

**TWELFTH DAY**  
**REGULAR MEETING**

**August 22, 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 4:15 p.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Vilorio-Fisher; Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Alden, Barraga, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislator Kennedy arrived at 4:23 p.m.  
Legislator Caracappa arrived at 4:30 p.m.

Pledge of Allegiance.

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Statements and Presentations  
Public Portion  
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**Legislator Barraga made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0.**

Intro Res. No.1904-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

RESOLUTION NO. 866 -2006, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #251

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
0204-010.00-02.00-013.001 (Item #8405836)	2004/05	\$11,146.06	\$0.00	\$11,146.06
0204-010.00-02.00-013.001 (Item#8405836)	2005/06	\$11,631.55	\$0.00	\$11,631.55

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1905-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 867 -2006, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 755-2006)**

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

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

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

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

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

RESOLUTION NO.

CONTROL# 755-2006

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	04/05	1511141	200 34 2 11.1	9,052.78	4,526.41	4,526.37
A	Brookhaven	05/06	8200347	200 339 3 34.1	40,000.93	1,207.34	38,793.59
A	Brookhaven	05/06	8101290	200 516 4 3	255,859.18	239,503.03	16,356.15
A	Brookhaven	05/06	8103252	208 16 3 13.2	67,324.20	44,882.80	22,441.40
A	Smithtown	05/06	Bk-19-775001	800 189 1 28	6,736.79	3,979.56	2,757.23
A	Smithtown	05/06	Bk-10-380176	800 85 2 5	8,807.96	3,703.82	5,104.14
A	Southampton	05/06	N/a	900 36 1 23.2	30,361.90	2,281.13	28,080.77

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

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro Res. No. 1908-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 868 -2006, TO READJUST,  
 COMPROMISE, AND GRANT REFUNDS AND  
 CHARGEBACKS ON CORRECTION OR  
 ERRORS/COUNTY TREASURER BY: COUNTY  
 LEGISLATURE #250

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Babylon:				
0100-174.00-04.00-030.000	2003/04	\$5940.80	\$0.00	\$5940.80

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1998-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 869 -2006, TO  
READJUST, COMPROMISE, AND GRANT REFUNDS  
AND CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #237

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback &amp; Refund, if paid</u>
Babylon:				
0100-057.00-02.00-048.000	2003/04	\$3,182.02	\$453.71	\$2,728.31

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1994-2006

Laid on the Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 870 -2006, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE NATIONAL SCIENCE FOUNDATION FOR AN NSF SCHOLARSHIPS IN SCIENCE, TECHNOLOGY, ENGINEERING & MATHEMATICS PROGRAM (S-STEM) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has submitted a proposal to the National Science Foundation for a five-year NSF Scholarships in Science, Technology, Engineering, and Mathematics Program (S-STEM), in the amount of \$496,800, for the period of September 1, 2006 through August 31, 2011; and

**WHEREAS**, the program will provide \$5,000 for program administration for year one, and \$122,950 each for years two through five, for scholarships, participant travel costs, supplies and materials, and consultant fees; and

**WHEREAS**, the scholarship funds, in the amount of \$108,000 annually for years two through five, will be administered external to the College Operating Budget as financial aid; and

**WHEREAS**, no matching funds are required as the project is 100% reimbursed by Federal funding; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant proposal on August 10, 2006 by Resolution No. 2006. ; and

**WHEREAS**, the College anticipates spending the \$5,000 for the first year of the grant, in accordance with the terms of said grant, if funded, before August 31, 2007; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that said five-year grant is subject to the award by the funding source; and be it further

**2<sup>nd</sup>** **RESOLVED**, that upon receipt of the grant award letter, the College shall provide a copy of the award letter, including the final dollar amount to the County Executive's Budget Office; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said five-year grant proposal to the National Science Foundation for an NSF Scholarships in Science, Technology, Engineering, and Mathematics (S-STEM) program in the amount of \$496,800, be accepted, and contingent upon the awarding of the grant, \$5,000 to be appropriated for the first year of operation of the program as follows:

REVENUES:	AMOUNT:
Federal Aid: NSF S-STEM: 818-4237	\$ 5,000

APPROPRIATIONS:	AMOUNT:
NSF S-STEM: 818-GRT-GC43	\$ 5,000

Suffolk County Community College  
NSF S-STEM  
818-GRT-GC43

1000-Personal Services	\$ 4,200
1160-Part-time Instructor - Day	4,200

8000-Employee Benefits	\$ 800
8160-TIAA-CREF Retirement	452
8330-Social Security	322
8350-Unemployment Insurance	26

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1995-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on the request of the County Executive

**RESOLUTION NO. 871 -2006, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT CORPORATION (ESDC) FOR A RIVERHEAD DOWNTOWN EDUCATIONAL CENTER 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the New York State Urban Development Corporation d/b/a Empire State Development Corporation (ESDC), in the amount of \$250,000, for a Strategic Investment Program (SIP) for costs associated with the Suffolk County Community College Riverhead Downtown Educational Center Project for the period of January 18, 2006 and extended through December 31, 2007; and

**WHEREAS**, the program will provide funds for the initial costs for equipping the state-of-the-art Culinary Arts Student Learning Laboratory, the Baking & Pastry Arts Learning Laboratory, the Demonstration Theatre, and other classrooms at the Riverhead facility; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant on August 10, 2006 by Resolution No. 2006. ; and

**WHEREAS**, the College anticipates spending the \$250,000 in accordance with the terms of said grant award before December 31, 2007; now, therefore be it

**1<sup>st</sup> RESOLVED**, that said grant award from the New York State Urban Development Corporation d/b/a Empire State Development Corporation (ESDC) for costs associated with the Suffolk County Community College Riverhead Downtown Educational Center Project, in the amount of \$250,000, be accepted and appropriated for the operation of the project as follows:

REVENUES:	AMOUNT:
State Aid: SIP Riverhead Downtown Educational Center: 818-3286	\$ 250,000

APPROPRIATIONS:	AMOUNT:
SIP Riverhead Downtown Educational Center: 818-GRT-GC42	\$ 250,000

Suffolk County Community College  
SIP Riverhead Downtown Educational Center  
818-GRT-GC42

2000-Equipment	\$ 250,000
2010-Furniture & Furnishings	44,000
2020-Office Machines	6,000
2440-Instructional Equipment	200,000

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1996-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 872 -2006, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND FOR A RECORDS MANAGEMENT PROJECT 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has submitted a proposal to the Local Government Records Management Improvement Fund, in the amount of \$73,889, for a Storage and Retrieval of Inactive Records project for the period of August 1, 2006 through July 31, 2007; and

**WHEREAS**, the program will provide funds to purchase supplies and materials to properly archive, preserve, and manage the college's inactive records and increase the capacity of record storage, and to hire staff to assist in records management; and

**WHEREAS**, no matching funds are required; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant proposal on June 8, 2006 by Resolution No. 2006.37; and

**WHEREAS**, the College anticipates spending the \$73,889, in accordance with the terms of said grant, if funded, before July 31, 2007; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that said grant is subject to the award by the funding source; and be it further

**2<sup>nd</sup>** **RESOLVED**, that upon receipt of the grant award letter, the College shall provide a copy of the award letter, including the final dollar amount to the County Executive's Budget Office; and be it further

3<sup>rd</sup> **RESOLVED**, that said grant proposal to the Local Government Records Management Improvement Fund for a Storage and Retrieval of Inactive Records project in the amount of \$73,889, be accepted, and contingent upon the awarding of the grant, \$73,889 to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
State Aid: Records Management: 818-3239	\$ 73,889

APPROPRIATIONS:	AMOUNT:
Records Management: 818-GRT-GC41	\$ 73,889

Suffolk County Community College  
Records Management  
818-GRT-GC41

1000-Personal Services	\$ 27,714
1130-Temporary Salaries	27,714
2000-Equipment	\$ 39,775
2060-Garage, Shop, Building	2,800
2260-Storage Equipment	36,975
3000-Supplies and Materials	\$ 4,114
3010-Office Supplies	3,536
3350-Safety Equipment	578
8000-Employee Benefits	\$ 2,286
8330-Social Security	2,120
8350-Unemployment Insurance	166

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1961-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 873 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HEALTH AND SAFETY IMPROVEMENTS FENCE ON CR 67, MOTOR PARKWAY FROM REDLEAF LANE TO MELWOOD DRIVE, (CP #5559), TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Health and Safety Improvements Fence on CR 67, Motor Parkway from Redleaf Lane to Melwood Drive, (CP #5559), Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project will enhance public safety and health by installing guide-railing along the northerly pavement edge of CR 67 Motor Parkway and construction of a berm with fencing within the County right-of-way between Redleaf Lane and Melwood Drive. A diverse array of vegetation will also be planted to enhance the visual aspects of the CR 67 corridor; and

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

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Health and Safety Improvements Fence on CR 67, Motor Parkway from Redleaf Lane to Melwood Drive, CP #5559, 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 Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and
- 4.) The landscape plan will be revised to incorporate only indigenous vegetation and no invasive plant species will be used.

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 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1962-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 874 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED UPGRADING OF ELECTRIC SERVICE AND REPAIRS TO DOCK LOCATED AT THE LONG ISLAND MARITIME MUSEUM AT CHARLES R. DOMINY COUNTY PARK, WEST SAYVILLE, TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Upgrading of Electric Service and Repairs to Dock Located at the Long Island Maritime Museum at Charles R. Dominy County Park, West Sayville, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project plans to upgrade the electric service to the Museum structures located at the Maritime Museum. Repairs are also necessary for the dock, the bulkhead needs to be re-secured to the dock and some decking needs to be replaced; and

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Parks, Recreation and Conservation, Historic Services Division, in connection with this project; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Upgrading of Electric Service and Repairs to Dock Located at the Long Island Maritime Museum at Charles R. Dominy County Park, West Sayville, Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and Chapter 279 of the Suffolk County Code, which project involves “maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, the same on the same site, including upgrading buildings to meet buildings or fire code”; 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 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1963-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 875 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS FOR SCDHS TRANSFER OF DEVELOPMENT RIGHTS REQUIREMENT – FILE #R02-03-0866 AND 0867, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks for SCDHS Transfer of Development Rights Requirement – File #R02-03-0866 and 0867, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the donation of 0.50 acres of land to 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 July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Donation of Property to Suffolk County Parks for SCDHS Transfer of Development Rights Requirement – File #R02-03-0866 and 0867, Town of Brookhaven constitutes an unlisted action under the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1964-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 876 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE KNOX SCHOOL PROPERTY, VILLAGE OF NISSEQUOGUE, TOWN OF SMITHTOWN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Knox School Property, Village of Nissequogue, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±20.0 acres of land by Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Knox School Property, Village of Nissequogue, 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:

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

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1965-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 877 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RESTORATION OF THE BUILDINGS AND STRUCTURES AT**

**SAGTIKOS MANOR COUNTY PARK, WEST BAY SHORE,  
TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Restoration of the Buildings and Structures at Sagtikos Manor County Park, West Bay Shore, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project plans to restore all buildings, structures and historic landscape features within the ten-acre property; and

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Parks, Recreation and Conservation, Historic Services Division, in connection with this project; and

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

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Restoration of the Buildings and Structures at Sagtikos Manor County Park, West Bay Shore, Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and Chapter 279 of the Suffolk County Code, which project involves "maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, the same on the same site, including upgrading buildings to meet buildings or fire code"; 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 22, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 24, 2006

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

Intro. Res. No. 1966-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 878 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SEWER DISTRICT #3 - SOUTHWEST SEWER CONSTRUCTION FOR HOOKUPS, TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Sewer District #3 – Southwest Sewer Construction for Hookups, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985, which project involves providing sewer service to parcels that have not been developed during the original sewer construction; and

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

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Sewer District #3 – Southwest Sewer Construction for Hookups, Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) The capacity of the Sewer District #3 Sewage Plant was designed to handle the proposed hookups; and
- 5.) The project is in conformance with the National Environmental Policy Act EIS, which covered the construction of the entire Southwest Sewer District facilities;

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1967-2006  
 Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 879 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY**

**CONSERVATION AREA ADDITION – ERB 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 Mastic/Shirley Conservation Area Addition – Erb Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.2 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 July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Erb 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:

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

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1968-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 880 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MONTAUK DOWNS STATE PARK ADDITION – ESTATE OF RALPH CAPURSO, BURKE, RALPH CAPURSO JR., RALPH CAPURSO/EILEEN SCHUTT AND ESTATE OF EDNA CAPURSO PROPERTY, TOWN OF EAST HAMPTON**

**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 Montauk Downs State Park Addition – Estate of Ralph Capurso, Burke, Ralph Capurso Jr., Ralph Capurso/Eileen Schutt and Estate of Edna Capurso Property, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 6.69+ acres of contiguous land adjacent to the Montauk Downs State Park 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 July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Montauk Downs State Park Addition – Estate of Ralph Capurso, Burke, Ralph Capurso Jr., Ralph Capurso/Eileen Schutt and Estate of Edna Capurso Property, Town of East Hampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1969-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 881 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CORNELL COOPERATIVE EXTENSION, SUFFOLK COUNTY FARM AND EDUCATION CENTER – GLOBAL VILLAGE, YAPHANK, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Cornell Cooperative Extension, Suffolk County Farm and Education Center – Global Village, Yaphank, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves a development of a “Global Village” which will be an education program focused on Middle and High School aged youth. The project will place several impermanent structures within the forested land and will focus on various global issues such as food and hunger, peace and diversity and preserving and healing the Earth. It will provide a place for people to gather, work, and reflect on their place in our increasingly global community; and

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

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Cornell Cooperative Extension; 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 July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Cornell Cooperative Extension, Suffolk County Farm and Education Center – Global Village, Yaphank, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the

Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code; and

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

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1970-2006  
Introduced by the Presiding Officer

Laid on Table 8/8/2006

**RESOLUTION NO. 882 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF CR 67, LONG ISLAND MOTOR PARKWAY, FROM I-495, LIE (EX 55) TO CR 17, WHEELER ROAD – (CP #5172), PH IV, TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 67, Long Island Motor Parkway, from I-495, LIE (Ex 55) to CR 17, Wheeler Road – (CP #5172), PH IV, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the federally funded improvement to the existing infrastructure of the heavily traveled, high accident corridor. Existing roadway reconstruction involving drainage, safety, pedestrian access and traffic capacity improvements are proposed; and

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

**WHEREAS**, at its July 19, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

**WHEREAS**, the CEQ recommended that the above activity be considered an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and

**WHEREAS**, the CEQ has advised the County Legislature and the County Executive by memo dated July 24, 2006 of said recommendations; and

**WHEREAS**, Section 279-5(H) of the SUFFOLK COUNTY CODE requires the Presiding Officer to introduce legislation for an appropriate SEQRA determination; and

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Reconstruction of CR 67, Long Island Motor Parkway, From I-495, LIE (Ex 55) to CR 17, Wheeler Road – (CP #5172), PH IV, Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) Traffic safety will be increased and congestion alleviated; and
- 5.) Roadway drainage will be improved;

and be it further

**2nd RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

**3rd RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is

hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 2005-2006 Laid on the Table 8/8/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 883 -2006, AMENDING THE 2006 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, FOR THE SCO FAMILY OF SERVICES FOR STAFF RECRUITMENT AND RETENTION**

**WHEREAS**, the approved New York State Budget for Fiscal Year 2006 includes additional funding in Aid to Localities funding for the 2005 Planning Supplement III for Residential Reinvestment; and

**WHEREAS**, the 2005-06 Budget appropriations for New York State Office of Alcoholism and Substance Abuse Services (OASAS), included \$8.5 million in annual Local assistance to improve the provision of existing program services to eligible, not-for-profit providers of residential chemical dependence treatment services; and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services has awarded the SCO Family of Services additional 100% State Aid in the amount of \$24,800 for the 2006 local fiscal year for staff recruitment and retention for residential chemical dependence treatment; and

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

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

**REVENUES**

001-3486: Narcotics Addiction Control

Amount  
\$24,800

ORGANIZATIONS

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

<u>XORG</u>	<u>OBJECT NAME</u>	2006 <u>Adopted</u>	2006 Modified <u>Adopted</u>	<u>Change</u>
AKT1	SCO Family of Services	\$555,942	\$580,742	+\$24,800

and be it further

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

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 2040-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 884 -2006, ACCEPTING AND APPROPRIATING 100% FUNDING FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) FOR IMPROVING STAFF-TO-CLIENT RATIOS IN THE DEPARTMENT OF SOCIAL SERVICES - CHILD PROTECTIVE SERVICES BUREAU

**WHEREAS**, the New York State Office of Children and Family Services (OCFS) has

designated Suffolk County as the recipient of 100% Federal funding in the amount of \$297,429 to improve the staff-to-client ratios in the Child Protective Services workforce; and

**WHEREAS**, this is part of a state-wide special allocation to improve the staff-to-client ratios in all social services districts; and

**WHEREAS**, NYS OCFS authorized this special allocation for social service districts to hire new Child Protective Services staff and support staff, pay overtime, and develop and implement innovative strategies to reduce overdue assessments and report determinations; and

**WHEREAS**, it is the intention of the Suffolk County Department of Social Services to use this allocation to reduce the Child Protective Services caseload for staff investigating reports of child abuse and maltreatment, reduce the number of overdue safety assessments and report determinations, and improve timeliness in completing safety assessments and report determinations; and

**WHEREAS**, the Suffolk County Department of Social Services desires to accelerate the creation of new positions which were included in the 2007 Budget Request, and also to increase the overtime appropriation with this grant award; and

**WHEREAS**, this special allocation award is 100% State funded; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

<b><u>REVENUES:</u></b>		<u>\$297,429</u>
001-3610	STATE AID: Social Services Administration	297,429

and be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$297,429 be and are hereby appropriated as follows, less indirect costs of \$22,758 already included in the 2006 Operating Budget::

<b><u>ORGANIZATIONS:</u></b>	\$297,429
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**Social Services  
Family and Children's Services**

001-DSS-6010

**1000 – Personal Services**

\$215,688

1100 – Permanent Salaries

152,847

1120 – Overtime Salaries

62,841

Employee Benefits  
Retirement  
001-EMP-9010

8000 – Employee Benefits

\$25,235

8280 – State Retirement

25,235

Employee Benefits  
Social Security  
001-EMP-9030

8000 – Employee Benefits

\$16,499

8330 – Social Security

16,499

Employee Benefits  
Unemployment Insurance  
001-EMP-9055

8000 – Employee Benefits

\$917

8350 – Unemployment Insurance

917

Employee Benefits  
Benefit Fund Contribution  
001-EMP-9080

8000 – Employee Benefits

\$1,326

8380 – Benefit Fund Contribution

1,326

Interfund Transfers  
Transfer to Fund 39 (Self Insurance)  
001-IFT-E039

**9000 – Interfund Transfers**

**\$11,949**

**9600 – Transfer to Funds**

**11,949**

**Interfund Transfers  
Transfer to Fund 38 (Workers Compensation)  
001-IFT-E038**

**9000 – Interfund Transfers**

**\$3,057**

**9600 – Transfer to Funds**

**3,057**

**and be it further**

**3<sup>rd</sup> RESOLVED, that the following interfund revenues be accepted and appropriated as follows:**

**REVENUES:**

<b><u>\$37,764</u></b>			
<b>039-IFT-R001</b>		<b>Transfer</b>	<b>from</b>
<b>General Fund</b>			
<b>11,949</b>			
<b>038-IFT-R001</b>		<b>Transfer</b>	<b>from</b>
<b>General Fund</b>	<b>3,057</b>		

**ORGANIZATIONS:**

**\$37,764**

**Employee Benefits  
Major Medical Claims  
039-EMP-9060**

**8000 - Employee Benefits**

**\$6,453**

**8380 – Health Insurance**

**6,453**

**Employee Benefits  
Hospital Claims  
039-EMP-9061**

**8000 - Employee Benefits**

**5,496**

8360 – Health Insurance

\$  
5,496

**Employee Benefits  
Workers' Compensation  
038-EMP-9040**

**8000 - Employee Benefits**

**3,057**

8300 – Workers' Compensation

\$  
3,057

and be it further

**4<sup>th</sup> RESOLVED**, that the following positions be and they are hereby created:

**Social Services**

**Family and Children's Services**

001-DSS-6010

<u>Spec No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>No. Created</u>
3007	Casework Supervisor	C	24	3
3006	Senior Caseworker	C	22	3
0021	Clerk Typist	C	9	3

and be it further

**5<sup>th</sup> RESOLVED**, that any unexpended funds be reappropriated in the 2007 Operating Budget, and will be fully expended by March 31, 2007 in conformance with the terms of the grant award.

**DATED: August 22, 2006**

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 24, 2006

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

Intro. Res. No. 1896-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 885 -2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION  
NO. 695-2005**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 695-2005; and

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

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

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

**Resolution No. 695-2005**

In the 3rd RESOLVED paragraph change the Project No.

**FROM:**

**Project No.**  
525-CAP-7166.112  
(Fund 001 – Debt Service)

**TO:**

**Project No.**  
525-CAP-7166.113  
(Fund 001 – Debt Service)

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

**Intro Res. No.1909-2006**

**Laid on Table 8/8/2006**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 886 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 437-2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 437-2006; and

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

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

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

**Resolution No. 437-2006**

1. In the 3<sup>rd</sup> RESOLVED paragraph please delete "Division of Real Estate of the Suffolk County Department of Environment and Energy" and insert "Department of Public Works."
2. In the 4<sup>th</sup> RESOLVED paragraph please delete "Division of Real Estate of the Suffolk County Department of Environment and Energy" and insert "Department of Public Works."
3. In the 6<sup>th</sup> RESOLVED paragraph please delete "Division of Real Estate of the Suffolk County Department of Environment and Energy" and insert "Department of Public Works."

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1914-2006  
8/8/2006

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 887 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW**

**13-1976 ARLINDO GOMES (SCTM NO. 0100-079.00-03.00-049.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 079.00 Block 03.00 Lot 049.000 and acquired by Tax Deed on July 10, 2003 from Diane M. Stuke, the Deputy County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584 and described as follows, Town of Babylon, Map of Wyandanch Little Farms, Map No. 654 Block A, Lot No. 79, filed in the Office of the Clerk of Suffolk County on July 1, 1927; and

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

**WHEREAS**, Arlindo Gomes, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$20,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$11,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of \$20,000.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the

County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup>** **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Arlindo Gomes, 707 Broadhollow Road, Farmingdale, New York 11735.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1915-2006 Laid on Table 8/8/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 888 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW  
13-1976 LUIS A. LEON AND GLORIA LEON, HIS WIFE (SCTM  
NO. 0200-799.00-05.00-104.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 799.00 Block 05.00 Lot 104.000 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 18, 1998 in Liber 11918 at Page 83 and described as follows, Town of Brookhaven, known and designated as Lot No. 26 in Block No. 22 on a certain map entitled "Map of Lake Ronkonkoma Estates" filed in the Office of the Clerk of Suffolk County on September 29, 1911 as Map No. 8 and 40; and

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

**WHEREAS**, Luis A. Leon and Gloria Leon, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,100.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Director Patricia B. Zielenski and/or her designee, has received and deposited the sum of \$1,100.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Luis A. Leon & Gloria Leon, 65A Johnson Avenue, Ronkonkoma, NY 11779.

DATED: August 22, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 24, 2006

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

Intro. Res. No. 1916-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 889 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JAMES P. PHELAN (SCTM NO'S. 0500-323.00-02.00-007.000 AND 008.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 323.00 Block 02.00 Lots 007.000 & 008.000 and acquired by Tax Deed on December 28, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 4, 2000 in Liber 12001 at Page 409 and described as follows, Town of Islip, Lots 258 & 259 and Lots 260 & 261 Block 5 Sec 1 Map of Great River Estates Map # 731 filed in the Office of the Clerk of Suffolk County on March 29, 1917; and

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

**WHEREAS**, James P. Phelan, has made an offer to Suffolk County, for the purchase of said above described parcels for the sum of \$17,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$8,500.00 each, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Director of the Division of Real Property Acquisition and Management, Patricia B. Zielenski and/or her designee, has received and deposited the total sum of \$17,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said James P. Phelan, 6 Woodhollow Road, Great River, New York 11739.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1917-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 890 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW  
13-1976 WINDWOOD HOMES, INC. (SCTM NO. 0200-276.00-  
04.00-014.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 276.00 Block 04.00 Lot 014.000 and acquired by Tax Deed on September 15, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 25, 2003 in Liber 12274 at Page 112 and described as follows, Town of Brookhaven, Lot Nos. 113 & 114, as designated on the map entitled "Map of Franklin Park," Map No. 658, filed in the Suffolk County Clerk's Office on April 1, 1909; and

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

**WHEREAS**, Windwood Homes, Inc., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$5,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,500.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town

and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Windwood Homes, Inc., P.O. Box 725, East Setauket, New York 11733.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1918-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 891 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOHN DE VERE AND CHERYL DE VERE, HIS WIFE (SCTM NO. 0200-446.00-03.00-012.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 446.00 Block 03.00 Lot 012.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, Town of Brookhaven, Map of Highland Park, Lot 600 PL 38 Map #69; and

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

**WHEREAS**, John DeVere and Cheryl DeVere, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$2,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$4,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John DeVere and Cheryl DeVere, 110 Alma Avenue, Selden, NY 11784.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1919-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 892 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOSEPH WATERS AND ELEANOR WATERS, HIS WIFE (SCTM NO. 0500-340.00-01.00-021.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 340.00 Block 01.00 Lot 021.000 and acquired by Tax Deed on June 15, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 23, 1999 in Liber 11970 at Page 897 and described as follows, Town of Islip, P/O Lots# 826 & 827, Map of Columbus Park, Map# 487 as filed in the Office of the Clerk of Suffolk County on October 5, 1906; and

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

**WHEREAS**, Joseph Waters and Eleanor Waters, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$3,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$4,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph Waters and Eleanor Waters, his wife, 373 Smith Avenue, Islip, New York 11751.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1920-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 893 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW**

**13-1976 BARBARA A. LONG (SCTM NO. 0200-873.00-01.00-007.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 873.00 Block 01.00 Lot 007.000 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 14, 1998 in Liber 11916 at Page 755 and described as follows, Town of Brookhaven, Map of NY & Bkyn Sub Inv Map 2, 70 B 60, Lots 28 & 29; and

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

**WHEREAS**, Barbara A. Long, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$12,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$8,750.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$12,000.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the

County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Barbara A. Long, 20 So. Village Drive, Bellport, New York 11713.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1921-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 894 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO  
LOCAL LAW 13-1976 CARVER FEDERAL SAVINGS BANK  
(SCTM NO. 0500-245.00-03.00-026.006)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 245.00 Block 03.00 Lot 026.006 and acquired by Tax Deed on June 30, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 6, 1995 in Liber 11731 at Page 975 and described as follows, Town of Islip, Map of North Bay Shore, SE P/O Lot 64 Map #1309 Section 1, filed in the office of the Clerk of Suffolk County on May 9, 1940; and

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

**WHEREAS**, Carver Federal Savings Bank, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$16,000.00. At closing the

purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$16,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$16,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Carver Federal Savings Bank, 725 West 125<sup>th</sup> Street, New York, NY 10027.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1922-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 895 -2006, SALE OF  
COUNTY-OWNED REAL ESTATE PURSUANT TO  
LOCAL LAW 13-1976 BRIAN V. ROMANOFF (SCTM NO.  
0400-033.00-04.00-011.001)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 033.00 Block 04.00 Lot 011.001 and acquired by Tax Deed on April 11, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 13, 2001 in Liber 12113 at Page 276 and described as follows, Town of Huntington, N x now or formerly John DeNatale, E x now or formerly Leonardo and Maria Aureliano and now or formerly Brian V. Romanoff and now or formerly James T. Duffy Jr. and Joyce A. Duffy, S x now or formerly Lisa Grasso, W x now or formerly David L. and Meryl Kessler and now or formerly Timothy Ryan and Michael Scudieri and now or formerly Sylvia Cappa; and

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

**WHEREAS**, Brian V. Romanoff, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$2,813.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$3,000.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Brian V. Romanoff, 171 Huntington Bay Road, Huntington, New York 11743.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1923-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 896 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 FELIX ALVIS AND JOANNE ABRUZZO, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP (SCTM NO. 0500-318.00-01.00-018.001)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 318.00 Block 01.00 Lot 018.001 and acquired by Tax Deed on July 25, 1996 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 5, 1996 in Liber 11785 at Page 839 and described as follows, Town of Islip, Map of Saxon Park Sec 1, Lot # 671 Map # 129; and

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

**WHEREAS**, Felix Alvis and JoAnne Abruzzo, as Joint Tenants with Right of Survivorship, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$3,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$3,500.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of

the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Felix Alvis and JoAnne Abruzzo, 1237 Chicago Avenue, Bay Shore, New York 11706.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1924-2006 Laid on Table  
8/8/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 897 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 GEORGE SEBASTIAN HARTIG AND VINCENZA HARTIG, TENANTS-IN-COMMON (SCTM NO. 0400-201.00-01.00-148.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 201.00 Block 01.00 Lot 148.000 and acquired by Tax Deed on March 25, 1991 from General L. Rains, the County Treasurer of Suffolk County, New York, and recorded on April 1, 1991 in Liber 11240 at Page 390 and described as follows, Town of Huntington, part of service alley adjacent to Lot 24, as designated on the map entitled "Map of Plainfields", Map No. 1851, Sec. 2, filed 8/8/51; and

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

**WHEREAS**, George Sebastian Hartig and Vincenza Hartig, Tenants-in-Common, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,100.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,100.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said George Sebastian Hartig and Vincenza Hartig, 28 Armell Street, Huntington Station, NY 11746.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1925-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 898 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOSEPH VILLAREALE AND SANDRA L. VILLAREALE, HIS WIFE (SCTM NO. 0900-313.00-01.00-060.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900 Section 313.00 Block 01.00 Lot 060.000 and acquired by Tax Deed on July 21, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 8, 1995 in Liber 11736 at Page 550 and described as follows, Town of Southampton, N x Lewis, S x Lewis, E x Map 8143, W x Wilson; and

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

**WHEREAS**, Joseph Villareale and Sandra L. Villareale, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$700.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,000.00, pursuant to said purchase offer; and

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

**1<sup>st</sup> RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Joseph Villareale and Sandra L. Villareale, 30 Fox Hollow Drive, East Quogue, NY 11942.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No.1926-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 899 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MARGARET LOUISE GAYNE and DOROTHY McNEELY (SCTM NO. 0200-980.50-01.00-025.001)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 980.50, Block 01.00, Lot 025.001, and acquired by tax deed on June 25, 1996, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 1996, in Liber 11782, at Page 181, and otherwise known as and by Town of Brookhaven, Mastic Beach Map 6/1105 2901 & 2902; 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 25, 1996, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 1996 in Liber 11782 at Page 181; 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**, MARGARET LOUISE GAYNE and DOROTHY McNEELY have made application of said above described parcel and MARGARET LOUISE GAYNE and DOROTHY McNEELY have paid the application fee and \$2,490.58, 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MARGARET LOUISE GAYNE and DOROTHY McNEELY, c/o E. Michael Rosenstock, Esq., 55 Maple Avenue, Suite 206, Rockville Centre, New York 11570, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1934-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 900 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
JOHN MAKRIA & RENE MAKRIA, HIS WIFE (SCTM NO.  
0500-389.00-02.00-066.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 389.00 Block 02.00 Lot 066.000 and acquired by Tax Deed on June 15, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 23, 1999 in Liber 11970 at Page 897 and described as follows, Town of Islip, and shown and designated as being the southerly part of Lots 53 to 58, both inclusive in Block #15 on a certain map entitled "Map of Babylon Pines" and filed in the Office of the Clerk of Suffolk County on August 6, 1928 as Map #119; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, John Makria and Rene Makria, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$7,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$7,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$7,500.00, pursuant to said purchase offer; and

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

**1<sup>st</sup> RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John Makria & Rene Makria, 284 West 2<sup>nd</sup> Street, West Islip, NY 11795.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1935-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 901 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
TIMOTHY A. GAGE AND LAURIE GAGE, HIS WIFE (SCTM  
NO. 0100-152.00-02.00-056.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 152.00 Block 02.00 Lot 056.000 and acquired by Tax Deed on June 28, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 3, 1999 in Liber 11979 at Page 952 and described as follows, Town of Babylon, Parts of Lots 6 to 10 Inclusive, Parts of Lot 14, in Block 36, (Parts of Lots 6 to 8 only Registered Cert. #142674) on a certain map entitled "Map of Colonial Manor" and filed in the Office of the County of Suffolk on July 22, 1907 as Map No. 222/661; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Timothy A. Gage and Laurie Gage, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,800.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,800.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,800.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup> RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of

the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Timothy A. Gage and Laurie Gage, 522 Benjamin Road, North Babylon, NY 11703.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1936-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 902 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
MICHAEL DeMASI AND HILARY DeMASI, HIS WIFE (SCTM  
NO. 0500-107.00-02.00-072.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 107.00 Block 02.00 Lot 072.000 and acquired by Tax Deed on October 3, 1994 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 18, 1994, Cert. # 141473 as property being transferred to County Clerk in Liber 12024 at Page 521, Rec. March 2, 2000 and described as follows, Town of Islip, M/O Ronkonkoma Lake Beach, Map #653 Sec. 2 Lot 1 Blk C Reg.; and

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

**WHEREAS**, Michael DeMasi and Hilary DeMasi, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$1,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$1,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$1,500.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Michael DeMasi & Hilary DeMasi, 1681 Lincoln Avenue, Holbrook, New York 11741.

DATED: August 22, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 24, 2006

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

Intro. Res. No. 1937-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 903 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
JOHN WARNOCK (SCTM NO. 0200-854.00-02.00-032.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 854.00 Block 02.00 Lot 032.000 and acquired by Tax Deed on July 5, 2001 from Joseph Sawicki Jr., the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001 in Liber 12129 at Page 300 and described as follows, Town of Brookhaven, known and designated as Lot 6787 as certain map entitled "Map of Mastic Park," Section 8, filed in the Suffolk County Clerk's Office on March 13, 1972 as Map No. 245; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, John Warnock, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,001.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$6,000.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$6,001.00, pursuant to said purchase offer; and

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

**1<sup>st</sup>** **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action

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

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

**3<sup>rd</sup>** **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John Warnock, 209 Hampton Avenue, Mastic, New York 11950.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1938-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 904 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
SINTAXI REALTY CORP. (SCTM NO. 0200-400.00-05.00-  
042.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 400.00 Block 05.00 Lot 042.000 and acquired by Tax Deed on June 25, 1996 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 1996 in Liber 11782 at Page 181 and described as follows, Town of Brookhaven, N x now or formerly DeBenedetti, E x now or formerly Schauss, S x now or formerly Sposato, W x now or formerly Sposato; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Sintaxi Realty Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,510.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$5,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,510.00, pursuant to said purchase offer; and

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

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

**2<sup>nd</sup>** **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to

impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

**3<sup>rd</sup>** **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Sintaxi Realty Corp., 4 Nevada Street, Selden, New York 11784.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1939-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 905 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976  
NICOLIA BROTHERS CORP. (SCTM NO. 0200-793.00-01.00-  
013.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 793.00 Block 01.00 Lot 013.000 and acquired by Tax Deed on June 25, 1996 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 1996 in Liber 11782 at Page 181 and described as follows, Town of Brookhaven, N x Forr Pk Lot 1864, E x Metski, S x Celauro, W x Forr Pk Lot 1864; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, Nicolia Brothers Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$7,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$7,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$7,500.00, pursuant to said purchase offer; and

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Nicolia Brothers Corp., 275 East Sunrise Highway, Lindenhurst, NY 11757.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1940-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of County Executive

**RESOLUTION NO. 906 -2006, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOHN H. SCHINDLER, JR. AND TAMARA SCHINDLER, HIS WIFE (SCTM NO. 0204-011.00-02.00-004.002)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Patchogue, Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0204 Section 011.00 Block 02.00 Lot 004.002 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, Incorporated Village of Patchogue, Town of Brookhaven, N x Capri Apts, E x Plesh & Ors, S x Bianca, W x Metro Const.; and

**WHEREAS**, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

**WHEREAS**, John H. Schindler, Jr. and Tamara Schindler, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,003.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$5,500.00, which property is surplus to the needs of the County of Suffolk; and

**WHEREAS**, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$6,003.00, pursuant to said purchase offer; and

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

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

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

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

**3<sup>rd</sup>** **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John H. Schindler, Jr. and Tamara Schindler, 3 Penney Street, West Islip, NY 11795.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

**Intro. Res. No. 1942-2006**

**Laid on Table 8/8/2006**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 907 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ELOISE W. THOMAS, as Surviving Tenant by the Entirety (SCTM NO. 0100-083.00-04.00-038.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the 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 083.00, Block 04.00, Lot 038.000, 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 Town of Babylon, as shown on a certain map entitled "Map of Parkway Heights" filed in the Office of the Clerk of Suffolk County on August 20, 1927 as Map No. 845, being known and designated as Lot Nos. 674 and 676; 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**, ELOISE W. THOMAS, has made application of said above described parcel and ELOISE W. THOMAS, has paid the application fee and will be paying \$36,226.97 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ELOISE W. THOMAS, as Surviving Tenant by the Entirety, 327 State Avenue, Wyandanch, New York 11798, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1943-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 908 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PUCA REALTY LIMITED PARTNERSHIP (SCTM NO. 0400-141.00-04.00-002.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 141.00, Block 04.00, Lot 002.000, and acquired by Tax Deed on May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006, in Liber 12448, at Page 543, and otherwise known as and by Town of Huntington, known and designated as Lot No. 382 as shown on a certain map entitled, "Map of Huntington Manor", filed in the Office of the Clerk of the County of Suffolk on November 21, 1903 as Map No. 494; 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 May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006 in Liber 12448 at Page 543.

**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**, MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has made application of said above described parcel and MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has paid the application fee and \$3,671.03, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

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

**2<sup>nd</sup>RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PUCA REALTY LIMITED PARTNERSHIP, c/o Margaret Puca, 1 Briarwood Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1944-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 909 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust (SCTM NO. 0400-141.00-04.00-003.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 141.00, Block 04.00, Lot 003.000, and acquired by tax deed on May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006, in Liber 12448, at Page 543, and otherwise known as and by Town of Huntington, known and designated as Lot No. 380 as shown on a certain map

entitled, "Map of Huntington Manor", filed in the Office of the Clerk of the County of Suffolk on November 21, 1903 as Map No. 494; 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 May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006 in Liber 12448 at Page 543; 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**, JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust, have made application of said above described parcel and MARGARET PUCA has paid the application fee and \$1,904.53, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust, c/o Margaret Puca, 1 Briarwood Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

**RESOLUTION NO. 910 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PUCA REALTY LIMITED PARTNERSHIP (SCTM NO. 0400-141.00-04.00-006.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 141.00, Block 04.00, Lot 006.000, and acquired by tax deed on May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006, in Liber 12448, at Page 543, and otherwise known as and by Town of Huntington, known and designated as the easterly 25 feet of Lot No. 378 as shown on a certain map entitled, "Map of Huntington Manor", filed in the Office of the Clerk of the County of Suffolk on November 21, 1903 as Map No. 494; 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 May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006 in Liber 12448 at Page 543; 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**, MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has made application of said above described parcel and MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has paid the application fee and \$1,982.32, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PUCA REALTY LIMITED PARTNERSHIP, c/o Margaret Puca, 1 Briarwood Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1946-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 911 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust (SCTM NO. 0400-141.00-04.00-007.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and Improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 141.00, Block 04.00, Lot 007.000, and acquired by tax deed on May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006, in Liber 12448, at Page 543, and otherwise known as and by Town of Huntington, known and designated as P/O Lot No. 378 as shown on a certain map entitled, "Map of Huntington Manor", filed in the Office of the Clerk of the County of Suffolk on November 21, 1903 as Map No. 494; 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 May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006 in Liber 12448 at Page 543; 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**, JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust, have made application of said above described parcel and MARGARET PUCA has paid the application fee and \$3,531.27, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH PUCA, JR. and LOUIS PUCA, as Co-Trustees of the Joseph Puca Testamentary Trust, c/o Margaret Puca, 1 Briarwood Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1947-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 912 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PUCA REALTY LIMITED PARTNERSHIP (SCTM NO. 0400-141.00-04.00-008.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 141.00, Block 04.00, Lot 008.000, and acquired by tax deed on May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006, in Liber 12448, at Page 543, and otherwise known as and by Town of Huntington, known and designated as P/O Lot No. 378 as shown on a certain map entitled, "Map of Huntington Manor, property of House and Home Company, surveyed by C.P. Darling, C.E. and Surveyor", filed in the Office of the Clerk of the County of Suffolk on November 21, 1903 as Map No. 494; 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 May 2, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 4, 2006 in Liber 12448 at Page 543; 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**, MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has made application of said above described parcel and MARGARET PUCA, as General Partner of the Puca Realty Limited Family Partnership, has paid the application fee and \$7,025.11, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PUCA REALTY LIMITED PARTNERSHIP, c/o Margaret Puca, 1 Briarwood Drive, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 24, 2006

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

Intro. Res. No. 1948-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 913 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MICHAEL C. KRAUSS and CONSTANCE A. KRAUSS, his wife (SCTM NO. 0500-381.00-04.00-035.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 381.00, Block 04.00, Lot 035.000, and acquired by tax deed on May 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006, in Liber 11714, at Page 723, and otherwise known as and by Town of Islip, N x now or formerly Tloczkowski Cynthia & Richard; E x Rollstone Avenue; S x now or formerly McGuire Joseph; W x now or formerly Mulzoff Peter J & Susan J and now or formerly Hall Thomas W & Orlando Nicole; 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 May 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006 in Liber 11714 at Page 723; 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**, MICHAEL C. KRAUSS and CONSTANCE A. KRAUSS have made application of said above described parcel and MICHAEL C. KRAUSS and CONSTANCE A. KRAUSS have paid the application fee and \$9,094.38, 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, 2006; and

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

major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MICHAEL C. KRAUSS and CONSTANCE A. KRAUSS, his wife, 94 Rollstone Avenue, West Sayville, New York 11796, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1954-2006  
Introduced by Legislator Eddington

Laid on Table 8/8/2006

**RESOLUTION NO. 914 -2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
545-2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No 545-2006; and

**WHEREAS**, this resolution when adopted contained technical errors; and

**WHEREAS**, Legislator Eddington desires technical corrections to this resolution; now, therefore be it

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

**Resolution No. 545-2006**

In the 1<sup>st</sup> RESOLVED clause change the Suffolk County Tax Map Numbers

**FROM:**

**TO:**

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>
3	District: 0200 Section 979.02 Block 07.00 Lot 001.000 p/o	3	District 0200 Section 979. <b>20</b> Block 07.00 Lot 001. <b>001</b> & <b>001.002</b>
6	District: 0200 Section 977.40 Block 01.00 Lot 004.000 p/o	6	District 0200 Section 977.40 Block 01.00 Lot 004. <b>001</b> & <b>004.002</b>
7	District: 0204 Section 007.00 Block 03.00 Lot 023.000 p/o	7	District 0204 Section 007.00 Block 03.00 Lot 023. <b>001</b> & <b>023.002</b>

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1955-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 8/8/2006

**RESOLUTION NO. 915 –2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
1037-2005 TO PROVIDE FUNDING FOR THE PEDIATRIC  
DENTAL FUND OF THE HAMPTONS**

**WHEREAS**, Adopted Resolution No. 1037-2005, provided \$5,000 for the contracted agency Pediatric Dental Fund of the Hamptons; and

**WHEREAS**, the mission of the Pediatric Dental Fund of the Hamptons is to provide voluntary dental care to needy children on the East End of Suffolk County; and

**WHEREAS**, Resolution No. 1037-2005 when adopted contained a technical error; and

**WHEREAS**, the County Legislature desires technical corrections to this resolution; now, therefore be it

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

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	HOT1	7320	4980	PEDIATRIC DENTAL FUND OF THE HAMPTONS	- \$5,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	HSV	HOT1	4100	4980	PEDIATRIC DENTAL FUND OF THE HAMPTONS	+ \$5,000

and be it further

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

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1956-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 8/8/2006

**RESOLUTION NO. 916 –2006, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
506-2004**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 506-2004; and

**WHEREAS**, this resolution when adopted contained two technical errors which referred to the wrong capital project point number; and

**WHEREAS**, the County Legislature desires technical corrections to this resolution; now, therefore be it

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

**Resolution No. 506-2004**

In the title of Resolution No. 506-2004 change the capital project point number:

**FROM:**

RESOLUTION NO. 506–2004, APPROPRIATING FUNDS FOR IMPROVEMENTS TO HYO SUFFOLK COUNTY COMPLEX FIELD, TOWN OF ISLIP (CP 6503.311)

**TO:**

RESOLUTION NO. 506–2004, APPROPRIATING FUNDS FOR IMPROVEMENTS TO HYO SUFFOLK COUNTY COMPLEX FIELD, TOWN OF ISLIP (CP 6503.310)

In the second RESOLVED paragraph change the capital project point number:

**FROM:**

Project No.  
525-CAP-6503.311

**TO:**

Project No.  
525-CAP-6503.310

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1960-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 8/8/2006

**RESOLUTION NO. 917 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 745 – 2006 (CP 3161)**

**WHEREAS**, Resolution No. 745-2006 amended the 2006 Capital Budget and Program and appropriated serial bond funding in connection with the Firearms Training Drainage Project in Westhampton, Town of Southampton; and

**WHEREAS**, the capital budget year, the current and the revised budget costs used for this program were incorrect and must be changed to enable for the proper disbursement and accounting of said funds; now, therefore be it

**RESOLVED**, that the 2<sup>nd</sup> Whereas clause should be corrected to reference the 2005 Adopted Capital Budget and Program; and be it further

**RESOLVED**, that the 2<sup>nd</sup> Resolved clause should be corrected as follows for Project Number 3161.

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	\$240,000	\$0	\$125,000 B
TOTAL	\$250,000	\$0	\$125,000

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

**Intro. Res. No. 2017-2006**  
Introduced by Presiding Officer, on request of the County Executive

**Laid on Table 8/8/2006**

**RESOLUTION NO. 918 -2006, AUTHORIZING THE SALE,**

**PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BARRETT B. ESKELL and STEPHANIE BROWN a/k/a STEPHANIE E. BROWN a/k/a STEPHANIE N. BROWN a/k/a STEPHANIE ESKELL, as Joint Tenants with Right of Survivorship (SCTM NO. 0404-013.00-04.00-124.000)**

**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 Northport, Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0404, Section 013.00, Block 04.00, Lot 124.000, and acquired by tax deed on April 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 5, 2006, in Liber 12444, at Page 171, and otherwise known as and by Incorporated Village of Northport, Town of Huntington, known and designated on a certain map entitled "Map of Oakwood", situate in the Village of Northport, Town of Huntington, Suffolk County, New York, surveyed by Frank Asbury, surveyor, October, 1910, and filed in the Suffolk County Clerk's Office as number 474 of maps, being number twenty eight (28) on above mentioned map; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 5, 2006 in Liber 12444 at Page 171; 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**, STEPHANIE BROWN, has made application of said above described parcel and STEPHANIE BROWN, has paid the application fee and will be paying \$32,477.49 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he



**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**, LYNN M. ALVERSON, as Executrix of the Estate of Marjory J. Alverson, as Surviving Tenant by the Entirety, has made application of said above described parcel and LYNN M. ALVERSON, as Executrix of the Estate of Marjory J. Alverson, as Surviving Tenant by the Entirety, has paid the application fee and will be paying \$13,854.39 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LYNN M. ALVERSON, as Executrix of the Estate of Marjory J. Alverson, as Surviving Tenant by the Entirety, 13 Charles Street, Islip Terrace, New York 11752, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 2019-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/8/2006

**RESOLUTION NO. 920 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE**

**SUFFOLK COUNTY TAX ACT GLORIA SMITH as Surviving  
Tenant by the Entirety (SCTM NO. 0100-175.00-01.00-101.000)**

**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 175.00, Block 01.00, Lot 101.000, 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 Town of Babylon, County of Suffolk and State of New York, known and designated as Lot Number 252 on a certain map entitled, "Map of Ronek Park, Section 2" and filed in the Suffolk County Clerk's Office on May 15, 1950, as Map No. 1751; 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**, GLORIA SMITH, as Surviving Tenant by the Entirety, has made application of said above described parcel and GLORIA SMITH, as Surviving Tenant by the Entirety, has paid the application fee and \$76,585.56, 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to GLORIA SMITH, as Surviving Tenant by the Entirety, 587 North Country Road, St. James, New York 11780, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 2032-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer and Legislator Cooper

**RESOLUTION NO. 921 -2006, TO AMEND RESOLUTION NO. 2-2006, THE RULES OF THE SUFFOLK COUNTY LEGISLATURE**

**WHEREAS**, on January 3, 2006, this Legislature adopted its Rules for 2006 by enacting Resolution No. 2-2006; and

**WHEREAS**, Rule 9(D) states that in the event substantive changes are made to a Local Law or Charter Law after the public hearing is closed, the Law should be withdrawn and refiled and a new public hearing should be held; and

**WHEREAS**, this rule is inconsistent with Section C2-12(C) of the SUFFOLK COUNTY CHARTER, which states that if substantial changes are made to a proposed Local Law or Charter Law after the public hearing is closed, a further public hearing must be held before the law may be enacted; now, therefore be it

**1st RESOLVED**, that Resolution No. 2-2006 is hereby amended and Rule 9(D) is hereby repealed; and be it further

**2nd RESOLVED**, that Subsections (E), (F), (G), (H) and (I) of Rule 9 shall accordingly be re-lettered (D), (E), (F), (G), and (H).

DATED: August 22, 2006

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

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

Intro. Res. No. 2004-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 922 -2006, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY DEPUTY SHERIFF'S BENEVOLENT ASSOCIATION, COVERING**

THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD  
JANUARY 1, 2006 THROUGH DECEMBER 31, 2007

WHEREAS, the County Executive, the Director of Labor Relations, and the President of the Suffolk County Deputy Sheriff's Benevolent Association have reached an agreement covering the terms and conditions of employment for the period January 1, 2006, through December 31, 2007, subject to approval, to the extent necessary, by the Suffolk County Legislature; and

WHEREAS, the Suffolk County Sheriff as a joint public employer for the purposes of reaching an agreement with the Suffolk County Deputy Sheriff's Benevolent Association covering the terms and conditions of employment pursuant to Section 201 (6) (a) (vii) of the New York Civil Service Law, has signed the stipulation of agreement; and

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

RESOLVED, that the County Executive be authorized to execute an agreement with the Suffolk County Deputy Sheriff's Benevolent Association in accordance with the stipulation of agreement dated June 13, 2006, a copy of which is on file with the Clerk of the Suffolk County Legislature, covering the terms and conditions of employment for the period January 1, 2006 through December 31, 2007.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 1646-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 5/16/2006

**RESOLUTION NO. 923 -2006, ADOPTING LOCAL LAW  
NO. 43 -2006, A CHARTER LAW TO ESTABLISH A  
FISCALLY SOUND, FLEXIBLE POLICY FOR MANAGING  
BUDGET SURPLUSES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on June 13, 2006, a proposed local law entitled, "**A CHARTER LAW TO ESTABLISH A FISCALLY SOUND, FLEXIBLE POLICY FOR MANAGING BUDGET SURPLUSES**"; now, therefore, be it

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

**LOCAL LAW NO. 43 -2006, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO ESTABLISH A FISCALLY SOUND,  
FLEXIBLE POLICY FOR MANAGING BUDGET SURPLUSES**

**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 County of Suffolk maintains a Tax Stabilization Reserve Fund as authorized by NEW YORK GENERAL MUNICIPAL LAW.

This Legislature also finds that the County of Suffolk has diligently and consistently increased the Tax Stabilization Reserve Fund over the past several years and the Fund's balance now exceeds \$100 million, an amount sufficient to guard against excessive property tax increases in the future.

This Legislature further determines that even though the Tax Stabilization Reserve Fund is sufficiently funded, SUFFOLK COUNTY CHARTER § C4-10 mandates that 25% of the County's positive fund balance must be deposited in the Tax Stabilization Reserve Fund and Debt Stabilization Reserve Fund each year.

This Legislature further finds and determines that this charter provision deprives the County Legislature and the County Executive of needed flexibility in managing the operating budget and unnecessarily restricts the County's ability to return surplus monies to county taxpayers.

This Legislature also finds that restoring to the County Legislature and the County Executive the discretion to manage surpluses will benefit Suffolk County's taxpayers.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to allow the County greater flexibility in managing the operating budget and to enhance the County's ability to return surplus monies to taxpayers.

**Section 2. Amendment.**

Section C4-10(F)(2) of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

- 2) Except as provided herein, [Notwithstanding any law to the contrary, in no case may] no more than seventy-five percent (75%) of the positive fund balance [surplus revenues]

may be returned to the taxpayers in any year. The remainder of the fund balance shall be deposited into tax and debt stabilization reserve funds in amounts approved by the County Legislature for use in subsequent years as set forth below[:] except that once the balance of the tax stabilization reserve fund totals \$120 million (as defined by the adopted amount in the prior year's operating budget) or five percent (5%) of the general fund portion of the prior year's operating budget, whichever amount is greater, the County may return a larger percentage of the fund balance, up to one hundred percent (100%), to the taxpayers and/or approve a specific appropriation of this portion of the fund balance for the clearing of snow and ice from public thoroughfares and public places; the repair of potholes and other road surface maintenance; for heat, light and power in County owned or leased buildings; for disaster preparedness; for the payment of bonded indebtedness; or to provide "pay-as-you-go" funding pursuant to Local Law No. 23-1994.

- (a) A tax stabilization reserve fund may be used whenever an increase in the real property tax levy for the upcoming fiscal year is projected.
- (b) A debt stabilization reserve fund may be used whenever an increase for the upcoming budget in debt service or the amount adopted and approved in the current year budget is projected.
- (c) Funds transferred from a tax stabilization reserved fund and/or a debt stabilization reserve fund shall be appropriated pursuant to the requirements set forth in the pertinent provisions of the New York General Municipal Law. Nothing in this section shall be construed to prohibit the establishment of and transfer to other legal reserve funds established in accordance with the New York General Municipal Law and pursuant to the procedures established in this section.

### **Section 3. Applicability.**

This law shall apply to all County Operating Budgets enacted 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. Form of Proposition.**

The question to be submitted to electorate pursuant to Section 7 of this law shall read as follows:

**“Shall Resolution No. -2006, Adopting A Charter Law to Authorize the County of Suffolk to Return a Larger Share of Surplus Revenues to Taxpayers or, in the Alternative, To Use Such Surplus Revenues For Certain Limited Purposes Including Debt Reduction, Disaster Preparedness, Road Maintenance and Payment Of Utility Costs, Once the County Tax Stabilization Fund Reaches \$120 Million, Be Approved?”**

**Section 7 . Effective Date.**

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW.

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

DATED: August 22, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: August 29, 2006

After a public hearing duly held on June 13, 2006  
Filed with the Secretary of State on September 26, 2006

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

Intro. Res. No. 1685-2006

Laid on Table 6/13/2006

Introduced by Legislators Lindsay and Alden

**RESOLUTION NO. 924 -2006, ADOPTING LOCAL LAW NO. 44 -2006, A CHARTER LAW TO CLARIFY AND STRENGTHEN PROVISIONS LIMITING AMENDMENTS TO THE CAPITAL BUDGET AND PROGRAM**

**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 CHARTER LAW TO CLARIFY AND STRENGTHEN PROVISIONS LIMITING AMENDMENTS TO THE CAPITAL BUDGET AND PROGRAM**"; now, therefore, be it

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

**LOCAL LAW NO. 44 -2006, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO CLARIFY AND STRENGTHEN PROVISIONS LIMITING AMENDMENTS TO THE CAPITAL BUDGET AND PROGRAM**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that through the enactment of Local Law 37-1989, the County of Suffolk adopted a policy requiring that increases in the capital budget and program during the fiscal year be offset by a corresponding reduction in the capital budget.

This Legislature further finds and determines that the underlying purpose of Local Law 37-1989 was to prevent large, unplanned increases in the capital budget and program during the fiscal year and to maintain County debt and General Fund debt service expenditures at manageable and prudent levels.

This Legislature also finds that Local Law No. 37-1989 has helped the County maintain fiscal discipline in the area of capital spending and enhanced the County's overall fiscal condition.

This Legislature further determines that while Local Law No.37-1989 has been effective, its failure to make any distinction between general County capital projects and those that are financed by sewer districts is a significant flaw.

This Legislature finds that since sewer district capital project debt is paid by residents of individual sewer districts and is not a General Fund charge, it should be treated separately in the capital budget and program, distinct from the General Fund, Police District Fund and other non-sewer district funds.

Additionally, this Legislature finds that capital budget increases attributable to the County at large are often offset by reducing sewer district projects. This practice is inconsistent with the spirit and intent of Local Law 37-1989 in that it allows general County debt and debt

service to increase with no corresponding reduction in capital projects that are financed through the General Fund.

Therefore, the purpose of this local law is to amend the Suffolk County Charter to mandate a separate presentation and calculation of sewer and non-sewer district capital projects in the County's proposed and adopted Capital Budget and Program, to prohibit the use of sewer district projects to offset increases in non-sewer district spending during the fiscal year and to require sewer district offsets when the capital budget is increased to fund sewer district projects.

## **Section 2. Amendments.**

I. Section C4-13 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

### **§C4-13. Modification of capital budget during fiscal year.**

**A.** A capital budget for a fiscal year may not be amended during the fiscal year unless the resolution is introduced by the County Executive or a County Legislator and is approved by an affirmative vote of at least three-fourths (3/4) of the total membership of the County Legislature and constitutes an amendment to change the method of financing; to change the title of a project; to provide funding to correct, repair or to respond to a public emergency declared, in writing, to the Legislature by the County Executive and arising out of or caused by a sudden unforeseen occurrence or disaster, such as a hurricane, fire, tornado, flood, blizzard, explosion, airplane crash, earthquake, nuclear war, radiological emergency, war, civil unrest or disobedience, act of God or comparable event; to provide funding for projects that have gone out to bid and require budgetary modifications because the bid price exceeds the estimated costs included in the capital budget and/or program; or to correct a technical defect. An affirmative vote of at least three-fourths (3/4) of the total membership of the County Legislature shall be required to pass such a resolution returned by the County Executive with his disapproval. This requirement for an affirmative vote of at least 3/4 of the entire membership of the County Legislature shall not apply to any such amendment to increase the capital budget, as finally enacted at the conclusion of the process set forth in § C4-19 of this Article, which provides for a corresponding reduction or offset of a dollar amount in the capital budget equivalent to the amount of the proposed increase, nor to any such amendment to decrease the capital budget, as finally enacted at the conclusion of the process set forth in § C4-19 of this Article, nor to any such amendment which is financed in an amount of at least 50% of the total authorization or appropriation of such amendment by federal or state funding. Any such amendment shall also be accompanied by a written analysis of the capital budget affected by such amendment prepared by the Legislative Office of Budget Review for its annual report on the capital budget and program, including but not limited to a statement as to the proposal's impact and effect on the county's operating budget, the county's tax rate and the county's real property tax levy for all county funds so affected. This written analysis shall also include a detailed statement as to the specific function and service to be provided with a comparison of the cost to provide such services by outside contractors or consultants versus utilization of in-house county personnel, regardless of whether or not positions of employment for such in-house personnel exist in the county budget at the time of the preparation of the analysis.

- B. A resolution that increases the capital budget for a non-sewer district project may not utilize a County sewer district project to achieve the corresponding reduction that is required by paragraph (A) of this section.
- C. A resolution that increases the capital budget in relation to a project within a county sewer district shall be offset by a corresponding reduction for the same sewer district in the capital budget, a transfer from the Assessment Stabilization Reserve Fund, connection fees for the same sewer district, fund balance surplus for the same sewer district or other revenues generated by the same sewer district. Such a resolution shall be approved by a majority vote of the Suffolk County Legislature.

II. Section C4-16 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§C4-16. Submission of proposed capital program by County Executive**

On or before the 15th day of April in each year, the County Executive shall submit to the County Legislature a proposed capital program for the ensuing three years or for such longer period as may be prescribed by local law. The proposed capital budget and program shall include a separate and distinct funding summary for individual capital sewer projects as well as a separate and distinct summary for all individual non-sewer district capital projects, together with a separate and distinct summary of the aggregate funding of all such sewer district capital projects and a separate and distinct summary of the aggregate funding of all such non-sewer district capital projects.

III. Section C4-19 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**§C4-19. Adoption of capital program**

- A.) On or before the 15th day of April in each year, the County Executive shall submit to the County Legislature a proposed capital program for the ensuing three years or for such longer period as may be prescribed by local law. The adopted capital budget and program shall include a separate and distinct funding summary for individual capital sewer projects as well as a separate and distinct summary for all individual non-sewer district capital projects, together with a separate and distinct summary of the aggregate funding of all such sewer district capital projects and a separate and distinct summary of the aggregate funding of all such non-sewer district capital projects.

IV. Section C4-21 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§ C4-21. Modification of capital program.**

- A. The capital program may be amended only by resolution introduced by the County Executive or a County Legislator if passed by an affirmative vote of at least three-fourths (3/4) of the total membership of the County Legislature to change the method of financing; to change the title of a project; to provide funding to correct, repair or respond to a public emergency declared, in writing, to the Legislature by the County Executive and arising out of or caused by a sudden unforeseen occurrence or disaster such as a hurricane, fire, tornado, flood, blizzard, explosion, airplane crash, earthquake, nuclear war, radiological emergency, war, civil unrest or disobedience, act of God or comparable event; to provide funding for projects that have gone out to bid and require budgetary modifications because the bid price exceeds the estimated costs included in the capital

budget and/or program; or to correct a technical defect. An affirmative vote of at least three-fourths (3/4) of the total membership of the County Legislature shall be required to pass such a resolution returned by the County Executive with his disapproval. This requirement for an affirmative vote of at least three-fourths (3/4) of the entire membership of the County Legislature shall not apply to any such amendment, to increase the capital program, as finally enacted at the conclusion of the process set forth in § C4-19 of this Article, which provides for a corresponding reduction or offset of a dollar amount in the capital program equivalent to the amount of the proposed increase, nor to any such amendment to decrease the capital program, as finally enacted at the conclusion of the process set forth in § C4-19 of this Article, nor to any such amendment which is financed in an amount of at least 50% of the total authorization or appropriation of such amendment by federal or state funding.

**B.** A resolution that increases the capital program for a non-sewer district project may not utilize a County sewer district project to achieve the corresponding reduction that is required by paragraph (A) of this section.

**C.** A resolution that increases the capital program in relation to a project within a county sewer district shall be offset by a corresponding reduction for the same sewer district in the capital budget, a transfer from the Assessment Stabilization Reserve Fund, connection fees for the same sewer district, fund balance surplus for the same sewer district or other revenues generated by the same sewer district. Such a resolution shall be approved by a majority vote of the Suffolk County Legislature.

### **Section 3. Applicability.**

This law shall apply to all capital budget and program amendments 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. Form of Proposition.**

The question to be submitted to the electorate pursuant to Section 7 of this law shall read as follows:

**“Shall Resolution No. -2006, Adopting a Charter Law to Treat Sewer District and Non-Sewer District projects separately in the County Capital Budget and Program, And Prohibiting Increases in a County Non-Sewer Capital Project from Being Funded by a Reduction in a Sewer District Project During the Fiscal Year, Be Approved?”**

**Section 7. Effective Date**

This law shall not take effect until the first day of the first fiscal year after its approval by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting upon a proposition for its approval in conformity with the provisions of Section 34 of the NEW YORK MUNICIPAL HOME RULE LAW.

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

DATED: August 22, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: August 29, 2006

After a public hearing duly held on June 27, 2006  
Filed with the Secretary of State on September 26, 2006

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

Intro. Res. No. 1933-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 925 -2006, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR A MINORITY ADVERTISING CAMPAIGN FOR THE SUFFOLK COUNTY POLICE DEPARTMENT**

**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 Suffolk County Police Department requested an RFP for a Minority Advertising Campaign; and

**WHEREAS**, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to twenty-nine (29) potential vendors and received only one response from Sanna Mattson MacLeod; and

**WHEREAS**, an independent evaluation committee reviewed the proposal from Sanna Mattson MacLeod and found her quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Suffolk County Police Department enter into a contractual agreement with the provider; and

**WHEREAS**, there are sufficient funds in the 2006 Suffolk County Operating Budget to cover the cost of this contract; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Suffolk County Police Department enter into a contractual agreement with Sanna Mattson MacLeod for the provision of advertising services.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 23, 2006

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

**Intro. Res. No. 2022-2006**  
Introduced by Legislator Schneiderman

**Laid on Table 8/8/2006**

**RESOLUTION NO. 926 -2006, AUTHORIZING USE OF FRANCIS S. GABRESKI AIRPORT PROPERTY BY THE BOY SCOUTS OF AMERICA FOR A "CAMPOREE"**

**WHEREAS**, the Boy Scouts of America holds an annual "Camporee" for the scouts ages 11 through 17; and

**WHEREAS**, the Boy Scouts of America would like to use the Francis S. Gabreski Airport property for the purpose of hosting this year's "Camporee"; and

**WHEREAS**, the "Camporee" would be held on Friday, September 29, 2006

through Sunday, October 1, 2006; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of One Thousand and 00/100 Dollars (\$1,000.00), payment of which shall be guaranteed by the Boy Scouts of America; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Boy Scouts of America; now, therefore, be it

**1<sup>st</sup>** **RESOLVED**, that the use of County-owned property, i.e. the Francis S. Gabreski Airport in Westhampton Beach, in consideration of the payment of One Thousand and 00/100 Dollars (\$1,000.00), for the purpose of hosting a "Camporee" from September 29, 2006 through October 1, 2006 between the hours of 5:00 p.m. Friday through 1:00 p.m. Sunday is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Boy Scouts of America, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2<sup>nd</sup>** **RESOLVED**, that before this event shall be permitted to occur, the Boy Scouts of America must apply for and obtain a permit from the Commissioner of the Department of Economic Development and Workforce Housing; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Commissioner of the County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed, pursuant to Section 35-2(V) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the "Camporee" at Francis S. Gabreski Airport in Westhampton Beach by the Boy Scouts of America; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Boy Scouts of America shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

**5<sup>th</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 24, 2006

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

Intro. Res. No. 2078A -2006

**BOND RESOLUTION NO. 928 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW  
YORK, AUTHORIZING THE ISSUANCE OF \$2,600,000 BONDS  
TO FINANCE A PART OF THE COST OF THE  
RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD  
AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY,  
TOWN OF BABYLON (CP 5851.310)**

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 \$2,600,000 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 reconstruction/widening of CR 3, Wellwood Avenue Bridge over the Southern State Parkway, Town of Babylon, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$12,280,000. The plan of financing includes (a) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1064-2003, as modified by Resolution 752-2006, (b) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 925-2005, (c) the issuance of \$9,280,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1324-2005, as modified by Resolution No. 600-2006 (d) the issuance of up to \$2,600,000 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or \$520,000) and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that Federal Aid shall be received to pay a part of the cost of the project and any such aid is authorized to be expended for such purpose. Bond anticipation notes are authorized to be issued in the principal amount of up to \$2,600,000.

The maximum amount of serial bonds authorized to be issued pursuant to this resolution is \$520,000.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from November 1, 2004, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 1064-2003.

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

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

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

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

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

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

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

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

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

DATED: August 22, 2006

APPROVED BY:

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

Date: August 23, 2006

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

Intro. Res. No. 2078-2006

Laid on Table 8/22/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 929 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY, TOWN OF BABYLON (CAPITAL PROGRAM NUMBER 5851)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction/Widening of CR 3, Wellwood Avenue Bridge over the Southern State Parkway; and

**WHEREAS**, there are Federal funds available for this appropriation for this project, identified as PIN 0756.71, under the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21), with a share allocation of 80% Federal funds and 20% County funds; and

**WHEREAS**, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the cost of said request under Capital Project 5851 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2006 Capital Budget, as the basis for funding Capital Projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$2,600,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 154 of 2003 classified the action contemplated by this as an Unlisted Action which will not have a significant effect on the environment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction/Widening of CR 3, Wellwood Avenue Bridge over the Southern State Parkway; and be it further

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

Project No.: 5851  
 Project Title: Reconstruction/Widening of CR 3, Wellwood Avenue Bridge over the Southern State Parkway

	Total Est'd Cost	Current 2006 Capital Budget & Program	Revised 2006 Capital Budget & Program
3. Construction	<u>\$10,040,000</u>	\$ 340,000B <u>\$1,300,000F</u>	\$ 520,000B <u>\$2,080,000F</u>
TOTAL	\$10,885,000	\$1,640,000	\$2,600,000

**5<sup>th</sup> RESOLVED**, that the proceeds of \$2,600,000 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>
CAP-525-5851.310 (Fund 001 Debt Service)	50	Reconstruction/Widening of CR 3, Wellwood Avenue Bridge over Southern State Parkway	\$ 2,600,000

and be it further

**6<sup>th</sup> RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$520,000; and be it further

**7<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$2,080,000; and be it further

**8<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$2,080,000; and be it further

**9<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 22, 2006

APPROVED BY:

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

Date: August 23, 2006

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**MEETING RECESSED TO SEPTEMBER 5, 2006  
12:16AM  
TIM LAUBE, CLERK OF THE LEGISLATURE**