

ELEVENTH DAY
REGULAR MEETING
AUGUST 8, 2006

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

The meeting was called to order at 9:32 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, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislators Caracappa, Losquadro, Alden and Kennedy arrived at 9:42 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

[THE MEETING WAS RECESSED AT 12:34 P.M. AND RESUMED AT 2:31 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, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

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

Introduced by Presiding Officer Lindsay

Laid on Table 8/8/06

**PROCEDURAL RESOLUTION NO. 7 –2006, TO SET A
PUBLIC HEARING FOR THE REVIEW AND
MODIFICATION OF AGRICULTURAL DISTRICTS IN THE
TOWNS OF BROOKHAVEN, EAST HAMPTON,
RIVERHEAD, SOUTHAMPTON, AND SOUTHOLD**

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board has voted to allow the parcels listed on Exhibit "A" to join existing certified Agricultural Districts; now, therefore be it

1st RESOLVED, that, pursuant to §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAWS, a public hearing shall be scheduled and held by the Suffolk County Legislature on August 22, 2006 at 5:30 p.m. in the Rose Y. Caracappa Auditorium at the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, NY for the purpose of reviewing the proposed inclusion of land into existing agricultural districts in Suffolk County.

DATED: Adopted 8/8/06

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

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

S.C.C.B.A. No. 1-2006

Laid on Table 8/8/2006

Introduced by Legislators Lindsay, Barraga, Horsley, Nowick, Stern, Viloría-Fisher

RESOLUTION NO. 804 -2006, AMENDING THE SUFFOLK COMMUNITY COLLEGE RECOMMENDED BUDGET 2006-2007 TO PROPERLY RESOURCE AN AFFORDABLE EDUCATION FOR THE RESIDENTS OF SUFFOLK COUNTY

WHEREAS, the Suffolk County Legislature, pursuant to SECTION 6304 of the NEW YORK STATE EDUCATION LAW, is the local sponsor of Suffolk County Community College; and

WHEREAS, the Board of Trustees of Suffolk County Community College has adopted Resolution No. 2006.24 on April 20, 2006 approving the College's 2006-2007 Operating Budget request for submission to the County Executive and authorizing a tuition increase of \$110 or 3.7% for full time students and \$5 per credit for part-time students; and

WHEREAS, on June 16, 2006 the County Executive submitted the Suffolk Community College Recommended Budget 2006-2007 to the Suffolk County Legislature for review and approval; and

WHEREAS, the Suffolk Community College Recommended Budget 2006-2007 complies with Local Law Nos. 21-1983, 38-1989 and 29-1995; and

WHEREAS, the Suffolk County Legislature held two public hearings on June 27, 2006 and July 31, 2006 on the Suffolk Community College Recommended Budget 2006-2007; and

WHEREAS, Resolution No. 30-1997 requires that the Suffolk County Community College Operating Budget Amendment Resolution(s) and Budget Amendment Veto(s) shall contain a county contribution for illustrative purposes only; and

WHEREAS, Suffolk County Community College successfully operates a three campus community college at a lower cost to taxpayers than a single campus community college in a neighboring county; and

WHEREAS, the residents of Suffolk County receive a significant return on their investment in Suffolk County Community College through a high quality affordable education offering 75 associate degree programs and transfer options for students who wish to earn an advanced degree at a four-year educational institution; and

WHEREAS, Suffolk County Community College is meeting the needs of the business community by developing programs to provide workforce training in nursing and allied health fields as well as in the culinary arts and hospitality industry and technical fields such as HVAC/R and machining; and

WHEREAS, the County Legislature wishes to increase the county contribution to Suffolk County Community College by four percent (4%), as contained in this resolution, to properly resource the College for the 2006-2007 academic year and into the future; and

WHEREAS, the Budget Review Office of the Suffolk County Legislature has issued its *Review of the 2006-2007 Suffolk County Community College Operating Budget* dated July 27, 2006 which makes recommendations to amend the Suffolk Community College Recommended Budget 2006-2007; and

WHEREAS, it is the desire of the Suffolk County Legislature to incorporate many of the recommendations contained in the Budget Review Office's *Review of the 2006-2007 Suffolk County Community College Operating Budget* to provide sufficient funds to ensure that the residents of Suffolk County continue to receive an affordable quality education; and

WHEREAS, the recommended budget includes sufficient appropriations to include the College's request for the following eleven new positions without having to increase the county contribution; two laborers to maintain the extensive buildings and grounds on three separate campuses, one assistant professor for the Student Success Program, three campus security guards to provide for the safety of the students, one professional assistant and one clerk typist for the Culinary Arts Program in Riverhead, one custodial worker to meet the needs of the expanding campus facilities and two clerk typists to provide support for the professional staff; and

WHEREAS, the recommended budget abolished two filled positions without including the two new positions as requested by the College for these two employees and it is the desire of the Suffolk County Legislature to create one associate vice president for campus affairs and one college assistant dean for faculty professional advancement; and

WHEREAS, the recommended budget does not include the College's request to replace the original furniture in the 40-year old Ammerman Library that is worn out, broken and does not meet the needs of a modern educational environment; and

WHEREAS, the Budget Review Office’s field visit to the Ammerman Library confirmed the need to replace its furniture; and

WHEREAS, this resolution contains such budgetary adjustments as shall be necessary to accomplish the explicitly stated single budgetary objective set forth in the budget note below; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in this Resolution directly to the pertinent line item, organization or object, or revenue account in the Suffolk County Community College Adopted Budget 2006-2007; shall place and post all appropriation and revenue changes or adjustments contained in this Resolution pertaining to fiscal year 2005-2006 for the purpose of calculating the effect on the 2005-2006 fund balances for Suffolk County Community College; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments contained in this Resolution in the pertinent line item, organization, object and sub-object for fiscal years 2005-2006 and/or 2006-2007 all as set forth herein, not to be construed as amending the Suffolk County Community College Adopted Budget 2005-2006 because the 2005-2006 Estimated Column contained in the Suffolk Community College Recommended Budget 2006-2007 shall be construed as informational in nature for the purpose of calculating the 2005-2006 fund balances for Suffolk County Community College; and be it further

2nd **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution, and those items not amended by this or any other resolution be posted as “adopted”; and be it further

3rd **RESOLVED**, that all Whereas clauses and all Resolved clauses denominated 1st through 7th inclusive contained on pages 1 through 3 (inclusive) of the Suffolk Community College Recommended Budget 2006-2007 are hereby stricken and are not adopted and not approved, and shall not appear in the printed 2006-2007 Suffolk Community College Adopted Budget; and be it further

4th **RESOLVED**, the adopted budget include the College’s request to create a new Guild title, college assistant dean for faculty professional advancement; and

5th **RESOLVED**, the pay grade for the title, associate vice president for campus affairs, is changed from grade 37 to grade 38, to be consistent with the duties and responsibilities of the position that span the three campuses; and

6th **RESOLVED**, that the \$35,000 provided in this adopted budget specifically for the Nursing Incentive Program shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

7th **RESOLVED**, the Suffolk Community College Recommended Budget 2006-2007 and it hereby is amended pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW STATE

YORK EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994 and 785-1995 as follows:

Changes to the 2005-2006 estimated column as presented in the 2006-2007 Recommended Budget

FD	AGY	ORG NAME	ORG	OBJ	OBJECT NAME	2005-2006 ESTIMATED	2005-2006 REVISED ESTIMATED	2005-2006 DIFFERENCE
818	SCC	Plant Maintenance & Operation	2260	4020	LIGHT, POWER & WATER	\$4,772,898	\$4,568,179	-\$204,719
818	SCC	Employee Benefits	EMP	8100	STATE TEACHERS' RETIREMENT	\$1,936,443	\$1,967,781	\$31,338
818	SCC	Employee Benefits	EMP	8160	TIAA-CREF RETIREMENT	\$4,010,963	\$3,810,963	-\$200,000
818	SCC	Employee Benefits	EMP	8380	BENEFIT FUND	\$1,445,450	\$1,495,450	\$50,000
818	SCC	Employee Benefits	EMP	8330	SOCIAL SECURITY	\$6,423,602	\$6,373,602	-\$50,000
								-\$373,381

Changes to the 2006-2007 Recommended Budget

FD	AGY	ORG NAME	ORG	OBJ	OBJECT NAME	2006-2007 RECOMMENDED	2006-2007 ADOPTED	2006-2007 DIFFERENCE
818	SCC	Instruction	2210	2010	FURNITURE & FURNISHINGS	\$67,525	\$317,330	\$249,805
818	SCC	General Administration	2270	2030	PURCHASE OF AUTOMOBILES	\$0	\$20,000	\$20,000
818	SCC	Plant Maintenance & Operation	2260	2040	TRUCKS, TRAILERS & JEEPS	\$0	\$25,000	\$25,000
818	SCC	Plant Maintenance & Operation	2260	2050	OTHER MOTORIZED EQUIPMENT	\$43,010	\$118,287	\$75,277
818	SCC	Instruction	2210	3070	MEMBERSHIP & SUBSCRIPTIONS	\$11,054	\$12,428	\$1,374
818	SCC	Library	2240	3070	MEMBERSHIP & SUBSCRIPTIONS	\$125,102	\$146,595	\$21,493
818	SCC	Student Services	2250	3070	MEMBERSHIP & SUBSCRIPTIONS	\$11,769	\$13,004	\$1,235
818	SCC	Student Services	2250	3440	TECHNOLOGY FEE SUPPLIES	\$72,500	\$140,850	\$68,350
818	SCC	Instruction	2210	3500	OTHER: UNCLASSIFIED	\$22,386	\$33,400	\$11,014
818	SCC	Academic Support	2220	3500	OTHER: UNCLASSIFIED	\$16,559	\$61,290	\$44,731
818	SCC	Academic Support	2220	3510	RENT: BUSINESS MACHINES & SYSTEMS	\$18,426	\$25,578	\$7,152
818	SCC	Student Services	2250	3750	RECRUITMENT INITIATIVES	\$32,022	\$55,000	\$22,978
818	SCC	General Institutional Support	2280	3770	ADVERTISING	\$420,656	\$512,410	\$91,754
818	SCC	Plant Maintenance & Operation	2260	4020	LIGHT, POWER & WATER	\$4,772,898	\$5,073,638	\$300,740
818	SCC	Academic Support	2220	4340	TRAVEL: OTHER	\$54,587	\$85,037	\$30,450
818	SCC	Student Services	2250	4340	TRAVEL: OTHER	\$23,083	\$30,986	\$7,903
818	SCC	Employee Benefits	EMP	8280	STATE RETIREMENT	\$2,669,625	\$2,911,558	\$241,933
818	SCC	Employee Benefits	EMP	8160	TIAA-CREF RETIREMENT	\$4,277,950	\$4,077,950	-\$200,000
818	SCC	Employee Benefits	EMP	8380	BENEFIT FUND	\$1,460,450	\$1,540,450	\$80,000
								\$1,101,189

Revenues

FD	Rev. Code	Revenues	2006-2007 Recommended	2006-2007 Adopted	Difference
818	1001	Real Property Taxes	\$ 4,291,068	\$ 4,375,202	\$ 84,134
818	2810	Suffolk County Contribution	\$ 32,827,160	\$33,470,834	\$ 643,674
					\$ 727,808

County Contribution shown for illustrative purposes pursuant to Resolution 30-1997

FD	Rev. Code	Revenues	2006-2007 Recommended	2006-2007 Adopted	Difference
818	1001	Real Property Taxes	\$ 4,291,068	\$ 4,375,202	\$ 84,134
818	2810	Suffolk County Contribution	\$ 32,827,160	\$33,470,834	\$ 643,674
		Contribution to Community College Fund	\$ 37,118,228	\$37,846,036	\$ 727,808

Positions

Fund	Org	Unit	Title	Gd.	2006/07 Recommended	2006/07 Adopted	Change
818	2200	3006	Assistant Professor	UN	0	1 N(01)	+1
818	2200	5015	Professional Assistant I	UN	0	1 N(01)	+1
818	2200	5015	Clerk Typist	9	0	1 N(01)	+1
818	2220	3001	College Asst. Dean for Faculty Professional Advancement	UN	0	1 N(01)	+1
818	2270	3050	Admin Director of Human Resources	34	1 A(01)	0 A(01)	-1
818	2260	3020	Laborer	8	0	2 N(02)	+2
818	2260	4030	Campus Security Guard I	11	17	18 N(01)	+1
818	2260	5030	Campus Security Guard I	11	4	5 N(01)	+1
818	2260	6020	Custodial Worker I	8	1	2 N(01)	+1
818	2260	6030	Campus Security Guard I	11	14	15 N(01)	+1
818	2270	3033	Assoc VP for Camous Affairs	37	1 A(01)	0 A(01)	-1
818	2270	3033	Assoc VP for Camous Affairs	38	0	1 N(01)	+1
818	2270	4010	Clerk Typist	9	0	1 N(01)	+1
818	2270	6020	Clerk Typist	9	0	1 N(01)	+1

+11

DATED: August 8, 2006

Line items are approved and disapproved, as set forth
in this Budget Amendment Resolution pursuant to Section
4-20 of the SUFFOLK COUNTY CHARTER

****VETOED BY COUNTY EXECUTIVE ON AUGUST 18, 2006****

****VETO OVERRIDE ADOPTED ON AUGUST 22, 2006****

Note: This resolution amends the Suffolk County Community College Recommended Budget 2006-2007. The county contribution is increased \$727,808 or 2% to properly resource the College to provide a quality education for the residents of Suffolk County. Thirteen new positions were created and two positions were abolished for a net gain of eleven new positions. Expenditures are increased by a net total of \$727,808 over the two academic years 2005-2006 and 2006-2007, which includes \$249,805 to replace the 40-year old furniture in Ammerman Library. Ten votes are required for adoption.

S.C.C.B.A. No. 2-2006: Property Tax Impact of Legislative Amendment to the 2006-2007
Recommended College Budget

	Tax Levy Impact		Average Residential Tax Bill Impact	Tax Rate Impact per \$100 of Assessed Value	Tax Rate Impact per \$1,000 of FEV
	Dollars	% of Total			
College Nonmandated Property Tax Impact:					
Babylon	\$0	0.0%	\$0.00	\$0.00	\$0.00
Brookhaven	\$0	0.0%	\$0.00	\$0.00	\$0.00
Huntington	\$0	0.0%	\$0.00	\$0.00	\$0.00
Islip	\$0	0.0%	\$0.00	\$0.00	\$0.00
Smithtown	\$0	0.0%	\$0.00	\$0.00	\$0.00
East Hampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Riverhead	\$0	0.0%	\$0.00	\$0.00	\$0.00
Shelter Island	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southold	\$0	0.0%	\$0.00	\$0.00	\$0.00
County Total	\$0	0.0%	\$0.00		\$0.00
General Fund Mandated Property Tax Impact:					
Babylon	\$0	0.0%	\$0.00	\$0.00	\$0.00
Brookhaven	\$0	0.0%	\$0.00	\$0.00	\$0.00
Huntington	\$0	0.0%	\$0.00	\$0.00	\$0.00
Islip	\$0	0.0%	\$0.00	\$0.00	\$0.00
Smithtown	\$0	0.0%	\$0.00	\$0.00	\$0.00
East Hampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Riverhead	\$0	0.0%	\$0.00	\$0.00	\$0.00
Shelter Island	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southold	\$0	0.0%	\$0.00	\$0.00	\$0.00
County Total	\$0	0.0%	\$0.00		\$0.00
Combined College and General Fund Property Tax Impact:					
Babylon	\$0	0.0%	\$0.00	\$0.00	\$0.00
Brookhaven	\$0	0.0%	\$0.00	\$0.00	\$0.00
Huntington	\$0	0.0%	\$0.00	\$0.00	\$0.00
Islip	\$0	0.0%	\$0.00	\$0.00	\$0.00
Smithtown	\$0	0.0%	\$0.00	\$0.00	\$0.00
East Hampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Riverhead	\$0	0.0%	\$0.00	\$0.00	\$0.00
Shelter Island	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southampton	\$0	0.0%	\$0.00	\$0.00	\$0.00
Southold	\$0	0.0%	\$0.00	\$0.00	\$0.00
County Total	\$0	0.0%	\$0.00	\$0.00	\$0.00

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

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 805 -2006, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND CHARGE-
BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE CONTROL # 754-2006**

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

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

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

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

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

RESOLUTION NO.

CONTROL# 754-2006

KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	05/06		0200/98-4-31	3945.53	1353.47	2592.06
A	BROOKHAVEN	05/06		0200/448-2-39	4517.47	771.70	3745.77
A	BROOKHAVEN	05/06		0200/546-3-26	6973.73	3249.54	3724.19
A	BROOKHAVEN	05/06		0200/838-1-19	6080.49	1978.95	4101.95
A	BROOKHAVEN	05/06		0200/973.5-5-21	4969.32	1420.99	3548.33
A	BROOKHAVEN	05/06		0200/978.20-2-3.1	14367.13	11616.92	2750.21
A	BROOKHAVEN	05/06		0204/8-2-9	4383.47	1313.31	3070.16
C	HUNTINGTON	05/06		0400/259.2-1-1.37	11569.82	5402.26	6167.56
A	HUNTINGTON	05/06		0400/268-1-8	85870.23	74172.60	11697.63
C	RIVERHEAD	05/06		0600/68-3-1	48151.62	28532.28	19619.34

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

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1811-2006
Laid on Table 6/27/2006
Introduced by Presiding Officer Lindsay

**RESOLUTION NO. 806 –2006, APPROVING PAYMENT TO
GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE
PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 73 to update the Suffolk County Administrative Code totaling \$11,915.72; and

WHEREAS, Resolution No. 461-1986 established a schedule of fees for entities and/or individuals requesting such Administrative Code and pages from the County Legislature and Resolution No. 189-1991 amended said fee schedule; now therefore be it

RESOLVED, that the payment of \$11,915.72 for the provisions of such pages is hereby approved.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1813-2006
Introduced by Legislator Romaine

Laid on Table 6/27/2006

**RESOLUTION NO. 807 –2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
169-2006**

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

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	HSV	4330	4981	Stony Brook Foundation, Inc. – The Sunrise Fund School Reentry Program	-\$4,000

TO:

<u>FD</u>	<u>AGY</u>	<u>Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	HSV	4100	4981	Stony Brook Foundation, Inc. – The Sunrise Fund School Reentry Program	+\$4,000

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1820-2006 Laid on Table
6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 808 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart (SCTM NO. 0200-983.50-02.00-001.000)

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

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

District 0200, Section 983.50, Block 02.00, Lot 001.000, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112, and otherwise known as and by Town of Brookhaven, Lots 11502, 11503, 11504, 11505, 11506 as designated and delineated on the map entitled, Fourth "Map of Mastic Beach, Suffolk County Long Island, New York" and filed in the Suffolk County Clerk's Office, the 26th day of July 1927, File No. 653; and

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

Deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112; and

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, LESLIE ANN HOGAN and LILLIAN FOSS have made application of said above described parcel and LESLIE ANN HOGAN and LILLIAN FOSS have paid the application fee and \$3,142.13, 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; now therefore be it

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 LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart, 6495 Broadway, Apt. 7L, Bronx, New York 10471, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1821-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 809 -2006, AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY**

TAX ACT LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart (SCTM NO. 0200-983.50-02.00-002.000)

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 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 983.50, Block 02.00, Lot 002.000, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112, and otherwise known as and by Town of Brookhaven, Lot 1519 designated and delineated on the map entitled, Fourth "Map of Mastic Beach, Suffolk County Long Island, New York" and filed in the Suffolk County Clerk's Office, the 26th day of July 1927, File No. 653; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112; and

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, LESLIE ANN HOGAN and LILLIAN FOSS have made application of said above described parcel and LESLIE ANN HOGAN and LILLIAN FOSS have paid the application fee and \$694.51, 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; now therefore be it

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 LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart, 6495 Broadway, Apt. 7L, Bronx, New York 10471, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1822-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 810 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT STEPHEN WOODLAND and PAMELA WOODLAND, his wife (SCTM NO. 0102-004.00-01.00-015.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0102, Section 004.00, Block 01.00, Lot 015.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 648, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, being Lot No. 35 on a certain map entitled "Map of Property of J. H. W. Strong, Babylon, Suffolk County, N.Y." compiled by E. B. Sammis, Surveyor, August 12, 1912, amended and remapped by Eugene R. Smith, C. E., August 31, 1912 and filed in the Office of the Clerk of the County of Suffolk as Map No. 557, on August 7, 1913; 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 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 648; and

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, PAMELA WOODLAND has made application of said above described parcel and PAMELA WOODLAND and STEPHEN WOODLAND have paid the application fee and \$4,368.04, 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; now therefore be it

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 STEPHEN WOODLAND and PAMELA WOODLAND, his wife, 84 Village Line Road, Babylon, New York 11702, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1823-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 811 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart (SCTM NO. 0200-980.70-01.00-030.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 980.70, Block 01.00, Lot 030.000, and acquired by tax deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003, in Liber 12274, at Page 112, and otherwise known as and by Town of Brookhaven, Lots Nos. 2509, 2510, 2511 as designated and delineated on the map entitled, Fourth "Map of Mastic Beach, Suffolk County Long Island, New York" and filed in the Suffolk County Clerk's Office, the 26th day of July 1927, File No. 653; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 15, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112; and

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, LESLIE ANN HOGAN and LILLIAN FOSS have made application of said above described parcel and LESLIE ANN HOGAN and LILLIAN FOSS have paid the application fee and \$1,918.33, 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; now therefore be it

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 LESLIE ANN HOGAN, Executrix of the Estate of Francis Leo Hogan, Jr. a/k/a Francis L. Hogan, Executrix of the Estate of Lillian Foss, and Executrix of the Estate of Loretta H. McEntegart, 6495 Broadway, Apt. 7L, Bronx, New York 10471, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1824-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 812 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JAMES O. CAREY and DEBRA A. CAREY, his wife (SCTM NO. 0300-019.00-10.00-027.000)

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 019.00, Block 10.00, Lot 027.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 647, and otherwise known as and by Town of East Hampton, being known and designated as Lot Numbered 7 in Block Numbered 151A, on a certain map entitled "Subdivision No. 6, Property of Montauk Beach Development Corp., South Portion of West Lake Residential Section" dated January 15, 1927, and filed in the Office of the Clerk of the County of Suffolk as Map No. 1016 on May 6, 1927; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 647; and

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, JAMES O. CAREY has made application of said above described parcel and JAMES O. CAREY has paid the application fee and \$2,297.38, 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; now therefore be it

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 JAMES O. CAREY and DEBRA A. CAREY, his wife, 28 S. Ferncroft Place, Montauk, New York 11954, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1825-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 813 -2006, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK
COUNTY
TAX ACT LAURENCE LOUIS LAMBIASE and BONITA
D.**

LAMBIASE, his wife (SCTM NO. 0800-077.00-04.00-031.002)

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

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

District 0800, Section 077.00, Block 04.00, Lot 031.002, 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 975, and otherwise known as and by Town of Smithtown, bounded north by now or formerly STEVEN CATLDO, bounded east by KARL AVENUE, bounded southerly by now or formerly AYT ASSOCIATES and ELIZABETH and RONALD DENENBERG, west by now or formerly BILGAR REALTY CORP.; 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 975; and

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, LAURENCE L. LAMBIASE, has made application of said above described parcel and LAURENCE L. LAMBIASE, has paid the application fee and will be paying \$38,910.04 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; now therefore be it

1stRESOLVED, 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

2ndRESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LAURENCE LOUIS LAMBIASE and BONITA D. LAMBIASE, his wife, 12 Karl Avenue, Smithtown, New York 11787, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1030-2006
Introduced by Legislators Alden and Romaine

Laid on Table 1/3/2006

**RESOLUTION NO. 814 –2006, TO AUTHORIZE A
REQUEST FOR PROPOSAL TO RE-ESTABLISH
THE BAY SHORE HEALTH CENTER**

WHEREAS, the Bay Shore Health Center has been closed since October of 2001; and

WHEREAS, this Health Center provided a invaluable service to the residents of the Bay Shore area; and

WHEREAS, the residents served by the Bay Shore Health Center have been forced to seek health care services from other locations or have gone without needed health care services since the closing of the Bay Shore Health Center; and

WHEREAS, about half of the patients previously served by the Bay Shore Health Center have been accommodated at health centers in Brentwood and Central Islip often causing overcrowding; and

WHEREAS, others have been forced to rely on emergency room visit, thereby causing overcrowding at emergency rooms; and

WHEREAS, the County Executive has included approximately \$11 Million in the 2006-2008 Adopted Capital Program for the construction of a new County health clinic in Bay Shore; and

WHEREAS, certain economic benefits in the form of federal and State aid will accrue to the County if a leased facility could be found for the Bay Shore Health Center; and

WHEREAS, the most expeditious and cost effective method to replace the Bay Shore Health Center would be to issue an Request for Proposal (RFP) for a builder to construct a building on a “built to suit basis” and lease the facility to the County of Suffolk; now, therefore be it

1st RESOLVED, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section C8-2(X) of the SUFFOLK COUNTY CHARTER, to issue an RFP to secure the construction of a building of adequate size and configuration to replace the Bay Shore Health Center, which building would be leased to the

County of Suffolk and would be constructed in the nearby vicinity of the former Bay Shore Health Center; and be it further

2nd RESOLVED, that all responses to the RFP shall be evaluated by the Commissioner of the Department of Public Works and presented to all members of the Suffolk County Legislature within six (6) months 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1575-2006

Laid on Table 5/16/2006

Introduced by Legislators Romaine, Schneiderman and Barraga

RESOLUTION NO. 815 -2006, CREATING THE SUFFOLK COUNTY HEALTH CARE TASK FORCE

WHEREAS, it is in the interest of all County residents that the delivery of public and private health services be efficiently coordinated; and

WHEREAS, the needs of the population and the best models of care vary throughout the County and are affected by such factors as geography and the availability of services; and

WHEREAS, the cost of providing care has skyrocketed in recent years; and

WHEREAS, healthcare providers within Suffolk County often face a large burden of uncompensated care, threatening their financial viability; and

WHEREAS, Suffolk County should study alternatives to the current system of health care delivery including the development of public/private partnerships; and

WHEREAS, public health nursing and private nurses help to alleviate assisted living and nursing home admissions, which helps to reduce the cost of care; and

WHEREAS, the formation of a task force is necessary to review this important problem and make recommendations for appropriate action by the County Legislature, Department of Health Services, and the County Executive to improve health care delivery in the Suffolk County; now therefore be it

1st RESOLVED, that the Suffolk County Health Care Task Force is hereby created to develop a comprehensive needs assessment to improve the health care delivery system, to address the unique problem of uncompensated care, and help control the cost of care in Suffolk County; and be it further

2nd RESOLVED, that this Suffolk County Health Care Task Force shall consist of the following members:

- 1.) the County Executive, or his designee, who shall serve as Chair;
- 2.) the Chief Executive Officers, or their designees, of three (3) hospitals located within Suffolk County to be chosen by the Nassau-Suffolk Hospital Council, one of which shall be from a hospital located within the five East End towns;
- 3.) a town supervisor selected by the East End Supervisors and Mayors Association, or his or her designee;
- 4.) a town supervisor selected by the Suffolk County Supervisor's Association to represent the five western towns, or his or her designee;
- 5.) the Suffolk County Commissioner of Health Services, or his designee;
- 6.) a representative of the Long Island Farm Bureau;
- 7.) a representative of the Shinnecock Tribal Council;
- 8.) a representative of a Hispanic organization selected by the Presiding Officer;
- 9.) a representative of a African-American organization selected by the Presiding Officer;
- 10.) a representative of a senior organization selected by the Presiding Officer;
- 11.) a representative of the Suffolk County Public Health Nurses Advisory Committee;
- 12.) a representative of the Suffolk County Mental Health, Mental Retardation, and Developmental Disabilities Planning Board;
- 13.) a representative from the South Fork Community Health Initiative;
- 14.) a representative from the Peconic Community Council;

- 15.) a representative from the Suffolk Community Council;
- 16.) a representative from Cornell Cooperative Extension;
- 17.) a representative from the Long Island Association;
- 18.) a member of the health care community selected by the Chair of the Health and Human Services Committee;
- 19.) a member of a transportation advocacy group selected by the Chair of the Public Works and Transportation Committee;
- 20.) the Director of the Office of Legislative Budget Review, or her designee; and
- 21.) an expert in budget and finance to be selected by the County Executive;

and be it further

3rd **RESOLVED**, that the Suffolk County Health Care Task Force may designate members and/or appoint additional members to study regional issues and topical issues of special concern including, but not limited to, uncompensated care, charity care, nursing home care, indigent care, and assisted living care; and be it further

4th **RESOLVED**, that the Commissioner of Health Services is hereby authorized, empowered, and directed to provide any and all information and/or data requested by the Suffolk County Health Care Task Force necessary to complete its review, included, by not limited to staffing levels and budget data, provided that said information is not personal in nature; and be it further

5th **RESOLVED**, that the Suffolk County Health Care Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairperson of the Suffolk County Health Care Task Force, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

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

7th **RESOLVED**, that the Suffolk County Health Care Task Force shall meet at least six (6) times per year, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Suffolk County Health Care Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting. A minimum of 1/3 of said meetings shall occur at the County Center in Riverhead; and be it further

8th **RESOLVED**, that twelve (12) members of the Suffolk County Health Care Task Force shall constitute a quorum to transact the business of the Suffolk County Health Care Task Force at both regular and special meetings; and be it further

9th **RESOLVED**, that the Suffolk County Health Care Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Suffolk County Health Care Task Force with such endeavors, said total expenditures not to exceed Five Thousand (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

10th **RESOLVED**, that clerical services involving the month-to-month operation of this Suffolk County Health Care Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Department of Health Services; and be it further

11th **RESOLVED**, that the Suffolk County Health Care Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

12th **RESOLVED**, that the Suffolk County Health Care Task Force may delegate to any member of the Suffolk County Health Care Task Force the power and authority to conduct such hearings and meetings; and be it further

13th **RESOLVED**, that the Suffolk County Health Care Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

14th **RESOLVED**, that the Suffolk County Health Care Task Force shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of Health Services, and the County Executive no later than one (1) year subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

15th **RESOLVED**, that the Suffolk County Health Care Task Force shall expire, and the terms of office of its members terminate, as of December 31, 2007 at which time the Suffolk County Health Care Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

16th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 16-1-1-0. Legislator Barraga voted no. Legislator Schneiderman abstained.

Intro. Res. No. 1787A-2006

BOND RESOLUTION NO. 816 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS TO FINANCE THE COST OF PUBLIC HEALTH AND SAFETY FENCE/WALL IMPROVEMENTS ON CR 67, MOTOR PARKWAY (CP 5559.310)

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 \$2,000,000 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 public health and safety fence/wall improvements on CR 67, Motor Parkway, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000. The plan of financing includes (a) the issuance of \$2,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (b) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: August 16, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 16-1-1-0. Legislator Barraga voted no. Legislator Schneiderman abstained.

Intro. Res. No. 1787-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 817 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PUBLIC HEALTH AND SAFETY IMPROVEMENTS FENCE ON CR 67 MOTOR PARKWAY FROM REDLEAF LANE TO MELWOOD DRIVE (CP 5559)

WHEREAS, the growth of Suffolk County has included improvements to the transportation infrastructure enabling motor vehicle traffic volume to increase; and

WHEREAS, high volume roadways endangers the public health and safety of both drivers and pedestrians; and

WHEREAS, construction of a fence is necessary to remediate public health and safety issues on this section of County Road 67 associated with vehicle traffic; and

WHEREAS, the Adopted 2006 Capital Budget did not include funding for these public safety improvements on County Road 67 Motor Parkway, between Redleaf Lane and Melwood Drive; and

WHEREAS, sufficient funds are not included in the 2006 Capital Budget and Program to cover the costs of said request under CP 5559 and, pursuant to Suffolk County Charter Section C 4-13, an offsetting authorization must be provided from other Capital Projects; 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 \$2,000,000 in Suffolk County Serial Bonds; now, therefore be it

1st 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

2nd RESOLVED, that the 2006 Capital Budget and Program is hereby amended as follows:

Project No.: 3117
Project Title: Purchase of Additional Police Helicopter

	<u>Total Est'd. Cost</u>	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
5. Furniture & Equipment	\$10,600,000	\$9,500,000B	\$7,500,000B
TOTAL	\$10,625,000	\$9,500,000B	\$7,500,000

Project No.: 5559
Project Title: Public Health and Safety Improvements on County Roads

	<u>Total Est'd. Cost</u>	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
3. Construction	\$2,000,000	\$ 0	\$2,000,000B
TOTAL	\$2,000,000	\$ 0	\$2,000,000

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 to complete the construction of these public health and safety improvements County Road 67 Motor Parkway, between Redleaf Lane and Melwood Drive; and be it further

4th RESOLVED, that the proceeds of \$2,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5559.310 (Fund 001 Debt Service)	50	Public Health and Safety Improvements Fence on County Road 67 Motor Parkway, Between Redleaf Lane and Melwood Drive	\$2,000,000

and be it further

5th RESOLVED, that prior to the adoption of any bond resolution authorizing the issuance of bonds to finance construction of these public health and safety improvements County Road 67 Motor Parkway, between Redleaf Lane and Melwood Drive, an environmental review of the project shall be undertaken and completed in accordance with SEQRA; and be it further

6th 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

7th 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)(21) 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.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

S.C.C.B.A. No. 2-2006

Laid on Table 8/8/2006

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

**RESOLUTION NO. 818 -2006, AMENDING THE 2006/2007
RECOMMENDED SUFFOLK COUNTY COMMUNITY
COLLEGE OPERATING BUDGET AND ESTABLISHING A
TUITION ASSISTANCE PROGRAM FOR CHILDREN OF
FALLEN FIRST RESPONDERS**

WHEREAS, the Suffolk County Legislature, pursuant to SECTION 6304 of the NEW YORK STATE EDUCATION LAW, is the local sponsor of Suffolk County Community College; and

WHEREAS, on June 16, 2006 the County Executive submitted the Suffolk Community College Recommended Budget 2006-2007 to the Suffolk County Legislature for review and approval; and

WHEREAS, the Suffolk Community College Recommended Budget 2006-2007 complies with Local Law Nos. 21-1983, 38-1989 and 29-1995; and

WHEREAS, the Suffolk County Legislature held two public hearings on June 27, 2006 and July 31, 2006 on the Suffolk Community College Recommended Budget 2006-2007; and

WHEREAS, Resolution No. 30-1997 requires that the Suffolk County Community College Operating Budget Amendment Resolution(s) and Budget Amendment Veto(s) shall contain a county contribution for illustrative purposes only; and

WHEREAS, continuing the great traditions of Suffolk County citizens, volunteer firefighter, emergency medical technicians and police officers who put their lives on the line every day in order to protect ordinary Suffolk residents; and

WHEREAS, given this dangerous work, it is almost inevitable that a firefighter, EMT or police officer will be killed in the line of duty, making the ultimate sacrifice in the service of others; and

WHEREAS, the County of Suffolk owes a debt of gratitude to those who have and will put their lives on the line for Suffolk's citizens, and can begin to repay that debt by creating a scholarship program at the Suffolk Community College for the children of these fallen heroes; and

WHEREAS, this resolution contains such budgetary adjustments as shall be necessary to accomplish the explicitly stated single budgetary objective set forth in the budget note below; now, therefore be it

1st RESOLVED, that Suffolk County Community College is hereby authorized to develop guidelines and criteria, and to issue and promulgate such rules and regulations as shall

be necessary and appropriate to develop and implement a tuition assistance program for the first generation issue of volunteer firefighters, emergency medical technicians, and Suffolk County police officers or police officers of a town or village police department located wholly within the boundaries of Suffolk County who have been killed in the line of duty, provided that the individual must have been a resident of Suffolk County and an employee or volunteer on duty with a fire department, emergency medical service or ambulance service with jurisdiction within the County of Suffolk, or with the Suffolk County Police Department or a town or village police department located wholly within the boundaries of Suffolk County when the individual was killed; and

2nd RESOLVED, that the \$10,000 provided in this Resolution in appropriation 818-SCC-2250-3790 for the Suffolk Community College Tuition Assistance Program for children of fallen first responders shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan "C" Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

3rd RESOLVED, that the 2006/2007 Recommended Suffolk County Community College Operating Budget be and it hereby is amended as follows:

Changes to the 2006-2007 Recommended Budget

FD	AGY	ORG NAME	ORG	OBJ	OBJECT NAME	2006-2007 RECOMMENDED	2006-2007 ADOPTED	2006-2007 DIFFERENCE
818	SCC	Student Services	2250	3790	Authorized Tuition	\$95,000	\$105,000	\$10,000
818	SCC	General Inst. Support	2280	4560	Fees for Service: Non-employee	\$1,628,348	\$1,618,348	-\$10,000

County Contribution shown for illustrative purposes pursuant to Resolution 30-1997

FD	REV CODE	REVENUE	2006-2007 RECOMMENDED	2006-2007 ADOPTED	DIFFERENCE
818	1001	Real Property Taxes	\$ 4,291,068	\$ 4,291,068	\$0
818	2810	Suffolk County Contribution	\$ 32,827,160	\$ 32,827,160	\$0
		Contribution to Community College Fund	\$ 37,118,228	\$ 37,118,228	\$0

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 13-5. Legislators Romaine, Schneiderman, Barraga, Kennedy and Nowick voted no.

Intro. Res. No. 1786-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 819 -2006, REPEALING RESOLUTION
NO. 992-2002**

WHEREAS, Resolution No. 992-2002 established a truth and accountability policy for the impact of New York State mandates on County taxes by requiring a separate tax line for the State mandates to appear on the real property tax bills prepared by the Receiver of Taxes of the ten (10) towns of Suffolk County; and

WHEREAS, Resolution No. 992-2002 achieved its goal of getting the attention of New York State and generating a reduction in some of the State's mandated expenses; and

WHEREAS, because the goal of Resolution No. 992-2002 has been achieved, such policy is no longer necessary; now therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk that Resolution No. 992-2002 is hereby repealed in its entirety; and be it further

2nd RESOLVED, that this Resolution shall apply to all real property tax bills prepared by the Receiver of Taxes of the ten (10) towns of Suffolk County commencing with the tax bill for the year 2006-2007, and then in all tax years thereafter; and be it further

3rd RESOLVED, that Resolution No. 256-1998, "Establishing a Truth and Accuracy in Property Tax Billing Policy," as amended, shall remain in full force and effect; 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1859-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 820 -2006, APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER

RESOLVED, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on May 17, 2006 relative to the distribution of mortgage taxes for the six month period ending March 31, 2006, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

RESOLVED, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing him to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Legislator Schneiderman made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-2. Legislators Barraga and Kennedy voted no.

Intro. Res. No. 1809-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive, Deputy Presiding Officer Viloría-Fisher and Legislator Cooper

RESOLUTION NO. 821 -2006, ADOPTING LOCAL LAW NO. 40 -2006, A LOCAL LAW TO PROHIBIT THE CONSTRUCTION AND OPERATION OF LIQUEFIED NATURAL GAS (LNG) FLOATING STORAGE REGASIFICATION UNITS IN THE LONG ISLAND SOUND

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 27, 2006, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT THE CONSTRUCTION AND OPERATION OF LIQUEFIED NATURAL GAS (LNG)**"

FLOATING STORAGE REGASIFICATION UNITS IN THE LONG ISLAND SOUND, “ 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. 40 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROHIBIT THE CONSTRUCTION AND OPERATION OF LIQUEFIED NATURAL GAS (LNG) FLOATING STORAGE REGASIFICATION UNITS IN THE LONG ISLAND SOUND

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 the New York State Legislature has conferred upon Suffolk County the right to regulate its abutting navigable and tidal waters.

This Legislature hereby finds and determines that the ecology of Long Island Sound and the health, safety and security of those who are adjacent, or approximate to those waters must be protected.

This Legislature further finds and determines that the State’s codification of the County’s jurisdiction is historical in origin and is derived from royal land grants, patents, and laws establishing the boundaries of the County over the waters of the Long Island Sound to the Connecticut State Line, as evidenced by, among other laws and documents, Chapter 695 of the Laws of 1881, “An Act Extending Jurisdiction of Queens and Suffolk Counties . . . Over the Waters of Long Island Sound.”

This Legislature further finds and determines that the New York State Legislature, through Navigation Law § 1 and 2(4), further established the County’s jurisdiction to protect the waters of the Long Island Sound by exempting from the definition of "navigable waters of the state" all tidewaters bordering on and lying within the boundaries of Nassau and Suffolk Counties.

This Legislature also finds and determines that Suffolk County has consistently maintained jurisdiction and regulation of all tidal waters/tidewaters bordering on and lying within its boundaries.

This Legislature hereby finds that Liquefied Natural Gas (“LNG”) facilities may pose significant health, economic, safety, security and environmental hazards to the Long Island Sound.

Therefore, the purpose of this law is to prohibit, by the exercise of the County’s jurisdiction over its tidal waters/tidewaters, the construction and/or operation of LNG floating storage regasification units or similar LNG facilities in Long Island Sound for health, safety, security and environmental reasons.

Section 2. Amendments.

1. The Suffolk County Code is hereby amended by the addition of a new Chapter 109 to Part II of the Administrative Local Laws as follows:

Chapter 109, Liquefied Natural Gas (LNG) Floating Storage Regasification Units, Prohibition

§ 109-1 – Definitions

A. “Person” shall mean an individual, a partnership, an unincorporated association, a corporation or any other legal entity.

B. “Construct” shall mean to build, assemble, place, erect or install.

C. “Action” shall mean any steps taken to initiate or advance a liquefied natural gas (LNG) floating storage regasification unit project.

§ 109-2 Prohibited Acts

It shall be unlawful for any person to construct any type of liquefied natural gas (LNG) floating storage regasification unit in or on the tidal waters/tidewaters of the Long Island Sound bordering on and lying within the boundaries of Suffolk County.

Section 3. Applicability.

This law shall apply to any action taken at any time to initiate or advance a liquefied natural gas (LNG) floating storage regasification unit project.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect upon filing in the Office of the Secretary of State and apply to any action taken at any time to initiate or advance a liquefied natural gas (LNG) floating storage regasification unit project.

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

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 28, 2006

After a public hearing duly held on June 27, 2006
Filed with the Secretary of State on September 25, 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. 1848-2006
Introduced by Presiding Officer

Laid on Table 6/27/2006

RESOLUTION NO. 822 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FORGE RIVER COUNTY PARK ADDITION – CATHOLIC NEAR EAST 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 County Park Addition – Catholic Near East Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.091 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 June 14, 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 June 14, 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 County Park Addition – Catholic Near East Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes; and
- 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

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

RESOLUTION NO. 823 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS NOYAC GREENBELT – 357 BRICK KILN PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as Noyac Greenbelt – 357 Brick Kiln Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 9.87 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 June 14, 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 June 14, 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 Noyac Greenbelt – 357 Brick Kiln Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes; and

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

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1850-2006
Introduced by Presiding Officer

Laid on Table 6/27/2006

RESOLUTION NO. 824 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS HAUPPAUGE SPRINGS – LUCYSHYN 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 Hauppauge Springs – Lucyshyn Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 6.3 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 June 14, 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 June 14, 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 Hauppauge Springs – Lucyshyn 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; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes; 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

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1851-2006
Introduced by Presiding Officer

Laid on Table 6/27/2006

RESOLUTION NO. 825 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF A CONSERVATION EASEMENT FOR PRESERVATION PURPOSES KNOWN AS GREAT POND – MANOS PROPERTY, TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of a Conservation Easement for Preservation Purposes Known as Great Pond, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.2 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 June 14, 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 June 14, 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 a Conservation Easement for Preservation Purposes Known as Great Pond – Manos Property, Town of Southold 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

- 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

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 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. 1852-2006
Introduced by Presiding Officer

Laid on Table 6/27/2006

RESOLUTION NO. 826 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – PINELLI PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land in Partnership with the Town of Brookhaven for Open Space Preservation Purposes Known as the Overton Preserve – Pinelli Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 20.298 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 June 14, 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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 14 , 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 in Partnership with the Town of Brookhaven for Open Space Preservation Purposes Known as the Overton Preserve – Pinelli Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreation purposes; and
- 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

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1869-2006

Laid on Table 6/27/2006

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

RESOLUTION NO. 827 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – THE KNOX SCHOOL PROPERTY (TOWN OF SMITHTOWN – SCTM NO. 0802-003.00-03.00-001.000 p/o)

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. 882-2005, 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 Four Million Seven Hundred Twelve Thousand Nine Hundred Thirty Dollars (\$4,712,930.00±), at Two Hundred Thirty Thousand Dollars (\$230,000.00) per acre for 20.491+/-,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 0802 Section 003.00 Block 03.00 Lot 001.000 p/o	20.491±acres	The Knox School P.O. Box 453 St. James, NY 11780

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)(3), of the SUFFOLK COUNTY CHARTER for a total purchase price of Four Million Seven Hundred Twelve Thousand Nine Hundred Thirty Dollars (\$4,712,930.00±), at Two Hundred Thirty Thousand Dollars (\$230,000.00) per acre for 20.491± acres, 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 \$4,712,930.00±, subject to a final survey, from previously appropriated funds in Capital Project 8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(3), 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, Five (5) 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, wherein a small-scale (6-8 car capacity) parking area (to be located at the furthest extent from the remainder) consisting of gravel or other permeable materials and a walking trail consisting of soil or other permeable materials be provided so as to provide public access to Stony Brook Harbor for all Suffolk County residents; 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 with a small-scale (6-8 car capacity) parking area (to be located at the furthest extent from the remainder) consisting of gravel or other permeable materials and a walking trail consisting of soil or other permeable materials to provide public access to Stony Brook Harbor; 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1872-2006

Laid on Table 6/27/2006

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

**RESOLUTION NO. 828
-2006, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR**

**THE ERB PROPERTY – MASTIC/ SHIRLEY CONSERVATION
AREA (TOWN OF BROOKHAVEN –SCTM NO. 0200-983.40-
07.00-004.000 & 009.000)**

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. 877-2005, 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 Eighteen Thousand dollars (\$18,000.00±), 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 0200 Section 983.40 Block 07.00 Lot 004.000	0.20± acres	James P. Sloan Executor of the William Erb Estate 76 Otisco Road Tully, NY 13159
No. 2	District 0200 Section 983.40 Block 07.00 Lot 009.000		

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 Eighteen Thousand dollars (\$18,000.00±), 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	\$18,000.00±*

*subject to a final survey

and be it further

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	\$18,000.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$18,000.00± 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	\$18,000.00±*

*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 \$18,000.00±, 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:

- a.) freshwater/tidal wetlands and buffer lands for same;
- 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(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 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 that the proposes 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1881-2006
Introduced by Legislator Schneiderman

Laid on Table 6/27/2006

RESOLUTION NO. 829 -2006, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (ROMEO PROPERTY - TOWN OF SOUTHAMPTON)

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, 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 the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A");

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 232.00 Block 02.00 Lots 005.000 010.000	±13	Robert Romeo 185 Merrick Road Lynbrook, NY 11563

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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1882-2006
Introduced by Legislator Schneiderman

Laid on Table 6/27/2006

**RESOLUTION NO. 830 -2006, AUTHORIZING PLANNING
STEPS FOR ACQUISITION OF LAND UNDER THE NEW
SUFFOLK COUNTY DRINKING WATER PROTECTION
PROGRAM (ZEBROWSKI PROPERTY) TOWN OF
SOUTHAMPTON**

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% of sales and compensating use tax proceeds generated each year for open space acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

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

1st RESOLVED, that the parcel(s) listed in Exhibit "A", consisting of approximately ±10 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the New Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that the parcel(s) listed in Exhibit "A" meet the criteria required by the New Drinking Water Protection Program in that they are lands "located fully or partially within a statutorily designated Special Groundwater Protection Area"; 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 C8-2(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 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 C42-2(C) 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 cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th RESOLVED, that the Director of the Division of Real 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 C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

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

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

XHIBIT "A"

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 025.00 Block 01.00 Lot 045.000		Dolores Zebrowski P.O. Box 204 Sag Harbor, NY 11963

EXHIBIT "A"

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

Intro. Res. No. 1812-2006
Introduced by Legislator Alden

Laid on Table 6/27/2006

**RESOLUTION NO. 831 -2006, AUTHORIZING ESTEE LAUDER
BREAST CANCER AWARENESS PROGRAM AT H. LEE
DENNISON EXECUTIVE OFFICE BUILDING AND COHALAN
COURT COMPLEX**

WHEREAS, the Estee Lauder Companies Breast Cancer Awareness Program and The Breast Cancer Research Foundation (Foundation) were established in 1993 to help find a cure for this dreadful disease; and

WHEREAS, its campaign has made the "pink ribbon" a universal symbol of the fight to eradicate breast cancer and a potent reminder to all women of the importance of early detection in saving lives; and

WHEREAS, this campaign has:

- reached 300,000 people through media coverage;
- raised \$20,000,000 in the USA to benefit the Research Foundation; and
- helped Research Foundation grantees make exciting breakthroughs into new therapies and genetic links in finding a cure for breast cancer;

and

WHEREAS, to renew the public's commitment and support to its 2006 Breast Cancer Awareness Program, the Foundation wishes to initiate a "Victory Landmark Illumination Project" for breast cancer awareness on the night of Friday, September 29, 2006 at 7:00 p.m. by illuminating landmark buildings in as many major cities as possible throughout the USA and all around the world to create a visible hazy pink glow that will galvanize the national commitment to end this dreaded disease; and

WHEREAS, Suffolk County wishes to show its enthusiasm and pledge its allegiance to this cause by participating in the illumination project, just as it did on October 2, 2000, pursuant to Resolution No. 659-2000, on October 1, 2001, pursuant to Resolution No. 641-2001, on October 1, 2002, pursuant to Resolution No. 885-2002, on October 1, 2003, pursuant to Resolution No. 574-2003, on October 1, 2004, pursuant to Resolution No. 493-2004, and on September 30, 2005, pursuant to Resolution No. 159-2005; now, therefore be it

1st RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway and the Cohalan Court Complex at the south east corner of Carleton

Avenue, Central Islip at 7:00 p.m., with a pink glow, on the night of Friday, September 29, 2006 in support of The Breast Cancer Research Foundation's illumination project; and be it further

2nd RESOLVED, that the presence of employees or representatives of the Estee Lauder Companies Breast Cancer Awareness Program and the Breast Cancer Research Foundation and representatives of breast cancer advocacy groups or organizations, in connection with such celebration, shall be permitted at the two (2) sites.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1874-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 832 -2006, ACCEPTING AND APPROPRIATING 91% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 91% Federal grant funds to the Department of Health Services, Division of Patient Care Services for the Childhood Lead Poisoning Prevention grant in the amount of \$339,278 for the period 01/01/06-03/31/07; and

WHEREAS, this grant funding provides screening for the early detection of childhood lead poisoning, particularly in high risk populations and to provide education to the public and to private physicians; and

WHEREAS, 91% Federal Aid in the amount of \$25,460 needs to be appropriated for the existing Childhood Lead Poisoning Prevention Program administered by Suffolk County Division of Patient Care Services; and

WHEREAS, this unallocated 91% 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 \$25,460 grant funds as follows:

REVENUES

001-4401 Public Health

AMOUNT

\$25,460

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Childhood Lead Poisoning Prevention Program
001-HSV-4117

Equipment

2020 Office Machines

\$ 4,500

\$ 4,500

Supplies, Materials & Other

3370 Medical, Dental & Laboratory Supplies

3500 Other: Unclassified

3680 Repairs: Special Equipment

\$ 8,660

\$ 75

\$ 8,520

\$ 65

Travel

4330 Travel Employee Contracts

4340 Travel: Other

\$ 5,300

\$ 2,500

\$ 2,800

Fees for Services

4560 Fees for Services, Non-Employees

\$ 7,000

\$ 7,000

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: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1875-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/27/2006

**RESOLUTION NO. 833 -2006, AMENDING THE 2006
ADOPTED OPERATING BUDGET TO PROVIDE ADDITIONAL
FUNDING FOR OUTREACH DEVELOPMENT CORPORATION
FOR THE EXPANSION OF THEIR MANAGED ADDICTION
TREATMENT SERVICES PROGRAM**

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded additional 100% State Aid in the amount of \$162,615 to Outreach Development Corporation for the expansion of their Managed Addiction Treatment Services (MATS) Program; and

WHEREAS, this additional funding is for expansion of the case management services to Medicaid recipients of chemical dependence services; and

WHEREAS, these services shall be structured to achieve reduced stays on temporary assistance, increased employment and reduced temporary assistance and related expenses; and

WHEREAS, local matching funds for the 2006 portion of the program commencing August 1, 2006 are needed to accept this additional State Aid; and

WHEREAS, funding for the local match is included in the 2006 Adopted Budget within the Department of Social Services and these funds are available; and

WHEREAS, this additional 100% State Aid for the MATS Program 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 transfer the following funds and to accept and appropriate this 100% additional State Aid as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001- 3486 State Aid: Narcotics Addiction Control	\$162,615

ORGANIZATIONS

Department of Social Services
Medical Assistance Division
001-DSS-6201

	2006 <u>Adopted</u>	2006 Modified <u>Adopted</u>	<u>Change</u>
4560 Fees for Service, Non Employees	\$335,800	\$314,881	-\$20,919

Department of Health Services
Community Mental Hygiene Services
001-HSV-4310-4980

	2006 <u>Adopted</u>	2006 Modified <u>Adopted</u>	<u>Change</u>
GNC1 Project Outreach-ICM	\$153,060	\$336,594	+\$183,534

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Outreach Development Corporation for the expansion of their Managed Addiction Treatment Services Program; and be it further

3rd 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1879-2006
Introduced by Legislator Browning

Laid on Table 6/27/2006

**RESOLUTION NO. 834 –2006, DIRECTING THE
SUFFOLK COUNTY DEPARTMENT OF HEALTH
SERVICES TO POST ADVISORIES ON FORGE RIVER**

WHEREAS, the Forge River in Brookhaven is an important part of the South Shore Estuary; and

WHEREAS, many local residents enjoy boating, fishing, swimming, and crabbing on and along the Forge River; and

WHEREAS, environmental and health concerns related to the Forge River arose last summer when a local organization noted a die off in wildlife, which in turn led to the creation of the Forge River Task Force; and

WHEREAS, the Forge River is often discolored and emits a foul odor; and

WHEREAS, a fish kill was reported to the Suffolk County Department of Health Services on June 5th of this year by the New York State Department of Environmental Conservation; and

WHEREAS, the Department of Health Services has been conducting tests of the Forge River since July 2005; the most recent tests show the dissolved oxygen level at less than 0.1 milligrams per liter; too low to support life on the River; and

WHEREAS, Forge River has been placed on New York's Impaired Water List; and

WHEREAS, residents should be advised of the potential health dangers associated with the River; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Health Services is hereby authorized, empowered, and directed to post signs at areas of public access on both sides of the Forge River, advising residents of the public health hazards associated with the current conditions of the Forge River; and be it further

2nd RESOLVED, that the Suffolk County Department of Health Services is hereby directed to report in writing to the County Legislature and the County Executive and describe the steps they have taken to comply with this Resolution within sixty (60) days of the effective date of the Resolution; and be it further

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

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 17, 2006

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

Intro. Res. No. 1890-2006
Introduced by Legislator Viloría-Fisher

Laid on Table 6/27/2006

**RESOLUTION NO. 835 –2006, AMENDING RESOLUTION
NO. 176-2006, PUBLIC HEALTH NURSING TASK FORCE**

WHEREAS, Resolution No. 176-2006, "Creating a Public Health Nursing Task Force", was approved by this Legislature; and

WHEREAS, the Task Force has requested an extension of thirty (30) days for the issuance of the report outlining the criteria for the RFP, which is to be issued to the members of the County Legislature and the County Executive no later than one hundred twenty (120) days subsequent to the effective date of the Resolution; and

WHEREAS, the Task Force is also requesting that the Legislative Office of Budget Review issue the RFP for consulting services to perform a cost/benefit analysis on the County's Public Health Nursing Program; now, therefore be it

1st RESOLVED, that the 10th RESOLVED clause of Resolution No. 176-2006 is hereby amended to read as follows:

10th RESOLVED, that this Task Force shall submit a written report outlining the criteria for the RFP, to each member of the County Legislature and the County Executive, no later than one hundred [twenty (120)] fifty (150) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, by the entire County Legislature; and be it further

and be it further

2nd RESOLVED, that Resolution No. 176-2006 is further amended by the addition of a new RESOLVED clause which shall read as follows:

14th RESOLVED, that the award of the contract shall be made by a Committee comprised of the Suffolk County Executive, or his designee, the Presiding Officer of the Suffolk County Legislature, or his designee, and a representative from the Suffolk County Legislature's Office of Budget Review; and be it further

3rd RESOLVED, that Resolution No. 176-2006 is further amended to renumber the 14th RESOLVED clause as the 15th RESOLVED clause; and be it further

4th RESOLVED, that all other terms and conditions of Resolution No. 176-2006 shall remain in full force and effect; 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.

[] Brackets denote deletion of existing language

____ Underlining denotes addition of new language

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1858-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 836
2006, AUTHORIZING THE SALE OF SANITARY FLOW
CREDITS ASSOCIATED WITH COUNTY-OWNED REAL
PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL
MUNICIPAL LAW TO THE TOWN OF SOUTHOLD FOR
AFFORDABLE HOUSING PURPOSES**

WHEREAS, the County of Suffolk is the fee owner of a certain parcel that is surplus to the needs of the County of Suffolk known as Suffolk County Tax Map Number 1000-045.00-01.00-010.000, which is particularly described in Exhibit "A"; and

WHEREAS, Section 72-h of the General Municipal Law permits the sale of an interest of real property between Municipal Corporations; and

WHEREAS, the Town of Southold, Suffolk County, New York, has requested the County of Suffolk convey the Sanitary Flow Credits associated with the subject parcel to the Town of Southold. (see annexed Town of Southold Resolution No. 734-2005 hereto marked as Exhibit "B"); and

WHEREAS, the transfer of the Sanitary Flow Credits associated with the subject parcel are pursuant to and in accordance with Local Law Nos. 13-2000, 2-2002 and 17-2004, which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Planning has approved the use of this parcel for the purpose stated above, which will result in the said property to be transferred to the Department of Parks, Recreation and Conservation for passive recreational uses; now, therefore be it

1st **RESOLVED**, that the Sanitary Flow Credits associated with the subject parcel shall be conveyed to the Town of Southold, Suffolk County, New York for workforce housing use:

1. The Town of Southold shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2006, outlining the exact and precise use to which the Sanitary Flow Credits from the subject premises has been put to along with the net proceeds generated by the use of the Sanitary Flow Credits, which may not exceed the amount paid by the Town.
2. The Town of Southold and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

2nd **RESOLVED**, that the eight (8) Sanitary Flow Credits associated with the subject parcel shall be conveyed to the Town of Southold, Suffolk County, New York subject to the deed restrictions contained in Section A36-2C of the Suffolk County Administrative Code, which restrictions shall run with the land that the Sanitary Flow Credits will be transferred to and be enforceable by the County of Suffolk; and be it further

3rd **RESOLVED**, that the conveyance of the eight (8) Sanitary Flow Credits associated with the subject parcel described in Exhibit "A" to the Town of Southold for the purposes described herein shall be for the sum of One and 00/100 Dollar (to be waived); and be it further

4th **RESOLVED**, that Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, or her Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property, being said Sanitary Flow Credits, upon the above-described terms and conditions; and be it further

5th **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above described property for passive park purposes; and be it further

6th **RESOLVED**, that said parcel is held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Town of Southold and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforestated assessor for this purpose; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of

priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Exhibit "A"

Suffolk County Tax Map No. District: 1000, Section: 045.00, Block: 01.00, Lot: 010.000, being 8.2± acres and acquired by Tax Deed on October 3, 2001 and recorded on October 10, 2001 in Liber 12146 at Page 192 and described as follows, Town of Southold, N x now or formerly Cormic Feeney, E x Chapel Lane, S x Main Highway, W x now or formerly Buttler.

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. 1689-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer Lindsay and Legislator Romaine

RESOLUTION NO. 837 –2006, APPOINTING A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION AND CONSERVATION (SCOTT HILARY)

WHEREAS, Thomas J. McCaffery, a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation representing the Town of Southold, has been in a holdover status since February 28, 2006; and

WHEREAS, the Supervisor of the Town of Southold has recommended that **Scott Hilary** be appointed to represent the Town of Southold on the Suffolk County Board of Trustees of Parks, Recreation and Conservation; now, therefore be it

RESOLVED, that **Scott Hilary**, currently residing in Southold, New York, is hereby appointed as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, said term to expire on February 28, 2011.

DATED: August 8, 2006

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

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

Intro. Res. No. 1860-2006

Laid on Table 6/27/2006

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

RESOLUTION NO. 838 -2006, APPLYING FOR A GRANT FROM NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE RESTORATION OF WEREHOLME, SCULLY ESTATE COUNTY PARK

WHEREAS, New York State under Title 9 of the Environmental Protection Act of 1993, has established the 2006 Historic Preservation Grant Program for the restoration of historic sites within New York State; and

WHEREAS, Wereholme, Scully Estate County Park was approved to be listed on the National Register of Historic Places at the State Review board meeting on September 16, 2005; and

WHEREAS, Suffolk County is desirous of restoring Wereholme, located on South Bay Avenue in Islip; now therefore, be it

1st RESOLVED, that the County of Suffolk hereby applies for grant funding from New York State Department of Parks, Recreation and Historic Preservation in the amount not to exceed Three Hundred and Fifty Thousand Dollars (\$350,000) in connection with the 2005 Historic Preservation Grant under Title 9 of the Environmental Protection Act of 1993 for the restoration of Wereholme, Scully Estate County Park; and be it further

2nd RESOLVED, that Ronald F. Foley, as Commissioner of Suffolk County Parks, Recreation and Conservation, is authorized and directed to file an application on forms prescribed by the New York State Office of Parks, Recreation, and Historic Preservation for financial assistance in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for restoration of Wereholme, Scully Estate County Park, Islip, New York and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 14, 2006

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

Intro. Res. No. 1861-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 839 -2006, APPLYING FOR A GRANT FROM NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE RESTORATION OF SAGTIKOS MANOR

WHEREAS, New York State under Title 9 of the Environmental Protection Act of 1993, has established the 2006 Historic Preservation Grant Program for the restoration of historic sites within New York State; and

WHEREAS, Suffolk County is desirous of restoring the historic site of Sagtikos Manor, located on Montauk Highway in West BayShore; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby applies for grant funding from New York State Department of Parks, Recreation and Historic Preservation in the amount not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000) in connection with the 2006 Historic Preservation Grant under Title 9 of the Environmental Protection Act of 1993 for the restoration of Sagtikos Manor; and be it further

2nd RESOLVED, that Ronald F. Foley, as Commissioner of Suffolk County Parks, Recreation and Conservation, is authorized and directed to file an application on forms prescribed by the New York State Office of Parks, Recreation, and Historic Preservation for financial assistance in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$250,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for restoration of Sagtikos Manor, West BayShore, New York and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 14, 2006

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

Intro. Res. No. 1862-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 840 –2006, APPLYING FOR A GRANT FROM NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE RESTORATION OF NEW MILL AND MILLER'S HOUSE AT BLYDENBURGH COUNTY PARK

WHEREAS, New York State under Title 9 of the Environmental Protection Act of 1993, has established the 2006 Historic Preservation Grant Program for the restoration of historic sites within New York State; and

WHEREAS, Suffolk County is desirous of restoring the New Mill and Miller's House at the Blydenburgh County Park Historic District in Smithtown; now, therefore, be it

1st RESOLVED, that the County of Suffolk hereby applies for grant funding from New York State Department of Parks, Recreation and Historic Preservation in the amount not to exceed Three Hundred Thousand Dollars (\$300,000) in connection with the 2006 Historic Preservation Grant under Title 9 of the Environmental Protection Act of 1993 for the restoration of the New Mill and Miller's House at Blydenburgh County Park Historic District; and be it further

2nd RESOLVED, that Ronald F. Foley, as Commissioner of Suffolk County Parks, Recreation and Conservation, is authorized and directed to file an application on forms prescribed by the New York State Office of Parks, Recreation, and Historic Preservation for financial assistance in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$300,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for restoration of the New Mill and Miller's House at Blydenburgh County Park Historic District, Smithtown, New York and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 14, 2006

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

Intro. Res. No. 1863-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 841 –2006, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE ROTARY CLUB OF SAYVILLE FOR ANNUAL BEEFSTEAK FUNDRAISER

WHEREAS, Rotary Club of Sayville is a 501(c)(4) organization operating as a local chapter of Rotary International, having its principal place of business at 1560 Sherman Avenue, Evanston, Illinois; and

WHEREAS, the Rotary Club of Sayville would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Beefsteak Fundraiser to raise money for the organization; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Thursday, August 10, 2006; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by Rotary International; 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 Rotary Club of Sayville for the purpose of hosting a fundraiser on Thursday, August 10, 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 Rotary International and the payment of the Three Hundred Fifty Dollars (\$350.00) 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 Rotary Club of Sayville.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 9, 2006

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

Intro. Res. No. 1865-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 842 -2006, ACCEPTING THE DONATION OF THREE (3) ALL TERRAIN VEHICLES FROM THE CENTRAL PINE BARRENS COMMISSION FOR USE BY THE SUFFOLK COUNTY PARK POLICE

WHEREAS, the Suffolk County Park Police actively organize interagency field enforcement operations for the Pine Barrens Enforcement Council of the Central Pine Barrens Commission; and

WHEREAS, the Central Pine Barrens Commission received a settlement from the New York State Department of Environmental Conservation which includes funds restricted for use by the Pine Barrens Enforcement Council; and

WHEREAS, the Central Pine Barrens Commission used part these settlement funds to purchase all terrain vehicles for use by the Council agencies' officers; and

WHEREAS, the Central Pine Barrens Commission has approved two resolutions, dated April 19, 2006 and May 17, 2006, which authorize the transfer of title of a total of three (3) all terrain vehicles purchased with the money from the settlement; now, therefore, be it

1st RESOLVED, that the donation of three (3) all terrain vehicles by the Central Pine Barrens Commission shall be accepted by the County of Suffolk for use by the Park Police of the Department of Parks, Recreation and Conservation; and be it further

2nd RESOLVED, that County's Public Works Department, Division of Fleet Management is hereby authorized, empowered and directed to fuel and maintain these vehicles bearing VIN # 4XAMH50A66A651773, VIN # 4XAMH50A66A651787, and VIN # 4XACL50AX64109178; 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 acquiring 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.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-1. Legislator Alden voted no.

Intro. Res. No. 1868A-2006

BOND RESOLUTION NO. 843 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$37,500 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO NEWLY ACQUIRED PARKLAND (CP 7145)

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 \$37,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to newly acquired parkland, 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 \$37,500. The plan of financing includes the issuance of \$37,500 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: August 8, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: August 16, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-1. Legislator Alden voted no.

Intro. Res. No. 1868-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 844 -2006, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO NEWLY ACQUIRED PARKLAND (CP 7145)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested construction funds for improvements to newly acquired parkland; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of improvements to newly acquired parkland under Capital Project 7145; 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 \$37,500 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-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

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 the provisions of Title 6 NYCRR Part 617.5 (c) (25) because it involves the purchase of supplies including

fencing, gates and other materials used to secure newly acquired properties and collect environmental hazards; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of the \$37,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7145.310 (Fund 001-Debt Service)	60	Improvements to Newly Acquired Parkland	\$37,500

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1864-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 845 -2006, ACCEPTING THE
DONATION OF A VINTAGE VEHICLE TO THE SUFFOLK
COUNTY SHERIFF'S OFFICE**

WHEREAS, Mark Calisi, owner of Eagle Chevrolet, has expressed a desire to donate a 1955 Plymouth Belvedere to the Suffolk County Sheriff's Office as part of an historical display; and

WHEREAS, the donation of this vintage automobile to the collection of artifacts maintained by Sheriff's Office will greatly enhance the collection of items on display for the residents of Suffolk County; and

WHEREAS, the Suffolk County Sheriff's Office has expressed interest in accepting this vehicle for display purposes, which may include parades; now, therefore be it

1st RESOLVED, that the donation of the following vehicle, with a value of approximately \$15,000, is hereby accepted for display purposes by the Suffolk County Sheriff's Office:

<u>Year</u>	<u>Make/Model</u>	<u>Vehicle Number</u>
1955	Plymouth/Belvedere	14075167

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1867-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 846 -2006, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$24,681 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, TO FUND AN INTERNET CRIMES AGAINST CHILDREN PREVENTION PROGRAM FOR THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 84.5% SUPPORT

WHEREAS, The United States Department of Justice, has awarded \$24,681 in Fiscal Year 2006 Office of Juvenile Justice and Delinquency Prevention Discretionary Grants Program funds to the Suffolk County Police Department to fund an Internet Crimes Against Children Prevention Program; and

WHEREAS, this project will provide for community outreach programs to educate parents, students and teachers concerning internet safety for children; and

WHEREAS, the operational period of the Project will be from September 1, 2006 through August 31, 2007; and

WHEREAS, said grant funds totaling \$24,681 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:

REVENUES:	AMOUNT
001-4385 - Federal Aid: Internet Crimes Against Children Prevention Program	\$24,681

ORGANIZATIONS:
Internet Crimes Against Children Prevention Program
Police Department (POL)
001-POL-3286

<u>1000-Personal Services</u>	<u>\$24,681</u>
1120-Overtime Salaries	24,681

and be it further

2nd RESOLVED, that the non-reimbursable 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 United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention Programs.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1732-2006 Laid on Table 6/13/2006
Introduced by Legislators Losquadro, Viloría-Fisher, Cooper and Nowick

**RESOLUTION NO. 847 -2006, ADOPTING LOCAL LAW
NO. 41 -2006, A LOCAL LAW TO UPDATE THE
COUNTY VEHICLE STANDARD AND TO PROMOTE THE USE
OF ALTERNATIVE FUELS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 27, 2006, a proposed local law entitled, "**A LOCAL LAW TO UPDATE THE COUNTY VEHICLE STANDARD AND TO PROMOTE THE USE OF ALTERNATIVE FUELS**" now, therefore be it

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

LOCAL LAW NO. 41 -2006, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO UPDATE THE COUNTY VEHICLE STANDARD
AND TO PROMOTE THE USE OF ALTERNATIVE FUELS**

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 the increasing price of gasoline is making it more expensive for the County of Suffolk to operate its County vehicle fleet.

This Legislature also finds and determines that the County of Suffolk has made great strides in promoting the use of alternative fuels due to their positive environmental effects, but more can be done to encourage the use of alternative fuels in order to promote a more efficient, cost saving government operation.

This Legislature further finds and determines that certain alternative fuels, such as E85, or an 85% concentration of ethanol, can be utilized in a Flex Fuel vehicle in the same manner as gasoline, without expensive engine modifications.

This Legislature finds that, like bio-diesel, E85 can be produced domestically, thereby helping to reduce our dependence on foreign sources of energy.

Therefore, the purpose of this law is to offer direct savings to County taxpayers by updating the County Vehicle Standard to include requirements that vehicles be purchased or leased only if they meet minimum fuel efficiency standards and are capable of operating on alternative fuels.

Section 2. Definitions.

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

E85 – 85% ethanol.

FLEX FUEL VEHICLE – a vehicle having a single fuel tank, fuel system and engine which is designed to run on either unleaded gasoline or an alcohol fuel in any mixture.

GROSS VEHICLE WEIGHT – the value specified by the manufacturer of a motor vehicle model as the maximum design loaded weight of a single vehicle of that model.

Section 3. Amendments.

Section 186-2 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 186, VEHICLES, COUNTY OWNED

* * * *

§ 186-2. Written reports of vehicle assignments.

* * * *

- F. The Department of Public Works shall issue a written County Vehicle Standard for the purchase or lease of County vehicles, which County Vehicle Standard shall include, but not be limited to, requirements that any County vehicle purchased or leased have a minimum gasoline mileage rating of 20 mpg city / 30 mpg highway, and that any County vehicle purchased or leased be a Flex Fuel vehicle able to operate on E85 ethanol. The Department of Public Works shall review and revise the County Vehicle Standard at least once every twenty-four months. The requirements of the County Vehicle Standard shall not apply to the purchase or lease of vehicles for emergency, public safety or law enforcement use, for special use vehicles, including minivans and pickup trucks, or for vehicles with a gross vehicle weight of over 6000 pounds.
- G. Nothing contained in subsection F above shall preclude the Department of Public Works from including in the County Vehicle Standard a requirement that any County vehicle purchased or leased be capable of operating, either currently or in the future, on alternative fuels or propulsion technologies, provided that any inclusion of an alternative fuel or propulsion technology requirement results in an improvement in the fuel efficiency and environmental standards of County vehicles covered by the County Vehicle Standard. No vehicle capable of operating, either currently or in the future, on alternative fuels or propulsion technologies shall be purchased or leased by the County of Suffolk without prior approval of the Suffolk County Legislature.

Section 4. Requirements.

The Commissioner of the Department of Public Works is hereby authorized, empowered and directed to file with the Clerk of the County Legislature a written County Vehicle Standard within three months of the effective date of this law.

Section 5. Applicability.

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

Section 6. 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 7. 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 8. Effective Date.

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

___ Underlining denotes addition of new language

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 28, 2006

After a public hearing duly held on June 27, 2006
Filed with the Secretary of State on September 25, 2006

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

Intro. Res. No. 1794-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 848 -2006, ADOPTING LOCAL LAW
NO. 42 -2006, A LOCAL LAW TO MODIFY EXEMPTION
ON PURCHASE OF SPORTS UTILITY VEHICLES (SUV) BY
SUFFOLK COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on June 27, 2006, proposed local law entitled, "**A LOCAL LAW TO MODIFY EXEMPTION ON PURCHASE OF SPORTS UTILITY VEHICLES (SUV) BY SUFFOLK COUNTY**," 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. 42 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO MODIFY EXEMPTION ON PURCHASE OF SPORTS UTILITY VEHICLES (SUV) BY SUFFOLK COUNTY

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 the purchase or lease of any vehicle by the County of Suffolk is based on the County vehicle standard as contained in Chapter 186 of the SUFFOLK COUNTY CODE, unless such requirement is waived via duly enacted resolution of the County of Suffolk.

This Legislature finds that this restriction exempts police vehicles and Sheriff Department vehicles from the restrictions imposed by Section 186-2(b)(6) of the SUFFOLK COUNTY CODE, on the theory that time is of the essence for the acquisition of public-safety vehicles.

Therefore, the purpose of this law is to also exempt vehicles used by the District Attorney.

Section 2. Amendment.

Section 4, Applicability, of Section 182-2(B)(6) of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 186
VEHICLES, COUNTY-OWNED**

* * * * *

§ 186-2. Written reports of vehicle assignments.

* * * * *

- B.) Such report shall include the number of vehicles assigned; the existence, if any, of carpooling by said department or office; and the rationale behind the assignment of individual vehicles or the creation of a carpool, as the case may be. If a vehicle is assigned to a County employee who is permitted to take that vehicle home on an overnight basis at any time during the year, then said employee shall maintain a log of mileage incurred for the use of such vehicle by said employee which specifies, in detail, on a daily basis, where the individual is traveling; the time the vehicle is in use; the destination as well as the purpose for which the employee is traveling to that particular destination; the mileage incurred after the standard daily work shift assigned to said individual has expired; and the allocation of mileage between that incurred traveling to or from

the individual's residence to or from work and that incurred for work-related travel.

* * * * *

- (6) No vehicle of any nature whatsoever shall be purchased or leased by the County of Suffolk unless:
 - (a) The vehicle is acquired, via lease or purchase, off of the State contract or the County contract, whichever offers the lowest cost, as long as the vehicle meets the County vehicle standard;
 - (b) The purchase or lease of the vehicle is based on the County vehicle standard. All purchases or leases of any vehicle shall comply with the County vehicle standard unless the requirement is waived via duly enacted Resolution of the County of Suffolk, incorporating a written justification for the exception issued by the Commissioner or elected head of the pertinent County department to which such vehicle shall be assigned; and
 - (c) Explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted resolution of the County of Suffolk.

* * * * *

Section 4. Applicability.

- A.) This law shall apply to all vehicle acquisitions occurring on or after the effective date of this law as well as the assignment and use of County vehicles occurring on or after the effective date of this law.
- B.) This law shall not apply to a vehicle that is assigned and used as a substitute for specific functions that would otherwise require the use of a truck, as determined via duly enacted Resolution of the County of Suffolk.
- C.) Section 186-2(B)(6) of the SUFFOLK COUNTY CODE shall not apply to police vehicles, Sheriff Department vehicles, County Parks Police vehicles, [and] vehicles assigned for use by the County Department of Fire, Rescue and Emergency Services for the exclusive purpose of directly responding to an emergency incident and vehicles assigned to the District Attorney's Office.

* * * * *

Section 3. Applicability.

This law shall apply to all vehicle acquisitions occurring on or after the effective date of this law as well as the assignment and use of County vehicles 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: August 8, 2006

APPROVED BY:

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

Date: August 24, 2006

After a public hearing duly held on June 27, 2006
Filed with the Secretary of State on September 25, 2006

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

BOND RESOLUTION NO. 849 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$75,000 BONDS TO FINANCE THE COST OF TRAFFIC SIGNAL IMPROVEMENTS AT CR 48 AND WESTPHALIA AVENUE, TOWN OF SOUTHOLD (CP 5054)

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 improvements at CR 48 and Westphalia Avenue, Town of Southold, 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 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: August 8, 2006

APPROVED BY:

/s/ Steve
County Executive of Suffolk County

Levy

Date: August 16, 2006

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

Intro. Res. No. 1855-2006
Introduced by Legislator Romaine

Laid on Table 6/27/2006

RESOLUTION NO. 850 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS AT CR 48 AND WESTPHALIA AVENUE, TOWN OF SOUTHOLD (CAPITAL PROGRAM 5054)

WHEREAS, the Suffolk County Department of Public Works is in need of funds for a tri-color traffic signal at the intersection of CR 48 and Westphalia Avenue in the Town of Southold; 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; and be it further

RESOLVED, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8180

Project Title: Sewer District No. 3 – Southwest Sludge Treatment & Disposal Project

<u>Cost Elements</u>	Total Estimated Cost	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
3. Construction	\$64,775,000	\$42,450,000X	\$42,375,000X
TOTAL	\$69,725,000	\$43,700,000	\$43,625,000

Project Number: 5054
Project Title: Traffic Signal Improvements

<u>Cost Elements</u>	Total Estimated Cost	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
5. Furniture & Equipment	\$5,970,000	\$575,000B	\$650,000B
TOTAL	\$6,600,000	\$675,000	\$750,000

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-5054.574 (Fund 001-Debt Service)	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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amato. The resolution was passed 17-1. Legislator Alden voted no.

BOND RESOLUTION NO. 851 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$280,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF AN UNINTERRUPTIBLE POWER SUPPLY REPLACEMENT SYSTEM, BUILDING 50 (CP 1775)

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 \$280,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of an uninterruptible power supply replacement system, Building 50 (\$30,000 for planning and \$250,000 for construction), 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 \$580,000. The plan of financing includes (a) the issuance of \$300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 169-2005 (\$25,000 for planning and \$275,000 for acquisition of an uninterruptible power supply replacement system, including related construction and installation), (b) the issuance of \$280,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law of the Law, is five (5) years computed from May 15, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 169-2005.

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: August 8, 2006

APPROVED BY:

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

Date: August 14, 2006

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

Intro. Res. No. 1857-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 852 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE UNINTERRUPTIBLE
POWER SUPPLY REPLACEMENT, BUILDING 50 (CAPITAL
PROGRAM NUMBER 1775)**

WHEREAS, the Commissioner of Public Works has requested funds for the Uninterruptible Power Supply Replacement, Building 50; 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 as reaffirmed 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 \$280,000 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. 262-2005 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 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 as 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 to complete this project; and be it further

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1775
 Project Title: Uninterruptible Power Supply Replacement

	Total Est'd <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
1. Planning	\$55,000	\$30,000G	\$30,000B
3. Construction	\$525,000	\$250,000G	\$250,000B
TOTAL	\$580,000	\$280,000	\$280,000

5th RESOLVED, that the proceeds of \$280,000 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-1775.110 (Fund 001 Debt Service)	32	Planning for the Uninterruptible Power Supply Replacement at Building 50	\$30,000
525-CAP-1775.310 (Fund 001 Debt Service)	32	Uninterruptible Power Supply Replacement at Building 50	\$250,000

DATED: August 8, 2006

APPROVED BY:

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

Date: August 14, 2006

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

BOND RESOLUTION NO. 854 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$325,142 BONDS TO FINANCE THE COST OF THE PURCHASE AND REPLACEMENT OF NUTRITION VEHICLES FOR THE OFFICE OF THE AGING (CP 1749)

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 \$325,142 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase and replacement of nutrition vehicles for the Office for the Aging, 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 \$325,142. The plan of financing includes the issuance of \$325,142 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. 29 of the Law of the Law, is five (5) years.

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

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

any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: August 8, 2006

APPROVED BY:

/s/ Steve
County Executive of Suffolk County

Levy

Date: August 16, 2006

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

Intro. Res. No. 1889-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 855 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND REPLACEMENT OF NUTRITION VEHICLES FOR THE OFFICE FOR THE AGING (CP 1749)

WHEREAS, the Director for the Office for the Aging has requested funds for the purchase and replacement of Nutrition Vehicles; and

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

WHEREAS, since the per item amount of the equipment to be acquired exceeds \$5,000, and the aggregate amount of the project exceeds \$25,000, 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; now, therefore, be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of forty six (46) 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 Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that these vehicles will be replacement vehicles and that the County fleet will not be increased; and be it further

4th RESOLVED, that the 2006 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1749
 Project Title: Purchase and Replacement of Nutrition Vehicles for the Office for the Aging

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
5. Equipment	\$325,142	\$325,142G	\$325,142B
TOTAL	\$325,142	\$325,142	\$325,142

and be it further

5th RESOLVED, that proceeds of \$325,142 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-1749.518	03	Purchase and Replacement of Nutrition Vehicles for the Office For the Aging	\$325,142

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1730A-2006

BOND RESOLUTION NO. 856 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$125,000 BONDS TO FINANCE THE COST OF THE CREATION OF A WEB FEE APPLICATION (CP 1682.110)

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 \$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 the creation of a web fee application, 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. 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: August 8, 2006

APPROVED BY:

/s/ Steve
County Executive of Suffolk County

Levy

Date: August 16, 2006

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

Intro. Res. No. 1730-2006
6/13/2006

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 857 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CREATION OF A WEB FEE APPLICATION (CP 1682.110)

WHEREAS, the County Clerk has requested funds that have been provided in the Capital Program for the creation of a web fee application to allow the electronic submission of fee applications associated with recordable instruments promoting e-government; and

WHEREAS, the creation of a web fee application would benefit both the County Clerk and the Real Property Tax Service Agency as fewer rejections will lead to increased productivity and quality at the source thereby reducing the necessity for temporary staff and/or overtime within both departments; and

WHEREAS, this project has been approved by the Information Steering Committee; 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 \$125,000 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

New York Code of Rules and Regulations (“NYCRR”), 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 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: 1682
 Project Title: Creation of a Web Fee Application

	<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	\$125,000	\$125,000G	\$125,000B
TOTAL	\$125,000	\$125,000	\$125,000

and be it further

4th RESOLVED, that the proceeds of \$125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1682.110 (Funds 001-Debt Service)	Creation of a Web Fee Application	\$125,000

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1871-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 858 -2006, AUTHORIZING A CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 633-2005

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 633-2005; and

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

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

RESOLVED, that the Clerk of the Legislature shall make the following technical correction by omitting the 1st, 2nd, and 3rd Resolved clauses in Resolution No. 633-2005 and replacing them with the following, to read as follows:

1ST RESOLVED, that the County of Suffolk hereby approves the donation of the subject property set forth below under the Suffolk County Open Space Preservation Program, at no cost to the County; and hereby approves, if necessary, any possible closing cost expenses associated with this donation; 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 984.10 Block 02.00 Lot 013.000	0.09±	Estate of Vita and Carmela Bufalo c/o Lillian Dellacroce, Executrix South Hadley, MA 01075
No. 2	District 0200 Section 984.10 Block 02.00 Lot 015.000	0.04±	Estate of John Castellano c/o Lillian Dellacroce, Executrix South Hadley, MA 01075

Total = 0.13± acres

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 accept this donation of parcel(s) listed herein above from the reputed owner, and to pay such additional expenses as may be necessary and appropriate to consummate such donation, 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, the funding for which shall be provided under the Suffolk County Open Space Preservation Program; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay such additional expenses as may be necessary and appropriate to consummate such donation, the funding for which shall be provided from previously appropriated funds in Capital Project 525-CAP-7144.213, the Suffolk County Open Space Preservation Program.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 1876-2006

Laid on Table 6/27/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 859 -2006, AMENDING RESOLUTION NO. 1363-2005 WHICH AUTHORIZED THE SUFFOLK COUNTY EXECUTIVE'S OFFICE TO BE THE SIGNATORY ON ALL ENVIRONMENTAL RESTORATION PROGRAM GRANT RELATED DOCUMENTS

WHEREAS, Resolution No. 1363-2005, Authorizing The Suffolk County Executive's Office To Be The Signatory On All Environmental Restoration Program Grant Related Documents, signed on December 22, 2005, authorized Chief Deputy County Executive Paul Sabatino II, Esq. to sign all Environmental Restoration Program grant-related documents on behalf of Suffolk County; and

WHEREAS, upon review by the New York State Department of Environmental Conservation, Resolution No. 1363-2005 was determined ineffective due to the omission of certain mandated language; and

WHEREAS, by this resolution, it is the intent of the Suffolk County Legislature to amend Resolution No. 1363-2005 to conform to New York State Department of Environmental Conservation mandated language; now, therefore be it

1st RESOLVED, that Resolution No. 1363-2005 is hereby amended to add the following WHEREAS clauses:

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, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the County deems it to be in the public interest and benefit under this law to enter into a contract therewith; and

and be it further

2nd RESOLVED, that Resolution No. 1363-2005 is hereby further amended to add the following RESOLVED clauses:

RESOLVED, that the Chief Deputy County Executive is the representative authorized to act on behalf of the 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 the County's governing body in all matters related to the Project and to State assistance; and be it further

RESOLVED, that the 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

RESOLVED, that one (1) certified copy of this resolution 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

and be it further

3rd RESOLVED, that Resolution No. 1363-2005 is hereby further amended to delete "Paul Sabatino, II Esq." from the first "RESOLVED" clause therein; and be it further

4th RESOLVED, that all other terms and conditions of Resolution No. 1363-2005 shall remain in full force and effect; and be it further

5th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Part 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

6th **RESOLVED**, that this authorization shall take effect immediately.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 1941-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 860 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSE PAULINO (SCTM NO. 0100-056.00-01.00-079.000)

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 056.00, Block 01.00, Lot 079.000, and acquired by Tax Deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Town of Babylon, State of New York, County of Suffolk, known and designated as Lots 25 & 26 in Block 26 on a certain map entitled "Map of Wyandance Spring Park of the New York and Brooklyn Suburban Investment Company" filed in the Office of the Clerk of the County of Suffolk on June 1, 1892 as Map No. 44; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006 in Liber 12457 at Page 34; and

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, JOSE PAULINO has made application of said above described parcel and JOSE PAULINO has paid the application fee and \$1,740.68, 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; now, therefore be it

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 JOSE PAULINO, 81 Berry Street, Lindenhurst, New York 11757, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 2033-2006

Laid on Table 8/8/2006

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 861 -2006, APPROVING AND
AUTHORIZING A CONTRACT TO PROMOTE CONVENTION
BUSINESS AND TOURISM IN SUFFOLK COUNTY**

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

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

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

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to 15 (15) potential vendors and received only one response from the Long Island Convention and Visitors Bureau and Sports Commission located at 330 Motor Parkway, Suite 203, Hauppauge, NY, 11788; and

WHEREAS, an independent evaluation committee reviewed the proposal from the Long Island Convention and Visitors Bureau and Sports Commission and found the quality of work and experience satisfactory and have recommended that the Department of Economic Development and Workforce Housing enter into a contractual agreement with the provider; and

WHEREAS, pursuant to Local Law No. 19-2005, the County's contracts with tourism promotion agencies require legislative approval; now, therefore be it

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

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5 (c) 20 and 27 of Title 6 of the New York Code of rules and Regulations (NYCRR) and within the meaning of Section 8-0109 (2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing agency administration and management and the promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality is hereby directed to circulate any appropriate SEQRA notices of non-applicability or non-significance in accordance with this law.

DATED: August 8, 2006

APPROVED BY:

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

Date: August 10, 2006

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

Intro. Res. No. 2034-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 862 -2006, ACCEPTING & APPROPRIATING
ADDITIONAL GRANT FUNDING IN THE AMOUNT OF \$200,000
FROM THE NEW YORK STATE OFFICE OF HOMELAND
SECURITY FOR THE HOMELAND SECURITY EXERCISE AND
EVALUATION PROGRAM (HSEEP FFY2003) WITH 100%
SUPPORT**

WHEREAS, the New York State Office of Homeland Security has made an additional \$200,000 in Federal pass-through funds from the FY03 Homeland Security Exercise and Evaluation Program (HSEEP) available to Suffolk County; and

WHEREAS, this program will allow Suffolk County to conduct a radiological prevention preparedness response drill; and

WHEREAS, the operational period of the Program will be from April 1, 2004 through September 30, 2006; and

WHEREAS, said grant funds 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:

REVENUE:	<u>Amount</u>
001-4386-Federal Aid: HSEEP 03 RDD	\$200,000
 ORGANIZATIONS:	
Police Department (POL) HSEEP 03 RDD 001-POL-3289	
 <u>1000-Personal Services</u>	 <u>\$149,887</u>
1120-Overtime Salaries	149,887
 <u>2000-Equipment</u>	 <u>\$15,000</u>
2500-Other Equip Not Otherwise	15,000
 Sheriff's Department (SHF) HSEEP 001-SHF-3160	
 <u>1000-Personal Services</u>	 <u>\$6,375</u>
1120-Overtime Salaries	6,375

**Employee Benefits
Retirement
001-EMP-9010**

<u>8000-Employee Benefits</u>	<u>\$26,077</u>
8280-Employee Retirement System	26,077

**Employee Benefits
Social Security
001-EMP-9030**

<u>8000-Employee Benefits</u>	<u>\$2,661</u>
8330-Social Security	2,661

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the amended grant agreement between Suffolk County and the New York State Office of Homeland Security.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 2035-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 863 -2006, ACCEPTING & APPROPRIATING
A GRANT IN THE AMOUNT OF \$1,279,000 FROM THE NEW
YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
FOR THE OPERATION IMPACT III TASK FORCE WITH 93.84%
SUPPORT**

WHEREAS, the New York State Division of Criminal Justice Services has made \$1,279,000 in State funding available to Suffolk County to continue efforts to reduce violent crime, particularly gun-related crime; and

WHEREAS, said grant funds are to be distributed between the Suffolk County District Attorney's Office, the Suffolk County Police Department, the Suffolk County Sheriff's Office and the Probation Department; and

WHEREAS, the operational period of the program will be from July 1, 2006, through June 30, 2007; and

WHEREAS, \$587,237 in District Attorney's funding for the program has been included in the 2006 Suffolk County Operating Budget; and

WHEREAS, \$691,763 of said grant funds 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:

REVENUE:	<u>Amount</u>
001-3321: State Aid Criminal Justice Services	\$1,279,000

ORGANIZATIONS:

**Police Department (POL)
Operation IMPACT III
001-POL-3288**

<u>1000-Personal Services</u>	<u>\$350,205</u>
1120-Overtime Salaries	350,205
<u>2000-Equipment</u>	<u>\$49,000</u>
2020-Office Machines	21,000
2070-Cameras & Photographic	18,000
2500-Other Equipment Not Otherwise	10,000
<u>3000-Supplies, Materials & Other Expenses</u>	<u>\$35,000</u>
3160-Computer Software	35,000
<u>Travel</u>	<u>\$2,500</u>
4340-Travel: Other	2,500
<u>4700-Miscellaneous</u>	<u>\$90,000</u>
4770-Special Services	90,000

**Sheriff's Office (SHF)
Operation IMPACT III
001-SHF-3161**

<u>1000-Personal Services</u>	<u>\$89,978</u>
1120-Overtime Salaries	89,978
<u>3000-Supplies, Materials and Other Expenses</u>	<u>\$7,080</u>

3160-Computer Software	7,080
<u>4700-Miscellaneous</u>	<u>\$2,000</u>
4770-Special Services	2,000

**Probation Department (PRO)
Operation IMPACT III
001-PRO-3181**

<u>1000-Personal Services</u>	<u>\$48,000</u>
1120-Overtime Salaries	48,000
<u>3000-Supplies, Materials and Other Expenses</u>	<u>\$5,000</u>
3500-Other, Unclassified	5,000
<u>Travel</u>	<u>\$3,000</u>
4340-Travel: Other	3,000
<u>4700-Miscellaneous</u>	<u>\$10,000</u>
4770-Special Services	10,000

and be it further

2nd RESOLVED, that the non-reimbursable 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 agreements for each Department between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 2035-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 863 -2006, ACCEPTING & APPROPRIATING
A GRANT IN THE AMOUNT OF \$1,279,000 FROM THE NEW**

**YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
FOR THE OPERATION IMPACT III TASK FORCE WITH 93.84%
SUPPORT**

WHEREAS, the New York State Division of Criminal Justice Services has made \$1,279,000 in State funding available to Suffolk County to continue efforts to reduce violent crime, particularly gun-related crime; and

WHEREAS, said grant funds are to be distributed between the Suffolk County District Attorney's Office, the Suffolk County Police Department, the Suffolk County Sheriff's Office and the Probation Department; and

WHEREAS, the operational period of the program will be from July 1, 2006, through June 30, 2007; and

WHEREAS, \$587,237 in District Attorney's funding for the program has been included in the 2006 Suffolk County Operating Budget; and

WHEREAS, \$691,763 of said grant funds 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:

REVENUE:	<u>Amount</u>
001-3321: State Aid Criminal Justice Services	\$1,279,000

ORGANIZATIONS:

**Police Department (POL)
Operation IMPACT III
001-POL-3288**

<u>1000-Personal Services</u>	<u>\$350,205</u>
1120-Overtime Salaries	350,205
<u>2000-Equipment</u>	<u>\$49,000</u>
2020-Office Machines	21,000
2070-Cameras & Photographic	18,000
2500-Other Equipment Not Otherwise	10,000
<u>3000-Supplies, Materials & Other Expenses</u>	<u>\$35,000</u>
3160-Computer Software	35,000
<u>Travel</u>	<u>\$2,500</u>
4340-Travel: Other	2,500
<u>4700-Miscellaneous</u>	<u>\$90,000</u>
4770-Special Services	90,000

**Sheriff's Office (SHF)
Operation IMPACT III
001-SHF-3161**

<u>1000-Personal Services</u>	<u>\$89,978</u>
1120-Overtime Salaries	89,978
<u>3000-Supplies, Materials and Other Expenses</u>	<u>\$7,080</u>
3160-Computer Software	7,080
<u>4700-Miscellaneous</u>	<u>\$2,000</u>
4770-Special Services	2,000

**Probation Department (PRO)
Operation IMPACT III
001-PRO-3181**

<u>1000-Personal Services</u>	<u>\$48,000</u>
1120-Overtime Salaries	48,000
<u>3000-Supplies, Materials and Other Expenses</u>	<u>\$5,000</u>
3500-Other, Unclassified	5,000
<u>Travel</u>	<u>\$3,000</u>
4340-Travel: Other	3,000
<u>4700-Miscellaneous</u>	<u>\$10,000</u>
4770-Special Services	10,000

and be it further

2nd RESOLVED, that the non-reimbursable 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 agreements for each Department between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 2039A-2006

BOND RESOLUTION NO. 864 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$375,000 BONDS TO FINANCE A PART OF THE COST THE ACQUISITION OF IMPROVEMENTS TO HISTORIC SITES AND BUILDINGS - TIMBER POINT GOLF COURSE CLUBHOUSE (CP 7510.121 and .330)

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 \$375,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to historic sites and buildings - Timber Point Golf Course Clubhouse (\$30,000 for planning and \$345,000 for construction), 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 \$1,545,000. The plan of financing includes (a) the issuance of \$70,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 937-2001, (b) the issuance of \$1,100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1256-2002, (c) the issuance of \$375,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) of the Law, is fifteen (15) years, computed from May 1, 2002, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 937-2001. The period of probable usefulness applicable to the bonds heretofore authorized pursuant to Bond Resolution No. 937-2001 for all purposes, including planning purposes, is hereby determined to be fifteen (15) years and said bond resolution is hereby amended to restate the period of probable usefulness of fifteen (15) years for all purposes.

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: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Intro. Res. No. 2039-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 865 -2006, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO HISTORIC SITES AND BUILDINGS – TIMBER POINT GOLF COURSE CLUBHOUSE (CP 7510)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested planning and construction funds for improvements at Timber Point Golf Course Clubhouse; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said planning and improvements under Capital Program Number 7510; 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 \$375,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8, the Suffolk County Legislature, being the SEQRA lead agency, has determined that maintenance or repair involving no substantial changes in an existing structure or facility and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceed any of the thresholds in Section 617.4 of this Part constitutes a Type II action; and be it further

2nd 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

3rd RESOLVED, that the proceeds of \$375,000 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-7510.121 (Fund 001 Debt Service)	26	Planning for Improvements to Historic Sites and Buildings – Timber Point Golf Course Clubhouse	\$30,000
525-CAP-7510.330 (Fund 001 Debt Service)	26	Improvements to Historic Sites and Buildings – Timber Point Golf Course Clubhouse	\$345,000

DATED: August 8, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 16, 2006

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

Mem. Res. No. 56-2006
Introduced by Legislator Alden

LOT 6/27/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
INCLUSION OF BASIC CARDIOPULMONARY
RESUSCITATION (CPR) TRAINING IN SECONDARY
SCHOOL HEALTH EDUCATION CURRICULUM**

WHEREAS, cardiopulmonary resuscitation (CPR) is a life saving technique useful in many emergencies, including heart attack or near drowning, in which someone's breathing or heart beat has stopped; and

WHEREAS, CPR is a combination of mouth-to-mouth rescue breathing and chest compressions that keep oxygenated blood flowing to the brain and other vital organs, "buying time" until other medical treatment can restore normal heart function; and

WHEREAS, providing basic CPR training to young people while they are in school may help them save lives later; and

WHEREAS, legislation has been introduced in the New York State Legislature that would make CPR instruction a part of secondary school health education curriculum; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate bill S.972 and New York State Assembly bill A.9881, which would make CPR training a mandatory component of secondary school health education curriculum; 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: August 8, 2006

s:\memres\mr-cpr-training-secondary-education

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

Mem. Res. No. 57-2006

LOT 6/27/2006

Introduced by Deputy Presiding Officer Viloría-Fisher

**MEMORIALIZING RESOLUTION IN SUPPORT OF
PAYMENT IN LIEU OF TAXES FROM THE STATE
UNIVERSITY AT STONY BROOK TO THE THREE VILLAGE
SCHOOL DISTRICT AND THE SMITHTOWN SCHOOL
DISTRICT**

WHEREAS, state-owned lands are exempt from real property taxes; and

WHEREAS, this exemption can be a hardship for many school districts, especially when a large percentage of the district's tax base is composed of state-owned land; and

WHEREAS, there is a proposal before the New York State Assembly and Senate that would make the Gyrodyne/Flowerfield parcel of real property, recently acquired by eminent domain by the State University of New York at Stony Brook, subject to real property taxation for school district purposes only; and

WHEREAS, in order to prevent staff cuts, reduce services or raise property taxes, passage of this proposed legislation would provide relief to the residents in the school district; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Senate Bill No. S1784 and Assembly Bill No. A11245 which would amend the real property tax law in relations to making certain state lands and the improvements thereon subject to taxation for school district purposes only; 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: August 8, 2006

s:\memres\mr-state land tax

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

Mem. Res. No. 58-2006
Introduced by Legislator Romaine

LOT 6/27/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF
AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAW,
IN RELATION TO THE SERVICE OF ALCOHOLIC
BEVERAGES AT LICENSED WINERIES OR FARM
WINERIES**

WHEREAS, the Long Island Wine Region consists of approximately 60 vineyards and 38 wineries; and

WHEREAS, wineries offer various activities and events that draw residents and tourists to their tasting rooms and the surrounding region; and

WHEREAS, wineries have become popular for private functions, such as weddings, retirement parties and birthdays; and

WHEREAS, legislation has been introduced in the New York State Legislature that will authorize the use of a caterer's permit at licensed wineries and/or farm wineries in order to permit service of alcoholic beverages at private functions; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports New York State Assembly Bill No. A11270 and Senate Bill No. S07690 that would clarify the alcoholic beverage control law by specifically adding wineries and farm wineries to the list of places where a caterer's permit may be issued; 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: August 8, 2006

s:\memres\mr-wineries

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

Mem. Res. No. 59-2006
Introduced by Legislator Romaine

LOT 6/27/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF
AMENDING THE ALCOHOLIC BEVERAGE CONTROL LAW
IN RELATION TO DESCRIBING WHAT ITEMS MAY BE
SOLD BY A HOLDER OF A FARM WINERY LICENSE**

WHEREAS, there are over 35 wineries located in Suffolk County; and

WHEREAS, many of the smaller wineries rely heavily on tasting room sales for their economic survival; and

WHEREAS, many wineries also rely on revenue generated from visitor purchases of other products including accessories and other thematic souvenirs; and

WHEREAS, the sale of these accessory products and thematic souvenirs helped attract visitors by enhancing the wine tasting experience; and

WHEREAS, the State Liquor Authority has indicated that the sale of such non-wine items at wineries, may be prohibited under current law; now, therefore be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A11269 and Senate Bill No. S07622 that would amend the Alcoholic Beverage Control Law to describe items that may be sold by the holder of a farm winery license; 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: August 8, 2006

s:\memres\mr-items sold at wineries

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

Introduced by Presiding Officer Lindsay

Laid on Table 8/8/06

**PROCEDURAL RESOLUTION NO. 7 –2006, TO SET A
PUBLIC HEARING FOR THE REVIEW AND
MODIFICATION OF AGRICULTURAL DISTRICTS IN THE
TOWNS OF BROOKHAVEN, EAST HAMPTON,
RIVERHEAD, SOUTHAMPTON, AND SOUTHOLD**

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board has voted to allow the parcels listed on Exhibit “A” to join existing certified Agricultural Districts; now, therefore be it

1st RESOLVED, that, pursuant to §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAWS, a public hearing shall be scheduled and held by the Suffolk County Legislature on August 22, 2006 at 5:30 p.m. in the Rose Y. Caracappa Auditorium at the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, NY for the purpose of reviewing the proposed inclusion of land into existing agricultural districts in Suffolk County.

DATED: Adopted 8/8/06

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

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**ADJOURNED 7:29PM
TIM LAUBE, CLERK OF THE LEGISLATURE**