Designation Map; 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 be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay Three Million Three Hundred and One Thousand Nine Hundred and Sixty and 00/100 Dollars (\$3,301,960.00) subject to a final survey and/or Unit Designation Map from previously appropriated funds in Capital Project Nos. 525-CAP-8704.210 and 525-CAP-8704.211 for this acquisition; and be it further

6th RESOLVED, that pursuant to General Municipal Law § 72-h, the County is hereby authorized to convey the Subject Premises to the Village and as consideration, is taking back a blanket mortgage and note from the Village in the amount of Three Million Three Hundred and One Thousand Nine Hundred and Sixty and 00/100 Dollars (\$3,301,960.00) on the Subject Premises, in order to secure the County's interest; and be it further

7th RESOLVED, that the County hereby sanctions the conveyance of the Subject Premises from the Village to Pulte; and be it further

8th RESOLVED, that pursuant to Suffolk County Charter §§ C35-2(V) and (Y), and SCAC § A36-2(C) the Department of Economic Development and Workforce Housing and its Commissioner, and the Division of Affordable Housing and its Director of Affordable Housing is hereby authorized to acquire and convey the Subject Premises, as necessary, and the same are hereby further authorized, empowered and directed to take such other actions, enter into such other agreements, to pay such additional expenses as may be necessary and appropriate to accomplish the aforesaid authorizations and duties, and execute such other documents as are required to effectuate this overall affordable housing project and transaction; and be it further

9th RESOLVED, that the Director of the Division of Real Property Acquisition and Management or his or her designee, pursuant to Suffolk County Charter § C42-2(C)(3)(d) is hereby authorized and empowered, and her actions are hereby ratified and adopted, to negotiate the purchase price for the initial acquisition from Pulte to the County, and further to provide whatever additional support is requested by the Department of Economic Development and Workforce Housing and its Division of Affordable Housing, and by the County Attorney pursuant to Suffolk County Charter §C16-2 and the Department of Public Works pursuant to Suffolk County Charter § C8-2(W); and be it further

10th RESOLVED, that the County Executive, the County Attorney, the Commissioner of the Department of Economic Development and Workforce Housing and the Director of Affordable Housing are hereby authorized, respectively, to execute any and all documents necessary and/or desired to effectuate the purpose and intent of this affordable housing project and resolution; and be it further

11th RESOLVED, pursuant to Resolution No. 41-2006 dated March 22, 2006, the Village Board issued a negative SEQRA declaration which completed the environmental review; and further the negative declaration issued by the Village Board is binding on the County, as an involved agency, pursuant to Volume 6 of New York Compilation of Codes, Rules and Regulations (NYCRR) § 617.6 (b)(3)(ii) and, therefore, SEQRA is complete.

DATED: June 27, 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 15-1-2-0. Legislator Mystal voted no. Legislator Alden and Presiding Officer Lindsay abstained.

Intro. Res. No. 1651-2006
Introduced by Legislator Romaine

Laid on Table 5/16/2006

RESOLUTION NO. 691 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (OAKS AT EAST MORICHES PROPERTY) TOWN OF BROOKHAVEN

WHEREAS, 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, the Town of Brookhaven has indicated a willingness to enter into 50/50 partnership with the County of Suffolk to preserve an environmentally significant property, known as Oaks at East Moriches; and

WHEREAS, this property is within Hydrogeologic Zone VI, a shallow-flow recharge zone and its protection is critical to maintaining the purity of the coastal waters of Moriches Bay; 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, or his 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 pursuant to Resolution No. 751-1997;

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

No. 1 District
 Section
 Block
 Lot

SEE EXHIBIT "A"

and be it further

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

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

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2006

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

Intro. Res. No. 1661-2006
Introduced by Legislator Romaine

Laid on Table 6/13/2006

RESOLUTION NO. 692 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (MCCARTHY PROPERTY), TOWN OF SOUTHOLD (SCTM NO. 1000-122.00-04.00-471.00)

WHEREAS, Resolution 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 authorized the transfer of development rights from parcels acquired under this program for the purpose of providing Workforce Housing; and

WHEREAS, the Town of Southold has expressed an interest in making a joint acquisition of the subject parcel located in Southold; 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 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. 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: 1000 Section 122.00 Block 04.00 Lot 471.00	1.9	Joseph McCarthy 470 Mockingbird Lane Southold, NY 11971

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 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

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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 13, 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. 1714-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator's Viloría-Fisher, Romaine, Schneiderman

**RESOLUTION NO. 693 -2006, APPROVING PLANNING
STEPS FOR THE ACQUISITION OF FARMLAND
DEVELOPMENT RIGHTS -2006**

WHEREAS, Local Law 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 7.35 per cent of sales and compensating use tax proceeds generated each year for farmland development rights acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, Resolution No. 559-1998 (Local Law No. 27-1998), a "Charter Law Adding Article XII-A to the Suffolk County Charter to provide a Suffolk County Greenways Community Fund" was approved by the electorate on November 3, 1998, thereby making \$20 Million available for the acquisition of farmland development rights under its Farmland component; and

WHEREAS, the Greenways Community Fund provides for Town participation by sharing in the investment in County acquisition of farmland development rights to continue existing farming interests, respectively; and

WHEREAS, Resolution No. 751-1997 established the Land Preservation Partnership Program with Suffolk County Towns, subject to receipt by the County Executive of a Town Board resolution which represents that the property is eligible for acquisition under the County Drinking Water Protection Program, the Open Space Program, the Farmland Development Rights Program, watershed and/or estuary protection, or parklands; authorizes acquisition of fee title, or a lesser interest therein, to be held by the County of Suffolk; appropriates funds for the acquisition in the amount of fifty-percent (50%) of the total cost of acquisition, including, but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to exemption; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A"); pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, Local Law No. 34-2004, approved by the electorate in 2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" which authorizes the acquisition of farmland development rights by making \$35 Million available for such acquisition under the Farmland component, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005 and 2006 master lists of important and significant environmentally sensitive lands, farmland and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005 and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore, be it

1st RESOLVED, that this list of farmlands identified by Exhibit "A" for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and be it further

I.) NEW DRINKING WATER PROTECTION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

2nd **RESOLVED**, that the following parcel(s), in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is (are) hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Farmland Preservation Program authorized, empowered, and directed by Section 12-3 of the SUFFOLK COUNTY CHARTER and implemented under Article XII 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 Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

6th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

7th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

8th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

II.) COMMUNITY GREENWAYS PROGRAM – FARMLAND DEVELOPMENT RIGHTS

9th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, 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 the farmland development rights, via a negotiated purchase, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk listed herein below from the reputed owners for inclusion in the Suffolk County Farmland Development Rights Program, the funding for which shall be provided under the Suffolk County Greenways Community Fund, i.e. Section 12-A(A)(3) 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 Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

10th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

11th **RESOLVED**, that the pertinent proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections 12-A(A)(3), (5) and (6) of the SUFFOLK COUNTY CHARTER in connection with such farmland development rights acquisitions, the appropriations and expenditures of County bond proceeds for which is hereby conditioned upon receipt by the County of Suffolk of the written binding pledge or commitment to provide at least thirty per cent (30%) of the actual cost of acquisition from the pertinent Town, for each subject parcel from which such farmland development rights are acquired; and be it further

12th **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, County Department of Planning, and/or the County Department of Public Works; are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, obtaining surveys, obtaining engineering reports,

securing titles and insurance, and executing such other documents as are required to acquire such County interest in said lands; and be it further

III.) SUFFOLK COUNTY LAND PRESERVATION PARTNERSHIP PROGRAM -- FARMLAND DEVELOPMENT RIGHTS

13th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) and (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 to acquire the farmland development rights for the parcels listed herein below, from the reputed owners, in addition to the parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, for inclusion in the Suffolk County Land Preservation Partnership Program, the funding for which shall be provided under Resolutions Nos. 751-1997 and 1092-1997 as supplemented by subsequent appropriations:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

14th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

15th **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Resolutions Nos. 751-1997 and 1092-1997; and be it further

16th **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works, 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

17th **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 Land Preservation Partnership Program; and be it further

IV.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

18th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire the farmland development rights of the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Preservation Program, together with those parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, to be consummated pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBITS "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

19th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

20th **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of the 5th RESOLVED clause of Resolution No. 459-2001; and be it further

21st **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works 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

V.) SAVE OPEN SPACE (SOS) PROGRAM – FARMLAND DEVELOPMENT RIGHTS

22nd **RESOLVED**, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A(3) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the

SUFFOLK COUNTY CHARTER, by Local law No. 34-2005 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>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

23rd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

24th **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel in accordance with Resolution No. 423-1988, and be it further

25th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10 (B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

26th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XXXVI of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

27th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

28th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

29th **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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

APPENDIX A

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<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 847.00 Block 03.00 Lot 030.003	34.6 acres	Kenneth G. Glover 4 Strawberry Lane Brookhaven, NY 11719
No. 2	District 0200 Section 788.00 Block 01.00 Lot 001.005	2.2 acres	Jurgielewicz Duck Farm P. O. Box 68 Moriches, NY 11955
No. 3	District 0200 Section 788.00 Block 01.00 Lot 001.006	33.5 acres	Jurgielewicz Duck Farm P. O. Box 68 Moriches, NY 11955
No. 4	District 0200 Section 751.00 Block 02.00 Lot 005.000	3.5 acres	Jurgielewicz Duck Farm P. O. Box 68 Moriches, NY 11955
No. 5	District 0200 Section 750.00 Block 07.00 Lot 001.004	7.7 acres	Jurgielewicz Estates LLC P. O. Box 68 Moriches, NY 11955
No. 6	District 0200	32.6 acres	Barbara Cuomo Casey et ors

	Section 916.00			10 Cross Street
	Block	02.00		P. O. Box 472
	Lot	004.000		East Moriches, NY 11940
No. 7	District	0200	4.1 acres	Karen G. Hanna
	Section 676.00			185 N. Jerusalem Hollow Rd.
	Block	01.00		Manorville, NY 11949
	Lot	032.001		
No. 8	District	0200	3.5 acres	Karen G. Hanna, Robert H B
	Section 676.00			Rumph Testamentary Trust,
	Block	01.00		Roberta Trunco
	Lot	034.001		185 N. Jerusalem Hollow Rd.
				Manorville, NY 11949
No. 9	District	0200	4.2 acres	Robert H B Rumph
	Section 676.00			Testamentary Trust
	Block	01.00		185 N. Jerusalem Hollow Rd.
	Lot	035.000		Manorville, NY 11949

APPENDIX A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 10	District0200 Section979.50 Block 01.00 Lot 009.000	6.9 acres	South Country Properties William Manker 355 South Country Road East Patchogue, NY 1772
No. 11	District0200 Section979.60 Block 01.00 Lot 001.000	11.2 acres	Michael Barry 22 Locust Road Brookhaven, NY 11719
No. 12	District0600 Section085.00 Block 02.00 Lot 001.000	26.1 acres	Tri State Horticultural Service 107 Schwab Rd. Huntington Sta., NY 11746
No. 13	District0900 Section087.00 Block 01.00 Lot 009.000	23.3 acres	Raymond H. Topping 318 Halsey Lane P. O. Box 3019 Bridgehampton, NY 11932
No. 14	District0900 Section087.00 Block 01.00	10.7 acres	Harold H. Topping 342 Halsey Lane P. O. Box 3019

	Lot	010.000	Bridgehampton, NY 11932
No. 15	District0900	11.0 acres	Robert Ginsberg
	Section132.00		320 Majors Path
	Block	01.00	Southampton, NY 11968
	Lot	002.000	
	Total acres	215.1 acres	

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

Intro. Res. No. 1744-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 694 -2006, APPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (GLORIA G. RUSSO)

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Theresa Elkowitz has resigned as a member of the CEQ, effective April 4, 2006, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Gloria G. Russo**, whose current address is Sayville, NY 11782, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, to fill the unexpired term of Theresa Elkowitz, said term of office to expire on March 23, 2010.

DATED: June 27, 2006

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

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

Intro. Res. No. 1745-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 695 -2006, APPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (DANIEL PICHNEY)

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, John Matthew Wagner has resigned as a member of the CEQ, effective April 11, 2006, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Daniel Pichney**, whose current address is Bayport, NY 11705, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, to fill the unexpired term of John Matthew Wagner, said term of office to expire on March 23, 2010.

DATED: June 27, 2006

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

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

Intro. Res. No. 1746-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 696 -2006, APPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (LAUREN ELIZABETH STILES)

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Thomas W. Cramer has resigned as a member of the CEQ, effective April 6, 2006, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Lauren Elizabeth Stiles**, whose current address is East Moriches, NY 11940, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, to fill the unexpired term of Thomas W. Cramer, said term of office to expire on March 23, 2009.

DATED: June 27, 2006

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

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

BOND RESOLUTION NO. 697 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$60,000 BONDS TO FINANCE A PART OF THE COST OF PLANNING FOR PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS (CP 8224.113)

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 \$60,000 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 planning for public health related harmful algal blooms, 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 \$120,000. The plan of financing includes (a) the issuance of \$60,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1115-2005 (\$20,000 for planning and \$40,000 for equipment), (b) the issuance of \$60,000 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. 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 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. 1759-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator's Viloría-Fisher, D'Amaro, Stern, Romaine, Losquadro, Schneiderman

RESOLUTION NO. 698 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS (CP 8224)

WHEREAS, the Commissioner of Health Services has requested funds for the continued monitoring of the Public Health Related Harmful Algal Blooms (HAB); and

WHEREAS, it is necessary to continue to investigate the potential presence of algae which can produce severe and adverse health effects; and

WHEREAS, in 2005 there were a series of shellfish kills of juvenile and adult soft shell clams associated with the occurrence of the newly discovered red tides; and

WHEREAS, the funding for this project will be used to support an investigation of a new HAB appearing in the Peconic Estuary; and

WHEREAS, a comprehensive assessment of the cause, effects, dynamics and distribution of the new HAB, *Cochlodinium polykrikoides* (red tide) blooms and cells in the Peconic Estuary is planned; and

WHEREAS, there are sufficient authorizations within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 8224; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter;

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$60,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000; and be it further

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8224
 Project Title: Public Health Related Harmful Algal Blooms

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Modified 2006 Capital Budget & Program</u>
1. Planning and Design	\$250,000	\$ 20,000G	\$ 60,000B
5. Furniture & Equipment	<u>\$ 75,000</u>	<u>\$ 40,000G</u>	<u>\$ 0</u>
TOTAL	\$325,000	\$ 60,000	\$ 60,000

and be it further

4th RESOLVED, that the proceeds of \$60,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8224.113 (Fund 001 Debt Service)	40	Public Health Related Harmful Algal Blooms	\$60,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro Res. No. 1760A-2006

BOND RESOLUTION NO. 699 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$190,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226.522)

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 \$190,000 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 equipment for groundwater monitoring and well drilling, 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 \$190,000. The plan of financing includes the issuance of \$190,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 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. 1760-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 700 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of equipment for Groundwater Monitoring and Well Drilling; and

WHEREAS, the equipment will be used to drill wells and conduct groundwater research to protect Suffolk County's sole-source aquifer and assist the Brownfield/ERP projects and the Comprehensive Water Resource Management Plan; and

WHEREAS, this research data will be used for critical decision making for the protection of Suffolk County's vital water supply and surface water resources while accommodating Smart Growth workforce housing and sustainable growth initiatives; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 8226; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$190,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000; and be it further

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8226
 Project Title: Purchase of Equipment for Groundwater Monitoring and Well Drilling

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture and Equipment	\$1,856,000	\$190,000G	\$190,000B
TOTAL	\$1,856,000	\$190,000	\$190,000

and be it further

4th RESOLVED, that the proceeds of \$190,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8226.522 (Fund 001 Debt Service)	40	Purchase of Equipment for Groundwater Monitoring and Well Drilling	\$190,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1761A -2006

BOND RESOLUTION NO. 701 - 2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE THE COST OF THE STUDY OF THE OCCURRENCE OF BROWN TIDE IN SUFFOLK COUNTY MARINE WATERS (CP 8228.119 and 513)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the study of the occurrence of brown tide in Suffolk County Marine Waters, 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 \$150,000. The plan of financing includes the issuance of \$150,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$100,000 for planning and \$50,000 for equipment) 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1761-2006

Laid on Table 6/13/2006

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

**RESOLUTION NO. 702 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE STUDY FOR THE
OCCURRENCE OF BROWN TIDE IN SUFFOLK COUNTY
MARINE WATERS (CP 8228)**

WHEREAS, the Commissioner of Health Services has requested the appropriation of funds for the Study for the Occurrence of Brown Tide in Suffolk County Marine Waters; and

WHEREAS, the funding would support Phase III of the study of Groundwater Inflow and Brown Tide Bloom Dynamics with Cornell Cooperative Extension; and

WHEREAS, the purchase of specialized marine monitoring equipment will allow the continuation of automated long-term monitoring; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 8228; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$150,000 in Suffolk County Serial Bonds; now, therefore, be it

1st 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 as amended by Resolution No. 209-2000; and be it further

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8228
 Project Title: Study for the Occurrence of Brown Tide in Suffolk County Marine Waters

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning, Design and Supervision	\$1,463,000	\$100,000G	\$100,000B
5. Furniture & Equipment	\$ 520,000	\$ 50,000G	\$ 50,000B
TOTAL	\$1,983,000	\$150,000	\$150,000

and be it further

4th RESOLVED, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8228.119 (Fund 001 Debt Service)	40	Study for the Occurrence of Brown Tide in Marine Waters	\$100,000
525-CAP-8228.513 (Fund 001 Debt Service)	40	Study of the Occurrence of Brown Tide in Marine Waters	\$50,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1764A-2006

BOND RESOLUTION NO. 703-2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE THE COST OF PLANNING FOR THE PECONIC BAY ESTUARY PROGRAM (CP 8235.114 and .517)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for the Peconic Bay Estuary Program, 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 \$150,000. The plan of financing includes the issuance of \$150,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$140,000 for planning and \$10,000 for related equipment) 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1764-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Schneiderman, Browning

RESOLUTION NO. 704 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PECONIC BAY ESTUARY PROGRAM (CP 8235)

WHEREAS, the Commissioner of Health Services has requested the appropriation of funds for the Peconic Bay Estuary Program; and

WHEREAS, the funding will provide environmental resource planning for benthic mapping and eelgrass restoration and the purchase of marine monitoring equipment; and

WHEREAS, the maps of underwater lands for the entire Peconic Estuary are needed to document bathymetry and the distribution of natural resources; and

WHEREAS, the restoration of eelgrass is a significant part of many coastal management programs to maintain the marine ecosystem; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 8235; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter

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 \$150,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, 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

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8235
 Project Title: Peconic Bay Estuary Program

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning, Design and Supervision	\$725,000	\$100,000G	\$140,000B
5. Furniture & Equipment	<u>\$295,000</u>	<u>\$50,000G</u>	<u>\$10,000B</u>
TOTAL	\$1,020,000	\$150,000	\$150,000

and be it further

4th RESOLVED, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8235.114 (Fund 001 Debt service)	40	Peconic Bay Estuary Program	\$140,000
525-CAP-8235.517 (Fund 001 Debt service)	40	Peconic Bay Estuary Program	\$10,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1768-2006

Laid on Table 6/13/2006

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

**RESOLUTION NO. 705 –2006, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM -
LAND PRESERVATION PARTNERSHIP PROGRAM - FOR
THE PINELLI PROPERTY (OVERTON PRESERVE) -
(TOWN OF BROOKHAVEN - SCTM NO. 0200-
496.00-01.00-003.001 p/o)**

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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, Resolution No. 1121-2005 appropriated \$12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 203-2004 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Brookhaven has approved Resolution No. 14 on March 1, 2005 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, for a total purchase price of Two Million One Hundred Twenty Five Thousand Dollars (\$2,125,000.00±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Million Sixty Two Thousand Five Hundred Dollars (\$1,062,500.00±) for a Fifty percent (50%) undivided interest; and the Town’s share, totaling One Million Sixty Two Thousand Five Hundred Dollars (\$1,062,500.00±), for a Fifty percent (50%) undivided interest, as tenants-in-common, 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 0200	20.298±	Albert Andrew Pinelli
	Section 496.00		481 Mill Road
	Block 01.00		Coram, NY 11727

Lot 003.001 p/o

and be it further

2nd 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 Multifaceted Land Preservation Program, for the County's share of the purchase price of One Million Sixty Two Thousand Five Hundred Dollars (\$1,062,500.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,062,500.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning fifty percent (50%) undivided interest and the Town owning fifty percent (50%) undivided interest; and, be it further

5th 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 other 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

6th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation according to the requirements of the Suffolk County Land Preservation Partnership Program (Resolution No. 751-1997) thereby meeting the following criteria for acquisition under the Open Space Preservation Program as described in Section 661-2(B), and meeting the following category of use:

*The Open Space Preservation Program (natural resource preservation)
[Amended 4-20 1999 by Res. No. 375-1999]*

as described in Section 661-5(C); and be it further

7th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any collateral agreements with the Town to effectuate the terms of the resolution; and be it further

8th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

9th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

10th RESOLVED, that the project will not have a significant effect on the environment for the following reason:

- 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

11th RESOLVED, that 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

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

RESOLUTION NO. 706 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT FOR THE MOHLENHOFF PROPERTY (TOWN OF HUNTINGTON – SCTM NO. 0400-134.00-03.00-007.000, 0400-134.00-03.00-008.000 & 0400-134.00-03.00-009.000)

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 \$10 million for acquisitions under the Hamlet Parks component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund; and

WHEREAS, Resolution No. 348-2005, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Huntington has approved Resolution No. 2005-384 on May 24, 2005, Resolution No. 2005-744 on December 13, 2005 and Resolution No. 2006-252 on March 21, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk, 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; and

WHEREAS, a coordinated SEQRA review was conducted from among the involved agencies and it was agreed that the County of Suffolk is the lead agency; and

WHEREAS, the Suffolk County Legislature has reviewed the EAF and the CEQ recommendations; now therefore be it

1st RESOLVED, that this Legislature as the SEQRA lead agency hereby determines that the Proposed Acquisition of Land known as the Mohlenhoff Property in the Town of Huntington, constitutes a Type I 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.

- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
- 3.) The Town of Huntington, at its sole cost and expense, is to remove all existing infrastructure on the property and properly dispose of it at an approved facility.
- 4.) The Town of Huntington, at its sole cost and expense, will remediate the agrichemical contamination on the property in conformance with the Suffolk County Department of Health Services (SCDHS) requirements and standards.
- 5.) All necessary permits required by the NYSDEC and SCDHS will be obtained by the Town of Huntington.
- 6.) The project is in conformance with the 1993 Town of Huntington Comprehensive Plan.
- 7.) Adjacent roads have the capacity to handle the additional traffic generated by the project which is not significant; and be it further

2nd 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, Hamlet Park component, for a total purchase price of Four Million One Hundred Eleven Thousand One Hundred Twenty Five Dollars (\$4,111,125.00±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Two Million Fifty Five Thousand Five Hundred Sixty Two Dollars and Fifty cents (\$2,055,562.50±), for a fifty percent (50%) undivided interest; and the Town's share, totaling Two Million Fifty Five Thousand Five Hundred Sixty Two Dollars and Fifty cents (\$2,055,562.50±), for a fifty percent (50%) undivided interest, as tenants-in-common, 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 0400 Section 134.00 Block 03.00 Lot 007.000	10.963±	John Mohlenhoff & Assoc., LLC 33 West Rogues Path Huntington, NY 11743
No. 2	District 0400 Section 134.00 Block 03.00 Lot 008.000		Same as above
No. 3	District 0400 Section 134.00 Block 03.00 Lot 009.000		M. Mohlenhoff & Assoc., LLC 33 West Rogues Path Huntington, NY 11743

and be it further

3rd 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 (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of Four Million One Hundred Eleven Thousand One Hundred Twenty Five Dollars (\$4,111,125.00±), subject to a final survey; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,055,562.50±, subject to payment by the Town of its share of the purchase and, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

5th RESOLVED, that the title to this acquisition shall be held by the County and the Town, with the County owning fifty percent (50%) undivided interest and the Town owning fifty percent (50%) undivided interest, as tenants-in-common; and be it further

6th 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

7th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for hamlet park use as described in Section C36-1 (A)(2) of the SUFFOLK COUNTY CHARTER; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and to enter into any necessary collateral agreements with the Town to effectuate the terms of this resolution; and be it further

9th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Commissioner of the County Department of

Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

10th 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 27, 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. 1770-2006

Laid on Table 6/13/2006

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

**RESOLUTION NO. 707
-2006, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM - OPEN SPACE COMPONENT - FOR
THE CURLEY PROPERTY- PINE BARRENS
CORE/PECONIC RIVER AREA (TOWN OF RIVERHEAD - SCTM
NO. 0600-144.00-01.00-019.000)**

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk;
and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 13.55 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of said 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 Real Property Acquisition and Management to negotiate the acquisition; now therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Two Hundred Seventy Thousand Dollars (\$270,000.00±), 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 0600 Section 144.00 Block 01.00 Lot 019.000	0.56± acres	James F. Curley P.O. Box 321 Shirley, NY 11967

and be it further

2nd 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 C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Two Hundred Seventy Thousand Dollars (\$270,000.00 ±), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2006 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

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 Budget	\$270,000.00±*

*subject to a final survey

4th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$270,000.00±*

*subject to a final survey

5th RESOLVED, that the \$270,000.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Suffolk County Drinking Water Protection Program	\$270,000.00±*

*subject to a final survey

and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$270,000.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th 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

9th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- c.) any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area;

10th RESOLVED, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

11th RESOLVED, that the above activity is an unlisted action (if greater than 100 acres; Type I action) pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

12th 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 of 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) is passive recreation; and

- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than proposed acquisition and preservation of the site would have; and be it further

13th RESOLVED, that 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1771-2006

Laid on Table 6/13/2006

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

RESOLUTION NO.

708

2006, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM - OPEN SPACE COMPONENT - FOR THE LUCYSHYN PROPERTY (CONTRACT #2) - HAUPPAUGE SPRINGS (TOWN OF SMITHTOWN - SCTM NO. 0800-155.00-04.00-016.000 p/o)

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 13.55 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution Nos. 1140-2003 and 460-2004 authorized planning steps for the acquisition of said 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 Real Property Acquisition and Management to negotiate the acquisition; now therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Three Hundred Seven Thousand Five Hundred Dollars (\$307,500.00±), at Two Hundred Five Thousand Dollars (\$205,000.00±) per acre for 1.5± acres, 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>	SUFFOLK COUNTY	<u>ACRES:</u>	REPUTED OWNER
No. 1	<u>TAX MAP NUMBER:</u>	1.5± acres	<u>AND ADDRESS:</u>
	District 0800		Mary Lucyshyn
	Section 155.00		228 Brookside Drive
	Block 04.00		Smithtown, NY 11787
	Lot 016.000 p/o		Contract #2

and be it further

2nd 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 C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Three Hundred Seven Thousand Five Hundred Dollars (\$307,500.00±), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2006 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

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	\$307,500.00±*

*subject to a final survey

4th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$307,500.00±*

*subject to a final survey

5th RESOLVED, that the \$984,000.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	S.C. New Drinking Water Protection Program	\$307,500.00±*

*subject to a final survey

and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund

transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$307,500.00 \pm , subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th 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

9th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

10th RESOLVED, that the subject parcel shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

11th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 2.) the proposed action will not exceed any of the criteria of 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) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than proposed acquisition and preservation of the site would have; and be it further

13th RESOLVED, that 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1772-2006

Laid on Table 6/13/2006

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

**RESOLUTION NO. 709
-2006, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE LUCYSHYN PROPERTY (CONTRACT #1) -
HAUPPAUGE SPRINGS (TOWN OF SMITHTOWN – SCTM NO.
0800-155.00-04.00-016.000 p/o)**

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 13.55 percent of the sales and compensating tax proceeds, for the acquisition of such land; and

WHEREAS, Resolution Nos. 1140-2003 and 460-2004 authorized planning steps for the acquisition of said 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 Real Property Acquisition and Management to negotiate the acquisition; now therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Nine Hundred Eight Four Thousand Dollars (\$984,000.00±), at Two Hundred Five Thousand Dollars (\$205,000.00±) per acre for 4.8± acres, 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 0800 Section 155.00 Block 04.00 Lot 016.000 p/o	4.8± acres	Mary Lucyshyn 228 Brooksite Drive Smithtown, NY 11787 Contract #1

and be it further

2nd 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 C42-3(C)(3) 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 New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Nine Hundred Eight Four Thousand Dollars (\$984,000.00±), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2006 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

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	\$984,000.00±*

*subject to a final survey

4th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
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IFT 525 R477 E525 Transfer from Fund 477 \$984,000.00±*

*subject to a final survey

5th RESOLVED, that the \$984,000.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	S.C. New Drinking Water Protection Program	\$984,000.00±*

*subject to a final survey
and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$984,000.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th 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

9th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

10th RESOLVED, that the subject parcel shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

11th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 3.) the proposed action will not exceed any of the criteria of 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) is passive recreation; and
- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact than proposed acquisition and preservation of the site would have; and be it further

13th RESOLVED, that 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1773-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 710 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – CATHOLIC NEAR EAST WELFARE ASSOCIATION (FORGE RIVER WATERSHED) PROPERTY (TOWN OF BROOKHAVEN – SCTM NO. 0200-825.00-01.00-010.000)

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

1st 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 Twenty Five Thousand Dollars (\$25,000.00+), 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 825.00 Block 01.00 Lot 010.000	0.091+ acres	Catholic Near East Welfare Association 1011 First Avenue New York, NY 10022

and be it further

2nd 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 Twenty Five Thousand Dollars (\$25,000.00+), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$25,000.00+, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-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

4th 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

5th 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, Zero (0) 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

6th RESOLVED, that the subject parcel shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

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

8th 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 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

9th 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1777-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 711 -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 THE "FORGE RIVER WATERSHED MANAGEMENT PLAN" (CP 8710.112)

WHEREAS, Local Law No. 35 of 1999 created a "Common Sense Tax Stabilization Plan for Sewers, Environmental Protection, and County Taxpayers"; and

WHEREAS, the Suffolk County Water Quality Protection and Restoration Program (SCWQPRP) component of Local Law No. 35 of 1999 requires that 11.25% of the total revenues generated be used to offset the County cost of environmental programs including programs to remediate nonpoint source pollution and implement best management practices; and

WHEREAS, Resolution Nos. 662 of 2000 and 659 of 2002 initiated and implemented the Suffolk County Water Quality Protection and Restoration Program funded by a portion of the revenues to be generated by the extension of the ¼% sales tax during the period from December 1, 2000 to December 31, 2013; and

WHEREAS, Resolution No. 659 of 2002 created the Suffolk County Water Quality Review Committee (SCWQRC) and designated the Commissioner of Public Works or his designee to serve as Chairperson; and

WHEREAS, the Suffolk County Department of Health Services has requested funding in the amount of \$89,000 for a program entitled "Forge River Watershed Management Plan" in accordance with the requirements of Resolution Nos. 662 of 2000 and 659 of 2002; and

WHEREAS, the project has a one-and-a-half-year implementation plan; and

WHEREAS, at its May 19, 2006 meeting, the Suffolk County Water Quality Review Committee, pursuant to Resolution No. 659 of 2002, has reviewed and approved application number 06-06 submitted by the Suffolk County Department of Health Services, and has recommended that funding this program is an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, the funding requested will be used in a joint effort between New York State, Suffolk County, the Town of Brookhaven, and local residents to develop a watershed management plan that will analyze the environmental and cultural conditions prevalent in the watershed and develop recommendations to improve and protect its ecology and its water quality; and

WHEREAS, use of local watershed management plan methodology is a specific recommendation of the Long Island South Shore Estuary Reserve Comprehensive Management Plan; and

WHEREAS, there are sufficient funds in the reserved fund balance of Fund 477, Suffolk County Water Protection Fund; now therefore be it

RESOLVED, that the 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	\$89,000

and be it further

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	\$89,000

and be it further

RESOLVED, that the 2005 Capital Budget and Program be and are hereby amended as follows:

Project No.: 8710
 Project Title: Water Quality Protection – Forge River

	<u>Total Est'd Cost</u>	<u>Current 2005 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning	\$89,000	\$0	\$89,000
TOTAL	\$89,000	\$0	\$89,000

and be it further

RESOLVED, that the transfer in the amount of \$89,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.112	50	Forge River Watershed Management Plan	\$89,000

RESOLVED, that the County Treasurer and the 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; and be it further

RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that passage of this resolution constitutes an unlisted action pursuant to Section 617.5(c) (18), (20), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and will not have a significant adverse impact on the environment within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW.

DATED: June 27, 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 Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1785-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 712 -2006, AMENDING THE 2006 OPERATING BUDGET TO ACCEPT AND APPROPRIATE 50% FEDERAL GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF ENVIRONMENTAL QUALITY FOR THE NATIONAL ESTUARY PROGRAM AND TO CREATE TWO NEW POSITIONS

WHEREAS, the United States Environmental Protection Agency has awarded 50% Federal grant funds to the Suffolk County Department of Health Services for the National Estuary Program in the amount of \$431,466 for the period 10/1/05-09/30/09; and

WHEREAS, this program promotes long-term planning and management of the Peconic Estuary and combats pollution, development and overuse; and

WHEREAS, two (2) new positions are needed for the purposes addressed in this grant; and

WHEREAS, 50% Federal Aid in the amount of \$339,260 needs to be appropriated for the existing National Estuary Program administered by Suffolk County Division of Environmental Quality; and

WHEREAS, this unallocated 50% Federal aid is not currently included in the 2006 Adopted Operating Budget, now therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$339,260 grant funds as follows:

REVENUES	AMOUNT
001-4910 Water Pollution Control	\$ 339,260

APPROPRIATIONS

Department of Health Services (HSV)
 Division of Environmental Quality
 National Estuary Program
 001-HSV-4405

Personal Services	\$ 92,629
1100 Permanent Salaries	\$ 77,908
1120 Overtime Salaries	\$ 14,721

<u>Equipment</u>	<u>\$ 3,719</u>
2500 Other Equipment	\$ 3,719

<u>Supplies, Materials & Other</u>	<u>\$ 3,862</u>
3040 Printing	\$ 466
3510 Rent: Business Machines	\$ 3,396

<u>Travel</u>	<u>\$ 5,000</u>
4340 Travel: Other Contracts	\$ 5,000

<u>Fees for Services</u>	<u>\$202,000</u>
4560 Fees for Services, Non-Employees	\$202,000

Employee Benefits
 Retirement
 001-EMP-9010

<u>Employee Benefits</u>	<u>\$ 9,960</u>
8280 Retirement	\$ 9,960

Employee Benefits
 Social Security
 001-EMP-9030

<u>Employee Benefits</u>	<u>\$ 6,512</u>
8330 Social Security	\$ 6,512

Employee Benefits
 Welfare Fund Contribution

001-EMP-9080

<u>Employee Benefits</u>	<u>\$ 2,562</u>
8380 Welfare Fund Contribution	\$ 2,562

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039

<u>Employee Benefits</u>	<u>\$ 13,016</u>
9600 Transfer of Funds	\$ 13,016

and be it further

2nd RESOLVED, that the following interfund revenues for employee Medical Health Plan be accepted and appropriated as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
039-IFT-R001 Transfer from General Fund	\$ 13,016

ORGANIZATION

Employee Benefits (EMP)
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>\$ 13,016</u>
8360 Health Insurance	\$ 13,016

and be it further

3rd RESOLVED, that the following positions 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
National Estuary Program
001-HSV-4405

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>No. Created</u>
4405-2630-0310	1241	Environmental Analyst	C	19/1	1
4405-2630-0320	7231	Boat Operator	NC	16/1	1

and be it further

4th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

5th 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1799-2006
Introduced by Legislator Caracappa

Laid on Table 6/13/2006

RESOLUTION NO. 713 -2006, AUTHORIZING PLANNING STEPS FOR IMPLEMENTING GREENWAYS PROGRAM IN CONNECTION WITH ACQUISITION OF ACTIVE PARKLANDS AT HAWKINS ROAD, CENTEREACH (TOWN OF BROOKHAVEN)

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 Town of Brookhaven has proposed an active parkland acquisition for use as ball fields for the captioned property; and

WHEREAS, the Town of Brookhaven has expressed a willingness to maintain the property upon its acquisition; 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 C12-A(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>
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No. 1	District	0200	18.36	The Three Village School
	Section	391.00		District
	Block	01.00		PO Box 9050
	Lot	027.000		East Setauket, NY 11733

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 plan for 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 27, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 10, 2006

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

Intro. Res. No. 1806-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 714 -2006, APPROVING THE
APPOINTMENT OF DALE D. MOYER AS A MEMBER
OF THE SUFFOLK COUNTY FARMLAND COMMITTEE**

RESOLVED, that the appointment of Dale D. Moyer of 650 Bay Avenue, Mattituck, New York 11952, to replace Reed W. Jarvis, Jr., as a member of the Suffolk County Farmland Committee, to serve at the pleasure of the County Executive, be and the same hereby is approved, said appointment having been made by the County Executive pursuant to Section 6(b) of Local Law No. 16 of 1981.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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. 1762A -2006

BOND RESOLUTION NO. 715 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A PART OF THE COST OF THE PREPARATION OF PLANS RELATING TO THE WATER QUALITY MODEL PHASE - IV (CP 8237)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the preparation of plans relating to the Water Quality Model - Phase IV, as authorized in the 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 \$700,000. The plan of financing includes (a) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1123-2004, (b) the issuance of \$100,000 bonds or bond anticipation notes

authorized pursuant to Bond Resolution No. 284-2005, (c) the expenditure of \$300,000 in funds expected to be received from the Suffolk County Water Authority, as described in Bond Resolution No. 284-2005, (d) the issuance of \$100,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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. 1762-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Viloría-Fisher

RESOLUTION NO. 716 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE IV (CP 8237)

WHEREAS, the Commissioner of Health Services has requested to appropriate funds in continuation of the development of the Water Quality Model – Phase IV; and

WHEREAS, these funds will be used to continue the development of a Comprehensive Water Resources Management Plan for Suffolk County; and

WHEREAS, this Comprehensive Water Resources Management Plan will provide essential guidance in protecting Suffolk County’s vital water supply and surface water resources, while accommodating workforce housing and other initiatives; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 8237; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000; and be it further

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 8237
 Project Title: Continuation of the Development of the Water Quality Model

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning, Design and Supervision	\$1,400,000	\$100,000G	\$100,000B
TOTAL	\$1,400,000	\$100,000	\$100,000

and be it further

4th RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8237.111 (Fund 001 Debt Service)	40	Water Quality Model Phase IV	\$100,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1574-2006
Introduced by Legislator Schneiderman

Laid on Table 5/16/2006

RESOLUTION NO. 717 -2006, ESTABLISHING COUNTY POLICY IN CONNECTION WITH CONDUCTING MEDICAL EXAMINATIONS AT THE SUFFOLK COUNTY CORRECTIONAL FACILITY

WHEREAS, recent incidents reported at the Suffolk County Correctional Facility have raised concerns over the conduct of those personnel administering medical examinations; and

WHEREAS, non-emergency medical examinations are conducted at the Correctional Facility on a routine basis, but with only one medical personnel required to be in the room at the time of the examination; and

WHEREAS, in order to prevent any accusations of wrongdoing by inmates who are examined by County medical personnel, a County policy should be established whereby no less than two staff persons are in the examination room while a non-emergency medical exam is being conducted; now, therefore be it

1st RESOLVED, that it shall be the policy of the County of Suffolk that when a non-emergency medical examination is being conducted on a person incarcerated at any of the Suffolk County Correctional Facilities, there shall be an additional person of the same sex as the inmate present in the room at the time of the examination; and be it further

2nd **RESOLVED**, that in order to render the highest level of patient confidentiality, any additional personnel required to carry out the provisions of this Resolution shall be provided by the Suffolk County Department of Health Services; and be it further

3rd **RESOLVED**, that the Suffolk County Commissioner of Health Services shall promulgate any necessary rules and regulations in order to implement this policy; 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1644-2006

Laid on Table 5/16/2006

Introduced by Legislators Viloría-Fisher, Schneiderman, Browning, Horsley and Eddington

RESOLUTION NO. 718 -2006, ADOPTING LOCAL LAW NO. 36 -2006, A LOCAL LAW TO STRENGTHEN THE COLETTE COYNE MELANOMA AWARENESS ACT

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 STRENGTHEN THE COLETTE COYNE MELANOMA AWARENESS ACT**" now, therefore, be it

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

LOCAL LAW NO. 36 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STRENGTHEN THE COLETTE COYNE MELANOMA AWARENESS ACT

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 in 2005 the County of Suffolk acted to protect the health and safety of minors who use tanning facilities by enacting the Colette Coyne Melanoma Awareness Act (now codified in Chapter 454 of the Suffolk County Code).

This Legislature also finds and determines that increased awareness of the dangers of the use of tanning facilities by minors has resulted in the need for more stringent requirements to protect our children.

This Legislature further finds and determines that any advertising by tanning facilities should disclose the danger and health risks associated with the use of a tanning facility

Therefore, the purpose of this law is to strengthen the requirements of the Colette Coyne Melanoma Awareness Act.

Section 2. Amendments.

Chapter 454 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 454, TANNING FACILITIES

* * * *

§ 454-3. Use restrictions and prohibitions.

- A. No persons who have reached their 14th birthday but not yet reached their 18th birthday shall be permitted to use a device in a tanning facility in the County of Suffolk unless:
 - (1)]He or she is accompanied by a parent or legal guardian[; or
 - (2) Such parent or guardian has executed a written consent in person, which consent must state the period of time for which an individual shall be permitted to use such tanning devices in the tanning facility, and such consent shall be retained by the tanning facility for a period not to exceed six months, together with a copy of the drivers license of such parent or guardian].
- B. No person under 14 years of age shall be permitted to use a tanning device in a tanning facility in the County of Suffolk[, unless he or she is accompanied by a parent or legal guardian who remains physically present at all times in the tanning facility].

§ 454-4. Facility Requirements.

- A. Each tanning facility must comply with the provisions of state law, as it relates to the posting of warning signs, the availability of educational information on the health risks associated with the use of a tanning facility, and the use of proper eye protection by each patron, and shall post a sign advising patrons of the prohibitions contained in §

454-3 of this chapter, which sign shall contain letters of no less than 1/2 inch on a contrasting background.

- B. Any advertisement, coupon, flyer or other printed material paid for, produced, published or distributed by, or on the behalf of, any tanning facility shall contain the following warning: "Tanning Increases Your Risk of Skin Cancer". This warning shall be displayed conspicuously on the advertisement, coupon, flyer or other printed material in such a way so as to be clearly legible.

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 27, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County
after a public hearing duly held on July 11, 2006

Date: July 11, 2006

Filed with the Secretary of State on July 24, 2006

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

Intro. Res. No. 1708-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 719 -2006, APPROVING THE REAPPOINTMENT OF KAREN LESSLER AS A MEMBER OF THE SUFFOLK COUNTY YOUTH BOARD COORDINATING COUNCIL REPRESENTING LEGISLATIVE DISTRICT NO. 4

WHEREAS, the term of office of Karen Lessler has expired as of February 28, 2006; now, therefore be it

RESOLVED, that the reappointment of **Karen Lessler**, currently residing at 70 Oak Street, Centereach, New York 11720, as a member of the Suffolk County Youth Board Coordinating Council, representing the 4th Legislative District, for a term of office expiring February 28, 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1728A-2006

BOND RESOLUTION NO. 720 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$270,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES (CP 1132.512)

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 \$270,000 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 equipment for medical, legal investigations and forensic sciences, 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 \$270,000. The plan of financing includes the issuance of \$270,000 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 27, 2006

APPROVED BY:

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

Date: June 30, 2006

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 721 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES (CP 1132)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of equipment for Medical, Legal Investigations and Forensic Sciences; and

WHEREAS, purchases of medical, technological and office equipment for the Forensic Science Laboratory, Crime Laboratory and the Toxicology Laboratory is needed due to technological advances and/or compliance with regulations or statutes; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 1132; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$270,000 in Suffolk County Serial Bonds; now therefore be it

1st 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

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1132

Project Title: Purchase of Equipment for Medical, Legal Investigations and Forensic Sciences

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture & Equipment	\$1,366,000	\$270,000G	\$270,000B
TOTAL	\$1,366,000	\$270,000	\$270,000

and be it further

4th RESOLVED, that the proceeds of \$270,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1132.512 (Fund 001-Debt Service)	40	Medical-Legal Investigations and Forensic Sciences	\$270,000

DATED: June 27, 2006

APPROVED BY:

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

Date: June 30, 2006

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

Intro. Res. No. 1737-2006
Introduced by Legislators Nowick and Stern

Laid on Table 6/13/2006

**RESOLUTION NO. 722 -2006, DECLARING
NOVEMBER AS "MENTAL HEALTH AWARENESS MONTH"
IN SUFFOLK COUNTY**

WHEREAS, according to the United States Surgeon General, mental illness affects an estimated 23% of American adults and about 20% of American children each year; and

WHEREAS, mental illness is a disease or condition affecting the brain that influences the way a person thinks, feels, behaves and/or relates to others and to their surroundings; and

WHEREAS, the exact cause of mental illness is not known, however, research has produced a tremendous amount of information and knowledge about the brain and it has been found that many of the conditions are caused by a combination of genetic, biological, psychological and environmental factors; and

WHEREAS, in the past those suffering from mental illness felt shame, stigma, discrimination; and

WHEREAS, for many years the issue of mental illness did not receive the attention it deserved and insurance providers did not provide adequate coverage for its treatment; and

WHEREAS, much progress has been made in the last two decades in promoting awareness of mental illness and the importance of good mental health, which has resulted in many conditions, such as depression, anxiety disorders, addiction disorders, being treated effectively; now, therefore be it

RESOLVED, that the month of November this year and every year thereafter is hereby designated as “**Mental Health Awareness Month**” within the County of Suffolk to create awareness about mental illness and mental health and to emphasize the need to make people aware that mental illness can be treated successfully to a positive outcome.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1739-2006

Laid on Table 6/13/2006

Introduced by Legislators Viloría-Fisher and Schneiderman

RESOLUTION NO. 723 -2006, AUTHORIZING TRANSFER OF SURPLUS LABORATORY INSTRUMENTATION AND EQUIPMENT TO THE STATE UNIVERSITY OF NEW YORK AT STONY BROOK

WHEREAS, the Suffolk County Department of Health Services has submitted to the County Comptroller a list of surplus laboratory instrumentation and equipment, which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, the State University of New York (SUNY) at Stony Brook, a not-for-profit organization in Suffolk County, has requested the donation of this laboratory instrumentation and equipment from the Suffolk County Department of Health Services; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this laboratory instrumentation and equipment; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Health Services and the County Comptroller is hereby authorized, empowered, and directed, to transfer the following surplus laboratory instrumentation and equipment to the following not-for-profit organization, for academic research within its facility, which list of surplus laboratory instrumentation and equipment is attached hereto as Exhibit “A”;

<u>To:</u> SUNY at Stony Brook Analytical Laboratory Marine Sciences Research Center Stony Brook, NY 11790 Contact: Joseph Ruggieri Telephone: (631) 632-3043	<u>Laboratory Instrumentation and Equipment</u> Exhibit “A”
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and be it further

2nd RESOLVED, that the above described surplus laboratory instrumentation and equipment is hereby declared to be scrap value only and is transferred to the above listed not-for-profit, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd RESOLVED, that the above named organization shall assume responsibility for the removal and transportation of said laboratory instrumentation and equipment; 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) 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 27, 2006

APPROVED BY:

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

Date: June 30, 2006

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

Intro. Res. No. 1763A-2006

BOND RESOLUTION NO. 724 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$237,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079.518)

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 \$237,000 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 equipment for the Environmental Health Laboratory, 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 \$237,000. The plan of financing includes the issuance of \$237,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1763-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 725 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of Environmental Health Laboratory Equipment; and

WHEREAS, it is necessary to purchase new and replacement instrumentation and equipment at the Public & Environmental Health Laboratory; and

WHEREAS, the new instrumentation and equipment is needed to meet the requirements of new analytical methods mandated by state and national laboratory accreditation programs and to meet the analytical needs of other user departments; and

WHEREAS, over time some instrumentation and equipment becomes outdated and unusable requiring immediate replacement so as to keep pace with the ever increasing volume of work; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Program Number 4079; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$237,000 in Suffolk County Serial Bonds; now, therefore, be it

1st 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 as amended by Resolution No. 209-2000; and be it further

2nd 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

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 4079
 Project Title: Purchase of Equipment for the Environmental Health Laboratory

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture & Equipment	\$1,930,250	\$237,000G	\$237,000B
TOTAL	\$1,930,250	\$237,000	\$237,000

and be it further

4th RESOLVED, that the proceeds of \$237,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-4079.518 (Fund 001 Debt Service)	40	Purchase of Environmental Health Laboratory Equipment	\$237,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1782-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 726 -2006, ACCEPTING AND APPROPRIATING 76.9% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE MIGRANT HEALTH PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 76.9% Federal grant funds to the Department of Health Services, Division of Patient Care Services for the Migrant Health Program in the amount of \$118,580 for the period 01/01/06-12/31/06; and

WHEREAS, the purpose of this grant funding is to enable the migrant population access to available health services through various staff members at the Riverhead Health Center; and

WHEREAS, 76.9% Federal Aid in the amount of \$37,780 needs to be appropriated for the existing Migrant Health Program administered by Suffolk County Division of Patient Care Services; and

WHEREAS, this unallocated 76.9% Federal aid is not currently included in the 2006 Adopted Operating Budget, now therefore, be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$37,780 grant funds as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-4401 Public Health	\$37,780

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Migrant Health Program
001-HSV-4118

<u>Equipment</u>	\$ 28,950
2020 Office Machines	\$ 450
2500 Other: Unclassified Equipment	\$ 28,500
<u>Supplies, Materials & Other</u>	\$ 8,830
3370 Medical, Dental & Laboratory Supplies	\$ 3,830
3500 Other: Unclassified Supplies	\$ 5,000

and be it further

2nd 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1803-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 727 -2006, APPROVING THE APPOINTMENT OF MITCHEL SHAPIRO TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP D

WHEREAS, Suffolk County Local Law No. 19-2002 increased the membership of the Disabilities Advisory Board; now, therefore be it

RESOLVED, that the appointment of Mitchel Shapiro, of 2 Clearbrook Dr., Smithtown, NY 11787, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2006, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of §78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1804-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 728 -2006, APPROVING THE APPOINTMENT OF ROY PROBEYAHN TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP D

WHEREAS, Suffolk County Local Law No. 19-2002 increased the membership of the Disabilities Advisory Board; now, therefore be it

RESOLVED, that the appointment of Roy Probeyahn, of 12 Par Drive, South Manor, New York 11949, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2006, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of §78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1805-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 729 -2006, APPROVING THE APPOINTMENT OF EDWARD J. AHERN TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP D

WHEREAS, Suffolk County Local Law No. 19-2002 increased the membership of the Disabilities Advisory Board; now, therefore be it

RESOLVED, that the appointment of Edward J. Ahern of 486B Boxwood Drive, East Yaphank, New York 11949, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2006, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of §78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1499-2006 Laid on Table 5/16/2006
Introduced by Presiding Officer, on request of the County Executive and Legislators
Schneiderman, Mystal, Stern

**RESOLUTION NO. 730 -2006, ADOPTING LOCAL LAW
NO. 37 -2006, A LOCAL LAW TO FURTHER ACCELERATE
THE COUNTY'S AFFORDABLE HOUSING PROGRAM**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on June 13, 2006, a proposed local law entitled, "**A LOCAL LAW TO FURTHER ACCELERATE THE COUNTY'S AFFORDABLE HOUSING PROGRAM,**" 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. 37 -2006, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO FURTHER ACCELERATE THE COUNTY'S
AFFORDABLE HOUSING PROGRAM**

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 Suffolk County's Affordable Housing Law was amended in its entirety by L.L. No. 17-2004.

This Legislature further finds and determines that certain amendments to Suffolk County's Affordable Housing Law are necessary in order to further facilitate coordination of various affordability requirements between the County and the towns and villages.

This Legislature finds and determines that amendments to the County's Affordable Housing Law will expand the capacity for development of owner occupied, employee assisted and rental housing and increase the flexibility of the current County subsidy programs.

Therefore, the purpose of this law is to expand and increase the opportunities to develop affordable housing and to increase coordination with the towns and villages regarding required affordability and income limits.

Section 2. Amendments.

- I. Section A36-1 of Article XXXVI of the Suffolk County Code is hereby amended to read as follows:

ARTICLE XXXVI
Affordable Housing

* * * *

§A36-1. Definitions.

* * * *

DEVELOPER -- a person, persons, corporation or other legal entity who will construct, rehabilitate or otherwise stimulate the creation of workforce housing that meets the criteria set forth herein.

* * * *

PARTICIPATING EMPLOYER -- a company, corporation or other legal entity that employs individuals who reside in or will reside in Suffolk County and provides land, down payment assistance, loan guarantees, or other assistance to its employees in connection with workforce housing that meets the criteria set forth herein.

* * * *

- II. Section A36-2(C) of Article XXXVI of the Suffolk County Code is hereby amended to read as follows:

* * * *

C. Workforce housing program.

- (1) Funding initiatives. Funding initiatives by the County through the use of capital bond proceeds (WHS) shall include funding for:

* * * *

(d) The acquisition by the County in conjunction with a property owner, municipality, developer, or participating employer of conservation easements[.] or infrastructure improvements which shall include, but not be limited to, roads, parking, sewers, water, sidewalks, street lighting and appurtenant landscaping; and

(e) The acquisition of land, which shall include both vacant parcels and improved parcels, by the County in conjunction with a property owner, developer, or participating employer.

* * * *

(2) Program requirements.

* * * *

(b) The following provision is applicable to §A36-2(C)(1)(d) and (e) above:

[1] The property owner, municipality, developer, or participating employer, as the case may be, must enter into an agreement with the County requiring the use of the parcel(s) for workforce housing purposes and specifying the proposed builder, which may be a not-for-profit corporation or a for-profit builder; the number of units of housing; the targeted occupants; the method of selecting such occupants; and the sales/rental prices to be paid by the occupants. If a for-profit developer is utilized, then the amount of profit realized by the builder must conform to New York State Affordable Housing Corporation guidelines, or any successor thereto.

(c) Deed restrictions for all housing subsidized pursuant to this section must reflect the following guidelines:

* * * *

[3] Income limits.

[a] Fifty percent of all units, including owner-occupied and rental housing units, must, at a minimum, be occupied by persons and families whose income does not exceed 120% of the HUD established median income limits, adjusted by family size for the Nassau-Suffolk PMSA, and 50% of all units must, at a minimum, be occupied by persons and families whose income does not exceed 80% of the HUD established median income limits, adjusted by family size, for the Nassau-Suffolk PMSA[.] or any municipally approved affordable requirement that restricts occupancy to households whose income does not exceed one hundred and twenty percent (120%) of the HUD established median income limits, adjusted by family size for the Nassau-Suffolk PMSA.

* * * *

[4] Affordability for owner-occupied housing. [The maximum unsubsidized sales price of an owner-occupied

home cannot exceed the nontargeted maximum purchase price established by SONYMA for Suffolk County. The maximum unsubsidized purchase price includes all development costs and land value. In addition, at least 70% of the units in a development must have a maximum unsubsidized purchase price that does not exceed 80% of the SONYMA nontargeted purchase price] Units must be affordable to targeted income groups based on standard underwriting criteria.

[5] Occupancy for owner-occupied housing. Home ownership units must be owner-occupied and the principal residence of the occupant for at least [five] ten consecutive years. Failure to meet this requirement [will] may result in the repayment to the County equal to the value of the subsidy provided.

[6] Affordability for rental units. Rental units shall have maximum rent equal to the fair market rent adjusted for bedroom size established by HUD for the Nassau-Suffolk PMSA or any municipality approved Fair Market Rent standard, and must remain affordable for at least 10 consecutive years or until the WHS is repaid to the County, whichever is later[.].

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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
after a public hearing duly held on July 11, 2006

Date: July 11, 2006

Filed with the Secretary of State on July 24, 2006

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

Intro. Res. No.1757-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of County Executive and Legislators Mystal, Horsley, Browning

RESOLUTION NO. 731 -2006, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BABYLON CHILD CARE CENTER, INC., CHILDREN'S CHOICE CHILDCARE, INC. COLONIAL YOUTH & FAMILY SERVICES, INC., AND WYANDANCH DAY CARE CENTER, INC., DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, a new Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Babylon Child Care Center, Inc., Children's Choice Childcare, Inc., Colonial Youth & Family Services, Inc. and Wyandanch Day Care Center, Inc., day care

providers, have submitted an Application for Hardship Assistance and other prescribed forms to document the need for financial assistance; and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy; and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Social Services seeks to continue it's contractual relationship with the day care providers to enable families that are eligible for Social Service Programs to maintain their relationship with these resources; and

WHEREAS, based on a financial review, the Department of Social Services recommended and the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$134,620 be awarded for the period January 1, 2006 to December 31, 2006; and

WHEREAS, it is in the best interest of the County to provide the funding to Babylon Child Care Center, Inc. (\$52,410), Children's Choice Childcare, Inc. (\$10,000), Colonial Youth & Family Services, Inc. (\$39,510) and Wyandanch Day Care Center, Inc. (\$32,700) in the amount up to a maximum of \$134,620; now, therefore be it

RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$134,620

TO:

001-DSS-6015-4770 Client Benefits Special Services \$134,620
and be it further

RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Babylon Child Care Center, Inc., Children's Choice Childcare, Inc., Colonial Youth & Family Services, Inc. and Wyandanch Day Care Center, Inc.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1798-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 732 -2006, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF HEALTH SERVICES (CHIEF ARTHROPOD-BORNE DISEASE LABORATORY)

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 Chief Arthropod-Borne Disease Laboratory be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Health Services budget to cover the cost; now, therefore be it

1st RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Health Services 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>
2223	C	Chief Arthropod-Borne Disease Laboratory	31	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>
01-4010-2500-1501	2223	C	Chief Arthropod-Borne Disease Laboratory	31	02

DELETION

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
01-4010-2500-1500	2222	C	Laboratory Director	28	02

and be it further

2nd RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1704-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 733 -2006, AUTHORIZING USE OF GARDINER COUNTY PARK BY LONG ISLAND ALZHEIMER'S FOUNDATION INC., FOR THEIR ANNUAL PAWS TO REMEMBER PET WALK FUNDRAISER

WHEREAS, the Long Island Alzheimer's Foundation Inc., would like to hold their Annual Paws to Remember Pet Walk Fundraiser at Gardiner County Park in the Town of Bayshore; and

WHEREAS, the Annual Paws to Remember Pet Walk Fundraiser, is scheduled to be held on September 17, 2006; and

WHEREAS, Gardiner County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Long Island Alzheimer's Foundation Inc.; now, therefore be it

1st 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 no 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 local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Gardiner County Park by the Long Island Alzheimer's Foundation Inc., for the purpose of hosting a fundraiser on Sunday, September 17, 2006, is hereby approved pursuant to Section 215(1) of the New York State County Law, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Long Island Alzheimer's Foundation Inc., of Suffolk and that the payment of Two Hundred Fifty Dollars (\$250.00) event fee, and subject to such additional terms and conditions as may be required the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to

Section 28-4(A) of the Suffolk County Charter, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Gardiner County Park by the Long Island Alzheimer's Foundation Inc.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1705-2006

Laid on Table 6/13/2006

Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. 734 -2006, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN/WALK AND BARBECUE" FUNDRAISER

WHEREAS, Cystic Fibrosis Foundation – Greater New York Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 425 Broad Hollow Road, Melville, New York; and

WHEREAS, the Cystic Fibrosis Foundation would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Run Walk and Barbecue Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Sunday, July 30, 2006; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Cystic Fibrosis Foundation; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a

local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA, and be it further

2nd RESOLVED, that the use of Long Island Maritime Museum by the Cystic Fibrosis Foundation for the purpose of hosting a fundraiser on Sunday, July 30, 2006, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Cystic Fibrosis Foundation and the payment of the Two Hundred Fifty Dollars (\$250.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Long Island Maritime Museum by the Cystic Fibrosis Foundation.

DATED: June 27, 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 Cooper. The resolution was passed 18-0.

Intro. Res. No. 1706-2006

Laid on Table 6/13/2006

Introduced by the Presiding Officer, on request of the County Executive

**RESOLUTION NO. 735 -2006, AUTHORIZING USE OF
INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF
PECONIC, INC., FOR ITS WALKATHON FUNDRAISER**

WHEREAS, Birthright of Peconic, Inc., is a 501(c)(3) nonprofit organization having its principal place of business at 99 West Montauk Highway, Hampton Bays, New York; and

WHEREAS, Birthright of Peconic would like to hold its Walkathon Fundraiser at Indian Island County Park in the Town of Riverhead; and

WHEREAS, the Birthright of Peconic Walkathon is scheduled to be held on October 7, 2006; and

WHEREAS, Indian Island County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by Birthright of Peconic; now therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Indian Island Park by Birthright of Peconic for the purpose of hosting a fundraiser on Saturday, October 7, 2006, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from Birthright of Peconic and the payment of One Hundred Twenty-five Dollars (\$125.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to Section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Indian Island County Park by Birthright of Peconic.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

BOND RESOLUTION NO. 736 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A PART OF THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO COUNTY GOLF COURSES - WEST SAYVILLE AND INDIAN ISLAND (CP 7166.312)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the construction of improvements to County golf courses - West Sayville and Indian Island, 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 \$1,147,200. The plan of financing includes (a) the issuance of \$110,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 409-1998, (b) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 461-1999, (c) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 188-2000, (d) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 142-2001, (e) the issuance of \$62,200 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 389-2002, (f) the issuance of \$125,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 377-2003, (g) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 398-2004, (h) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 694-2005 (\$20,000 for planning and \$80,000 for improvements), (i) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (j) 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 Sections 11.00 a. 54 of the Law, is fifteen (15) years, computed from December 1, 1998, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 409-1998.

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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1719-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 737 -2006, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT COUNTY GOLF COURSES - WEST SAYVILLE AND INDIAN ISLAND (CP 7166)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for improvements at the West Sayville and Indian Island golf courses; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7166; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution 571-1998, and reaffirmed by Resolution 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 \$100,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Number 676-1996 determined that these improvements constitute a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.5 (C) (1) and (2), because it involves the in kind replacement of an existing facility, on the same site, which involves no substantial changes in the existing structure; and be it further

2nd 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 571-1998 and reaffirmed by Resolution 209-2000; and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7166.312 (Fund 001 – Debt Service)	26	Improvements to County Golf Courses	\$100,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1756-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive and Legislator Mystal

**RESOLUTION NO. 738 2006, TRANSFERRING FUNDS TO
FUND A VOLUNTEER FIREFIGHTER MEMORIAL IN THE
VILLAGE OF AMITYVILLE**

WHEREAS, the Village of Amityville will be constructing a memorial to honor hose firefighters who resided in the Village of Amityville and gave their lives to save others, and

WHEREAS, additional funding in the amount of \$33,352 is needed to fund this memorial; and

WHEREAS, funding exists within various budgeted appropriations in the 2006 Adopted Operating Budget which can be utilized to fund this memorial; now, therefore be it

RESOLVED, that the County Comptroller is hereby authorized to transfer funds as follows.

ORGANIZATIONS:

TO:

Department of Parks, Recreation, and Conservation

001-7110

Change

4980 – Contractual Expenses

4980 – Contractual Expenses

+\$33,352

FROM:

County Executive
Veterans Services
001-EXE-6510

Adopted

Modified

Change

4980 – Contractual Expenses

GRG1 Veterans Emergency Transportation

\$45,400

\$20,000

(\$25,400)

County Executive
Youth Bureau
001-EXE-7320

Adopted

Modified

Change

4980 – Contractual Expenses

HFR1 L. I. Educational Resources

\$100,000

\$97,048

(2,952)

Suffolk County Legislature
Budget Review Office
001-1025

4560-Fees for Service

Change
(\$5,000)

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1765A-2006

BOND RESOLUTION NO. 739 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$170,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011.523)

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 \$170,000 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 heavy duty equipment for County parks, 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 \$170,000. The plan of financing includes the issuance of \$170,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1765-2006

Laid on Table 6/13/2006

Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. 740 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROVING THE PURCHASE OF VEHICLES AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011)

WHEREAS, Resolution No. 331-2003 requires that no vehicle shall be purchased or leased unless “explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature”; and

WHEREAS, the Commissioner of Parks has requested funds for the Purchase of Heavy Duty Equipment for County Parks; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of purchasing heavy duty equipment under Capital Project 7011; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$170,000 in Suffolk County Serial Bonds; and now, therefore be it

1st RESOLVED, that the purchase of three (3) replacement vehicles as detailed on attached Addendum 1 is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd 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 purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA ; and be it further

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 7011
 Project Title: Purchase of Heavy Duty Equipment for County Parks

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture & Equipment	\$1,430,000	\$170,000G	\$170,000B
TOTAL	\$1,430,000	\$170,000	\$170,000

and be it further

5th RESOLVED, that the proceeds of the \$170,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7011.523 (Fund 001 Debt Service)	60	Purchase of Heavy Duty Equipment for County Parks	\$170,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1687A-2006

BOND RESOLUTION NO. 741 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$225,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR THE SHERIFF'S OFFICE (CP 3047.515)

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 \$225,000 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 heavy duty equipment for the Sheriff's Office, 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 \$225,000. The plan of financing includes the issuance of \$225,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1687-2006
Introduced by Legislators Alden and Caracappa

Laid on Table 6/13/2006

**RESOLUTION NO. 742 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY
DUTY EQUIPMENT FOR THE SHERIFF'S OFFICE (CP 3047)**

WHEREAS, the Sheriff's Office is in need of two replacement vehicles, a four-wheel drive tow truck and a tractor-trailer both of which are over 20 years old and have in excess of 200,000 miles; and

WHEREAS, it is no longer cost effective to continue to repair these vehicles which have been used to acquire surplus equipment for the County; and

WHEREAS, the 2006 Adopted Capital Budget and Program does not include the funds for these purchases; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$225,000 in Suffolk County Serial Bonds; 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 61 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5737

Project Title: Airport Snow Removal Equipment

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture & Equipment	\$170,000	\$395,000 F	\$170,000 F
TOTAL	\$170,000	\$395,000	\$170,000

Project Number: 3047

Project Title: Purchase of Heavy Duty Equipment for Sheriff's Office

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Furniture & Equipment	\$665,000	\$0	\$225,000 B
TOTAL	\$665,000	\$0	\$225,000

and be it further

RESOLVED, that the proceeds of \$225,000 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-3047.515	Purchase of Heavy Duty Equipment for the Sheriff's Office	\$225,000

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 lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1709-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 743 -2006, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$39,525 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO FUND THE TRAFFIC SAFETY CORRIDOR ENFORCEMENT PROGRAM 2006 WITH 84.49% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$39,525 in Federal Highway Safety pass-through monies to continue to fund a program allowing the Suffolk County Police Department to increase enforcement activities within identified high crash corridors; and

WHEREAS, the Suffolk County Police Department has worked with the New York State Police and New York State Department of Transportation to identify high crash corridors based on an analysis of police accident reports; and

WHEREAS, increased enforcement will likely mitigate dangerous aggressive driving behaviors in these locations; and

WHEREAS, the operational period of the Program will be from April 1, 2006, through September 30, 2006; and

WHEREAS, said grant funds totaling \$39,525 have not been included in the 2006 Suffolk County Operating Budget; now, therefore, be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4325-Federal Aid: Traffic Safety Corridor Enforcement Program	\$39,525
Police Department (POL) Traffic Safety Corridor Enforcement Program 2006 115-POL-3282	
<u>1000-Personal Services</u>	<u>\$39,525</u>
1120-Overtime Salaries	\$39,525

and be it further

2nd RESOLVED, that the fringe benefits associated with the overtime salaries for this grant are included in the 2006 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 30, 2006

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

Intro. Res. No. 1734A-2006

BOND RESOLUTION NO. 744 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$125,000 BONDS TO FINANCE THE COST OF THE FIREARMS TRAINING SECTION DRAINAGE PROJECT (CP 3161.311)

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 \$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 the cost of firearms training section drainage project, 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 \$125,000. The plan of financing includes the issuance of \$125,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1734-2006

Laid on Table 6/13/2006

Introduced by Legislators Losquadro and Eddington

RESOLUTION NO. 745 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE FIREARMS TRAINING SECTION DRAINAGE PROJECT (CP 3161)

WHEREAS, erosion and poor drainage have created hazardous conditions at both the pistol and rifle ranges at the Suffolk County Police Firearms Training Facility in Westhampton; and

WHEREAS, funds to repair only the pistol range have been included in the 2006 Adopted Capital Budget and Program; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$125,000 in Suffolk County Serial Bonds; 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 fifty-three 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1681

Project Title: Upgrading Courts Minutes Application

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning, Design & Supervision	\$165,000	\$290,000 G	\$165,000 G

TOTAL	\$165,000	\$290,000	\$165,000
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Project Number: 3161
 Project Title: Firearms Training Section Drainage Project

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$240,000	\$115,000 B	\$240,000 B
TOTAL	\$250,000	\$125,000	\$250,000

and be it further

RESOLVED, that the proceeds of \$125,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3161.311	28	Firearms Training Section Drainage Project	\$125,000

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 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 pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment (negative declaration).

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

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

BOND RESOLUTION NO. 746 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$199,387 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT IN CONNECTION WITH THE PROBATION OFFICER REMOTE ACCESS SYSTEM (CP 3048.513)

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 \$199,387 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 equipment in connection with the probation officer remote access 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 \$199,387. The plan of financing includes the issuance of \$199,387 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1779-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of County Executive

**RESOLUTION NO. 747 -2006, AMENDING THE
2006 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH THE
PROBATION OFFICER REMOTE ACCESS SYSTEM
(CP 3048)**

WHEREAS, the Director of the Probation Department has requested funds for purchase of equipment to increase the productivity of Field Supervision Staff; and

WHEREAS, said equipment will be used to maintain established standards to protect the Community, insure quality of service and continue eligibility for NYS reimbursement revenue; and

WHEREAS, this project has been approved for appropriation by the Information Services Steering Committee; and

WHEREAS, sufficient funds are included in the 2006 Capital Budget and Program to cover the costs of said request; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$199,387 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of forty three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 as amended by Resolution No. 209-2000; and be it further

2nd 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) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 3048
 Project Title: Probation Officer Remote Access System

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Modified 2006 Capital Budget & Program</u>
5. Furniture & Equipment	<u>\$613,570</u>	<u>\$ 199,387G</u>	<u>\$199,387B</u>
TOTAL	\$613,570	\$ 199,387	\$199,387

and be it further

4th RESOLVED, that the proceeds of \$199,387 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-3048.513 (Fund 001-Debt Service)	35	Probation Officer Remote Access System	\$199,387

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1789-2006

Laid on Table 6/13/2006

Introduced by Legislator Cooper

RESOLUTION NO. 748 -2006, TO AMEND RESOLUTION NO. 77-2006 TO EXTEND THE DEADLINE FOR THE “SAFE COMMUNITIES INITIATIVE” TASK FORCE

WHEREAS, Resolution No. 77-2006 established a “Safe Communities Initiative” Task Force to review security camera programs already in place in cities and towns across the United States in order to recommend the most appropriate technologies and protocols for use in Suffolk County; and

WHEREAS, this Task Force will require additional time in order to complete its work; now, therefore be it

1st RESOLVED, that the 9th RESOLVED clause of Resolution No. 77-2006 is hereby amended to read as follows:

9th RESOLVED, that this Task Force 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] February 10, 2007 for consideration, review, and appropriate action, if necessary, by the entire County Legislature, with a copy of said report to also be filed with the Clerk of the Suffolk County Legislature; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 77-2006 shall remain in full force and effect; and be it further

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

[] bracket denotes deletion
___ underline denotes addition

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

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

Intro. Res. No. 1810-2006
Introduced by Legislator Montano

Laid on Table 6/13/2006

**RESOLUTION NO. 749 -2006, EXTEND DEADLINE FOR
TASK FORCE TO INCREASE MINORITY REPRESENTATION
ON THE SUFFOLK COUNTY POLICE FORCE**

WHEREAS, Resolution No. 115-2006 created a Task Force to Increase Minority Representation on the Suffolk County Police Force; and

WHEREAS, this Task Force is to make recommendations for recruitment, selection, or promotion policy or programs and/or any other efforts or initiatives to enhance minority enrollment in the Suffolk County Police Department to the Suffolk County Executive and each member of the Suffolk County Legislature by June 30, 2006; and

WHEREAS, the Task Force has requested additional time to complete their work; now therefore be it

1st RESOLVED, that the 2nd and 10th RESOLVED clauses of Resolution No. 115-2006 are hereby amended as follows:

2nd RESOLVED, that the Task Force shall make recommendations for recruitment, selection, or promotion policy or programs and/or any other efforts or initiatives to enhance minority enrollment in the Suffolk County Police Department to the Suffolk County Executive and each member of the Suffolk County Legislature no later than [June 30, 2006] August 31, 2006, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and

10th RESOLVED, that this special Task Force 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

[June 30, 2006] August 31, 2006 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 115-2006 shall remain in full force and effect; and be it further

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

[] denotes deletion of existing language
__ denotes addition of existing language

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 11, 2006

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1660A-2006

BOND RESOLUTION NO. 750 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$75,000 BONDS TO FINANCE THE COST OF TRAFFIC SIGNAL INSTALLATION AT CR 35, PARK AVENUE, TOWN OF HUNTINGTON (CP 5054.573)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$75,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of traffic signal installations at CR 35, Park Avenue, 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 \$75,000. The plan of financing includes the issuance of \$75,000 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. 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1660-2006

Laid on Table 6/13/2006

Introduced by Legislators D’Amaro, Cooper, Stern, Eddington and Browning

**RESOLUTION NO. 751 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH TRAFFIC SIGNAL
INSTALLATION AT CR 35, PARK AVENUE, TOWN OF
HUNTINGTON (CP 5054)**

WHEREAS, the Suffolk County Department of Public Works is in need of funds for traffic signal installation at the 2nd Precinct and CR 35, Park Avenue, Town of Huntington; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$75,000 in Suffolk County Serial Bonds; 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 fifty three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, 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; 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 (W) of the Suffolk County Charter, to effectuate the installation of this equipment; 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 & Public Safety & Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$835,000	\$910,000B	\$835,000B
TOTAL	\$835,000	\$910,000	\$835,000

Project Number: 5054

Project Title: Traffic Signal Improvements

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>

5. Furniture & Equipment	\$5,895,000	\$500,000B	\$575,000B
TOTAL	\$6,525,000	\$600,000	\$675,000

and be it further

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

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5054.573	50	Traffic Signal Improvements	\$75,000

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.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1713-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 752 -2006, AMENDING RESOLUTION NO. 1065-2003 FOR PARTICIPATION IN ENGINEERING 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. 1065-2003 appropriated \$200,000 under Capital Project No. 5851.111 for this project; and

WHEREAS, Federal Funds are available for this project under the Transportation Equity for the 21st Century (TEA 21) formally known as the Intermodal Surface Transportation Efficiency Act (ISTEA); and

WHEREAS, Resolution No. 1065-2003 apportioned the funding allocation at 80% in federal funds and 20% in County funds; and

WHEREAS, New York State has subsequently allocated a 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

1st RESOLVED, that the apportionment of the cost of the funds appropriated by Resolution No. 1065-2003 under Capital Project 5851.111 be amended to reflect the additional 15% State Marchiselli Aid dedicated in the amount of \$30,000; and be it further

2nd RESOLVED, that the apportionment of the funds appropriated in C.P. 5851.111 by Resolution No. 1065-2003 be amended to reflect a total cost of \$200,000 with 80% Federal reimbursement in the amount of \$160,000, 15% State Marchiselli Aid reimbursement in the amount of \$30,000, and a 5% County share of \$10,000; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$10,000; and be it further

4th 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 \$10,000 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$30,000; and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$160,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$190,000; and be it further

8th 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 27, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: July 12, 2006

Legislator Eddington made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1715-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 753 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, TRANSFERRING HOLDING ACCOUNT FUNDS TO THE CAPITAL FUND AND APPROPRIATING THESE FUNDS IN CONNECTION WITH VARIOUS ROAD PROJECTS WITHIN THE CAPITAL PROGRAM

WHEREAS, Intercounty Yaphank, LLC submitted a traffic impact study to the Suffolk County Department of Public Works for work to be performed on CR 101, Sills Road, and adjacent CR 16, Horseblock Road, for the proposed South Silver Industrial Park; and

WHEREAS, under Suffolk County Department of Public Works Highway Permit #101-80, DAS Contracting, under contract to Intercounty Yaphank, LLC, performed infrastructure improvements along CR 101, Sills Road in anticipation of the development of South Silver Industrial Park; and

WHEREAS, it is anticipated that future improvements will be required on the adjacent County Road 16, Horseblock Road, in the vicinity of the South Silver Industrial Park; and

WHEREAS, Intercounty Yaphank, LLC has deposited a check in the amount of \$50,000 as an impact fee to cover the additional improvements to be made by the Suffolk County Department of Public Works on CR 16, Horseblock Road, in conjunction with this development; and

WHEREAS, this impact fee must be transferred into capital project accounts in order for the Suffolk County Department of Public Works to progress the work necessary at CR 16, Horseblock Road in the vicinity of the South Silver Industrial Park; now, therefore be it

1st 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) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), 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; and be it further

2nd RESOLVED, that the County Treasurer and County Comptroller be and they are hereby authorized to transfer the following funds from Holding Account 525-6880 and to accept these funds into the following Capital Revenue Account:

<u>Fund</u>	<u>Agency</u>	<u>Revenue</u>	<u>Title</u>	<u>Amount</u>
525	CAP	2785	Other Capital Aid	\$50,000

and be it further

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5054
Project Title: Traffic Signal Improvements on Various County Roads

		<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Equipment & Furnishings	\$5,845,000	\$500,000 G	\$500,000 G	\$25,000 O
TOTAL		\$6,475,000	\$600,000	\$525,000

Project No.: 5014
Project Title: Strengthening & Improving County Roads

		<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction			\$43,000,000 \$10,500,000 G \$15,000 O	\$10,500,000 G
TOTAL		\$43,015,000	\$10,500,000	\$10,515,000

Project No.: 5037
Project Title: Application & Removal of Lane Markings

		<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction			\$1,500,000 \$250,000 G	\$250,000 G
				\$10,000 O

TOTAL \$1,500,000 \$250,000 \$260,000

and be it further

4th **RESOLVED**, that the proceeds of \$50,000 in Other Capital Aid revenues transferred to the Capital Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5054.570	50	Traffic Signal Improvements on Various County Roads	\$25,000
525-CAP-5014.338	50	Strengthening & Improving Various County Roads	\$15,000
525-CAP-5037.320	50	Application & Removal of Lane Markings	\$10,000

DATED: June 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Legislator Barraga made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1716A-2006

BOND RESOLUTION NO. 754 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE THE COST OF ENGINEERING FOR THE RECONSTRUCTION OF CR 13, FIFTH AVENUE, FROM NYS 27A, MONTAUK HIGHWAY TO SPUR DRIVE NORTH, TOWN OF ISLIP (CP 5538.111)

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 \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of engineering for the reconstruction of CR 13, Fifth Avenue, from NYS 27A, Montauk Highway to Spur Drive North, Town of Islip, 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 \$150,000. The plan of financing includes the issuance of \$150,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

Legislator Barraga made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1716-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 755 -2006, APPROPRIATING FUNDS
IN CONNECTION WITH THE RECONSTRUCTION OF CR 13,
FIFTH AVENUE, FROM NYS 27A, MONTAUK HIGHWAY TO
SPUR DRIVE NORTH, TOWN OF ISLIP (CAPITAL PROGRAM
NUMBER 5538)**

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the reconstruction of CR 13, Fifth Avenue, from NYS 27A, Montauk Highway to Spur Drive North; 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

1st 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

2nd 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

3rd 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

4th RESOLVED, that the proceeds of \$150,000 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-5538.111 (Fund 001-Debt Service)	50	Engineering and Design for the Reconstruction of CR 13, Fifth Avenue, from NYS 27A, Montauk Highway to Spur Drive North	\$150,000

DATED: June 27, 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 16-0-0-2. Legislators Losquadro and Montano were not present.

Intro. Res. No. 1717-2006

Laid on Table 6/13/2006

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

RESOLUTION NO. 756 -2006, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF HUNTINGTON FOR USE OF A TOWN RECHARGE BASIN AT THE INTERSECTION OF CR 67, MOTOR PARKWAY AND VANDERCREST COURT, TOWN OF HUNTINGTON

WHEREAS, the County of Suffolk, through the Department of Public Works, has requested to install drainage pipe which will discharge highway stormwater into a Town of Huntington recharge basin on CR 67, Motor Parkway and Vandercrest Court, for the purpose of alleviating highway flooding at this location; and

WHEREAS, in exchange for allowing the Suffolk County Department of Public Works to install this drainage pipe for discharge of highway stormwater into the Town of Huntington recharge basin at this location, the Suffolk County Department of Public Works will maintain this recharge basin in perpetuity; and

WHEREAS, it is in the best interests of the County of Suffolk and the Town of Huntington to share resources in order to alleviate flooding on CR 67, Motor Parkway and Vandercrest Court in the Town of Huntington; now, therefore be it

1st RESOLVED, that pursuant to New York General Municipal Law §119-o, the County Executive or his designee is authorized to enter into an intermunicipal agreement with the Town of Huntington that will allow the Suffolk County Department of Public Works to install drainage pipe for the purpose of discharging highway stormwater into a Town of Huntington recharge basin at CR 67, Motor Parkway and Vandercrest Court in exchange for the Suffolk County Department of Public Works maintaining this recharge basin in perpetuity; and be it further

2nd 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) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), 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.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1718A-2006

BOND RESOLUTION NO. 757 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE A PART OF THE COST OF THE CONSTRUCTION OF A HIGHWAY MAINTENANCE FACILITY, CONSISTING OF A SALT STORAGE FACILITY IN BABYLON (CP 5048.313)

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 \$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 a part of the cost of the construction of a highway maintenance facility, consisting of a salt storage facility in Babylon, 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 \$500,000. The plan of financing includes (a) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1289-2004, (b) the issuance of \$250,000 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 building to be constructed will be of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable

usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 11. (b) of the Law, is twenty-five (25) 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 27, 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 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1718-2006

Laid on the Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 758 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF HIGHWAY MAINTENANCE FACILITIES (CAPITAL PROGRAM NUMBER 5048)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Construction of the Babylon Salt Storage Facility; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, by resolution dated October 20, 2004, the Suffolk County Council on Environmental Quality reviewed the project authorized by this resolution and recommended that the action be considered an Unlisted Action that will not have a significant impact on the environment under SEQRA and Chapter 279 of the Suffolk County Code; and

WHEREAS, this Legislature has independently considered the EAF, the CEQ recommendation, and any relevant testimony concerning the same; 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 \$250,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), and Chapter 279 of the Suffolk County Code, hereby finds and determines that this law constitutes an Unlisted Action, pursuant to 6 NYCRR; and be it further

2nd 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

3rd 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

4th RESOLVED, that the proceeds of \$250,000 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- 5048.313 (Fund 001-Debt Service)	50	Construction of Highway Maintenance Facilities – Babylon Salt Storage Facility	\$250,000

DATED: June 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 14-3-0-1. Legislators Alden, Kennedy and Mystal voted no. Legislator Losquadro was not present.

Intro. Res. No. 1720-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator D'Amaro

RESOLUTION NO. 759 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH FERRANTE INDUSTRIAL BUILDING (HU-1523)

WHEREAS, Ferrante Industrial Building is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Ferrante Industrial Building has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); for a daily flow of 566 gallons per day, for a total connection fee of \$8,490.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: June 27, 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 14-3-0-1. Legislators Alden, Kennedy and Mystal voted no. Legislator Losquadro was not present.

Intro. Res. No. 1721-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator D'Amaro

RESOLUTION NO. 760 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH 1860 WALT WHITMAN ROAD BUILDING (HU-1534)

WHEREAS, 1860 Walt Whitman Road Building is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, 1860 Walt Whitman Road Building has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with a daily flow of 2,500 gallons, for a total connection fee of \$37,500.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: June 27, 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 14-3-0-1. Legislators Alden, Kennedy and Mystal voted no. Legislator Losquadro was not present.

Intro. Res. No. 1722-2006 Laid on Table 6/13/2006
Introduced by Presiding Officer, on request of the County Executive and Legislator D'Amaro

RESOLUTION NO. 761 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH WALT WHITMAN MALL - THE RETAIL PROPERTY TRUST (HU-1002)

WHEREAS, Walt Whitman Mall - The Retail Property Trust is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Walt Whitman Mall - The Retail Property Trust has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); for an additional daily flow of 39,134 gallons per day, (for a total flow allocation of 101,134 – 62,000 previously purchased) for a total connection fee of \$587,010.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be

required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: June 27, 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 14-3-0-1. Legislators Alden, Kennedy and Mystal voted no. Legislator Losquadro was not present.

Intro. Res. No. 1723-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator D'Amaro

RESOLUTION NO. 762 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH COMAX INDUSTRIAL BUILDING (HU-1524)

WHEREAS, Comax Industrial Building is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Comax Industrial Building has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with a daily flow of 3,000 gallons, for a total connection fee of \$45,000.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: June 27, 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 14-3-0-1. Legislators Alden, Kennedy and Mystal voted no. Legislator Losquadro was not present.

Intro. Res. No. 1724-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive and Legislator D’Amaro

RESOLUTION NO. 763 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH 324 SOUTH SERVICE ROAD (HU-1412)

WHEREAS, 324 South Service Road is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, 324 South Service Road has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity

(or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); for an additional daily flow of 2,640 gallons per day, (for a total flow allocation of 8,600 – 5,960 previously approved) for a total connection fee of \$129,000.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: June 27, 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 Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1725A-2006

BOND RESOLUTION NO. 764 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$260,000 BONDS TO FINANCE THE COST OF THE REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CP 5850.318)

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 \$260,000 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 rehabilitation of various bridges and embankments, 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 \$260,000. The plan of financing includes the issuance of \$260,000 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. 10 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 27, 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 Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1725-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 765 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CAPITAL PROGRAM NUMBER 5850)

WHEREAS, the Commissioner of Public Works has requested funds for construction for the Rehabilitation of Various Bridges and Embankments; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$260,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1167-1995 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-eight (48) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 5850
 Project Title: Rehabilitation of Various Bridges and Embankments

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$4,635,000	\$260,000G	\$260,000B
TOTAL	\$4,635,000	\$260,000	\$260,000

and be it further

4th 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

5th RESOLVED, that the proceeds of \$260,000 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- 5850.318 (Fund 001-Debt Service)	50	Rehabilitation of Various Bridges and Embankments	\$260,000

DATED: June 27, 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 Montano. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1726A-2006

BOND RESOLUTION NO. 766 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$175,000 BONDS TO FINANCE THE COST OF THE INSTALLATION OF GUIDE RAILS AND SAFETY UPGRADES AT VARIOUS LOCATIONS (CP 5180.344)

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 the cost of the installation of guide rails and safety upgrades at various locations, 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 \$175,000. The plan of financing includes the issuance of \$175,000 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 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Legislator Eddington made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1726-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 767 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF GUIDE RAIL AND SAFETY UPGRADES AT VARIOUS LOCATIONS (CAPITAL PROGRAM NUMBER 5180)

WHEREAS, the Commissioner of Public Works has requested funds for construction for Installation of Guide Rail and Safety Upgrades at Various Locations; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$175,000 in Suffolk County Serial Bonds; now, therefore be it

1stRESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1174-1995 classified the action contemplated by this as a Type II action; and be it further

2ndRESOLVED, that it is hereby determined that this project, with a priority ranking of forty-three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rdRESOLVED, 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

4thRESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 5180
Project Title: Installation of Guide Rail and Safety Upgrades at Various Locations

	Total Est'd Cost	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
3. Construction	\$875,000	\$175,000G	\$175,000B
TOTAL	\$875,000	\$175,000G	\$175,000B

and be it further

5thRESOLVED, that the proceeds of \$175,000 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- 5180.344 (Fund 001-Debt Service)	50	Installation of Guide Rail and Safety Upgrades at Various Locations	\$175,000

DATED: June 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1727A-2006

BOND RESOLUTION NO. 768 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$320,000 BONDS TO FINANCE THE COST OF ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CP 1623.324)

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 \$320,000 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 roof replacement on various County buildings, 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 \$320,000. The plan of financing includes the issuance of \$320,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a) (2) of the Law of the Law, is fifteen (15) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: June 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1727-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 769 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CAPITAL PROGRAM NUMBER 1623)

WHEREAS, the Commissioner of Public Works has requested funds for Roof Replacement on various County Buildings; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$320,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 707-2005 classified the action contemplated by this as an Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd 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

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1623
 Project Title: Roof Replacement on Various County Buildings

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$3,651,550	\$320,000G	\$320,000B
TOTAL	\$3,651,550	\$320,000G	\$320,000B

and be it further

5th RESOLVED, that the proceeds of \$320,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1623.324 (Fund 001-Debt Service)	20	R o	\$320,000

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DATED: June 27, 2006

APPROVED BY:

/s/ Paul Sabatino II
Chief Deputy 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 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1729A-2006

BOND RESOLUTION NO. 770 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE THE COST OF ELEVATOR SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760.312)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of elevator safety upgrading at various County facilities, 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 \$150,000. The plan of financing includes the issuance of \$150,000 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. 13 of the Law 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 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1729-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 771 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ELEVATOR SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CAPITAL PROGRAM 1760)

WHEREAS, the Commissioner of Public Works has requested funds for the Elevator Safety Upgrading at Various County Facilities; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, pursuant to Introductory Resolution No. 1647-2006, the application of the 5-25-5 law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 996-1997 classified the action contemplated by this as an Type II action; and be it further

2nd 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

3rd 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

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1760
 Project Title: Elevator Safety Upgrading at Various County Facilities

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$1,345,000	\$150,000G	\$150,000B
TOTAL	\$1,345,000	\$150,000	\$150,000

and be it further

5th RESOLVED, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1760.312 (FUND 001-Debt Service)	20	E l e v a t o r S a f e t	\$150,000

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DATED: June 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1733A-2006

BOND RESOLUTION NO. 772 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE THE COST OF MEDIAN IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5001.312)

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 \$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 median improvements on various County roads, 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 \$500,000. The plan of financing includes the issuance of \$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. 20(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 27, 2006

APPROVED BY:

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

Date: June 30, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1733-2006
Introduced by Presiding Officer Lindsay

Laid on Table 6/13/2006

RESOLUTION NO. 773 -2006, APPROPRIATING FUNDS IN CONNECTION WITH MEDIAN IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5001)

WHEREAS, the Department of Public Works requires construction funds to provide median improvements on various County roads; and

WHEREAS, there are sufficient funds within the Adopted 2006 Capital Budget and Program to cover the cost of the construction required for these improvements; 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 \$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-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations (NYCRR) Section 671.5(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

RESOLVED, that the proceeds of \$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>
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DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1743A-2006

BOND RESOLUTION NO. 775 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF PLANNING FOR SAFETY IMPROVEMENTS ON CR 46, WILLIAM FLOYD PARKWAY FROM SMITH POINT BRIDGE TO CR 80, MONTAUK HIGHWAY (CP 5021.110)

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 planning for safety improvements on CR 46, William Floyd Parkway from Smith Point Bridge to CR 80, Montauk Highway, 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1743-2006
Introduced by Legislator Browning

Laid on Table 6/13/2006

**RESOLUTION NO. 776 -2006, APPROPRIATING FUNDS
IN CONNECTION WITH SAFETY IMPROVEMENTS ON CR 46,
WILLIAM FLOYD PARKWAY FROM SMITH POINT BRIDGE TO
CR 80, MONTAUK HIGHWAY (CP 5021)**

WHEREAS, the Department of Public Works requires planning funds to provide curbing and drainage improvements on both sides of CR 46, William Floyd Parkway, as well as any affected sidewalks; and

WHEREAS, the Legislature desires these planning efforts to be in connection with improved safety and beautification at said location; and

WHEREAS, there are sufficient funds within the Adopted 2006 Capital Budget and Program to cover the cost of the planning required for these improvements; 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 \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

RESOLVED, that it is determined that this program with a priority ranking of forty-seven (47) is eligible for approval in accordance with the provisions of Resolution No. 471-1994,

as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations (NYCRR) Section 671.5(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

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>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5021.110	50	Planning for Safety Improvements on 46, William Floyd Parkway, from Smith Point Bridge to CR 80, Montauk Highway	\$200,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1752-2006 Laid on Table 6/13/20/06
Introduced by Presiding Officer pursuant to Rule 3(A) (14) of the Suffolk County Legislature

RESOLUTION NO. 777 -2006, AUTHORIZING PUBLIC HEARING FOR AUTHORIZATION APPROVAL TO ALTER RATES FOR NORTH FERRY CO., INC.

WHEREAS, NORTH FERRY CO., INC. has applied to the Suffolk County Legislature, by a Petition dated and verified June 7, 2006, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131-g of the Highway Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County; for the alteration

of ferry rates for the regularly scheduled service between Shelter Island, New York and Greenport, New York; now, therefore be it

1st RESOLVED, that consideration of the Petition of the North Ferry Co. Inc. for the purpose of publication of the notice required by the Suffolk County Legislature, the Public Hearing on this edition shall be held at the Regular Meeting of the Suffolk County Legislature at 2:30 pm on the 8th day of August 2006 at Hauppauge, New York; and be it further

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

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1766A-2006

BOND RESOLUTION NO. 778 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$6,500,000 BONDS TO FINANCE THE COST OF STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014.341)

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 \$6,500,000 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 strengthening and improving County roads, 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 \$6,500,000. The plan of financing includes the issuance of \$6,500,000 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. 21 (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 27, 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 Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1766-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 779 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CAPITAL PROGRAM NUMBER 5014)

WHEREAS, the Commissioner of Public Works has requested funds for various road improvement projects to be performed under Capital Project 5014 - Strengthening and Improving County Roads; and

WHEREAS, the professional engineering services associated with the planning, design and construction of these projects have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

WHEREAS, since each specified road improvement project to be undertaken with the funds appropriated, via this resolution, **shall significantly extend the useful life of the improved road**, Local Law 23-1994 as amended (the 5-25-5 law) does not apply; and

WHEREAS, under Section C4-13 of the Suffolk County Charter, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature; 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 \$6,500,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1171-1995 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5014
 Project Title: Strengthening and Improving County Roads

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$43,000,000	\$10,500,000G	\$4,000,000G \$6,500,000B
TOTAL	\$43,000,000	\$10,500,000	
	\$10,500,000		

and be it further

4th 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

5th RESOLVED, that the proceeds of \$6,500,000 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-5014.341 (Fund 001- Debt Service)	50	Strengthening and Improving County Roads	\$6,500,000

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1767A-2006

BOND RESOLUTION NO. 780 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE THE COST OF DREDGING OF COUNTY WATERS IN THE NISSEQUOGUE RIVER AND ADJACENT AREA IN THE LONG ISLAND SOUND (CP 5200.438)

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 \$1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of dredging the existing navigation channel in County waters in part of the Nissequogue River and the adjacent area of the Long Island Sound, 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 \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 (c) 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

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

Intro. Res. No. 1767-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 781 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)

WHEREAS, the Commissioner of Public Works has requested funds for dredging the existing navigation channel in part of the Nissequogue River and adjacent area of the Long Island Sound; and

WHEREAS, the expected costs of dredging the existing navigation channel in part of the Nissequogue River and adjacent area of the Long Island Sound is \$1,000,000; and

WHEREAS, since the project site to be dredged **shall exceed \$100,000**, Local Law 23-1994 as amended (the 5-25-5 law) does not apply; and

WHEREAS, under Section C4-13 of the Suffolk County Charter, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been or will be performed by both the staff of the Department of Public Works and consultant engineers; 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 \$1,000,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd 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

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5200
Project Title: Dredging of County Waters

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
4. Site Improvements	\$13,662,000	\$1,000,000G	\$1,000,000B
TOTAL	\$14,242,000	\$1,080,000	
	\$1,080,000		

and be it further

5th RESOLVED, that the proceeds of 1,000,000 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-5200.438 (Fund 001 – Debt Service)	50	Dredging of County Waters – Site Improvement	\$1,000,000

DATED: June 27, 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 Barraga. The resolution was passed 16-1-0-1. Legislator Alden voted no. Legislator Losquadro was not present.

Intro. Res. No. 1774-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 782 -2006, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 3 – SOUTHWEST

WHEREAS, by proceedings heretofore duly held and taken pursuant to Article 5A of the County Law, the County Legislature of the County of Suffolk, New York, has established a County sewer district designated and known as Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, a map and plan, together with an estimate of cost, has been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase, expansion, and improvement of the facilities of said sewer district; and

WHEREAS, said County Legislature has duly adopted Resolution No. 438-2006 on May 16, 2006, calling a public hearing on the aforesaid map and plan and estimate of cost in accordance with the provisions of Section 268 of the County Law, said public hearing held in Hauppauge, New York, in said County on June 13, 2006, at 2:30 PM prevailing time; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which time all parties interested therein were duly heard; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 3 - Southwest at a maximum estimated cost of \$125.15 million substantially in accordance with the aforesaid map and plan, and that the cost of said increase and improvement of facilities shall be allocated to the entire area of said sewer district including contractees.

Section 2. Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendation, and data filed, it is determined that all property owners in the District, including contractees, will be benefited by the increase and improvement to the District.

Section 3. The Administrative Head of said Suffolk County Sewer District No. 3 - Southwest is hereby authorized and directed to proceed with such improvements of the facilities of said district in the manner provided by Section 262 of the County Law.

Section 4. This resolution shall take effect immediately.

DATED: June 27, 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 Presiding Officer Lindsay. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1775-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/13/2006

RESOLUTION NO. 783 -2006, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 23 – COVENTRY MANOR (CP 8149)

WHEREAS, by proceedings heretofore duly held and taken pursuant to Article 5A of the County Law, the County Legislature of the County of Suffolk, New York, has established a County sewer district designated and known as Suffolk County Sewer District No. 23 – Coventry Manor; and

WHEREAS, a map and plan, together with an estimate of cost, has been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase, expansion, and improvement of the facilities of said sewer district; and

WHEREAS, said County Legislature has duly adopted Resolution No. 439-2006 on May 16, 2006, calling a public hearing on the aforesaid map and plan and estimate of cost in accordance with the provisions of Section 268 of the County Law, said public hearing held in Hauppauge, New York, in said County on June 13, 2006, at 2:30 PM prevailing time; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which time all parties interested therein were duly heard; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 23 - Coventry Manor at a maximum estimated cost of \$800,000 substantially in accordance with the aforesaid map and plan, and that the cost of said increase and improvement of facilities shall be allocated to the entire area of said sewer district.

Section 2. Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendation, and data filed, it is determined that all property owners in the District, as expanded, will be benefited by the increase and improvement to the District and that all property owners benefited are included within the limits of the District.

Section 3. The Administrative Head of said Suffolk County Sewer District No. 23 - Coventry Manor is hereby authorized and directed to proceed with such improvements of the facilities of said district in the manner provided by Section 262 of the County Law.

Section 4. This resolution shall take effect immediately.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Legislator Caracappa made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1776-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 784 -2006, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 9 – COLLEGE PARK (CP 8163)

WHEREAS, by proceedings heretofore duly held and taken pursuant to Article 5A of the County Law, the County Legislature of the County of Suffolk, New York, has established a County sewer district designated and known as Suffolk County Sewer District No. 9 – College Park; and

WHEREAS, a map and plan, together with an estimate of cost, has been prepared and filed with the County Legislature pursuant to Section 268 of the County Law in relation to a proposed increase, expansion, and improvement of the facilities of said sewer district; and

WHEREAS, said County Legislature has duly adopted Resolution No. 440-2006 on May 16, 2006, calling a public hearing on the aforesaid map and plan and estimate of cost in accordance with the provisions of Section 268 of the County Law, said public hearing held in Hauppauge, New York, in said County on June 13, 2006, at 2:30 PM prevailing time; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which time all parties interested therein were duly heard; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 3 - College Park at a maximum estimated cost of \$550,000 substantially in accordance with the aforesaid map and plan, and that the cost of said increase and improvement of facilities shall be allocated to the entire area of said sewer district.

Section 2. Upon evidence provided at the public hearing and after due consideration of the maps, plans, report and recommendation, and data filed, it is determined that all property owners in the District, including contractees, will be benefited by the increase and improvement to the District.

Section 3. The Administrative Head of said Suffolk County Sewer District No. 9 - College Park is hereby authorized and directed to proceed with such improvements of the facilities of said district in the manner provided by Section 262 of the County Law.

Section 4. This resolution shall take effect immediately.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1796-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 785 -2006, APPROVING THE PURCHASE OF VEHICLES IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE SUFFOLK COUNTY CODE AND IN ACCORDANCE WITH THE COUNTY VEHICLE STANDARD

WHEREAS, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the 2006 Adopted Operating Budget, includes funds sufficient to cover the purchase of these vehicles; now therefore be it

1st RESOLVED, that the purchase of 118 replacements as detailed on attached sheet is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard.

DATED: June 27, 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 Barraga. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1801-2006
Introduced by Presiding Officer Lindsay

Laid on Table 6/13/2006

RESOLUTION NO. 786 -2006, ESTABLISHING A POLICY TO NAME AND RENAME COUNTY ROADS IN HONOR OF DECEASED VETERANS WHO PERISHED IN A WAR ZONE

WHEREAS, many Suffolk County citizens have served courageously in our nation's Armed Forces and paid the ultimate sacrifice, giving their lives in defense of our freedoms; and

WHEREAS, this Legislature wishes to give special recognition and remembrance to those who gave their lives while defending our Country; and

WHEREAS, naming or renaming County roads in honor of those members of our Armed Forces who perished while serving in a war zone will serve as a lasting tribute to these brave men and women; now, therefore be it

1st RESOLVED, that it shall be the policy of the County of Suffolk to name and/or rename County roads, or portions thereof, in honor of Suffolk County residents who lost their lives while defending our nation in a war zone as a member of the United States Armed Forces; and be it further

2nd RESOLVED, that the Commissioner of the Department of Public Works is hereby authorized and empowered to recommend to this Legislature the naming or renaming of County roads, as the opportunity arises, for these deceased Suffolk County veterans; and be it further

PURSUANT TO THE SUFFOLK COUNTY TAX ACT," 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. 39 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IMPLEMENTING REDEMPTION OF REAL PROPERTY ACQUIRED BY SUFFOLK COUNTY PURSUANT TO THE SUFFOLK COUNTY TAX ACT

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

Section 1. Legislative Intent.

This Legislature hereby finds that this Legislature has previously recognized and reaffirmed on several occasions that former owners of properties acquired by the County by tax sale should be entitled to an opportunity to reacquire those properties.

This Legislature further finds and determines that the redemption procedure must be fair to all concerned but also adequately protect the County and its taxpayers to ensure that the County and its taxpayers are not financially adversely affected due to the failure of certain owners to pay their taxes in a timely manner. As a result, certain financial penalties and fees are imposed upon redeeming owners.

This Legislature further determines that a redemption procedure was put into place by Local Law 4-1976, subsequently replaced by Local Law 16-1976, and revised by Local Law 4-1988, as now set forth in Article XIV of the County's Administrative Code.

This Legislature further finds and determines that, in the course of revisions being made to the County's redemption procedures, the correct version of the 1988 bill was voted on and adopted but the printed version that was filed with the Secretary of State, as Local Law 4-1988 was a different version, thereby resulting in an operating procedure currently utilized by the County Treasurer's office that is not clearly and properly reflected in the present County Administrative Code.

Therefore, the purpose of this law is to clarify and amend the County Administrative Code provisions pertaining to the implementation of County real property redemption procedures; to confirm the proper procedures to be employed; to conform the County Administrative Code to what was actually voted on and adopted in 1988; and to ensure that the procedures that are utilized, and which have been utilized since the inception of the 1988 changes, are accurately reflected in the Suffolk County Administrative Code.

Section 2. Amendments.

Article XLII of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

**Article XLII
Department of Environment and Energy**

§ A42-3. Procedure for redemption of property under the Suffolk County Tax Act.

* * * * *

F.) Consideration for release. The County's interest may be released only after payment, as to each parcel to be released, of the following sums of money:

(1) The amount of the County investment in the property as determined by the County Treasurer. Said amount shall include [T]the principal amount due on all unpaid taxes, assessments, water charges and sewer rents arising from County warrants, together with interest[,] and penalties to the date of the tax sale, taxes assessed after the date of the tax sale, including the amount of the taxes that would have been assessed during the period following the sale when the County is required to pay only school taxes, together with the statutory interest computed to the date of the tax deed and thereafter at the rate of six percent to the date of payment, plus any amounts payable to the Suffolk County Department of Social Services which are attributable to any former owner. With regard to the satisfaction of the indebtedness to the Department of Social Services, the County Director of Planning, with the written consent of the Commissioner of the Department of Social Services, may accept from the social-services recipient only a repayment agreement or new bond and mortgage in lieu of payment of any or all indebtedness.

* * * * *

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of Local Law No. 4-1988, "Local Law Amending Article XXXII of the SUFFOLK ADMINISTRATIVE COUNTY CODE and Chapter 27 of the SUFFOLK COUNTY CODE to Protect the County's Interest in Indebtedness to the Department of Social Services with regard to Certain County Real Property Conveyances".

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) 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 6. Effective Date.

This law shall take effect immediately on filing in the office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
after a public hearing duly held on July 11, 2006

Date: July 11, 2006

Filed with the Secretary of State on July 24, 2006

Legislator Alden made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1688A-2006

BOND RESOLUTION NO. 788 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$618,610 BONDS TO FINANCE THE COST OF THE INTEGRATED LAND INFORMATION SYSTEM (CP 1758.111)

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 \$618,610 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 integrated land information 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 \$618,610. The plan of financing includes the issuance of \$618,610 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Legislator Alden made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1688-2006

Laid on Table 6/13/2006

Introduced by Legislators Alden, Romaine and Schneiderman

**RESOLUTION NO. 789 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE INTEGRATED LAND
INFORMATION SYSTEM (CP 1758)**

WHEREAS, the 2006 Capital Budget and Program contains Capital Project 1758 entitled "Integrated Land Information System" to provide funds to enable the Real Property Tax Service Agency (RPTSA) to migrate its data to a more efficient and standardized GIS format and integrate it into the data warehouse; and

WHEREAS, the RPTSA has requested \$618,610 to be used in 2006 for 1) Database Migration \$325,000, 2) Application and Tool Development \$275,000, 3) ArcEditor Costs \$8,600 and 4) AcSDE Costs \$10,010; and

WHEREAS, the implementation of on-line access to NYS-E&A Form 5217 and other resources will allow the immediate collection of a new revenue stream, derived from annual subscriber fees, which the RPTSA estimates at approximately \$150,000 in the first year; and

WHEREAS, expediting this project to start in 2006 will not only improve the efficiency of the operations of the Real Property Tax Service Agency but also increase revenue to the General Fund; 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, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$618,610 in Suffolk County Serial Bonds; now therefore be it

RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the 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>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$216,390	\$835,000B	\$216,390B
TOTAL	\$216,390	\$835,000	\$216,390

Project Number: 1758

Project Title: Integrated Land Information System

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning Design & Supervision	\$872,610	\$0	\$618,610B
TOTAL	\$1,721,210	\$0	\$618,610

and be it further

RESOLVED, that the proceeds of \$618,610 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-1758.111	Integrated Land Information System	\$618,610

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 hereby determines that the above activity constitutes an unlisted action under the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; and be it further

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 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

**Intro. Res. No. 1707-2006 Laid on Table
6/13/2006**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 790 -2006, AUTHORIZING THE
ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF
THE INTEREST OF THE COUNTY OF SUFFOLK IN
PROPERTY DESIGNATED AS TOWN OF SOUTHAMPTON
SUFFOLK COUNTY TAX MAP NO. 0900-178.00-02.00-
018.000 PURSUANT TO SECTION 40-D OF THE SUFFOLK
COUNTY TAX ACT**

WHEREAS, a parcel of property lying, situate and being in the Town of Southampton, designated as Suffolk County Tax Map Number 0900-178.00-02.00-018.000 known as N-Mecox Bay, S-Rosenblat-MO, E-Mecox Bay, W-Flying Point Road, formerly assessed to James S. Burnett; and

WHEREAS, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 0900-178.00-02.00-018.000, by tax deed dated August 4, 2005, and recorded on August 8, 2005 in the Suffolk County Clerk's Office in Liber 12402 at page 494 for unpaid 2002/2003 taxes; and

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

1st 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 Property Acquisition and Management, 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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1710-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 791 -2006, REQUESTING LEGISLATIVE APPROVAL AUTHORIZING THE CHIEF DEPUTY COUNTY EXECUTIVE BE THE REPRESENTATIVE TO ACT ON BEHALF OF SUFFOLK COUNTY PURSUANT TO THE CLEAN WATER/CLEAN AIR BOND ACT OF 1996 RELATING TO THE SITE FORMERLY KNOWN AS EASTERN RESOURCES

WHEREAS, the County of Suffolk, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, this resolution authorizing a County representative and having the County agree to fund its portion of the costs of this Project is a requirement by the New York State Department of Environmental Conservation before the site can be accepted into the Brownsfield program; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and Suffolk County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now, therefore be it

1st RESOLVED, that the Chief Deputy County Executive is the representative authorized to act on behalf of Suffolk County in all matters related to State assistance under ECL Article 56, Title 5. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation; and otherwise act for Suffolk County's governing body in all matters related to the Project and to State assistance; and be it further

2nd RESOLVED, that Suffolk County agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

3rd RESOLVED, that one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance; and be it further

4th RESOLVED, that this Authorization take effect immediately.

DATED: June 27, 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 Kennedy. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1711-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 792 -2006, REQUESTING LEGISLATIVE APPROVAL AUTHORIZING THE CHIEF DEPUTY COUNTY EXECUTIVE BE THE REPRESENTATIVE TO ACT ON BEHALF OF SUFFOLK COUNTY PURSUANT TO THE CLEAN WATER/CLEAN AIR BOND ACT OF 1996 RELATING TO THE

**SITE FORMERLY KNOWN AS RONKONKOMA WALLPAPER
FACTORY**

WHEREAS, the County of Suffolk, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, this resolution authorizing a County representative and having the County agree to fund its portion of the costs of this Project is a requirement by the New York State Department of Environmental Conservation before the site can be accepted into the Brownsfield program; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and Suffolk County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now, therefore be it

1st RESOLVED, that the Chief Deputy County Executive is the representative authorized to act on behalf of Suffolk County in all matters related to State assistance under ECL Article 56, Title 5. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation; and otherwise act for Suffolk County's governing body in all matters related to the Project and to State assistance; and be it further

2nd RESOLVED, that Suffolk County agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

3rd RESOLVED, that one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance; and be it further

4th RESOLVED, that this Authorization take effect immediately.

DATED: June 27, 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 17-0-0-1. Legislator Losquadro was not present.

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 793 -2006, REQUESTING LEGISLATIVE APPROVAL AUTHORIZING THE CHIEF DEPUTY COUNTY EXECUTIVE BE THE REPRESENTATIVE TO ACT ON BEHALF OF SUFFOLK COUNTY PURSUANT TO THE CLEAN WATER/CLEAN AIR BOND ACT OF 1996 RELATING TO THE SITE FORMERLY KNOWN AS BLUE POINT LAUNDRY

WHEREAS, the County of Suffolk, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, this resolution authorizing a County representative and having the County agree to fund its portion of the costs of this Project is a requirement by the New York State Department of Environmental Conservation before the site can be accepted into the Brownsfield program; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and Suffolk County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now, therefore be it

1st RESOLVED, that the Chief Deputy County Executive is the representative authorized to act on behalf of Suffolk County in all matters related to State assistance under ECL Article 56, Title 5. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation; and otherwise act for Suffolk County's governing body in all matters related to the Project and to State assistance; and be it further

2nd RESOLVED, that Suffolk County agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

3rd RESOLVED, that one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance; and be it further

4th RESOLVED, that this Authorization take effect immediately.

DATED: June 27, 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 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1800-2006
Introduced by the Presiding Officer pursuant to Rule 3F-13

Laid on Table 6/13/2006

RESOLUTION NO. 794 -2006, APPROVING THE EXTENSION OF THE LICENSE AND FRANCHISE OF DAVIS PARK FERRY CO., INC., FOR CROSS BAY SERVICE BETWEEN PATCHOGUE, NEW YORK AND FIRE ISLAND COMMUNITIES OF DAVIS PARK AND WATCH HILL

WHEREAS, Davis Park Ferry Co., Inc., has applied to the Suffolk County Legislature by a 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 at the existing rates heretofore approved by the Suffolk County Legislature, to March 27, 2011; and

WHEREAS, Davis Park Ferry Co., Inc., has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety, all pursuant to Article 8 of the Navigation Law of the State of New York; now, therefore, it is

RESOLVED, that

(1) The petition of Davis Park Ferry Co., Inc., dated March 22, 2006, for the extension of its license and franchise for cross bay ferry service is granted;

(2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of \$10,000.00 is hereby approved;

(3) That the ferry license and franchise heretofore granted to Davis Park Ferry Co., Inc., to operate a public ferry service over and upon the waters of the Great South Bay for Service between Patchogue, New York on the mainland of Long Island and the Fire Island Communities of Davis Park and Watch Hill, all within the County of Suffolk, be and the same hereby is extended up to and including March 27, 2011;

(4) The license and franchise is granted subject to existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereover;

(5) The rates and fares to be charged for transportation pursuant to the license and franchise shall not exceed the rates and fares authorized from time to time by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County.

(6) The said rates and fares and schedules shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law and Section 72 of the Transportation Corporations Law.

DATED: June 27, 2006

APPROVED BY:

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

Date: June 29, 2006

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

Intro. Res. No. 1818-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer Lindsay and Legislator Cooper

**RESOLUTION NO. 795 -2006, APPOINT MEMBER TO
THE SUFFOLK COUNTY ETHICS COMMISSION (MICHAEL
KENNEDY)**

WHEREAS, Local Law No. 44-1988 established a Suffolk County Ethics Commission to consist of three (3) members, one of whom is to be selected by the Suffolk County Legislature; and

WHEREAS, the term of office of Steven J. Wilutis as a member of the Suffolk County Ethics Commission expired on April 6, 2006; now, therefore, be it

1st RESOLVED, that Michael Kennedy, currently residing in Sayville, New York, is hereby appointed as a member of the Suffolk County Ethics Commission, said term of office to expire on April 6, 2010, pursuant to Section 30-2 of the SUFFOLK COUNTY CHARTER.

DATED: June 27, 2006

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 30-2 OF THE SUFFOLK COUNTY CHARTER

Legislator Romaine made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1870-2006

Laid on Table 6/27/2006

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

RESOLUTION NO. 796-2006, APPROVING MASTER LIST IV AND PLANNING STEPS FOR ENVIRONMENTALLY SENSITIVE LAND, FARMLAND, AND RECREATIONALLY IMPORTANT LAND ACQUISITIONS

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 7.35 per cent of sales and compensating use tax proceeds generated each year for farmland development rights acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, Resolution No. 559-1998 (Local Law No. 27-1998), a "Charter Law Adding Article XII-A to the Suffolk County Charter to Provide a Suffolk County Greenways Community Fund" was approved by the electorate on November 3, 1998, thereby making \$20 Million available for land acquisition under the Suffolk County Farmland Development Rights Program; and

WHEREAS, the Greenways Community Fund provides for Town participation by sharing in the investment in County land acquisitions to expedite land preservation; and

WHEREAS, Resolution No. 559-1998 (Local Law No. 27-1998), a "Charter Law Adding Article XII-A to the Suffolk County Charter to Provide a Suffolk County Greenways Community Fund" was approved by the electorate on November 3, 1998, thereby making \$20 Million available for land acquisition under the Suffolk County Open Space Preservation Program; and

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 13.55 per cent of sales and compensating use tax proceeds generated each year for open space acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, Resolution No. 751-1997 established the Land Preservation Partnership Program with Suffolk County Towns, subject to receipt by the County Executive of a Town Board resolution which represents that the property is eligible for acquisition under the County Drinking Water Protection Program, the Open Space Program, the Farmland Development Rights Program, watershed and/or estuary protection, or parklands; authorizes acquisition of fee title, or a lesser interest therein, to be held by the County of Suffolk; appropriates funds for the acquisition in the amount of fifty-percent (50%) of the total cost of acquisition, including, but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to exemption and recommends management and use of the property in accordance with existing or new County land preservation and management categories, as listed in that Resolution; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A"); pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, Resolution No. 591-1996, approved by the electorate on November 5, 1996, amended the Suffolk County 1/4% Drinking Water Protection Program so as to allocate nearly one-third (1/3) of the surplus funds (12-5(E)) under this Program to the acquisition of parklands (inclusive of beach nourishment allocation) in the Towns of Huntington, Babylon, Islip, Shelter Island, and Smithtown, based on each Town's pro rata share of the County-wide population, as determined by a duly enacted Resolution by the County of Suffolk; and

WHEREAS, Resolution No. 591-1996, approved by the electorate on November 5, 1996, amended the Suffolk County 1/4% Drinking Water Protection Program so as to allocate nearly two-thirds (2/3) of the surplus funds under this Program to the acquisition of land in accordance with Section 12-5(A) of the SUFFOLK COUNTY CHARTER, as determined by a duly enacted Resolution by the County of Suffolk; and

WHEREAS, Local Law No. 34-2004, approved by the electorate in 2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" which authorizes the acquisition of open space, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004 of the first master list of important and significant environmentally sensitive lands, farmland and recreationally important lands identified in Resolution No. 621-2004 and that it is now necessary to add additional parcels to the master list that represent in many cases the last vestiges of open space; now, therefore, be it

1st **RESOLVED**, that the master list identified by Exhibit "A" and Exhibit "B" for the acquisition of environmentally sensitive land, farmland, and recreationally important lands in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and be it further

I.) DEVELOPMENT RIGHTS TO FARMLANDS/NEW DRINKING WATER PROTECTION PROGRAM

2nd **RESOLVED**, that the following parcel(s), in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, is (are) hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Farmland Preservation Program authorized, empowered, and directed by Section 12-3 of the SUFFOLK COUNTY CHARTER and implemented under Article XII 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 Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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 the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

6th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

7th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

8th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

II.) GREENWAYS PROGRAM/FARMLAND DEVELOPMENT RIGHTS

9th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, 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 the

farmland development rights, via a negotiated purchase, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk listed herein below from the reputed owners for inclusion in the Suffolk County Farmland Development Rights Program, the funding for which shall be provided under the Suffolk County Greenways Community Fund, i.e. Section 12-A(A)(3) 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 Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

10th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

11th **RESOLVED**, that the pertinent proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections 12-A(A)(3), (5) and (6) of the SUFFOLK COUNTY CHARTER in connection with such farmland development rights acquisitions, the appropriations and expenditures of County bond proceeds for which is hereby conditioned upon receipt by the County of Suffolk of the written binding pledge or commitment to provide at least thirty per cent (30%) of the actual cost of acquisition from the pertinent Town, for each subject parcel from which such farmland development rights are acquired; and be it further

12th **RESOLVED**, that the County Department of Planning, the Division of Real Estate; the County Planning Department; the County Department of Public Works; and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate 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

III.) GREENWAYS PROGRAM/OPEN SPACE

13th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 16-3(B) 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 parcels listed herein below from the reputed owners for inclusion in the Suffolk County Active Open Space Acquisition Program, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, the funding

for which shall be provided under the Suffolk Community Greenways County Fund, i.e. Section 12-A(A)(1) 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 Section Block Lot		SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

14th **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections 12-A(A)(1), (5) and (6) of the SUFFOLK COUNTY CHARTER in connection with such open space preservation acquisitions; and be it further

15th **RESOLVED**, that the County Department of Law, the Division of Real Estate, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate 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

16th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

IV.) LAND ACQUISITION/NEW DRINKING WATER PROTECTION PROGRAM

17th **RESOLVED**, that the following parcel(s), in addition to those parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, is (are) hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program authorized, empowered, and directed by Section 12-3 of the SUFFOLK COUNTY CHARTER and implemented under Article XII 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 Section Block Lot		SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

18th **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

19th **RESOLVED**, The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

20th **RESOLVED**, that 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 Section 119-o of the NEW YORK GENERAL MUNICIPAL LAW to enter into such agreements with the pertinent Town as shall be necessary and appropriate to provide for day-to-day management of said property by the pertinent Town and to provide such improvements as shall be necessary and appropriate to manage such property and implement such agreements; and be it further

21st **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

22nd **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

23rd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

24th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

V.) ACQUISITION OF LAND/1989-2000 DRINKING WATER PROTECTION PROGRAM (RESIDUAL FUNDS)

25th **RESOLVED**, that the following parcel(s), in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County

Drinking Water Protection Program authorized, empowered, and directed by Section 12-3 of the SUFFOLK COUNTY CHARTER and implemented under Article XII (Section 12-5(E)) 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 Section Block Lot		SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

26th **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

27th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised; and be it further

28th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

29th **RESOLVED**, that the cost of such surveys, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

30th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County and to secure such title searches and environmental audits as shall be necessary and appropriate to acquire the title to the parcels listed herein from the reputed owners for inclusion into the County's Open Space or Parkland Preservation program, as the case may be; and be it further

31st **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

VI.) SUFFOLK COUNTY LAND PRESERVATION PARTNERSHIP PROGRAM

32nd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) and (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 to acquire fee title for the parcels listed herein below, from the reputed owners, in addition to the parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, for inclusion in the Suffolk County Land Preservation Partnership Program, E.G. PARKLANDS, OPEN SPACE, DRINKING WATER PROTECTION PROGRAM, FARMLAND DEVELOPMENT RIGHTS PROGRAM, WATERSHED AND/OR ESTUARY PROTECTION, TO RESTRICT USE AS SPECIFIED IN A CONSERVATION EASEMENT, the funding for which shall be provided under Resolutions Nos. 751-1997 and 1092-1997 as supplemented by subsequent appropriations:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" and EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

33rd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

34th **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Resolutions Nos. 751-1997 and 1092-1997; and be it further

35th **RESOLVED**, that the County Department of Planning, Division of Real Estate, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

36th **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 Land Preservation Partnership Program; and be it further

VII.) MULTIFACETED LAND PRESERVATION PROGRAM

37th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd 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, together with those parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, to be consummated

- pursuant to Resolution No. 751-1997;
- pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A");
- pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; 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. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" AND EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

38th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) 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

39th **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of the 5th RESOLVED clause of Resolution No. 459-2001; and be it further

40th **RESOLVED**, that the County Department of Planning, Division of Real Estate, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

**VIII.) ACQUISITION OF LAND/1989-2000
DRINKING WATER PROTECTION PROGRAM(12-5(A))**

41st **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) or 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 parcels listed herein below from the reputed owners for inclusion into the County's Open Space or Parkland Preservation Program, in addition to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, as the case may be:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBITS "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

42nd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) 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

43rd **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, 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

IX.) SAVE OPEN SPACE (SOS) PROGRAM

44th **RESOLVED**, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A.(1) (2) and (3) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local Law No. 34-2005 for Preservation of Open Space, Farmland, and Hamlet Parks:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" AND EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

45th **RESOLVED**, that The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) 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

46th **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel in accordance with Resolution No. 423-1988, and be it further

47th **RESOLVED**, that the The Director of the Division of Real Estate or his or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10 (B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

48th **RESOLVED**, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XXXVI of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

49th **RESOLVED**, that the The Director of the Division of Real Estate or his or her designee is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

50th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

51st **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.

**EXHIBIT "B" Open Space
REVISED 6/20/2006**

DISTRICT	SECT	BLK	LOT	ACRES	OWNER	OWNER'S ADDRESS
0401	001	01	001.001	400.3	Eatons Neck LLC	1155 Ave. of the Americas, NY, NY 11036
0700	021	01	001p/o	17.5	Judith C. Brandenstein	12 Branden Parkway, Shelter Island, NY 11965
1000	040	03	001	17.5	Kace LI LLC	43 West 54 th St., New York NY 10019
1000	045	02	010.005	31.0	Greenport Group LLC	P.O.Box 136, Woodbury, NY 11797
1000	075	06	003	7.1	John Scott III	Mattituck NY 11952
1000	110	01	001.004	2.7	Wickams Fruit Farm	Cutchogue, NY 11935
1000	110	01	007.001	3.5	John Dawson c/o Mary Holland	400 Short Rd. Cutchogue NY 11935
1000	110	08	002	15.4	Thomas Wickam	Cutchogue, NY 11935
1000	110	08	032.007p/o	4.0	Wickam Family LLC	Glen Arm, MD 21057
1000	110	08	032.009	24.6	Thomas Wickam	Cutchogue, NY 11935
1000	110	08	032.010p/o	5.5	Wickam Bungalow East LLC	Cutchogue, NY 11935
1000	113	12	011	0.9	Ellen Talbot	Mattituck NY 11952
1000	113	12	012	0.9	Dominic Principi	Northport NY 11768
1000	113	12	013	2.6	Richard Principi c/o Alexander Fusaro	12 Gilder Ct. Northport NY 11768
1000	113	12	014	1.2	Michael Caraftis and wife	204 California Ave. Port Jefferson, NY 11777
TOTAL ACRES >				534.7		

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

Intro. Res. No. 1886-2006 Laid on Table 6/27/2006
 Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Eddington, Schneiderman, Mystal

RESOLUTION NO. 797
-
2006, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL PASS-THRU GRANT FUNDS FROM THE NYS DIVISION OF CRIMINAL JUSTICE

**SERVICES TO THE SUFFOLK COUNTY POLICE
DEPARTMENT FOR THE S.T.O.P. VIOLENCE AGAINST
WOMEN PROGRAM.**

WHEREAS, the New York State Division of Criminal Justice Services has awarded to Suffolk County \$120,000 of federal funds under the S.T.O.P. Violence Against Women Formula Grant Program for the period 8/1/05-7/31/06; and

WHEREAS, the funds to continue existing services and enhance the collaborative project addressing sexual assault and domestic violence against women through a coordinated systems approach of County and community based organizations; and

WHEREAS, S.T.O.P. Violence Against Women Program will utilize these federal funds to continue specialized units in Police and Probation Departments and to provide victim services through contracts with the Victims Information Bureau of Suffolk County, Retreat, and the Suffolk County Coalition Against Domestic Violence; and

WHEREAS, this program plan includes \$10,000.00 in funding for the Suffolk County Police Department to purchase additional panic alarm kits that can be installed in the homes of victims of domestic violence and sexual assault; and

WHEREAS, \$10,000 of the \$120,000 has not been included in the 2006 Operating Budget to implement these initiatives; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds:

<u>REVENUES:</u>	<u>AMOUNT</u>
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001-4320-Federal Aid: Criminal Justice Programs	\$10,000
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<u>ORGANIZATIONS:</u>	<u>AMOUNT</u>
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Suffolk County Police Department

STOP Violence Against Women

001-POL-3200

<u>2000 Equipment</u>	<u>\$10,000</u>
2090-Radio & Communication	\$10,000

and be it further

320- LAB - 3790 State Aid: Various Labor Programs \$100,000

ORGANIZATIONS:

Department of Labor (LAB)
Summer TANF
320-6600

1000 - PERMANENT SALARIES	92,350
1112 – Summer Program	70,420
1130 – Student Interns	21,930
8000 - EMPLOYEE BENEFITS	7,650
8330 - Social Security	7,650

and be it further

2nd **RESOLVED**, that this resolution does not authorize the lease of any additional vehicles; and be it further

3rd **RESOLVED**, that the County Executive is duly authorized to designate the Department of Labor as the grant recipient and fiscal agent for the Summer TANF Funds; and be it further

4th **RESOLVED**, that the Reporting Category for the County Integrated Financial Management System (IFMS) is 6600.

DATED: June 27, 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 Mystal. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Intro. Res. No. 1888-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 799 -2006, TO ACCEPT AND APPROPRIATE 100% STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR CIVIL LEGAL SERVICES PROGRAM

WHEREAS, the New York State Office of Mental Health has provided direct funding to Nassau-Suffolk Law Services for the provision of a civil legal services program for mental health consumers for over a decade; and

WHEREAS, this direct funding from New York State Office of Mental Health to Nassau-Suffolk Law Services for this program will cease July 1, 2006; and

WHEREAS, the New York State Office of Mental Health has allocated 100% State aid funding to Suffolk County Department of Health Services for the provision of a civil legal services program for mental health consumers; and

WHEREAS, the Division of Community Mental Hygiene Services wishes to ensure the continuity of the provision of civil legal services to this target population and to prevent the loss of 100% State aid; and

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

1st 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-HSV-3493 State Aid: Community Support Services	\$100,000
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APPROPRIATIONS

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

<u>Fees for Services</u>	<u>\$100,000</u>
4560 Fees for Services, Non-Employees	\$100,000

and be it further

2nd 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 27, 2006

APPROVED BY:

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

Date: June 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Losquadro and Cooper were not present.

Intro. Res. No. 1891-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 800 -2006, ADOPTING LOCAL LAW NO. 38 -2006, A LOCAL LAW TO RE-CONFIRM PROVISIONS CONTAINED WITHIN CHAPTER 43 OF THE SUFFOLK COUNTY CODE

WHEREAS, there was duly presented and introduced to this County Legislature at the regular meeting held on June 27, 2006, a proposed local law entitled, "**A LOCAL LAW TO RE-CONFIRM PROVISIONS CONTAINED WITHIN CHAPTER 43 OF THE SUFFOLK COUNTY CODE,**" 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. 38 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO RE-CONFIRM PROVISIONS CONTAINED WITHIN CHAPTER 43 OF THE SUFFOLK COUNTY CODE

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the establishment of an Empire Zone and as part of the 2005 State Budget, and pursuant to amendments to the General Municipal Law, the Empire Zone Program afforded under the General Municipal Law required all designated Empire Development Zones to submit zone boundaries for re-designation.

This Legislature further finds and determines that pursuant to Resolution No. 1412-2005, adopted December 20, 2005, this Legislature authorized an application to be made for re-designation of its zone boundaries.

This Legislature further finds that revisions need to be made to Resolution No. 1412-2005 and to Chapter 43 of the Suffolk County Code because the Empire State Development Corporation has recently notified Suffolk County that Resolution No. 1412-2005 did not properly authorize the preparation and submission of the application for re-designation and that the County is required to re-designate the zone certification officer and the members of the local zone administrative board.

Therefore, the purpose of this law is to amend Resolution No. 1412-2005 to formally and properly authorize and ratify, pursuant to New York General Municipal Law sections 957 (d) and 961, the preparation and submission of an application by the Suffolk County Empire Zone Administrative Board for re-designation of existing zone boundaries into six distinct and contiguous areas to the New York State Commissioner of Economic Development for ultimate approval by the New York State Empire Zones Designation Board, and to incorporate provisions necessary to obtain approval for the application for re-designation, by amendment to Chapter 43 of the Suffolk County Code.

Section 2. Amendments.

I. Section 2 of Resolution No. 1412-2005 is hereby amended to read as follows:

Section 2. Submission of Application.

The [County Executive, or designee] Suffolk County Empire Zone Administrative Board is hereby authorized to submit [these boundaries] the application for re-designation of zone boundaries, including the new zone boundaries designated in Section 3 of this law, to the New York State Department of Economic Development [in accordance with Section 3 of this law] and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

II. Chapter 43 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 43, EMPIRE ZONE

43-3. Designation of Empire Zone Certification Officer.

A. Pursuant to § 963(a) of the General Municipal Law, the Riverhead Town Attorney, or designee, shall serve as the Empire Zone Certification Officer and shall perform the following duty: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those businesses that are eligible to receive benefits referred to in § 966 of the New York General Municipal Law, and any other applicable statutes.

B. Pursuant to § 963 (a) of the New York General Municipal Law, the Riverhead Town Attorney, or designee, shall continue to serve as the Local Empire Zone Certification Officer of the Empire Zone, and shall perform the duties set forth at paragraph A above.

43-4. Establishment of the Empire Zone Administrative Board.

E. Pursuant to Article 18-B of the New York General Municipal Law, the Zone Board as presently constituted is hereby continued. The Zone Board, pursuant to § 963 (a) of the New York General Municipal Law, as amended, shall continue to approve for certification by the Zone Certification Officer, the New York State Commissioner of Economic Development, and the New York State Commissioner of Labor, the applications of those businesses eligible for certification to receive the benefits referred to in § 966 of the New York General Municipal Law, and shall perform all other duties required of it pursuant to § 963 (b) of the General Municipal Law.

Section 3. 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 (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 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 of 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 judgment or order shall be rendered.

Section 5. Applicability.

This law shall apply to all actions and taxable status dates occurring on or after the effective date of 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 language.

___ Underling denotes addition of new language.

DATED: June 27, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County
after a public hearing duly held on July 11, 2006

Date: July 11, 2006

Filed with the Secretary of State on July 24, 2006

Legislator Eddington made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 13-2-2-1. Legislators Alden and Nowick voted no. Legislators Romaine and Schneiderman abstained. Legislator Losquadro was not present.

Intro. Res. No. 1893-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Eddington and Montano

RESOLUTION NO. 801 -2006, AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS FOR THE OLD PLAZA THEATER AND LAND IN EAST PATCHOGUE, TOWN OF BROOKHAVEN, NEW YORK IN CONNECTION WITH DOWNTOWN REVITALIZATION

WHEREAS, the Town of Brookhaven has completed a blight study and has found the old Plaza Theater and land in East Patchogue, which has been vacant and deteriorating for over a decade, to be blighted and civic associations, including the civic association of FOCUS East Patchogue, have long seen the property as an eyesore that serves as a disincentive for economic revitalization; and

WHEREAS, the County seeks to assist the Town of Brookhaven in revitalizing this portion of East Patchogue and to rid the area of this substandard, deteriorating, and unsanitary building area; and

WHEREAS, the County wishes to work in conjunction with the Town of Brookhaven on an economic development revitalization plan for this area, as the adverse impact on the community caused by this blighted property detracts from the area's economic viability, and leads to reduced employment opportunities and reduced tax revenues at both the County and Town levels; and

WHEREAS, the improvement of this land adjacent would substantially improve and further enhance the economic viability of this downtown area of East Patchogue, lead to a healthier community, increase employment opportunities, and increase the tax base of the area; and

WHEREAS, this land adjacent is needed for Suffolk County and the Town of Brookhaven to further enhance the downtown area of Patchogue; now, therefore be it

1st RESOLVED, that the Department of Environment and Engery and the Director of the Division of Real Property Acquisition and Management are hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(4) of the SUFFOLK COUNTY CHARTER, to begin

proceedings under the NEW YORK EMINENT DOMAIN PROCEDURE LAW to acquire the following parcel, either with the Town of Brookhaven, or solely in the name of the County of Suffolk:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
393 Main St., East Patchogue, New York	District: 0200 Section: 977.50 Block: 0400 Lot: 038.000	+/- 1	East Main Realty Corp. 350 5 th Avenue, Suite 7801 New York, NY 10118

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 27, 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 16-0-0-2. Legislators Losquadro and Barraga were not present.

Intro. Res. No. 1895A-2006

BOND RESOLUTION NO. 802 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$625,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR ENHANCED SHELTERING CAPABILITY AND EMERGENCY HURRICANE READINESS (CP 3419)

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 \$625,000 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 acquisition of equipment for enhanced sheltering capability and emergency hurricane readiness, 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 \$625,000. The plan of financing includes the issuance of \$625,000 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 27, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2006

Legislator Browning made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 16-0-0-2. Legislators Losquadro and Barraga were not present.

Intro. Res. No. 1895-2006

Laid on Table 6/27/2006

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

RESOLUTION NO. 803-2006, AMENDING THE 2006 ADOPTED CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE LOCAL SHARE FOR STATE GRANT TO ENHANCE SHELTERING CAPABILITIES AND EMERGENCY HURRICANE READINESS (CAPITAL PROGRAM 3419)

WHEREAS, Meteorologist have determined that there is a higher probability that Long Island and the Northeast will experience a significant hurricane in the near future; and

WHEREAS, it is in the interest of Suffolk County to prepare enhanced sheltering capabilities and emergency preparedness for hurricane response; and

WHEREAS, New York State has funded a regional grant in the amount of \$5 million to enhance sheltering capabilities and emergency hurricane readiness through the American Red Cross; and

WHEREAS, this grant is contingent upon a local match of \$625,000 for the County to improve its response and sheltering capabilities; and

WHEREAS, it is necessary to appropriate these matching funds so that equipment is in place for the hurricane season; and

WHEREAS, funds are not included in the 2006 Capital Budget and Program to cover the cost of said request under Capital Project 3419 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; 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 \$625,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”) Section 617.5(25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998; and be it further

3rd RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3419
 Project Title: Enhanced Sheltering Capabilities and Emergency Hurricane Readiness

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Equipment	\$625,000	\$ 0	\$625,000B
TOTAL	\$625,000	\$ 0	\$625,000

and be it further

4th RESOLVED, that the proceeds of \$625,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Name</u>	<u>Amount</u>
525-CAP-3419.510 (Fund 001 Debt Service)	29	Enhanced Sheltering Capabilities and Emergency Hurricane Readiness	\$625,000

DATED: June 27, 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 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 39-2006

LOT 6/13/2006

Introduced by Legislator Romaine, Schneiderman

MEMORIALIZING RESOLUTION IN SUPPORT OF THE NEW YORK OCEAN AND BAYS PROTECTION ACT

WHEREAS, New York's coastal and ocean resources are critical to the State's environmental and economic well-being; and

WHEREAS, maintaining healthy and clean ocean and coastal waters is necessary to support the State's human and wildlife population; and

WHEREAS, our ocean and bay waters are threatened by coastal development, onshore and offshore pollution, certain fishing and aquaculture practices, and invasive species; and

WHEREAS, the governance of ocean resources should be guided by principles of sustainability, ecosystem health, good science, and improved understanding of coastal and ocean ecosystems; and

WHEREAS, the State of New York needs to coordinate the stewardship and protection of ocean and coastal waters; and

WHEREAS, legislation has been introduced in the New York State Legislature which would create a New York Ocean and Bays Protection Council to integrate and coordinate the states laws and institutions responsible for protecting and conserving ocean resources including coastal waters and ocean ecosystems; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports the enactment of New York State Senate Bill No. S07244-A, and New York State Assembly Bill No. A10584, the "New York Ocean and Bays Protection Act"; 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 27, 2006

s:\memres\mr-ocean and bay protection act

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 40 -2006
Introduced by Presiding Officer Lindsay

LOT 6/13/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
PREVAILING WAGE ENFORCEMENT ACT OF 2006**

WHEREAS, the current prevailing wage laws in New York State do not go far enough to ensure that workers receive their basic right to a fair wage; and

WHEREAS, working people have been short-changed by unenforceable statutes that are riddled with loopholes which allow contractors to avoid paying fair wages; and

WHEREAS, unscrupulous contractors limit their exposure to criminal sanctions by intentionally failing to file certified payroll records as required by law; and

WHEREAS, in order to guarantee fair wages for workers involved in public works contracts, this and many other loopholes need to be closed, and stiffer penalties must be imposed that mirror the grand larceny statutes, as a theft of wages should be treated as any other theft; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Senate Bill No. S.7654 and Assembly Bill No. A.10846, the Prevailing Wage Enforcement Act of 2006, which would encourage contractors and subcontractors to pay prevailing wages on public works projects by closing loopholes that exist in the current law, and by imposing stiffer penalties for failure to pay the prevailing wage as required by law; 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 27, 2006

s:\memres\mr-prevailing-wage-enforcement

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 41 -2006

LOT 6/13/06

Introduced by Presiding Officer Lindsay, Vilorio-Fisher, D'Amaro, Stern, Losquadro, Romaine, Schneiderman

**MEMORIALIZING RESOLUTION IN SUPPORT OF STATE
LEGISLATION PROHIBITING HEAVY INDUSTRY USES,
INCLUDING LNG TERMINALS, IN COASTAL AREAS**

WHEREAS, the protection of the coastal areas of New York State is imperative in order to ensure a high quality of life in the future; and

WHEREAS, it is the declared public policy of the State to protect the bays and other coastal areas and to safeguard their use primarily for recreation and tourism; and

WHEREAS, the introduction of heavy industry into the State's coastal areas, including bulk product transfer and storage facilities, represents a significant danger of pollution to the bays and other coastal areas of New York, and must be prohibited; and

WHEREAS, Broadwater Energy proposes to site a liquid natural gas (LNG) terminal in the Long Island Sound; and

WHEREAS, this Legislature has gone on record in opposition to the proposed Broadwater LNG project as it poses an unacceptable threat to the environment and public safety; and

WHEREAS, legislation has been introduced in the New York State Legislature that would prohibit the construction of heavy industry in New York's coastal zone; and

WHEREAS, this legislation would also prohibit the construction of bulk product transfer facilities and terminals that receive, store and process LNG in the coastal zone; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Senate Bill No. S.6549 and Assembly Bill No. A.9257, which would prohibit heavy industry uses, including LNG Facilities, in the State's coastal zone areas; 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 27, 2006

s:\memres\mr-industrial-uses-coastal-areas

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

Mem. Res. No. 42 -2006

LOT 6/13/06

Introduced by Legislator Eddington, Browning, Schneiderman, Stern

**MEMORIALIZING RESOLUTION IN SUPPORT OF
EXTENDING THE STATUTE OF LIMITATIONS FOR SEX
CRIMES AGAINST CHILDREN**

WHEREAS, sex crimes, particularly those committed against children, are among the most heinous and horrific in our society; and

WHEREAS, childhood sexual abuse and assault leaves a permanent mark; victims often live with traumatic, long lasting effects, including depression, substance dependency, anxiety, and other mental health issues; and

WHEREAS, it may take years for youthful victims of sexual crimes to come to terms with their ordeal and to demand justice for those who violated their innocence; and

WHEREAS, the statute of limitations for sex crimes against children should be extended to allow victims more time to file criminal charges or initiate civil lawsuits against their attackers; and

WHEREAS, legislation has been introduced in the New York State Legislature that would extend the statute of limitations for criminal and civil actions for sex offenses committed against a child less than eighteen (18) years of age, for incest against a child less than eighteen (18) years of age, or the use of a child in a sexual performance; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly bill A.8705, which extends the statute of limitations in criminal or civil actions for certain sex offenses committed against children under eighteen (18) years of age; 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 27, 2006

s:\memres\mr-extend-statute-sex-crimes-children

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

Mem. Res. No. 43 -2006
Introduced by Legislator Romaine

LOT 6/13/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF ESTATE
TAX DEFERRAL FOR WORKING FARMS AND LAND
CONSERVATION ACT**

WHEREAS, it is estimated by the Department of Agriculture that urban sprawl will consume 95 million acres of farmland in the next 20 years, as well as another 75 million acres of cropland, rangeland, pasture and forests; and

WHEREAS, the complexities of estate tax policies and estate planning, as well as the highly appreciated values of land on Long Island are disincentives for the preservation of farmland as many farm owners would rather sell their land for development; and

WHEREAS, upon the death of the farmer, the active farm is considered part of the estate for the purposes of the estate tax, which tax can be very detrimental to the heirs of the farmer even though the deduction for inheritance taxes was raised to \$1.5 million; and

WHEREAS, farm owners and their families would have more incentive to preserve their land as a working farm if the estate taxes on agricultural land were to be deferred when the land passes from generation to generation, and only applied when the land is developed; now, therefore, be it

RESOLVED, that this Legislature hereby supports H.R. 3523 which would exclude from estate taxes the value of farmland so long as the farmland use continues; 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 27, 2006

s:\memres\mr-us-estate-tax-deferral

Legislator Eddington made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

**MEMORIALIZING RESOLUTION IN SUPPORT OF
AMENDING THE ELDERLY PHARMACEUTICAL
INSURANCE COVERAGE (EPIC) PROGRAM**

WHEREAS, many senior citizens in Suffolk County and across the nation, find it difficult to pay for their prescription drugs while living on fixed incomes; and

WHEREAS, any relief that can be offered to seniors to obtain the medications they need is beneficial; and

WHEREAS, New York State's program for Elderly Pharmaceutical Insurance Coverage (EPIC) helps low and moderate income seniors pay for their prescriptions; and

WHEREAS, when applying for EPIC, applicants must use their last year's income to determine eligibility; and

WHEREAS, problems arise when a serious illness prevents a program participant from working, and he or she is unable to afford the established co-payment; and

WHEREAS, legislation has been introduced in the New York State Legislature that would allow a recalculation of the EPIC co-payment/deductible when there has been a drastic change in income; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.08806, to allow changes in income levels to be taken into consideration when determining co-payments under the EPIC Program; 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 27, 2006

s:\memres\mr—EPIC Program

Legislator Eddington made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

MEMORIALIZING RESOLUTION REQUIRING PUBLIC SERVICE COMMISSION OVERSIGHT OF LIPA "FUEL SURCHARGES"

WHEREAS, rate increases by the Long Island Power Authority (LIPA) are subject to approval by the New York State Public Commission, but so-called "fuel surcharges" are not; and

WHEREAS, surcharges that were supposed to be temporary have become de facto permanent rate increases without receiving the scrutiny of the Public Service Commission (PSC); and

WHEREAS, LIPA's fuel surcharges should be subject to PSC review and approval; and

WHEREAS, legislation has been introduced in the New York State Legislature that will require that any increase of the fuel adjusted surcharge imposed by LIPA be subject to review and approval by the PSC prior to such increase taking place; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill A.01758, which mandates that LIPA fuel surcharges be subject to review and approval by the New York State Public Service Commission, to ensure that such increases are just and reasonable pursuant to the New York State Public Service Law; 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 27, 2006

s:\memres\mr-LIPA Oversight fuel surcharge

Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 46 -2006
Introduced by Legislator Eddington

LOT 6/13/2006

MEMORIALIZING RESOLUTION IN SUPPORT OF LEGISLATION REQUIRING VEHICLE DISMANTLERS AND SCRAP PROCESSORS TO OBTAIN A SOLID WASTE MANAGEMENT PERMIT FROM THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, thousands of vehicle dismantlers and scrap processors operate across New York State and are not regulated by the State Department of Environmental Conservation (DEC) despite the impact their operations have on the environment; and

WHEREAS, under current law, the DEC does not have the power necessary to properly protect communities from the environmental problems imposed by these facilities; and

WHEREAS, residents are subjected to stacks of automobiles rising over fences, explosions from equipment used in operations, and other quality of life nuisances; and

WHEREAS, the waste accumulated at these facilities pose long range health and safety risks; and

WHEREAS, the potential health and safety risks associated with these facilities must be regulated more effectively; and

WHEREAS, legislation has been introduced in the New York State Legislature that would require vehicle dismantlers and scrap processors to obtain a Solid Waste Management Permit from the DEC before they may operate; and

WHEREAS, this legislation would also require the DEC to adopt regulations governing the operation of these facilities; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports New York State Assembly bill A.7633 and New York State Senate bill S.04278, which would require vehicle dismantlers and scrap processors to obtain a Solid Waste Management Permit from the New York State Department of Environmental Conservation before operating; 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 27, 2006

s:\memres\mr-scrap-processors

Legislator Eddington made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 47 -2006

LOT 6/13/2006

Introduced by Legislator Eddington, Stern

**MEMORIALIZING RESOLUTION IN SUPPORT OF
REQUIRING HOSPITALS AND HEALTH RELATED**

FACILITIES TO DISCLOSE SERVICES PROVIDED OUTSIDE THE UNITED STATES

WHEREAS, many hospitals and health related facilities in New York State are outsourcing jobs and/or services outside the United States; and

WHEREAS, this practice endangers many New Yorkers' jobs and/or employment opportunities; and

WHEREAS, legislation has been introduced in the New York State Legislature which would require hospitals to disclose to its patients, information setting forth each hospital service and health-related service provided by such hospital that is performed outside the United States; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly bill A.11292 and New York State Senate bill S.4380, which requires the disclosure of any hospital or health-related service that is performed outside the United States; 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 27, 2006

s:\memres\mr-disclose-hospital-services

Legislator Eddington made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 48 -2006
Introduced by Legislator Eddington

LOT 6/13/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF
REQUIRING AN EXAMINATION OF WINDOW TINT IN THE
YEARLY INSPECTION OF A VEHICLE**

WHEREAS, many vehicle owners are currently violating the law by having tinted windows that exceeds regulations regarding the degree of tint; and

WHEREAS, glass that is too dark can inhibit other drivers from making eye contact with a driver in order to understand their intentions; and

WHEREAS, glass that is tinted too dark can also inhibit law enforcement's ability to observe if illegal activity is occurring within the vehicle; and

WHEREAS, one proactive approach in regulating this problem would be to include tinted glass as one of the items inspected during the yearly state vehicle inspection; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill No. A9943 which would include an examination of window tint in the yearly state inspection of a vehicle; 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 27, 2006

s:\memres\mr-tinted-window-inspection

Legislator Eddington made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 16-1-0-1. Legislator D'Amaro voted no. Legislator Losquadro was not present.

Mem. Res. No. 49 -2006
Introduced by Legislator Eddington, Browning, Stern

LOT 6/13/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF
PROTECTING SUFFOLK'S CITIZENS FROM SEXUALLY
VIOLENT PREDATORS (ASSEMBLY BILL A.3394)**

WHEREAS, sexually violent predators pose a threat to the health and safety of our citizens; and

WHEREAS, sexually violent predators often have anti-social personalities that do not respond to existing mental illness treatment and are therefore, likely to repeat their crimes upon release into society; and

WHEREAS, legislation has been introduced in the New York State Legislature that would establish a procedure for the involuntary commitment of sexually violent predators; and

WHEREAS, this Legislation would provide that such persons be committed to the custody of the Department of Mental Health in a secure facility until such time that person no longer poses a threat to engage in a predatory acts of sexual violence; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill A.3394 to amend the Criminal Procedure Law and the Correction Law to establish a procedure for the involuntary commitment of such sexual violent predators; 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 27, 2006

s:\memres\mr-predators

Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 50 -2006
Introduced by Legislator Eddington

LOT 6/13/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF
RESTRICTING THE PLACEMENT OF SEX OFFENDERS IN
CERTAIN SOCIAL SERVICE SHELTERS AND HOUSING
ACCOMMODATIONS**

WHEREAS, under existing law, level two and level three sex offenders, constituting a moderate to high risk of repeat offense, can be placed in any housing accommodation by social services even though some of these accommodations can be near places where children congregate; and

WHEREAS, given the recidivism rates of these offenders, level two and level three sex offenders pose an unreasonable risk to the safety and well-being of children; and

WHEREAS, it is imperative that officials at all levels of government take appropriate steps to restrict sex offender's access to more potential victims; and

WHEREAS, the State of New York can go a long way in protecting the children of this state by preventing the placement of level two and level three sex offenders within close proximity to children; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill No. A.2051 which would restrict the placement of level two and level three sex offenders in certain social service district funded shelter and housing accommodation that are within one thousand feet of schools, playgrounds, day care facilities and other places where children and the elderly congregate; and be it further

RESOLVED, that this Legislature hereby requests the United States Congress to enact H.R. 3522, colloquially known as the Open Space Preservation Promotion Act of 2005, to amend the Internal Revenue Code of 1986 to clarify that installment sales treatment shall not fail to apply to property acquired for conservation purposes by a State or local government or certain tax-exempt organizations merely because purchase funds are held in a sinking or similar fund pursuant to State law; 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 27, 2006

S:\memres\mr-us-sinking-fund

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

Mem. Res. No. 52 -2006 LOT 6/13/06
Introduced by Legislator Eddington, Browning

**MEMORIALIZING RESOLUTION IN SUPPORT OF
EXCLUSION OF CHILD SEXUAL ABUSE FROM THE
DEFINITION OF THE CRIME OF INCEST**

WHEREAS, incest statutes were originally created to prevent family members from procreating with one another since their gene pools are dangerously similar and, therefore, were not intended to address the tragic crime of child sexual abuse; and

WHEREAS, under the New York Penal Law, a perpetrator of statutory rape or statutory sodomy within a family may be subject to punishment under either the statutory rape or statutory sodomy laws or under the incest statute; and

WHEREAS, depending on the age of the child, statutory rape and statutory sodomy is a Class B felony and carries a sentence of 5 to 25 years in prison; and

WHEREAS, an individual convicted of incest can be sentenced to a sentence of 1 year or less; therefore, our current law provides a loophole for sexual offenders who victimize children in their own families; and

WHEREAS, legislation has been introduced in the New York State Legislature that would prevent perpetrators of statutory rape or statutory sodomy within their own families

from receiving a sentence of one year or less through a conviction under the incest statute; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly bill A.1819, which would eliminate the crimes of statutory rape and statutory sodomy from the incest statute; 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 27, 2006

s:\memres\mr-incest

Legislator Horsley made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-0-0-1. Legislator Losquadro was not present.

Mem. Res. No. 53 - 2006
Introduced by Legislator Horsley

LOT 6/13/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF
CREATING THE LONG ISLAND UTILITY OVERSIGHT
PANEL**

WHEREAS, recent activities in energy procurement of the Long Island Power Authority (LIPA) have not been conducted in accordance with a well-structured, concise and publicly available energy plan; and

WHEREAS, LIPA's response to meet the short-term energy needs of the service area has exposed its ratepayers to long-term energy procurement obligations at unspecified prices; and

WHEREAS, providing greater oversight will improve the reliability and security of the electric delivery system and help to stabilize rates, and

WHEREAS, LIPA's customers should not continue to suffer from a lack of strong oversight of this utility; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Senate Bill No. S.07481 and Assembly Bill No. A.04971 to create a Long Island Utility Oversight Panel which would provide greater oversight of LIPA's operations and actions to provide an adequate supply of electricity in a more effective economic manner that will benefit the ratepayers within LIPA's service area; 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 27, 2006

s:\memres\mr-LIPA Oversight Committee

Legislator Cooper made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 16-1-0-1. Legislator Barraga voted no. Legislator Losquadro was not present.

Mem. Res. No. 54-2006
Introduced by Legislator Cooper

LOT 6/13/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF
AMENDING THE LAW RELATED TO INDUSTRIAL
DEVELOPMENT AGENCIES TO MAKE THEM MORE
EFFECTIVE AND ACCOUNTABLE**

WHEREAS, in the State of New York, there are over 115 Industrial Development Agencies (IDA) that provide almost \$400 million in net tax exemptions each year; and

WHEREAS, IDAs act as an important economic development tool for local communities by promoting job creation and business retention, and in return for increased economic activity they offer exemptions from local, county and school taxes as well as issuing low interest bonds for local businesses; and

WHEREAS, since IDAs give significant local tax breaks, the public must be assured that IDAs do not waste taxpayer dollars and that they only support responsible businesses that will deliver good jobs and services to New York communities; and

WHEREAS, amendments to the law related to IDAs must be made in order to ensure that IDAs operate efficiently and in the public interest; and

WHEREAS, members of IDA boards should not be employees or owners of firms that advise or consult the IDA, nor should they be political party chairmen or lobbyists; and

WHEREAS, certain documents of the IDAs should be made available for public inspection, including PILOT payment agreements, official records of the proceedings of the IDAs, lists of pending projects, descriptions of projects and their economic, social and environmental impact, and an analysis of the growth-inducing aspects of any proposed project; and

WHEREAS, IDAs should be forbidden from providing financial assistance to projects where the project owners have engaged in substantial violations, or a pattern of

violations, of the law, or where a project owner violates any Development Assistance Agreements; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Senate Bill No. S.7391 and Assmebly Bill No. A.10787 which would amend the law related to Industrial Development Agencies to make permanent certain expiring provisions and to enact various reforms that would make IDAs more effective and accountable; 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 27, 2006

s:\memres\mr-IDA- amendment

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

Mem. Res. No. 55-2006

LOT 6/13/2006

Introduced by Legislator Schneiderman, Romaine

**MEMORIALIZING RESOLUTION IN SUPPORT OF
EXEMPTIING COMMERCIAL FISHERMEN FROM ANY
EXCISE OR STATE SALES TAX FOR THE PURCHASE OF
DIESEL MOTOR FUEL**

WHEREAS, existing law requires the payment and subsequent refund of the ten-cent excise tax and the sales tax on diesel fuel when sold to operators of commercial fishing vessels, despite the fact that commercial fisherman are exempt from such taxes; and

WHEREAS, the original intent of the relevant sections of this legislation was to prevent tax evasion in the diesel fuel industry, but it has resulted in a hardship being placed upon commercial fishermen and their fuel suppliers; and

WHEREAS, under the existing law, a commercial fisherman can end up advancing large sums of money annually to the state in the form of taxes; and

WHEREAS, these negative financial consequences have forced many commercial fishermen to purchase their fuel at ports outside of New York state, thereby resulting in the loss of thousands of dollars in revenue for the state's fuel distributors; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill No. A.11249 and Senate Bill No. S.279-A which would provide an exemption from the payment of excise tax and sales tax on motor fuels used in the operations of commercial fishing vessels; 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 27, 2006

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ADJOURNED 6:15PM
TIM LAUBE, CLERK OF THE LEGISLATURE