

SIXTEENTH DAY
REGULAR MEETING
November 21, 2006

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

The meeting was called to order at 9:32 a. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Legislators Romaine, Browning, Losquadro, Eddington, Montano, Alden, Barraga, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Deputy Presiding Officer Viloría-Fisher arrived at 9:38 a.m.
Legislator Kennedy arrived at 9:45 a.m.
Legislator Schneiderman arrived at 10:01 a.m.
Legislator Caracappa arrived at 10:16 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

[THE MEETING WAS RECESSED AT 10:53 A.M. AND RESUMED AT 11:48 A.M.]

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

[THE MEETING WAS RECESSED AT 12:07 P.M. AND RESUMED AT 12:15 P.M.]

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

[THE MEETING WAS RECESSED AT 12:30 A.M. AND RESUMED AT 2:06 P.M.]

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

(*Brief Recess Taken: 4:53 P.M. - 5:03 P.M. *)

The Clerk called the roll and the following were found present: Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher; Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley,

Mystal, D'Amaro and Cooper.

(*Brief Recess: 5:31 PM - 5:37 PM*)

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

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

Intro. Res. No. 2222-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1173-2006, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 758-2006)

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# 758-2006

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		0200/518-2-12	5073.72	2400.40	2673.32
A	BROOKHAVEN	05/06		0200/726-2-30	9505.34	6260.97	3244.37
A	SMITHTOWN	05/06		0801/8-2-3	29659.20	26410.55	3248.65
A	SMITHTOWN	04/05		0801/8-2-3	27411.58	24234.93	3176.65
A	SMITHTOWN	03/04		0801/8-2-3	25354.99	22580.65	2774.34
A	SOUTHAMPTON	05/06		0900/84-1-35.45	14467.42	11957.44	2509.98
A	SOUTHAMPTON	05/06		0900/251-5-2	14108.12	8563.79	5454.33
A	SOUTHAMPTON	05/06		0907/3-1-21	11957.74	9099.00	2858.74

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2256-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/17/2006

RESOLUTION NO. 1174 -2006, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE UNITED STATES DEPARTMENT OF LABOR – EMPLOYMENT TRAINING ADMINISTRATION (DOL-ETA) FOR A LONG ISLAND MECHATRONICS HIGH GROWTH JOB TRAINING INITIATIVE (HGJTI) 100% REIMBURSED BY FEDERAL FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has submitted a proposal to the United States Department of Labor – Employment Training Administration (DOL-ETA), in the amount of \$1,971,622, including indirect costs, for a three-year Long Island Mechatronics High Growth Job Training Initiative (HGJTI), for the period of January 1, 2007 through December 31, 2009; and

WHEREAS, the three-year grant will provide \$387,884 for year one, \$493,306 for year two, and \$1,090,232 for year three, including indirect costs; and

WHEREAS, the program provides for the expansion of the existing Long Island Regional Mechatronics Training Initiative, funded by a DOL-ETA Community-Based Job Training Grant, by providing additional training for incumbent and dislocated workers, a bilingual class component, manufacturing youth summer camps, technical expos and regional sharing of information; 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 September 14, 2006 by Resolution No. 2006.67; and

WHEREAS, the College anticipates spending the \$387,884 for the first year of the grant, in accordance with the terms of said grant, if funded, before December 31, 2007; now therefore be it

1st **RESOLVED**, that said three-year grant is subject to the award by the funding source; and be it further

2nd **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

3rd **RESOLVED**, that said three-year grant proposal to the United States Department of Labor – Employment Training Administration (DOL-ETA) for a Long Island Mechatronics High Growth Job Training Initiative (HGJTI), in the amount of \$1,971,622, including indirect costs, be accepted, and contingent upon the awarding of the grant, \$387,884, including \$75,802 in indirect costs, to be appropriated for the first year of operation of the program as follows:

REVENUES:	AMOUNT:
Federal Aid: LI Mechatronics HGJTI: 818-4238	\$ 387,884

APPROPRIATIONS:	AMOUNT:
NLI Mechatronics HGJTI: 818-GRT-GT43	\$ 312,082

Suffolk County Community College
 LI Mechatronics HGJTI
 818-GRT-GT43

1000-Personal Services	\$103,199
1100-Permanent Salaries	15,485
1130-Temporary Salaries	9,120
1170-Part-time Instructor – Evening	47,700
1180-Part-time Instructor – Summer	11,448
1570-Full-time Overload – Evening	19,446
 2000-Equipment	 \$60,000
2440-Instructional Equipment	60,000
 3000-Supplies and Materials	 \$6,000
3010-Office Supplies	2,000
3100-Instructional Supplies	3,000
3500-Unclassified Supplies	1,000
 4300-Travel	 \$7,200
4330-Travel, Employee Contracts	800
4340-Travel, Other	6,400
 4500-Contractual Services	 \$116,000
4560-Fees for Services, Non-Employees	116,000
 8000-Employee Benefits	 \$19,683
8160-TIAA/CREF Retirement	7,526
8300-Workers' Comp	58
8330-Social Security	7,895
8350-Unemployment Insurance	454
8360-Health Insurance	3,300
8380-Benefit Fund Contribution	450

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1175 -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 ST. CHRISTOPHER OTTILE (SCO) FAMILY OF SERVICES FOR PRE-OPERATIONAL ONE TIME ONLY FUNDING OF A NEW COMMUNITY RESIDENCE

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

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded St. Christopher Ottile (SCO) Family of Services additional 100% State Aid in the amount of \$130,678 for pre-operational one time only funding of a new community residence; and

WHEREAS, this unallocated 100% additional State Aid from the New York State Office of Alcoholism and Substance Abuse Services is not currently included in the 2006 Adopted Operating Budget; now, therefore be it

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

<u>REVENUES</u>	<u>AMOUNT</u>
001- 3486 State Aid: Narcotics Addiction Control	\$130,678

ORGANIZATIONS

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

<u>PSEUDO</u>	<u>AGENCY/CONTRACT NAME</u>	<u>2006 Adopted</u>	<u>2006 Modified Adopted</u>	<u>Change</u>
AKT1	St. Christopher Ottile	\$555,942	\$686,620	+\$130,678

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with St. Christopher Ottile; and be it further

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2255-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1176 -2006, TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY MENTAL HYGIENE SERVICES FOR A COST OF LIVING ADJUSTMENT (COLA) AND TO RESTORE FUNDING TO PROGRAMS THAT WERE IMPACTED BY THE 2005 CALENDAR YEAR BUDGET

WHEREAS, the New York State Office of Mental Health has awarded a cost of living increase to the Department of Health Services, Community Mental Hygiene Services for Provider Agencies; and

WHEREAS, this COLA is effective October 1, 2006; and was calculated on the approved eligible State Aid by provider and was added to each eligible provider's funded program; and

WHEREAS, the New York State Legislature restored 100% State Aid funding in the 2006-07 enacted New York State Budget to agencies and programs which were impacted in the 2005 calendar year; and

WHEREAS, this unallocated 100% additional State Aid from the New York State Office of Mental Health is not currently included in the 2006 Adopted Operating Budget; now, therefore be it

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

REVENUES

001- 3493 State Aid: Community Support Services

AMOUNT

\$132,447

\$132,447

ORGANIZATIONS

Department of Health Services
Division of Community Mental Hygiene Services
001-HSV-4330-4980

<u>Pseudo</u>	<u>Agency/Provider Name</u>	<u>+ Change</u>
ADJ1	CLUBHOUSE MED TRAINING	505
ADK1	CLUBHOUSE	4,714
ADK2	CLUBHOUSE DROP-IN	341
ADL1	CLUBHOUSE PSYC	2,294
AGP1	FAMILY SERVICE LEAGUE	1,217
AGZ1	FAMILY SERVICE LEAGUE CAPT	219
AHH2	FAMILY SVC LEAGUE - COORD CHLD SVS	532
AHL1	FED ASSOC CONSUMER ENTRP SYSTEM	1,247
AHM1	FEDERATION OF ORGANIZATIONS	4,885
AHN1	FEDERATION MULTI CULTURAL CONF.	126
AHO1	FEDRTN - HOMELESS MENTALLY ILL	3,254
AHP2	FEDERATION OF ORGANIZATION	18,882
AIM1	HALI PSYCHOSOCIAL	1,693
AIN1	HALI ADVOCACY	2,931
ALC1	MARYHAVEN	4,608
ALC5	MARYHAVEN - PSY REHAB SPEC EMP	968
ALG3	MEN HLTH ASSOC - C&Y YOUTH CONF	570
ALG4	MENTAL HLTH ASSOC ANTI-STIGMA	82
ALG5	MENTAL HEALTH ASSOC.	161
ANL2	PEDERSON Krag SUPP CASE MGMT	2,137
APK2	SAYVILLE PROJECT - DROP-IN	683
ASR1	SUNY SAYVILLE PROJECT	1,986
DDD1	MENTAL HEALTH ASSOCIATION	1,222
GBD1	FEDERATION - REP PAYEE	828
GBE2	J.C.S.L.I. - F.E.G.S. - DROP-IN	1,367
GBF1	MENTAL HLTH ASSOC - ADVOCACY	1,301
GBF2	MENTAL HLTH ASSOC - ELEC EMPOWER	488
GBG1	FEDERATION - ADVOCACY	2,670
GBG2	FEDERATION - RESPITE	497
GBG3	FEDERATION - DROP-IN	1,708
GBQ1	ADELANTE	683
GCY1	FEDERATION OF ORG. RESPITE HOUSING	588
GEB1	CATHOLIC CHARITIES ACT TEAM	855
GEC1	PEDERSON Krag ACT TEAM	855
GFK1	CLUBHOUSE ASST COMP EMP	1,259
GGQ1	ADELANTE PSYCH REHAB SPEC EMP	350
GGR1	F.R.E.E. PSYCH REHAB SPEC EMP	938
GJP1	FEDERATION SERVICE ENRICHED SRO	5,739
GKQ1	FEGS OF LI - TRANS MGT/MED MGT	3,133
GKR1	LONG ISLAND FAMILIES TOGETHER	375
GNT1	ADELANTE PSYCHOSOCIAL CLUB	341
GPA1	FEDERATION PEER BRIDGER	2,602
GPB1	PHOENIX HOUSE RESIDENTIAL PROGRAM	732
GPC1	HALI PEER ADVOCACY	2,638

GPE1	FEDERATION PRE-ARREST FORENSIC	1,697
GPF1	HALI PRE-ARREST FORENSIC	1,697
GPH1	CLUBHOUSE SUFFOLK SUPPORTED ED	433
GPJ1	FSL SUPPORTIVE CASE MGMT	5,303
GPK1	FAMILY SVC LEAGUE ACT TEAM	612
GPL1	FEGS OF LI ACT TEAM	855
GPN1	PEDERSON Krag NI ACT TEAM	855
GSJ1	MARYHAVEN CSS TRANSPORTATION	12,970
GST1	PEDERSON Krag SCHOOL SUPPLY PROG	675
GSV1	FEDERATION SINGLE POINT OF ENTRY	2,689
GTL1	FEDERATION-CLIENT SERVICE DOLLAR	379
GUR1	FED OF ORG TRANSPORTATION	4,340
GUS1	PEDERSON Krag CASE MGT TRAI	74
GUT1	FAMILY SRVC LEAGUE SUPP CAS	3,596
GYZ1	F.R.E.E. SINGLE POINT OF ACCESS	1,594
GZC1	FEGS SUPP CASE	2,671
GZD1	S.C.C. SPA DATABASE	358
GZG1	HALI CSS	119
GZH1	FEDERATION ACT TEAM	855
GZI1	FEDERATION ADULT HOME CASE MGT.	1,690
HAL1	H.A.L.I. - RESOURCE CENTER	407
HAL2	H.A.L.I. - DROP-IN	1,025
HAL3	H.A.L.I. - SELF DIRECTED REHAB	310
HEV1	FSL ADULT HOME CASE MGT.	507
HEW1	CLUBHOUSE ADULT HOME CASE MGT.	507
PKP1	PEDERSON Krag - DROP-IN	1,025

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named agencies; and be it further

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2252-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1177 -2006, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$712,200 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR THE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP FFY2006) WITH 100% SUPPORT

WHEREAS, the New York State Office of Homeland Security has made \$712,200 in Federal pass-through funds from the 2006 State Homeland Security Grant program available to Suffolk County for the LETPP FFY2006 Program to be administered by the Suffolk County Police Department; and

WHEREAS, this program is designed to assist law enforcement in the prevention, deterrence and response to terrorist attacks; and

WHEREAS, the operational period of the Program will be from July 1, 2006 through June 30, 2008; and

WHEREAS, said grant funds have not been included in the 2006 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUE:</u>	<u>AMOUNT</u>
001-4387– Federal Aid: LETPP 06	\$712,200

ORGANIZATIONS:

Police Department (POL)
LETPP 06
001-POL-3290

<u>1000 – Personal Services</u>	<u>\$126,789</u>
1120 – Overtime Salaries	126,789
<u>2000 – Equipment</u>	<u>\$552,900</u>
2020 – Office Machines	19,500
2040 – Trucks, Trailers & Jeeps	49,000
2050 – Other Motorized Equipment	5,000
2070 – Cameras and Photographic	6,338
2090 – Radio & Communication	132,900
2500 – Other Equipment, Not Otherwise	340,162
<u>4000 – Utilities</u>	<u>\$3,300</u>
4010 – Telephone & Telegraph	3,300
<u>4500 – Fees for Services</u>	<u>\$6,000</u>

4560 – Fees for Services, Non-Employees 6,000

Employee Benefits
Retirement
001-EMP-9010

8000 – Employee Benefits \$21,372
8280 – Retirement 21,372

Employee Benefits
Social Security
001-EMP-9030

8000 – Employee Benefits \$1,839
8330 – Social Security 1,839

and be it further

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2340-2006 Laid on Table 11/8/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1178 -2006, ACCEPTING AND APPROPRIATING 100% REIMBURSABLE FUNDS FOR THE AAA TRANSPORTATION PROGRAM

WHEREAS, the State has made available to Suffolk County funding for AAA Transportation in the amount of \$64,523; and

WHEREAS, this grant will be utilized to assist nutrition program contractors with transportation costs associated with the transportation of seniors throughout Suffolk County;

WHEREAS, said program is to run from April 1, 2006 through March 31, 2007;

WHEREAS, this new funding has not been included in the 2006 Adopted County Budget; and

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

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

REVENUES:

001-3772 State Aid: Programs for Aging \$64,523

ORGANIZATIONS:

County Executive
Human Services: Office for the Aging
001-EXE-6806

Contracted Expenses \$64,523
4980-Contracted Agencies \$64,523

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2196-2006
Introduced by Legislator Barraga

Laid on Table 10/17/2006

**RESOLUTION NO. 1179 –2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
535-2006**

WHEREAS, Resolution No. 535-2006 when adopted contained technical errors;
and

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

RESOLVED, that Appendix A of Resolution No. 535-2006 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	DSS	6004	6004	4981	Covenant Presbyterian	-\$1,000

TO:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	6004	6004	4981	Westminster United Presbyterian Church	+\$1,000

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2197-2006 Laid on Table 10/17/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1180 -2006, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 988-2006

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 988-2006; and

WHEREAS, this resolution when adopted contained technical error; and

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

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

Resolution No. 988-2006

1. In the 6th WHEREAS paragraph change the Amount from

FROM:

TO:

\$230,582 \$230,583

2. In the 5th RESOLVED paragraph change the Amount from

<u>FROM:</u>	<u>TO:</u>
<u>Amount</u>	<u>Amount</u>
\$230,582	\$230,583

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2198-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1181 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
878-2005**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 878-2005; 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. 878-2005

In the 7th RESOLVED paragraph change the Project No.

<u>FROM:</u>	<u>TO:</u>
<u>Project No.</u>	<u>Project No.</u>
525-CAP-8710.312	525-CAP-8710.314

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2224-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1182 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LINDA PEDRO and NATHAN DUKES JR. (SCTM NO. 0100-054.00-04.00-025.000)

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 054.00, Block 04.00, Lot 025.000, and acquired by tax deed on June 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 24, 2004, in Liber 12326, at Page 758, and otherwise known as and by Town of Babylon, known and designated as Lots 6, 7, 8, 9, and 10 on a certain map entitled "Map of Home Acres", and filed in the Office of the County Clerk of Suffolk County on May 27, 1931, as Map No. 300; said Lots being Block 9 on said 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 June 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 24, 2004 in Liber 12326 at Page 758; and

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, LINDA PEDRO and NATHAN DUKES JR., have made application of said above described parcel and LINDA PEDRO and NATHAN DUKES JR., have paid the application fee and will be paying \$36,776.27 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LINDA PEDRO and NATHAN DUKES JR., c/o John Graffeo Esq., 202 East Main Street, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2225-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1183 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 130 SUFFOLK AVENUE CORPORATION (SCTM NO. 0500-119.00-01.00-083.000)

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 119.00, Block 01.00, Lot 083.000, and acquired by tax deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, known and designated on a certain map entitled, "Map of Motor Parkway Acreage, located at Brentwood, Town of Islip, Suffolk County, New York, comprising 327 Lots

and 2013 Acreage Plots, developed by Cadman H. Frederick, 358 Broadway, New York City”, surveyed December, 1928, by George H. Walbridge Co., and filed in the Office of the Clerk of Suffolk County, April 20, 1929, as Map Number 1020 as and by Lots numbered 1, 2, and 3; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600; 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, EDGAR BONILLA, as President, has made application of said above described parcel and EDGAR BONILLA, as President, has paid the application fee and \$51,954.06, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to 130 SUFFOLK AVENUE CORPORATION, 130 W. Suffolk Avenue, Central Islip, New York 11722, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2226-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1184 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BRENT BOYCE and LYRIS CANTON, as Joint Tenants (SCTM NO. 0302-004.00-02.00-008.000)

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 Incorporated Village of Sag Harbor, Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0302, Section 004.00, Block 02.00, Lot 008.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 647, and otherwise known as and by Incorporated Village of Sag Harbor, Town of East Hampton, shown and designated as Lot number 25 on the subdivision map of Sag Harbor Hills, filed in the Office of the Clerk of Suffolk County, New York on May 8, 1950 as Map No. 1748; and

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

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

WHEREAS, LYRIS CANTON has made application of said above described parcel and LYRIS CANTON has paid the application fee and \$1,388.37, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to BRENT BOYCE and LYRIS CANTON, as Joint Tenants, 493 Manhattan Avenue, New York, New York 10027, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2227-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1185 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CARL BROUARD (SCTM NO. 0200-982.10-03.00-027.001)

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 982.10, Block 03.00, Lot 027.001, and acquired by tax deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006, in Liber 12454, at Page 674, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as the Southerly ½ of lots 7406 to 7410 both inclusive and all of Lots 7401 to 7405 both inclusive as shown on a certain map entitled "Third Map of Mastic Beach, Suffolk County New York and filed in the Suffolk County Clerk's Office on 11-11-26 as Map #626; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006 in Liber 12454 at Page 674; 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, CARL BROUARD has made application of said above described parcel and CARL BROUARD has paid the application fee and \$4,169.87, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CARL BROUARD, 192 Main Street, Mastic, New York 11950, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2228-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1186 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CARLTON H. SEAY (SCTM NO. 0600-102.00-03.00-031.000)

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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as

District 0600, Section 102.00, Block 03.00, Lot 031.000, and acquired by tax deed on May 23, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 31, 2006, in Liber 12452, at Page 684, and otherwise known as and by Town of Riverhead, N x now or formerly Willis Carrie Ethel; E x Harrison Avenue; S x now or formerly Seay Hildie; W x now or formerly Harris George; 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 23, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 31, 2006 in Liber 12452 at Page 684; 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, CARLTON H. SEAY has made application of said above described parcel and CARLTON H. SEAY has paid the application fee and \$34,668.92, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CARLTON H. SEAY, 711 Harrison Avenue, Riverhead, New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2229-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/17/2006

RESOLUTION NO. 1187 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DANIEL P. CHRISTOPHER (SCTM NO. 0200-973.20-04.00-050.000)

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

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

District 0200, Section 973.20, Block 04.00, Lot 050.000, and acquired by tax deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006, in Liber 12454, at Page 674, and otherwise known as and by Town of Brookhaven, bounded now or formerly North by Beverly V. Maler, bounded East by Maple Avenue, bounded now or formerly South by Robert J. & Vero Bronsveld, bounded now or formerly West by Lutheran Church of our Savior; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006 in Liber 12454 at Page 674; 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, DANIEL P. CHRISTOPHER has made application of said above described parcel and DANIEL P. CHRISTOPHER has paid the application fee and \$39, 240.81, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DANIEL P. CHRISTOPHER, 280 Maple Avenue, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2230-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/17/2006

**RESOLUTION NO. 1188 -2006, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT EDWIN MORALES and
SANDRA E. MORALES, his wife
(SCTM NO. 0500-204.00-03.00-049.000)**

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 204.00, Block 03.00, Lot 049.000, and acquired by tax deed on August 15, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 368, and otherwise known as and by Town of Islip, County of Suffolk and State of New York, known and designated as Lot 25 on a certain Map entitled, "Map of Radcliff Manor, Section 1" and filed in the Office of the Clerk of the County of Suffolk on November 18, 1960 as Map No. 3270; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 368; 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, EDWIN MORALES and SANDRA E. MORALES, his wife, have made application of said above described parcel and EDWIN MORALES and SANDRA E. MORALES, his wife, have paid the application fee and will be paying \$33,563.58 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through 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

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EDWIN MORALES and SANDRA E. MORALES, his wife, 60 Radcliff Drive, Brentwood, New York 11717, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2231-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1189 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT FRANK GRASSO Administrator of the Estate of Jeanne Courmettes (SCTM NO. 0800-177.00-02.00-007.000)

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 Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 177.00, Block 02.00, Lot 007.000, and acquired by tax deed on March 29, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 30, 2006, in Liber 12442, at Page 992, and otherwise known as and by Town of Smithtown, County of Suffolk and State of New York, known as and by Lot 37 as shown and designated on a certain map entitled "Map of Cloverleaf, Section No. 1, situated at Commack, Town of Smithtown, Suffolk County, New York, surveyed September 1961, Baldwin & Cornelius Co., Civil Engineers and Surveyors, Commack, New York" and filed in the Office of the Clerk of the County of Suffolk on March 20, 1962 under file No. 3542; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on March 29, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 30, 2006 in Liber 12442 at Page 992; 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, FRANK GRASSO Administrator of the Estate of Jeanne Courmettes, has made application of said above described parcel and FRANK GRASSO Administrator of the Estate of Jeanne Courmettes, has paid the application fee and will be paying \$34,006.04 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to FRANK GRASSO Administrator of the Estate of Jeanne Courmettes, 3 Homestead Path, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2232-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1190 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOHN J. McCLUSKEY, as Administrator of the Estate of John P. McCluskey (SCTM NO. 0100-135.00-03.00-068.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 135.00, Block 03.00, Lot 068.000, and acquired by tax deed on May 10, 2005, from Martin W. Haley, as the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on May 12, 2005, in Liber 12386, at Page 804, and otherwise known as and by Town of Babylon, known and designated as Lot Nos. 1, 2, 3, 4, 5 in Section 6, Block 22 on a certain map entitled "Map of Ezra Park, Babylon, L.I." surveyed January 1926 by Frank Asbury, C.E. and Surveyor, and filed in the Office of the Clerk of Suffolk County on June 18, 1928 as Map No. 161; 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 10, 2005, from Martin W. Haley, as the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on May 12, 2005 in Liber 12386 at Page 804; 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, JOHN J. McCLUSKEY, as Administrator,, has made application of said above described parcel and JOHN J. McCLUSKEY, as Administrator, has paid the application fee and will be paying \$58,799.15 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

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN J. McCLUSKEY, as Administrator of the Estate of John P. McCluskey, 1105 Fifth Street, West Babylon, New York 11704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2233-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1191 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LAMIN BREWER (SCTM NO. 0100-083.00-01.00-009.000)

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 01.00, Lot 009.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 034, and otherwise known as and by Town of Babylon, being known and designated as Lots 25, 26, 27 and 28 in

Block 48 on a certain map entitled, "Map of Colonial Springs, situated at Wyandanch Station, Wyandanch" and filed in the Office of the County of Suffolk as Map #223; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006 in Liber 12457 at Page 034; 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, LAMIN BREWER has made application of said above described parcel and LAMIN BREWER has paid the application fee and \$974.22, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LAMIN BREWER, 137-11 168th Street, Jamaica, New York 11434, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2234-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/17/2006

RESOLUTION NO. 1192 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THOMAS MORAN (SCTM NO. 0500-368.00-01.00-064.000)

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 368.00, Block 01.00, Lot 064.000, and acquired by tax deed on May 4, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on May 8, 2001, in Liber 12117, at Page 227, and otherwise known as and by Town of Islip, known and designated as Lots 43 and 44, in Block 2, on a certain map entitled, "Map of Property belonging to Emma L. Lockwood, situated in Bay Shore", said map being duly filed in the Suffolk County Clerk's Office on the 10th day of April, 1910, as Map No. 394; 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, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on May 8, 2001 in Liber 12117 at Page 227; 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, THOMAS MORAN has made application of said above described parcel and THOMAS MORAN has paid the application fee and \$64,713.39, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to THOMAS MORAN, 1528 St. Louis Avenue, Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2235-2006 Laid on Table
10/17/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1193 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 130 SUFFOLK AVENUE CORPORATION (SCTM NO. 0500-119.00-01.00-081.000)

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 119.00, Block 01.00, Lot 081.000, and acquired by tax deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, known and designated on a certain map entitled, "Map of Motor Parkway Acreage, located at Brentwood, Town of Islip, Suffolk County, New York, comprising 327 Lots and 2013 Acreage Plots, developed by Cadman H. Frederick, 358 Broadway, New York City", surveyed December, 1928, by George H. Walbridge Co., and filed in the Office of the Clerk of Suffolk County, April 20, 1929, as Map Number 1020 as and by Lots numbered 7 and 8; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600; 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, EDGAR BONILLA, as President, has made application of said above described parcel and EDGAR BONILLA, as President, has paid the application fee and \$13,717.70, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to 130 SUFFOLK AVENUE CORPORATION, 130 W. Suffolk Avenue, Central Islip, New York 11722, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2237-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1194 -2006, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
PAWAL WOJDAT AND ALDONA WOJDAT, HIS WIFE (SCTM
NO. 0103-012.00-01.00-049.002)**

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 Lindenhurst, 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 0103 Section 012.00 Block 01.00 Lot 049.002 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, Incorporated Village of Lindenhurst, Town of Babylon, Sheet #2, Map of Wellwood – Map #155 Blk 88, p/o Lot 38; 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, Pawal Wojdat and Aldona Wojdat, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$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 \$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 \$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

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

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

3rd RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Pawal Wojdat and Aldona Wojdat, his wife, 300 East John Street, Lindenhurst, NY 11757.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2239-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1195 -2006, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 KAREN OSBORNE (SCTM NO. 0100-
058.00-06.00-038.000)**

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; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 058.00 Block 06.00 Lot 038.000 and acquired by Tax Deed on October 27, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 2, 2000 in Liber 12082 at Page 202 and described as follows, Town of Babylon, Lot No. 49, in Block No. 36 as shown on a certain map entitled "Map of Colonial Springs," and filed in the Office of the Clerk of the County of Suffolk on March 16, 1926 as Map No. 223; 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, Karen Osborne, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

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

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$2,000.00, pursuant to said purchase offer; and

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

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

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

3rd **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 Karen Osborne, 963 East 229th Street, Bronx, New York 10466.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2341-2006

Laid on Table 11/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1196 -2006, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION
1021-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1021-2006; and

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

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

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

1) In the title:

**RESOLUTION NO. -2006, AUTHORIZING ACQUISITION OF
LAND UNDER THE SUFFOLK COUNTY OPEN SPACE
PRESERVATION PROGRAM – JOSEPH F. GAZZA PROPERTY –
PINE BARRENS CORE AREA (TOWN OF SOUTHAMPTON – SCTM
NO. 0900-243.00-03.00-022.000, 047.000 & 055.000, 0900-245.00-
01.00-015.000, 0900-281.00-03.00-006.000, 024.000, 026.000, 038.000
047.000 & 049.000, 0900-283.00-01.00-012.000, 014.000, 0900-306.00-
01.00-022.000 [& 030.000], 0900-307.00-01.00-030.000)**

2) in the 1st resolved clause:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Eighty Thousand Three Hundred Dollars (\$80,300.00+/-), at \$5,000.00 per acre for 16.06± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 243.00 Block 03.00 Lot 022.000	16.06± acres	Joseph F. Gazza 5 Ogden Lane Quogue, NY 11959
No. 2	District 0900 Section 243.00 Block 03.00 Lot 047.000		
No. 3	District 0900 Section 243.00 Block 03.00		

	Lot	055.000
No. 4	District	0900
	Section	245.00
	Block	01.00
	Lot	015.000
No. 5	District	0900
	Section	281.00
	Block	03.00
	Lot	006.000
No. 6	District	0900
	Section	281.00
	Block	03.00
	Lot	024.000
No. 7	District	0900
	Section	281.00
	Block	03.00
	Lot	026.000
No. 8	District	0900
	Section	281.00
	Block	03.00
	Lot	038.000
No. 9	District	0900
	Section	281.00
	Block	03.00
	Lot	047.000
No. 10	District	0900
	Section	281.00
	Block	03.00
	Lot	049.000
No. 11	District	0900
	Section	283.00
	Block	01.00
	Lot	012.000
No. 12	District	0900
	Section	283.00
	Block	01.00
	Lot	014.000
No. 13	District	0900
	Section	306.00
	Block	01.00

	Lot	022.000
[No. 14	District	0900
	Section	306.00
	Block	01.00
	Lot	030.000]
<u>No. 14</u>	<u>District</u>	<u>0900</u>
	<u>Section</u>	<u>307.00</u>
	<u>Block</u>	<u>01.00</u>
	<u>Lot</u>	<u>030.000</u>

[] denotes deleted language
 ___ denotes added language

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2100-2006

Laid on Table 9/19/2006

Introduced by Legislator Alden and Eddington

RESOLUTION NO. 1197 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AMENDING THE 2006 OPERATING BUDGET, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SEWER DISTRICT NO. 7 - MEDFORD (CP 8150)

WHEREAS, there is a need to renovate the sewerage facilities at the Medford Sewer District; and

WHEREAS, this project will benefit all of the users in Sewer District No. 7 by reducing the possibility of sanitary sewer overflow occurrences and potential fines and litigation by the New York State Department of Environmental Conservation; and

WHEREAS, there are insufficient funds in the 2006 Capital Budget and Program for construction of the improvements to the Medford Sewer District; and

WHEREAS, it is proposed that the Assessment Stabilization Reserve Fund provide \$300,000 to rehabilitate Medford's sewer collection system and pump stations; and

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

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

RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-four (74) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project Number: 8150

Project Title: SD #7 – Medford Sewer System Improvements

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
3. Construction	\$300,000	\$0	\$300,000A
TOTAL	\$300,000	\$0	\$300,000

and be it further

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

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$300,000
527-IFT-R404-Transfer from Fund 404	\$300,000

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

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8150.310	50	SD #7 – Medford Sewer System Improvements	\$300,000

and be it further

RESOLVED, that the Administrative Head of the Sewer Districts be and hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to construction of this project; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution implements a program for which SEQRA review was previously completed and, therefore, the resolution constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

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

Intro. Res. No. 2253-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1198 -2006, ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR AN EDUCATIONAL OPPORTUNITY PROGRAM 75% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2005-2006 College Operating Budget provides \$117,452, including \$42,652 for a Pre-Freshman Summer Program, for an Educational Opportunity Program (EOP) grant from the State University of New York, for the period of September 1, 2005 through August 31, 2006; and

WHEREAS, the grant award has been increased by an additional amount of \$9,820, to provide for summer program operating costs, bringing the total amount of the grant award to \$127,272; and

WHEREAS, it is necessary to amend the College Budget in the amount of \$9,820 to provide for the increase in the grant award; and

WHEREAS, matching funds in the amount of \$17,092 were provided for in the College Operating Budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2006-2007 College Budget for the increase in the grant award in the amount of \$9,820 on September 14, 2006 by Resolution No. 2006.66; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of \$9,820 in accordance with the terms of said grant before August 31, 2006; now therefore be it

1st RESOLVED, that said 2006-2007 College Budget be amended to reflect the increase in the grant award from the State University of New York, for an Educational Opportunity Program grant in the amount of \$9,820, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT:
State Aid: EOP: 818-GRT-3203-06	\$9,820
APPROPRIATIONS:	AMOUNT:
EOP: 818-GRT-GC07-06	\$9,820
Suffolk County Community College Educational Opportunity Program (EOP) 818-GRT-GC07-06	
1000-Personal Services	\$ 8,450
1180-Part-time Instructors - Summer	8,450
8000-Employee Benefits	\$ 1,370
8100-Teachers' Retirement System	673
8330-Social Security	646
8350-Unemployment Insurance	51

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2281-2006

Laid on Table 10/17/2006

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

RESOLUTION NO. 1199 -2006, ALLOCATING DOWNTOWN REVITALIZATION FUNDS (Phase VI) AND APPROPRIATING THE 2006 DOWNTOWN REVITALIZATION FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY DOWNTOWN REVITALIZATION PROGRAM (CP 6412)

WHEREAS, the Suffolk County Downtown Citizens Advisory Panel has solicited applications requesting funding through Phase VI of the Suffolk County Downtown Revitalization Program (CP-6412); and

WHEREAS, the Panel evaluated the applications and ranked the submitted projects according to a merit based scoring system which includes points for Leveraging; Smart Growth Compatibility; Economic, Beautification, Visitor and Business Impact; Environmental Compatibility and as an Integral Part of Overall Downtown Revitalization Plan; and

WHEREAS, as a result of the panel's systematic, detailed, and objective review and analysis the attached recommendations are hereby submitted for approval; and

WHEREAS, the 2006 Adopted Capital Program includes \$500,000 funding for the Phase VI of the Downtown Revitalization Program; and

WHEREAS, there exists a fund balance in CP-6412 which covers the additional \$30,000 in awards; and

WHEREAS, the 2nd paragraph of the 4th RESOLVED clause of Resolution No. 808-1998 requires approval of the allocation of funds from the Suffolk County Downtown Revitalization Program, via duly enacted Resolution; now, therefore be it

RESOLVED, that the allocation of \$500,000 for Phase VI of the Downtown Revitalization Program provided in the Adopted 2006 Capital Budget, as set forth on "Exhibit A" attached hereto and made a part hereof, is hereby approved; and be it further

RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-one (31) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that the Adopted 2006 Operating Budget includes interfund appropriations of \$500,000 within the Downtown Revitalization Fund (Fund 191) for said transfer; and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Org</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R191	E525	Transfer from Downtown Revitalization	\$500,000

and be it further

RESOLVED, that the proceeds of \$500,000 in Downtown Revitalization Funds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-6412.314	35	Downtown Revitalization Program Phase VI	\$500,000

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2172-2006
Introduced by Legislator Schneiderman

Laid on Table 9/19/2006

**RESOLUTION NO. 1200 –2006, AUTHORIZING PLANNING
STEPS FOR THE ACQUISITION OF LAND UNDER THE NEW**

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (LORENZEN PROPERTY – TOWN OF BROOKHAVEN)

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” authorizes the use of 13.55% of sales and compensating use tax proceeds generated each year for open space acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

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

1st RESOLVED, that the parcel(s) listed in Exhibit "A", consisting of approximately 8 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the New Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that the parcels listed in Exhibit “A” meet the criteria required by the New Drinking Water Protection Program in that they are lands “located fully or partially within a statutorily designated Special Groundwater Protection Area”; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

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

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 834.00 Block 04.00 Lot 001.000	±8	H. Stan Lorenzen P.O. Box 107 East Moriches, NY 11940
Total Acreage		±8	

EXHIBIT "A"

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

Intro. Res. No. 2201-2006

Laid on Table 10/17/2006

Introduced by the Presiding Officer

RESOLUTION NO. 1201 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED TIMBER POINT POLICE MARINA EXISTING BULKHEAD REFACING, (CP 5377), TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Timber Point Police Marina Existing Bulkhead Refacing CP #5377, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the refacing of the existing timber bulkhead in-kind; and

WHEREAS, at its September 20, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered an 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 September 27, 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 Timber Point Police Marina Existing Bulkhead Refacing, (CONSUMER PROTECTION 5377), 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 the maintenance, repair, replacement, rehabilitation or reconstruction of a structure in-kind on the same site; 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2203-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1203 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED IMPROVEMENTS TO CR 39, NORTH ROAD FROM SR 27, SUNRISE HIGHWAY TO CR 38, NORTH SEA ROAD, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Improvements to CR 39, North Road from SR 27, Sunrise Highway to CR 38, North Sea Road, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project will enable the County of Suffolk to progress the widening of CR 39, North Road from the SR 27, Sunrise Highway to CR 38, North Sea Road, providing 2 eastbound and 2 westbound travel lanes while accompanied by a continuous left turn lane where required. The shoulders and proposed pavement will be reconstructed with full depth pavement and the entire roadway will be resurfaced with asphalt. The bridge at St. Andrews Road will be replaced and widened. Curb and sidewalks will be installed where it currently exists. Problematic flooding areas will be corrected with the installation of leaching basins and modifications to existing drainage systems. New traffic signals will be installed at Tuckahoe Road, Magee Street and CR 52, Sandy Hollow Road. New pavement markings and signs will also be provided as part of this project. This reconstruction will be contained within the existing 66' ROW. All work that requires land closures will be performed during nighttime hours; 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 September 20, 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 September 27, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Improvements to CR 39, North Road from SR 27, Sunrise Highway to CR 38, North Sea Road, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effects on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) Existing traffic congestion and safety will be significantly improved;
- 5.) Air quality along the corridor will be significantly improved;
- 6.) Indigenous trees will be planted along the road with the approval of adjacent property owners;
- 7.) All work that requires lane closures will be performed during nighttime hours to minimize traffic delays due to construction;
- 8.) All necessary N.Y.S.D.E.C. permits will be obtained;
- 9.) The St. Andrews Road bridge identification plaques and photos will be given to the Suffolk County Director of Historic Services; and
- 10.) The Southampton Town Board, Supervisor and Conservation Board support the project;

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2204-2006

Laid on Table 10/17/2006

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 1204 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FORGE RIVER WATERSHED ADDITION – THE ESTATE OF DERENZIS PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Forge River Watershed Addition – The Estate of Derenzis Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.092 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 20, 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 September 27, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Forge River Watershed Addition – The Estate of Derenzis Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2205-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1205 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SAN REMO FLOODPLAIN-KINGS PARK BOAT CLUB, INC. PROPERTY, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the San Remo Floodplain-Kings Park Boat Club, Inc.

Property, Town of Smithtown", 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 September 20, 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 September 27, 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 San Remo Floodplain-Kings Park Boat Club, Inc. Property, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effects 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro Res. No. 2206-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1206 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SANTAPOGUE CREEK ADDITION-NEW ALLIED REALTY CORP. PROPERTY, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Santapogue Creek Addition-New Allied Realty Corp. Property, Town of Babylon" pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.0 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 September 20, 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 September 27, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Santapogue Creek Addition-New Allied Realty Corp. Property, Town of Babylon constitutes an unlisted action,

pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2207-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1207 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FRESH POND ADDITION – CARICH PROPERTY, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond Addition – Carich Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.05 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 September 20, 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 September 27, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond Addition – Carich Property, Town of Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2208-2006

Laid on Table 10/17/2006

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 1208 -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 - THE ESTATE OF PLUMMER 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 – The Estate of Plummer Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.46 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 September 20, 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 Charter; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated September 27, 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 – The Estate of Plummer Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2209-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1209 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE HASHAMOMUCK POND ADDITION – O'DOHERTY PROPERTY, TOWN OF SOUTHOLD

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 Hashamomuck Pond Addition – O'Doherty Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 7.40 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 September 20, 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 September 27, 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 Hashamomuck Pond Addition - O'Doherty Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

Legislator Losquadro made motion for the following resolution, seconded by

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

Intro. Res. No. 2210-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1210 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE HASHAMOMUCK POND ADDITION – CARDINALE PROPERTY, TOWN OF SOUTHOLD

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 Hashamomuck Pond Addition – Cardinale Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of .72 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 September 20, 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 September 27, 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 Hashamomuck Pond Addition – Cardinale Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2211-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1211 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE HASHAMOMUCK POND ADDITION – O’HARA, DALTON, ESTATE OF FREIDMAN & GREEN PROPERTY, TOWN OF SOUTHOLD

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 Hashamomuck Pond Addition – O’Hara, Dalton, Estate of Freidman & Green Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2.6 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 September 20, 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 September 27, 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 Hashamomuck Pond Addition – “O’Hara, Dalton, Estate of Freidman & Green Property, Town of Southold constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2212-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1212 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES – KUMMER PROPERTY, TOWN OF HUNTINGTON

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

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

WHEREAS, at its September 20, 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 September 27, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates – Kummer Property, Town of Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2213-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1213 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED INSTALLATION OF SIDEWALKS ON CR 35, PARK AVENUE, FROM LEBKAMP AVENUE TO CR 86, BROADWAY-GREENLAWN, (CP 5497), TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Installation of Sidewalks on CR 35, Park Avenue, from Lebkamp Avenue to CR 86, Broadway-Greenlawn, (CP 5497), Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the installation of curbs and sidewalks, with handicap ramps, on one or both sides of the road connecting existing sidewalk segments; 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 September 20, 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 September 27, 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 Installation of Sidewalks on CR 35, Park Avenue, from Lebkamp Avenue to CR 86, Broadway-Greenlawn, (CP 5497), Town of Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) Road runoff problems currently encountered by adjacent property owners will be corrected;
- 5.) Pedestrian safety will be improved; and
- 6.) Indigenous trees will be planted with the approval of adjacent property owners;

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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2214-2006
Introduced by the Presiding Officer

Laid on Table 10/17/2006

RESOLUTION NO. 1214 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR HAMLET PARK PURPOSES KNOWN AS THE LAKE RONKONKOMA COUNTY PARK ADDITION – COMMERDINGER PROPERTY, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Hamlet Park Purposes Known as the Lake Ronkonkoma County Park Addition – Commerdinger Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±5.58 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 September 20, 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 September 27, 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 Hamlet Park Purposes Known as the Lake Ronkonkoma County Park Addition – Commerdinger Property, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

- 2.) The property will be dedicated to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational 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: November 21, 2006

APPROVED BY:

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

Date: November 27, 2006

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

Intro. Res. No. 2246-2006

Laid on Table 10/17/2006

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

**RESOLUTION NO. 1215 -2006, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM FOR
PARKLAND PURPOSES - FOR THE THOMAS AND
SWEENEY PROPERTY TOWN OF SMITHTOWN -
(SCTM NO. 0800-171.00-05.00-002.000)**

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

WHEREAS, Resolution No. 1121-2005 appropriated \$12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 544-2005 authorized planning steps for acquisition of the subject property; and

WHEREAS, this acquisition is subject to the recommendations, if any, of the Commissioner of the Department of Parks, Recreation and Conservation and the Suffolk County Board of Trustees of the Department of Parks, Recreation and Conservation pursuant to Suffolk County Charter Article XXVIII; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program for Parkland purposes for a total purchase price of Three Hundred Ninety Five Thousand Dollars (\$395,000.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0800 Section 171.00 Block 05.00 Lot 002.000	0.36±	Robert Thomas and William Sweeney as Tenants-in-common 4775 Collins Ave. # 4006 Miami, FL 33140

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Three Hundred Ninety Five Thousand Dollars (\$395,000.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$395,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for parkland purposes; and be it further

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

7th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

8th RESOLVED, that in accordance with Section 5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 30, 2006

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

Intro. Res. No. 2247-2006

Laid on Table 10/17/2006

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

RESOLUTION NO.

1216 -2006, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND FOR THE POPP PROPERTY – WHISPERING MEADOWS FARM - TOWN OF RIVERHEAD (SCTM NO. 0600-046.00-03.00-002.000 p/o)

WHEREAS, Local Law No. 34-2004, “A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER to provide a Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund” authorizes the acquisition of farmland development rights, as determined by duly enacted resolution of the County of Suffolk; and

WHEREAS, Resolution No. 1361-2004 appropriated \$35 million for acquisition of farmland development rights under the Farmland component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks, Fund; and

WHEREAS, Resolution No. 892-2002, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, pursuant thereto, said acquisition of farmland development rights is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law, Section 247, and the recommendation of the Suffolk County Farmland Committee; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of Eight Hundred Sixty Thousand Three Hundred Twenty Dollars (\$860,320.00±), at \$95,000.00 per acre, for 9.056± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600	9.056±	Alfred M. and Mary Jane Popp
	Section 046.00		524 Tuthills Lane
	Block 03.00		Aquebogue, NY 11931
	Lot 002.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and director, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER, for the purchase price of Eight Hundred Sixty Thousand Three Hundred Twenty Dollars (\$860,320.00±), at \$95,000.00± per acre for 9.056± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$860,320.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Funds, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

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

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which a SEQRA Determination of Non-Significance has already be issued.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 29, 2006

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

Intro. Res. No. 2248-2006

Laid on Table 10/17/2006

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

RESOLUTION NO. 1217 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT FOR THE COMMERDINGER PROPERTY TOWN OF SMITHTOWN - (SCTM NO. 0800-170.00-02.00-033.001)

WHEREAS, Local Law No. 34-2004, a “Charter Law Adding Article XXXVI to the Suffolk County Charter to Provide a Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund and Permitting the Transfer of Development Rights” was approved by the electorate on November 2, 2004; and

WHEREAS, Resolution No. 1361-2004 appropriated \$10 million for acquisitions under the Hamlet Parks component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund; and

WHEREAS, Resolution No. 1112-2005, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Park component, for a total purchase price of One Million Two Hundred Fifty Three Thousand Four Hundred Dollars (\$1,253,400.00±), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0800 Section 170.00 Block 02.00 Lot 033.001	5.58± acres	Elva Geraldine Albert as Executrix of the Estate of Elva G. Commerdinger c/o Spanton & Parsoff, LLP 425 Broadhollow Road Suite 203 Melville, NY 11747-4701

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of One Million Two

Hundred Fifty Three Thousand Four Hundred Dollars (\$1,253,400.00±), subject to final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,253,400.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for Hamlet Park use as described in Section C36-1(A)(2) of the SUFFOLK COUNTY CHARTER; and be it further

6th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management of operation of said property; and be it further

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

8th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

- 2.) the proposed use of the subject parcel(s) will be for hamlet parks purposes; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and be it further

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: November 29, 2006

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

Intro. Res. No. 2249-2006 Laid on Table 10/17/2006
 Introduced by Presiding Officer, on request of the County Executive and Legislator Stern

RESOLUTION NO. 1218 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE MAURO PROPERTY – EMERALD ESTATES - TOWN OF HUNTINGTON- (SCTM NO. 0400-168.00-02.00-077.000 p/o)

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

WHEREAS, Resolution No. 1121-2005 appropriated \$12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 315-2004 authorized planning steps for acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq.), for a total purchase price of Five Hundred Seventy Thousand Dollars (\$570,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>		<u>REPUTED OWNER</u> <u>ACRES:</u> <u>AND ADDRESS:</u>
No. 1	District 0400	1.90±	Philip and Joann Mauro
	Section 168.00		207A Cuba Hill Road
	Block 02.00		Huntington, NY 11743
	Lot 077.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Five Hundred Seventy Thousand Dollars (\$570,000.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$570,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

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

7th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

8th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

Legislator Romaine made motion for the following resolution, seconded by

Legislator Schneiderman. The resolution was passed 18-0.

Intro. Res. No. 2250-2006

Laid on Table 10/17/2006

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

RESOLUTION NO.

1219 -2006, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION AND HAMLET PARKS FUND AND A CONSERVATION EASEMENT UNDER THE MULTIFACETED LAND PRESERVATION PROGRAM – LAND PRESERVATION PARTNERSHIP – OPEN SPACE FOR THE WESTMORELAND PROPERTY - TOWN OF SHELTER ISLAND (SCTM NO. 0700-022.00-01.00-001.006 p/o,)

WHEREAS, Local Law No. 34-2004, A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER, establishes the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund which authorizes the acquisition of farmland development rights, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, Resolution No.1361-2004 appropriated \$35 million for acquisition of farmland development rights under the Farmland component of the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE ; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking

water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands State II Acquisition Program; and

WHEREAS, Resolution No. 1121-2005 appropriated \$12,051,750.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

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

WHEREAS, the Town of Shelter Island (the “Town”) has approved a resolution on April 22, 2005 authorizing the acquisition of farmland development rights on one portion (13.7 acres) of the subject property and a conservation easement on another portion (30.0 acres) of the subject property in partnership with the County of Suffolk; and

WHEREAS, pursuant thereto, said acquisition of farmland development rights is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which provides that the same shall be consummated in accordance with provisions of General Municipal Law, Section 247, and the recommendation of the Suffolk County Farmland Committee; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights on one portion (13.7 acres) of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of One Million Four Hundred Seventy Nine Thousand Six Hundred Dollars (\$1,479,600.00±), at \$108,000.00 per acre for 13.7± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Seven Hundred Thirty Nine Thousand Eight Hundred Dollars (\$739,800.00±), for a fifty percent (50%) undivided interest; and the Town's share, totaling Seven Hundred Thirty Nine Thousand Eight Hundred Dollars (\$739,800.00±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>	<u>ACRES</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>		<u>AND ADDRESS:</u>
	District 0700	13.7± acres	Westmoreland Farm, Inc.
	Section 022.00		a New York Corporation
	Block 01.00		c/o Marcelle Roe Langendal
	Lot 001.006 p/o		P.O. Box 606
			Shelter Island, NY 11965

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3), of the SUFFOLK COUNTY CHARTER for the County's purchase price of Seven Hundred Thirty Nine Thousand Eight Hundred Dollars (\$739,800.00±), at \$108,000.00 per acre, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$739,800.00±, subject to payment by the Town of its share of the purchase and subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

4th RESOLVED, that the County of Suffolk hereby approved the acquisition of a conservation easement on another portion (30.0 acres) of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Three Million Two Hundred Forty Thousand Dollars (\$3,240,000.00±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00±), for a fifty percent (50%)

undivided interest; and the Town's share, totaling One Million Six Hundred Twenty Thousand Dollars (\$1,620,000.00±), for a fifty percent (50%) undivided interest as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments;

	SUFFOLK COUNTY			REPUTED OWNER
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 2	District	0700	30.0±acres	Westmoreland Farm, Inc.
	Section	022.00		a New York Corporation
	Block	01.00		c/o Marcelle Roe Langendal
	Lot	001.006 p/o		P.O. Box 606
				Shelter Island, NY 11965

and be it further

5th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire a Conservation Easement listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program; for the County's share of the purchase price of One Million Six Hundred Twenty Thousand (\$1,620,000.00±), subject to a final survey; and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,620,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.222, Suffolk County Multifaceted Land Preservation Program for the acquisition of a Conservation Easement; and be it further

7th RESOLVED, that title to this acquisition shall be held by the County and the Town, with the County owning fifty percent (50%) undivided interest and the Town owning fifty percent (50%) undivided interest, as tenants-in-common; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

9th RESOLVED, that the acquisition of that portion of the subject property that has a conservation easement be transferred to the Department of Parks, Recreation and Conservation for management purposes wherein this portion of the property shall remain in its natural state; and be it further

10th RESOLVED, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any collateral agreements with the Town to effectuate the terms of the resolution; and be it further

11th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of the conservation easement portion of the property, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said portion of the property; and be it further

12th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that the action to acquire the farmland development rights of a portion of the subject property (13.7 acres) constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c) (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued; and be it further

13th RESOLVED, that the action to acquire a conservation easement on another portion of the property (30.0 acres) is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

14th RESOLVED, that this action will not have a significant effect on the environment for the following reasons:

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

15th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2251-2006 Laid on Table 10/17/2006
Introduced by Presiding Office, on request of the County Executive and Legislators
Schneiderman and Romaine

**RESOLUTION NO. 1220 -2006, AUTHORIZING
ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY COMMUNITY GREENWAYS
FUND – FARMLAND COMPONENT- FOR THE PMM
LEUTHARDT, LLC PROPERTY - TOWN OF BROOKHAVEN –
(SCTM NO. 0200-860.00-01.00-014.000 p/o)**

WHEREAS, Resolution No. 559-1998, a “Charter Law Adding Article XII-A to the Suffolk County Charter to provide a Suffolk County Community Greenways Fund” was approved by the electorate on November 3, 1998, thereby making \$20 million available for the acquisition of farmland development rights; and

WHEREAS, Resolution No. 598-2001 appropriated \$9,700,000.00 for acquisitions under the Suffolk County Community Greenways Fund, Farmland component; and

WHEREAS, Resolution No. 576-2000, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, the Town of Brookhaven (the “Town”) has approved Resolution No.19A on May 2, 2000 authorizing the acquisition of farmland development rights of the subject property in partnership with the County of Suffolk; and

WHEREAS, pursuant thereto, said acquisition of farmland development rights is to be made in accordance with the procedures set forth in Chapter 8 of the Suffolk County Code which

provides that the same shall be consummated in accordance with provisions of General Municipal Law, Section 247, and the recommendation of the Suffolk County Farmland Committee; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under Article XII-A of the SUFFOLK COUNTY CHARTER, the Suffolk County Community Greenways Fund, Farmland component, for a total purchase price of Two Million Four Hundred Two Thousand Four Hundred Dollars (\$2,402,400.00±), at \$132,000.00 per acre for 18.2± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Million Six Hundred Eighty One Thousand Six Hundred Eighty Dollars (\$1,681,680.00±) for a seventy percent (70%) undivided interest; and the Town’s share, totaling Seven Hundred Twenty Thousand Seven Hundred Twenty Dollars (\$720,720.00±), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	18.2±	PMM Leuthardt, LLC
	Section 860.00		607 Montauk Hwy.
	Block 01.00		E. Moriches, NY 11940
	Lot 014.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Community Greenways Fund, Farmland component, Article XII-A, Section C12-A(A)(3) for a purchase price of Two Million Four Hundred Two Thousand Four Hundred Dollars (\$2,402,400.00±), with the County of Suffolk’s share of One Million Six Hundred Eighty One Thousand Six Hundred Eighty Dollars (\$1,681,680.00±) subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,681,680.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7149.210, Suffolk County Community Greenways Fund, Farmland component, Article XII-A, Section C12-A(A)(3), for this acquisition; and be it further

4th RESOLVED, that in the event the final survey indicates that the subject property is greater than 18.2 acres, then the additional funding necessary to pay for the increased purchase price, as well as the funds necessary to pay for the additional expenses set forth in the 6th Resolved herein, will be paid from previously appropriated funds in Capital Project 525-CAP-8707.210, Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund – Farmland Component, Section C 36-1(A)(3), to the extent necessary; and be it further

5th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a seventy percent (70%) undivided interest and the Town owning a thirty percent (30%) undivided interest; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 29, 2006

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

Intro. Res. No. 2266-2006
Introduced by Legislator Schneiderman

Laid on Table 10/17/2006

RESOLUTION NO. 1221 -2006, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (BAY AVENUE PROPERTY) TOWN OF BROOKHAVEN

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

WHEREAS, the Town of Brookhaven has expressed an interest in making a joint acquisition of the subject parcel located in East Moriches; and

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

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A"); and be it further

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

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be

appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

*** PRIMARY CRITERIA**

- A. Special Features or Habitat Enhancements (30 Points)**
 - 5–Rare or endangered species, pursuant to Federal or State lists
 - 5–Unique land forms (e.g. Kettle Hole)
 - 5–River, stream, water body, or flood plain
 - 5–Marine or freshwater wetlands or Special Groundwater Protection Area (SGPA) or Critical Environmental Area (CEA)
 - 5–Classified or unique vegetation (i.e. New York State Natural Heritage Program Elements)
 - 5–Special view
 - 5–Multiple in any of the above

- B. Size or Shape (30 Points)**
 - 15 – Over 50 acres
 - 5 – Between 20 – 50 acres
 - 10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)

- C. Proximity or Contiguity to Other Public Open Space (20 Points)**
 - 10 – Abutting or adjacent to County land
 - 5 – Abutting or adjacent to other protected land
 - 5 – Strategic parcel associated with further compatible acquisition

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

SECONDARY CRITERIA

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

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

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

EXHIBIT “A”

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 916.00 Block 01.00 Lot 003.015		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 2	District 0200 Section 916.00 Block 01.00 Lot 003.014		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 3	District 0200 Section 916.00 Block 01.00 Lot 003.013		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 4	District 0200 Section 916.00 Block 01.00 Lot 003.012		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 5	District 0200 Section 916.00 Block 01.00 Lot 003.011		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 6	District 0200 Section 916.00 Block 01.00 Lot 003.010		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 7	District 0200 Section 915.00 Block 03.00 Lot 002.000		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 8	District 0200 Section 915.00 Block 03.00 Lot 001.000		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
No. 9	District 0200 Section 915.00 Block 02.00 Lot 002.000		Bay Avenue Properties, LLC c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951

EXHIBIT "B" 1 OF 2

WHEREAS, a vacancy currently exists on the Suffolk County Planning Commission for a member to represent the Town of Southampton, the term of which expired on December 31, 2005; and

WHEREAS, there is a desire to diversify the Commission by appointing someone with a background in real estate and business; and

WHEREAS, Steve Levy, the County Executive of Suffolk has appointed **BARBARA BAGDEN ROBERTS**, currently residing at 10 Seagull Hill Road, Sag Harbor, New York 11963, as a member of the Suffolk County Planning Commission; now, therefore be it

1st RESOLVED, that **BARBARA BAGDEN ROBERTS**, currently residing at 10 Seagull Hill Road, Sag Harbor, New York 11963 is hereby appointed as a member of the Suffolk County Planning Commission to represent the Town of Southampton, to fill the unexpired balance of the vacant term, said term to expire December 31, 2009.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 27, 2006

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

Intro. Res. No. 2274-2006

Laid on Table 10/17/2006

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

RESOLUTION NO. 1223 -2006, AMENDING THE ADOPTED 2006 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO PATCHOGUE BAY @ CR 36, SOUTH COUNTRY ROAD, TOWN OF BROOKHAVEN (CP 8240.113)

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

WHEREAS, the Commissioner of Public Works has requested funds for stormwater remediation to Patchogue Bay @ CR 36, South Country Road; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system,

implemented in the Adopted 2006 Capital Budget, as the basis for funding Capital Projects such as this project; and

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

RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-three (73) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

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

RESOLVED, that the Adopted 2006 Operating Budget be and hereby is amended and that the additional interfund expenditures be and hereby are appropriated as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Fund	\$200,000

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Org</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$200,000

and be it further

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

Project No.: 8240
 Project Title: Stormwater Remediation at Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget & Program</u>	<u>Revised 2006 Capital Budget & Program</u>
1. Planning, Design & Supervision			\$200,000 \$0 \$200,000 W
TOTAL	\$200,000	\$0	\$200,000

and be it further

RESOLVED, that the transfer in the amount of \$200,000 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8240.113	50	Stormwater Remediation at Various County Roads	\$200,000

and be it further

RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: December 4, 2006

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

Intro. Res. No. 2279-2006

Laid on Table 10/17/2006

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

**RESOLUTION NO.
1224 -2006 AUTHORIZING THE ACQUISITION OF
LAND PURSUANT TO CONSENT JUDGMENT AND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT FOR
THE DOSIAK PROPERTY – PINE BARRENS CORE AREA
TOWN OF BROOKHAVEN – (SCTM NO. 0200-460.00-02.00-
005.001)**

WHEREAS, County of Suffolk has entered into a Consent Judgment with the United States and New York State Department of Environmental Conservation (“NYSDEC”) as a result of claimed violations in the administration of its Pretreatment Waste Program; and

WHEREAS, said Consent Judgment contains a Supplemental Environmental Project which requires the County of Suffolk to expend \$700,000.00 dollars to purchase land in the Core Preservation Area of the Central Long Island Pine Barrens in the name of New York State which is to be dedicated to the Pine Barrens Preserve; and

WHEREAS, Resolution No. 207-2006 amended the 2006 Capital Budget and appropriated \$700,000.00 from the Assessment Stabilization Reserve Fund into a Capital Fund Escrow Account, Project No. 527-CAP-8160.210; and

WHEREAS, the County of Suffolk has received approval by the United States and NYSDEC for the purchase of 22.8 acre parcel known as the Dosiak property for the amount of \$734,400.00± which will result in full compliance of the County’s obligations under the terms of the Consent Judgment; and

WHEREAS, as said purchase price exceeds the amount required under the Consent Judgment by \$34,400.00±, the County shall retain title to a proportionate interest of the Dosiak property; and

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

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

WHEREAS, Resolution No. 264-2002, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below pursuant to the terms and conditions of the Consent Judgment, and under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Seven Hundred Thirty Four Thousand Four Hundred Dollars (\$734,400.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0200	22.8± acres	Dorothy Dosiak
	Section	460.00		c/o Joseph W. McHeffey, Esq.
	Block	02.00		43 Montauk Highway
	Lot	005.001		Center Moriches, NY 11934

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided as follows:

A) under the Assessment Stabilization Reserve Fund for Project No. 527-CAP-8160.210

the amount of Seven Hundred Thousand Dollars (\$700,000.00) for that portion of the parcel acquired for New York State pursuant to the Consent Judgment; and

B) under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, the balance of the purchase price, to wit: Thirty Four Thousand Four Hundred Dollars (\$34,400.00±), subject to a final survey, for that portion of the parcel that will be acquired for the County of Suffolk; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$34,400.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$34,400.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$34,400,00.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program-Open Space	\$34,400.00±*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$700,000.00 from previously appropriated funds in Capital Project 527-CAP-8160.210 Assessment Stabilization Reserve Fund upon receiving written approval from the United States and the NYSDEC, for this acquisition; and be it further

8th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$34,400.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

9th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses out of the New Suffolk County Drinking Protection Program as may be necessary and appropriate to consummate such acquisition including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits,

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

10th RESOLVED, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- c.) any tract of land located fully or partially within a statutorily designated Special Groundwater Protection Area;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

11th RESOLVED, that the portion of the subject parcel that is acquired in the name of the County of Suffolk shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

12th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

13th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 1.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and

- 2.) the proposed use of the subject parcel(s) is passive recreation; and

- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact
- 4.) that the proposes acquisition and preservation of the site would

have; and be it further

14th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 4, 2006

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

Intro. Res. No. 2342-2006

Laid on Table 11/8/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1225 -2006, CONFIRMING APPOINTMENT
OF COUNTY COMMISSIONER OF ENVIRONMENT AND
ENERGY (CARRIE MEEK GALLAGHER)**

WHEREAS, the Suffolk County Legislature adopted Resolution No. 141-2006 (I.R. 1068-2006), a "Charter Law Creating a County Department of Environment and Energy" on February 7, 2006; and

WHEREAS, the Commissioner of the County Department of Environment and Energy is appointed by the County Executive of Suffolk County to head the Suffolk County Department of Environment and Energy, subject to the approval of the County Legislature, under Section 42-2(A) of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Michael J. Deering, the Commissioner of the County Department of Environment and Energy, who was appointed via Resolution No. 285-2006, has now resigned; and

WHEREAS, Steve Levy, the County Executive of Suffolk County, after due consideration, has appointed **Carrie Meek Gallagher**, currently residing at 256 Gibbs Pond Road, Nesconset, New York 11767, as Commissioner of the Suffolk County Department of Environment and Energy to replace **Michael J. Deering**; now, therefore be it

1st RESOLVED, that the appointment of **Carrie Meek Gallagher**, currently residing at 256 Gibbs Pond Road, Nesconset, New York 11767, as Commissioner of the Suffolk County Department of Environment and Energy to replace **Michael J. Deering**, is hereby approved, pursuant to Section 42-2(A) of the SUFFOLK COUNTY CHARTER, to serve at the pleasure of the County Executive of Suffolk County, effective immediately; and be it further

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 27, 2006

Legislator Eddington made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 10-6-2-0. Legislators Schneiderman, Caracappa, Losquadro, Alden, Barraga and Kennedy voted no. Legislators Romaine and Nowick abstained.

Intro. Res. No. 2113-2006
Introduced by Legislators Eddington and Cooper

Laid on Table 9/19/2006

**RESOLUTION NO. 1226 -2006, ADOPTING LOCAL LAW
NO. -2006, A LOCAL LAW TO REGULATE THE USE
OF OUTDOOR WOOD-BURNING DEVICES IN SUFFOLK
COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on September 19, 2006, a proposed local law entitled, "**A LOCAL LAW TO REGULATE THE USE OF OUTDOOR WOOD-BURNING DEVICES IN SUFFOLK COUNTY**" now, therefore be it

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

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

**A LOCAL LAW TO REGULATE THE USE OF OUTDOOR WOOD-
BURNING DEVICES IN SUFFOLK COUNTY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that outdoor wood-burning furnaces can provide an economical alternative to conventional heating systems, generating hot water heat through the use of onsite wood fires rather than expensive oil or gas heat.

This Legislature also finds and determines that smoke from these outdoor furnaces often contains unhealthy levels of particulate matter, dioxins, carbon monoxide, nitrogen dioxide, sulfur dioxide, hydrochloric acid, formaldehyde and other toxic air pollutants.

This Legislature further finds and determines that exposure to smoke from these devices can cause adverse effects to respiratory and cardiovascular systems, asthmatic sensitivity and lung illness, especially among children and the elderly.

This Legislature finds that outdoor furnaces are intended to burn only natural wood, but homeowners sometimes add other materials which, when burned, can produce toxic air pollutants.

Therefore, the purpose of this law is to ensure that outdoor wood-burning furnaces are utilized in a manner that does not create a nuisance and which is not detrimental to the health, safety and general welfare of the residents of Suffolk County.

Section 2. Definitions.

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

OUTDOOR WOOD-BURNING DEVICE—any equipment, device or apparatus located outside the primary residential or commercial dwelling it serves, which is designed to transfer heat, via liquid, through the burning of wood to heat indoor spaces. The term “outdoor wood-burning device” shall not include fire pits, outdoor fireplaces or wood-fired barbeques.

Section 3. Requirements.

No person shall construct, install, modify, operate or use any outdoor wood-burning device except in accordance with the following requirements:

- 1) Outdoor wood-burning devices shall only be operated between October 1 through May 1.
- 2) An outdoor wood-burning device shall not be installed or operated within 1000 feet of a hospital, school, daycare center or nursing home or within 1000 feet of the boundary of a County, State or Town park.
- 3) An outdoor wood-burning device shall not be installed or operated within 1000 feet of a residential building not served by an outdoor wood-burning device.
- 4) Only natural wood, including but not limited to, wood that has not been painted, stained, chemically treated, laminated or glued, may be burned in an outdoor wood-burning device.
- 5) A chimney shall be installed on any outdoor wood-burning device, the height of which shall be at least 20 feet.
- 6) The installation and operation of an outdoor wood-burning device must be in accordance with the manufacturer’s written instructions and in compliance with any local ordinances that are more strict than those outlined in this Section.

Section 4. Effect of Other Regulations.

A.) Nothing contained herein shall authorize outdoor wood-burning, which is prohibited by the United States Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC).

B.) Nothing contained in this law shall be deemed to prohibit any Town or Village within Suffolk County from prohibiting or regulating the operation of outdoor wood-burning devices within their jurisdiction. In case of any conflict between any provision of this law and any Town or Village Ordinance, rule or regulation, the more restrictive or stringent provision or requirement shall prevail.

Section 5. Penalties.

Failure to comply with any provision of this law shall be a violation, subject to a fine not to exceed \$250.00 for each day that the violation continues.

Section 6. Rules and regulations.

The Commissioner of the Department of Health Services is hereby authorized and empowered to issue and promulgate such rules and regulations, as he or she deems necessary to implement and carry out the provisions of this law.

Section 7. Applicability.

A.) This law shall apply to the installation and operation of any outdoor wood-burning device which is installed after the effective date of this law.

B.) Any outdoor wood-burning device in existence on or before the effective date of this law shall be permitted to remain and operate for 180 days after the effective date of this law; thereafter, the owner/operator or the outdoor wood-burning dealer shall comply with the provisions of this law.

Section 8. 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 9. 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 10. Effective Date.

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

DATED: November 21, 2006

****VETOED BY COUNTY EXECUTIVE ON DECEMBER 26, 2006****

****VETO SUSTAINED ON JANUARY 2, 2007****

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

Intro Res. No. 2185-2006 Laid on Table 9/19/2006
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1227 -2006, ADOPTING LOCAL LAW
NO. 59 -2006, TO INTEGRATE COUNTY DEPARTMENT OF
ENVIRONMENT AND ENERGY INTO FULL
IMPLEMENTATION OF COUNTY PEST CONTROL POLICY**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held September 19, 2006, a proposed local law entitled, on **“LOCAL LAW TO INTEGRATE COUNTY DEPARTMENT OF ENVIRONMENT AND ENERGY INTO FULL IMPLEMENTATION OF COUNTY PEST CONTROL POLICY,”** and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. 59 -2006, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INTEGRATE COUNTY DEPARTMENT OF
ENVIRONMENT AND ENERGY INTO FULL IMPLEMENTATION OF
COUNTY PEST CONTROL POLICY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 10-1996 was adopted by the Suffolk County Legislature on June 11, 1996 for the purpose of developing and implementing integrated pest management guidelines to be followed by all County employees and by those who provide pest control services to the County, on County owned or County leased properties, based on the expertise of independent professionals and members of the scientific community.

This Legislature hereby finds that Local Law No. 34-1999 was adopted by the Suffolk County Legislature on October 5, 1999 for the purpose of phasing out the use of pesticides by the County for many pest control purposes, and to adopt a pest control policy that substantially relies on non-chemical pest control strategies.

This Legislature also finds and determines that the Suffolk County Advisory Committee (CAC) has recommended amendments to the law to reflect the new responsibilities of the County Department of Environment and Energy.

This Legislature further finds and determines that the creation of the new County Department of Environment and Energy should be included in the supervision of the use of pesticides in Suffolk County.

Therefore, the purpose of this law is to include the Commissioner of the County Department of Environment and Energy to have a formalized role in the use of pesticides in Suffolk County.

Section 2. Amendments.

I.) Section 380-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§380-3. Exemptions.

A.) Notwithstanding any other provisions, this chapter shall not apply to the following:

- 1.) Pesticides otherwise lawfully used for the purpose of maintaining a safe drinking water supply at drinking water treatment plants, wastewater treatment plants, reservoirs, and related collection, distribution, and treatment facilities;
- 2.) Antimicrobial pesticides;
- 3.) Pesticides in containerized baits where the least toxic of the effective alternatives available are used;
- 4.) Pesticides classified by the United States Environmental Protection Agency as exempt materials under 40 CFR 152.25;
- 5.) Biological controls and biological pesticides, such as bacillus thuringiensis or milky spore;
- 6.) Low-toxicity pesticides, such as boric acid, as determined by the Commissioner of the County Department of Health Services, in conjunction with the Commissioner of the County Department of Environment and Energy, after certifying, in writing, that the pesticide is of such a low hazard as to have a *de minimis* adverse impact on the health and safety of Suffolk County residents;
- 7.) In a situation in which a written declaration has been issued by said Commissioner of the County Department of Health Services that a public emergency exists requiring the temporary use of a particular pesticide during the period of such public emergency. The Commissioner must, in such an emergency, use the least toxic approach to the health issue that the Commissioner believes is adequate to

address the emergency. After taking such action, the Commissioner shall document in a report, within 30 days, the steps taken to resolve the emergency, the nature of the emergency, the cause and effect of this emergency, and how and why such pesticidal actions were taken. The Commissioner shall also report how the problem causing the health emergency arose and what steps and procedures the County is taking to ensure that a similar problem will not occur again;

- 8.) Low-toxicity pesticides used for the control of vectors capable of transmitting diseases such as the arthropod-borne encephalitis virus, as determined by the Commissioner of the County Department of Health Services, in conjunction with the Commissioner of the County Department of Environment and Energy;
 - 9.) County-owned property leased to another party as of the effective date of this chapter, said exemption to apply until the expiration of such lease (exclusive of renewal periods);
 - 10.) Insect repellents personally applied by County employees in the course of performing County duties and/or responsibilities at County facilities; and
 - 11.) Pesticides used in medical treatment or practices.
- B.) Nothing in this article should be interpreted to supersede any settlement of Long Island Neighborhood Network v. County of Suffolk with regard to proposed new County golf courses. On County-owned and operated golf courses, the Superintendent is permitted to declare a "golf course emergency" if, in his or her discretion, there is an imminent threat of property damage that requires the use of materials otherwise prohibited by this article. In the event that this happens, the Superintendent shall:
- 1.) Notify the Chairman of the Community Advisory Committee (CAC); or
 - 2.) Contact two members of the CAC and inform them of his/her next step to solve the problem. The Superintendent shall then meet with the Committee in its entirety, within a reasonable period of time;
 - 3.) After three times, per golf course, of the Superintendent taking the above action, he/she must meet with the CAC prior to taking any actions.
 - 4.) The Superintendent has 30 days to submit a written report to the Chairman of the CAC. The report shall include the nature of the emergency, the cause and effect of the emergency, the steps taken to resolve the emergency and how and why these pesticidal actions were taken. The

Superintendent shall take the least toxic approach to its resolution.

- 5.) A meeting shall be held with the CAC within 60 days of this action being taken. The meeting will discuss the contents of the above report.

II.) Section 380-5 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§380-5. Community Advisory Committee.

A.) A Suffolk County Advisory Committee (CAC) is hereby created to oversee the implementation of this law by the County Department of Environment and Energy in conjunction with the County Department of Health Services.

B.) The CAC shall consist of the following nine (9) members:

- 1.) One individual to be selected by the [Chairman of the Energy, Environment, and Transportation Committee of the Suffolk County Legislature, or any successor Committee thereto, from the medical community (not employed by the County of Suffolk)] County Commissioner of the Department of Environment and Energy, or his or her designee, to serve as Chairman;
- 2.) [One individual to be selected by the County Executive from Suffolk County Vector Control] The County Commissioner of Health Services, or his or her designee;
- 3.) The County Commissioner of [Health Services] Public Works, or his or her designee;
- 4.) The County Commissioner of Parks, Recreation, and Conservation, or his or her designee;
- 5.) One individual and an alternate to be selected by the County Executive from a recognized and acknowledged anti-cancer advocacy group with membership in Suffolk County;
- 6.) One individual from the Cornell Cooperative Extension selected by the Extension;
- 7.) One individual and an alternate to be selected by the Chairman of the [Energy,] Environment, Planning, and [Transportation] Agriculture Committee of the Suffolk County Legislature, or any successor Committee thereto, from the medical community (not employed by the County

of Suffolk) this may include veterinarian medicine or Health and Safety Officer;

- 8.) One individual and an alternate to be selected by the Chairman of the [Energy,] Environment, Planning, and [Transportation] Agriculture Committee of the County Legislature, from a recognized and acknowledged environmental organization represented within the County of Suffolk; and
 - 9.) One individual to be selected by the Chairman of the [Energy,] Environment, Planning, and [Transportation] Agriculture Committee of the County Legislature with a background in organic pest management practices or one from a recognized environmental group.
- C.) The CAC shall hold four (4) public meetings each year with representatives of the County Department of Health Services and the County Department of Environment and Energy open to public participation.
 - D.) The CAC shall issue annual reports to the Suffolk County Legislature on the progress of implementation of this chapter.
 - E.) The CAC shall issue annual reports to the Suffolk County Legislature on the progress of implementation of this local law.
 - F.) The CAC may grant a temporary exemption of up to one year for special use property located within Suffolk County. The list of specific properties may be determined in the exemption so granted, and the specific pesticides to be used may be determined by the CAC. Any such exemption may be periodically renewed for a period not to exceed one year. If a vote on an exemption by CAC results in two or more votes being cast in opposition to the request, then such exemption shall not take effect unless and until it is ratified by a duly enacted resolution of the County of Suffolk, even if a majority of the entire membership of the CAC has voted in favor of the exemption.

III.) Section 380-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§380-8. Rules and Regulations.

The Commissioner of the County Department of Health Services, in conjunction with the County Department of Environment and Energy, is hereby authorized to promulgate and issue such rules and regulations as shall be necessary, appropriate, and sufficient to implement the provisions of this law.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of County of Suffolk

Date: December 15, 2006

After a public hearing duly held on December 12, 2006
Filed with the Secretary of State on January 29, 2007

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

Intro. Res. No. 2262-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1228 -2006, APPROVING THE APPOINTMENT OF JAMES T. SORRENTINO TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD-GROUP D

WHEREAS, Suffolk County Local Law No. 19-2002 increased the membership of the Disabilities Advisory Board; now, therefore be it

RESOLVED, that the appointment of James T. Sorrentino, of 301 Everard St., Dix Hills, NY 11746, to the Disabilities Advisory Board - Group D, for a term of office expiring December 31, 2006, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of §78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2006

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 11-7-0-0. Legislators Romaine, Schneiderman, Caracappa, Losquadro, Alden, Barraga and Kennedy voted no.

Intro. Res. No. 2123-2006

Laid on Table 9/19/2006

Introduced by Legislator Browning

RESOLUTION NO. 1231 -2006, CREATING A TRAP AND SKEET SEARCH COMMITTEE

WHEREAS, the County of Suffolk has traditionally supported recreational hunting and other shooting sports while being steadfast in its dedication to environmental protection; and

WHEREAS, providing places for hunters and shooting enthusiasts to develop shooting skills is an important part of Suffolk County's commitment to its recreational hunters; and

WHEREAS, the County's Trap and Skeet Shooting Range is located in the environmentally sensitive Carman's River Watershed in the Core Preservation Area of the Long Island Pine Barrens and in a state-designated Special Groundwater Protection Area; and

WHEREAS, the Trap and Skeet Shooting Range is located in very close proximity to residents and neighborhoods; and

WHEREAS, another site should be identified by the County for a trap and skeet shooting range to accommodate shooting enthusiasts; now, therefore be it

1st **RESOLVED**, that an exploratory committee is hereby established to conduct a search for an appropriate location for a new Suffolk County Trap and Skeet Range; and be it further

2nd **RESOLVED**, that this exploratory committee shall be comprised of the following members:

1. two (2) members of the sporting community to be appointed by the Suffolk County Legislature;
2. two (2) members of the environmental community to be appointed by the Suffolk County Legislature;
3. one (1) member of the County Legislature to be appointed by the Presiding Officer of the Suffolk County Legislature, whom shall serve as Chairman of the Committee;
4. two (2) members to be selected by the Suffolk County Executive; and
5. one (1) member from the community adjacent to the Trap and Skeet, to be appointed by the Legislator representing the 3rd Legislative District;

and be it further

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

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

5th **RESOLVED**, that five (5) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

6th **RESOLVED**, that clerical services involving the month-to-month operation of this Committee, as well as supplies and postage as necessary, will be provided by the staff of the Suffolk County Legislature; and be it further

7th **RESOLVED**, that the Committee may submit requests to the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Two Thousand Five Hundred Dollars (\$2,500) per fiscal year; and be it further

8th **RESOLVED**, that the Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining

necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

9th RESOLVED, that this special Committee shall submit a written report of its findings and determinations together with its recommendations to each member of the County Legislature and the County Executive no later than one hundred twenty (120) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

10th RESOLVED, that the Committee shall expire, and the terms of office of its members terminate thirty (30) days subsequent to submission of its written report, at which time the Committee shall deposit the records of its proceedings with the Clerk of the Legislature; and be it further

11th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 21, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 14, 2006

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

Intro. Res. No. 2195-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 1232 -2006, APPROVING THE REAPPOINTMENT OF JOHN FRITZ AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION

WHEREAS, the Supervisor of the Town of Babylon has recommended that **John Fritz** be reappointed to the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, representing the Town of Babylon; now, therefore be it

RESOLVED, that **John Fritz**, currently residing in Deer Park, New York, is hereby reappointed as a member of the Suffolk County Board of Trustees of Parks, Recreation,

and Conservation, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, for a five year term of office to expire November 30, 2011.

DATED: November 21, 2006

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

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

Intro. Res. No. 2220-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1233 -2006, APPROVING LICENSE AGREEMENT FOR TOM SMITH TO RESIDE AT SCHMIDT HOUSE, UNIT 144, AT ARTHUR KUNZ COUNTY PARK, KINGS PARK

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County Employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, the Schmidt House, Unit 144, at Arthur Kunz County Park was acquired by the County and dedicated to the Department of Parks, Recreation and Conservation under Suffolk County Resolution No. 360-2006; and

WHEREAS, the Department of Parks, Recreation and Conservation has determined a fair market value of the Schmidt House based on a comparison with facilities of commensurate size and characteristics that were appraised in accordance with SUFFOLK COUNTY CODE Section 723-1(A)(5); and

WHEREAS, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Park Police Officer Tom Smith be approved to enter into a license agreement to reside at Schmidt House, Unit 144, at Arthur Kunz County Park; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Tom Smith to reside at Schmidt House, Unit 144, 1 Landing Road, Arthur Kunz County Park, Kings Park, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that Schmidt House, Unit 144, 1 Landing Road, Kings Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the

License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2221-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1234 -2006, APPROVING A LICENSE AGREEMENT FOR RANDY BOND TO RESIDE AT FOREMAN'S COTTAGE, UNIT 139, AT CEDAR POINT COUNTY PARK, EAST HAMPTON

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County Employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, based on the needs of the Department of Parks, Recreation, and Conservation, the Commissioner has requested that utmost priority be given to the position of Parks Supervisor in determining the eligibility for a license to reside at Cedar Point County Park; and

WHEREAS, the Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Randy Bond, Park Supervisor II at Cedar Point County Park, be approved to enter into a license agreement to reside at Foreman's Cottage, Unit 139, at Cedar Point County Park, East Hampton; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Randy Bond to reside at Foreman's Cottage, Unit 139, at Cedar Point County Park, East Hampton, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that Foreman's Cottage, Unit 139, at Cedar Point County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

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

Intro. Res. No. 2260-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1235 -2006, APPROVING THE REAPPOINTMENT OF RAYMOND P. CORWIN AS A MEMBER OF THE BOARD OF TRUSTEES OF THE SUFFOLK COUNTY PARKS, RECREATION AND CONSERVATION

1ST RESOLVED, that the reappointment of Raymond P. Corwin, of 322 East Broadway, Port Jefferson, New York 11777 as a member-at-large of the Suffolk County Department of Parks, Recreation and Conservation Board of Trustees, for a five year term of office expiring June 18, 2011, be and the same is hereby approved; said appointment having been made by the County Executive pursuant to Section C28-1(c) of the Suffolk County Charter; and be it further

2ND RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Article 8 of the NEW YORK ENVIRONMENTAL CONSERVATION LAW AND SECTION 617.3 (D) (15) (21) of Title 6 of the New York Code of Rules and Regulations (NYCRR) since such law constitutes routine or continuing agency administration and management and promulgation of regulations, policies, procedures and legislative decision in connection with such action.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2269-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer Lindsay and Legislator Schneiderman

RESOLUTION NO. 1236 -2006, REAPPOINTING RICHARD F. WHITE, JR., AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION

WHEREAS, Richard F. White, Jr., representing the Town of East Hampton, is currently a holdover member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, his term having expired on November 30, 2003; and

WHEREAS, the Supervisor of the Town of East Hampton has recommended the reappointment of **Richard F. White, Jr.**, representing the Town of East Hampton, to said Board; now, therefore be it

RESOLVED, that **Richard F. White, Jr.**, currently residing in Montauk, New York, be and he hereby is reappointed, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of East Hampton for a term of office to expire on November 30, 2008.

DATED: November 21, 2006

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

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

Intro. Res. No. 2094-2006 Laid on Table 9/19/2006
Introduced by Legislators Browning, Cooper, Caracappa, Vilorio-Fisher, Schneiderman, Losquadro, Horsley, Mystal, Stern and Nowick

RESOLUTION NO. 1237 -2006, ESTABLISHING A POLICY TO RESTRICT PLACEMENT OF SEX OFFENDERS

WHEREAS, the devastating impact of sex crimes, particularly against children, and the alarmingly high rate of recidivism among sex offenders has led Suffolk County to take proactive measures to protect residents from the dangers posed by sex offenders; and

WHEREAS, Suffolk County's Local Law No. 12-2006 prohibiting convicted sex offenders from living within 1/4 mile of schools, parks and day care centers is just one example of the County's ongoing efforts to address this difficult problem; and

WHEREAS, it has recently come to light that four convicted sex offenders are living in one house in a residential area of Mastic, and two additional sex offenders may move into this house at a later date; and

WHEREAS, certain Suffolk County agencies played a prominent role in creating this intolerable situation; and

WHEREAS, concentrating sex offenders in a few select communities and in individual residences is dangerous and unfair to the affected neighborhoods; and

WHEREAS, the County of Suffolk wishes to establish a policy to ensure that certain communities and neighborhoods do not become saturated with sex offenders; now, therefore be it

1st RESOLVED, that a policy is hereby established whereby the County of Suffolk shall not place or facilitate the placement of more than one registered sex offender at the same residence, in an area that is zoned for residential use, within the County of Suffolk; and be it further

2nd RESOLVED, that no County department, office or agency shall place or facilitate the placement of more than one registered sex offender at the same residence, in an area that is zoned for residential use, within the County of Suffolk; and be it further

3rd RESOLVED, that Suffolk County departments, offices and agencies shall not utilize contract agencies to place sex offenders in contravention of the policy established herein; and be it further

4th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 11, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 14-2-2-0. Legislators Barraga and Kennedy voted no.

Intro. Res. No. 2177-2006

Laid on Table 9/19/2006

Introduced by Presiding Officer Lindsay and Legislators Alden and Caracappa

RESOLUTION NO. 1238 -2006, ADOPTING LOCAL LAW NO. 58 -2006, A LOCAL LAW TO PROHIBIT SKATEBOARDING AT COUNTY OWNED OR OPERATED FACILITIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on September 19, 2006, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT SKATEBOARDING AT COUNTY OWNED OR OPERATED FACILITIES**" now, therefore, be it

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

LOCAL LAW NO. 58 -2006, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROHIBIT SKATEBOARDING AT COUNTY OWNED OR OPERATED FACILITIES

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 skateboarding has become a very popular activity among youths.

This Legislature also finds and determines that skateboarding can be a dangerous pastime, especially when the rider is ascending and descending steps and ramps.

This Legislature further finds and determines that this Legislature adopted Resolution No. 708-2001, "Prohibiting the Use of Roller Blades, Roller Skates and Skate Boards at Armed Forces Plaza and Dennison Building Property and Parking Lots".

This Legislature finds that skateboarding activity has increased at County facilities and parks, causing property damage and exposing the County to liability for injuries to persons.

This Legislature further determines that it is the responsibility of the County of Suffolk to protect its property, safeguard the health and safety of its residents and reduce its liability exposure.

Therefore, the purpose of this law is to prohibit skateboarding activity at all County owned and operated facilities, including County Parks, with the exception of those areas specifically designated for skateboarding.

Section 2. Definitions.

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

"COUNTY PROPERTY" – shall mean all property owned by the County of Suffolk and all property under the jurisdiction of the County of Suffolk, including property owned by the County or leased by the County and property otherwise under the control of the County of Suffolk.

"SKATEBOARD" – A manufactured or assembled device consisting of a platform having two or more small wheels mounted or permanently attached thereto, for skating or gliding by means of human foot and leg power.

Section 3. Prohibitions.

- A.) No person shall operate a skateboard upon any property owned or operated by the County of Suffolk.
- B.) This law shall not apply to areas specifically designated for skateboarding activity by the County of Suffolk.

Section 4. Penalties for offenses.

Any person who violates this law shall be guilty of a violation and subject to a fine not in excess of One Hundred Fifty Dollars (\$150.00).

Section 5. Seizure of Skateboard in violation; notification; processing and storage fees.

- A.) Any skateboard operated on County property may be subject to immediate seizure by a duly sworn peace or police officer, acting pursuant to his or her official duties, upon reasonable cause to believe that such operation is a violation of this law.
- B.) Any skateboard seized under the authority of this law shall be stored for safekeeping by the law enforcement agency effecting the seizure. That agency may assess an administrative processing fee of Fifty Dollars (\$50.00) and a storage fee of Five Dollars (\$5.00) per day. Storage fees may only be assessed for days on which claimants are able to reclaim property.
- C.) Proper claimants under this article are limited to:
 - 1. The skateboard operator or owner, if he or she is 16 years of age or older; or
 - 2. A parent or legal guardian of a person under 16 years of age who is in possession of the skateboard at the time of seizure.
- D.) Should no valid claim be made for the seized skateboard within 90 days of seizure, title to the skateboard shall vest in the seizing agency's municipal employer.
- E.) Law enforcement agencies effecting seizures pursuant to this article may promulgate regulations regarding storage, release and/or destruction of skateboards seized under this law.

Section 6. Applicability.

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

Section 7. 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 8. 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 9. Effective Date.

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 26, 2006

After a public hearing duly held on December 12, 2006
Filed with the Secretary of State on January 29, 2007

Legislator Caracappa made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0. Legislator Alden abstained.

Intro. Res. No. 2189A-2006

BOND RESOLUTION NO. 1239 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF SECURITY EQUIPMENT FOR SUFFOLK COUNTY CORRECTIONAL FACILITIES (CP 3035.513)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,000,000 pursuant to the Local

Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase and installation of security equipment for Suffolk County Correctional Facilities, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve
County Executive of Suffolk County

Levy

Date: December 4, 2006

Legislator Caracappa made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0. Legislator Alden abstained.

Intro. Res. No. 2189-2006
Introduced by Presiding Officer, on request of County Executive

Laid on Table 9/19/2006

**RESOLUTION NO. 1240 -2006, AMENDING THE 2006
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE PURCHASE OF**

**SECURITY EQUIPMENT FOR SUFFOLK COUNTY
CORRECTIONAL FACILITIES (CP3035)**

WHEREAS, the Sheriff of Suffolk County has requested funds for the purchase and installation of closed circuit television (CCTV) throughout the maximum and Medium Security Correctional Facilities in Riverhead; and

WHEREAS, sufficient funds are not included in the 2006 Capital Budget and Program to cover the costs of said request under CP 3035 and, pursuant to Suffolk County Charter Section C 4-13, an offsetting authorization must be provided from other Capital Projects; and

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

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$1,000,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No.: 1751
Project Title: Optical Disk Imaging System

	Total Est'd <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$250,000	\$875,000G \$225,000B	\$25,000G \$ 225,000B
5. Furniture & Equipment	\$4,411,800	\$150,000G	\$ 0
TOTAL	\$ 4,661,800	\$1,250,000	\$250,000

Project No.: 3035
Project Title: Security Equipment for Suffolk County Correctional Facilities - Riverhead

Current 2006	Revised 2006
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	<u>Total Est'd. Cost</u>	<u>Capital Budget & Program</u>	<u>Capital Budget & Program</u>
5. Equipment	\$1,000,000	\$ 0	\$1,000,000B
TOTAL	\$1,000,000	\$ 0	\$1,000,000

and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the purchase of security equipment for Suffolk County Correctional Facilities; and be it further

4th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations (NYCRR) Section 671.5 (1), (2),(25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

5th RESOLVED, that the proceeds of \$1,000,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 3035.513 (Fund 001 - Debt Service)	18	Security Equipment for Suffolk County Correctional Facilities - Riverhead	\$1,000,000

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2006

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

Intro. Res. No. 2216-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer Lindsay and Legislators Romaine, Eddington, Browning, Losquadro, Horsley, Mystal and Alden

RESOLUTION NO. 1241 –2006, ESTABLISHING A NOTIFICATION POLICY WHEN SEX OFFENDERS VIOLATE THE TERMS OF THEIR PROBATION

WHEREAS, sex offenders cause permanent and devastating damage to their victims, particularly when their crimes are perpetrated against children; and

WHEREAS, the County of Suffolk has taken proactive steps to protect the public from sex offenders, whose rate of recidivism is well documented; and

WHEREAS, upon their release from incarceration, sex offenders are often subject to probation; and

WHEREAS, when registered sex offenders violate the terms of their probation and abscond from supervision, the victims of their earlier crimes should be given notification; and

WHEREAS, the Department of Probation presently attempts to notify victims when a sex offender absconds from supervision, and the Department does not object to the establishment of a formal County notification policy; now, therefore be it

1st RESOLVED, that it shall be the policy of the County of Suffolk to notify the victims of registered sex offenders when a registered sex offender absconds from the supervision of the Department of Probation; and be it further

2nd RESOLVED, that notification will be made to the victim's next-of-kin, or guardian, if the victim is a minor or lacks legal capacity; and be it further

3rd RESOLVED, that the Department of Probation shall implement this policy and notify victims, verbally and in writing, when a sex offender absconds, as soon as practicable; and be it further

4th RESOLVED, that the Director of the Department of Probation is authorized and empowered to promulgate rules and regulations necessary to implement this policy; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 11, 2006

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

Intro. Res. No. 2258-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1242 -2006, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$102,300 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT BELLPORT TASK FORCE 2006 WITH 90% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has made \$102,300 in Federal pass-through monies from the 2005 Byrne Justice Assistance Grant Program available to Suffolk County continue a project to reduce crime committed by repeat offenders in the area served by the Suffolk County Police Department’s Fifth Precinct; and

WHEREAS, said project will utilize a multi-agency approach of investigation, enforcement and prevention; and

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

WHEREAS, funds totaling \$7,500 for the Program and \$11,367 in funds for the required match are included in the 2006 Suffolk County Operating Budget; and

WHEREAS, said grant funds have not been included in the 2006 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows:

<u>REVENUE:</u>	Amount
115-4388-Federal Aid: Bellport Task Force 2006	\$102,300

ORGANIZATIONS:

Police Department (POL)
Bellport Task Force 2006
115-POL-3291

<u>1000-Personal Services</u>	\$69,532
1120-Overtime Salaries	\$69,532
<u>3000-Supplies Materials &Others:</u>	\$588
3610-Repairs: Office Equipment	\$588
<u>4000-Utilities</u>	\$600
4010-Telephone & Telegraph	\$600
<u>4300-Travel</u>	\$1,121
4310-Employee Miscellaneous Expense	\$ 878
4330-Travel, Employee Contracts	\$ 243
<u>4400-Fees for Facilities</u>	\$10,200
4410-Rent: Offices & Buildings	\$10,200
Employee Benefits Retirement 115-EMP-9010	
<u>8000-Employee Benefits</u>	\$11,751
8280-Employee Retirement System	\$11,751
Employee Benefits Social Security 115-EMP-9030	
<u>8000-Employee Benefits</u>	\$1,008
8330-Social Security	\$1,008

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2261-2006

Laid on Table 10/17/2006

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

RESOLUTION NO. 1243 -2006, APPROVING THE APPOINTMENT OF RICHARD VELLA AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the appointment of Richard Vella 802 5th Street, West Babylon, NY 11704, as a representative of the Suffolk County Volunteer Firemen's Association, Inc., on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning immediately and expiring December 31, 2007, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2006

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

Intro Res. No. 2263-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1244 -2006, APPROVING THE APPOINTMENT OF DAVID FERGUSON AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the appointment of David Ferguson, 12 Oneonta Court, Centerport, NY 11721, as a representative of the Fire Chiefs' Council of the Town of Huntington, on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning immediately and expiring December 31, 2007, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2280-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1245 -2006, DESIGNATING INDIVIDUAL AGENTS AS OFFICIAL VOLUNTEERS FOR SUFFOLK COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR 2007

WHEREAS, Resolution No. 1334-2005, Resolution Designating Individual Agents as Official Volunteers for Suffolk County Society for the Prevention of Cruelty to Animals”, was adopted by the County Legislature on December 6, 2005, to afford such volunteers the rights and privilege of indemnification and a to a legal defense under Article IV of Chapter 35 of the SUFFOLK COUNTY CODE; and

WHEREAS, since some of the volunteers have resigned, it has become necessary to amend and update the list of volunteers for the year 2007; now, therefore, be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 1334-2005, is hereby amended to read as follows:

“**1st RESOLVED**, that the individuals, listed in Exhibit “A” attached hereto and made a part hereof, are hereby designated as official volunteers on behalf of the County of Suffolk for the Prevention of Cruelty to Animals (SCSPCA) during the period of January 1, 2007 through December 31, 2007, pursuant to Section 35-27 of the SUFFOLK COUNTY CODE for the purpose of affording them the indemnification and legal defense protections provided in Article IV of Chapter 35 of the Suffolk County Code; and be it further”

and be it further

2nd RESOLVED, that new Exhibit “A” attached hereto contains the names of the Official Volunteers for Suffolk County Society for the Prevention of Cruelty to Animals for the year 2007; and be it further

3rd RESOLVED, that all other terms and conditions of Resolution No. 1334-2005 shall be applicable and remain in full force and effect; and be it further

4th RESOLVED, that, the Risk Management & Benefits Division in the County Department of Civil Service, Personnel, and Human Resources is hereby authorized, empowered, and directed to issue an appropriate Certificate of Indemnification to the SCSPCA.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

Exhibit "A" – Page 1

Suffolk County Society for the Prevention of Cruelty to Animals - Sworn Peace Officers

Robert Aversano
(Lieutenant)

Roy Gross
(Chief of Department)

James Brown
(Sergeant)

Robert Hunter
(Detective)

Thomas Cappetta
(Detective)

Herbert Kellner
(Lieutenant)

Victor D'Airo
(Investigator)

Emil Kochman
(Detective)

Joseph Gallo
(Detective)

Stephen Laton
(Deputy Inspector)

Raymond Galoppi
(Detective)

Gerald Lauber
(Chief of Detectives)

Robert Galoppi
(Sergeant)

Carolyn Lowry
(Sergeant)

Lois Gross
(Detective)

John Lowry
(Investigator)

Exhibit "A" – Page 2

Suffolk County Society for the Prevention of Cruelty to Animals - Sworn Peace Officers

Alex Parathyras
(Detective)

Thomas Scaccia
(Detective)

Michael Schuler
(Detective)

Craig Stadelman
(Sergeant)

Richard Steinhauser
(Captain)

Gordon Stockman
(Detective)

John Thompson
(Sergeant)

Arthur Turner
(Sergeant)

Eric Weiss
(Detective)

Gary Rogers
(Lieutenant)

Jay Johanas
(Detective)

Dominic Mozzone
(Detective)

Donald Brambrick
(Humane Officer)

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

Intro. Res. No. 2245-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer Lindsay and Legislators Alden, Romaine, Browning, Losquadro

**RESOLUTION NO. 1250 –2006, DIRECTING THE
DEPARTMENT OF PUBLIC WORKS TO IMPLEMENT THE
STORM WATER POLLUTION REMEDIATION PROGRAM**

WHEREAS, storm water runoff contains a variety of pollutants that contaminate streams, surface waters and drinking waters in Suffolk County; and

WHEREAS, this Legislature responded to this problem by establishing the Storm Water Pollution Remediation Program through the enactment of Resolution No. 748-2004; and

WHEREAS, Resolution No. 748-2004 envisioned the installation of filters in the County's estimated 2,000 catch basins/storm drains as the centerpiece of the Remediation Program; and

WHEREAS, Resolution No. 748-2004 allocated \$3,000,000.00 to this Program and directed the Departments of Public Works and Health Services to jointly research and issue a Request for Proposals (RFP) for the purchase, installation and maintenance of technology necessary to remove contaminants from catch basins/storm drains; and

WHEREAS, the RFP was issued by the Department of Public Works but no award of contract resulted; and

WHEREAS, the Department of Public Works issued a second RFP in September 2006 for catch basin inserts; and

WHEREAS, more than two years after Resolution No. 748-2004 was adopted, only \$75,000 of the funds allocated have been expended and zero filters have been purchased and installed; now, therefore be it

1st RESOLVED, that the Department of Public Works shall award a contract for the installation of catch basin filters by December 31, 2006; and be it further

2nd RESOLVED, that if no award is made by December 31, 2006, the Department of Public Works shall advise the members of this Legislature, in writing, why the Department has been unable to make an award and set forth all reasons why the Department has been unable to implement the Storm Drain Pollution Remediation Program for over two years; and be it further

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

DATED: November 21, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 11, 2006

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

Intro. Res. No. 2271A-2006

BOND RESOLUTION NO. 1251 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$102,315 BONDS TO FINANCE THE COST OF THE CONGESTION MITIGATION AND PLANNING COORDINATION STUDY OF THE SAGTIKOS REGIONAL DEVELOPMENT ZONE (CP 5182.110)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$102,315 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of congestion mitigation and planning coordination study of the Sagtikos Regional Development Zone, 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 \$511,575. The plan of financing includes (a) the expenditure of \$409,260 in State Aid funds (80%), (b) the issuance of \$102,315 bonds or bond anticipation notes authorized pursuant to this resolution (20%), and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in

substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2271-2006 Laid on Table 10/17/2006
Introduced by Presiding Officer, on request of the County Executive and Legislators Stern, D'Amaro and Kennedy

RESOLUTION NO. 1252 -2006, ACCEPTING AND APPROPRIATING \$409,260 IN 80% GRANT FUNDING FROM THE NEW YORK METROPOLITAN TRANSPORTATION COUNCIL FOR A CONGESTION MITIGATION AND PLANNING COORDINATION STUDY OF THE SAGTIKOS REGIONAL DEVELOPMENT ZONE (CP 5182)

WHEREAS, the New York Metropolitan Transportation Council has designated the Department of Planning as the recipient of an 80% federal funded grant in the amount of \$409,260 for a Congestion Mitigation and Planning Coordination Study for the Sagtikos Regional Development Zone which will be managed by the Department of Planning; and

WHEREAS, the purpose of the study is twofold: to formulate short- and long-term congestion mitigation measures for current and proposed development in and around the 2,500 acre Sagtikos Regional Development Zone and to coordinate planning for future land use desires and transportation solutions in the desired growth area. The goal of the study is to bring together the towns of Babylon, Huntington, Islip and Smithtown, with Suffolk County, the New York State Department of Transportation and the Long Island Rail Road to reach consensus on mitigation measures, guiding principles for future growth in the area, and a preferred alternative for future development and related transportation solutions; and

WHEREAS, the study will focus on one of Suffolk County's major growth and development areas, known as the Sagtikos Regional Development Zone, which encompasses 2,500 acres adjacent to the Long Island Expressway and Sagtikos State Parkway. The Zone is bounded to the north by the Northern State Parkway, to the east by the Sagtikos State Parkway, to the south by Pine Aire Drive and Grand Boulevard, and the west by Commack Road; and

WHEREAS, Development currently in the pipeline for the Sagtikos Regional Development Zone includes 2.6 million square feet of retail space, 3 million square feet of office space, 1.3 million square feet of industrial space and approximately 9,000 housing units, as well as a major intermodal freight terminal; and

WHEREAS, the Sagtikos Regional Development Zone contains the last major acreage in western Suffolk County available for development and redevelopment on this scale, which is situated at the convergence of the municipal borders of the towns of Babylon, Huntington, Islip and Smithtown; and

WHEREAS, development in the Sagtikos Regional Development Zone impacts a range of transportation facilities including the main line of the Long Island Rail Road, major limited access highways such as the Long Island Expressway and Northern State and Sagtikos State Parkways, and local collector roadways such as Commack Road, Suffolk Avenue, Long Island Avenue, Pine Aire Drive, Grand Boulevard and Crooked Hill Road; and

WHEREAS, significant transportation improvements will be necessary within the Sagtikos Regional Development Zone to support all of the proposed development; and

WHEREAS, funds are not included in the 2006 Capital Budget and Program to cover the cost of said request 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, this program is 80% funded and it is in the best interest of Suffolk County to accept these funds; now, therefore be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and that this law constitutes a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(18) and (27), since it constitutes a local legislative decision in connection with information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

Project No.: 5182
Project Title: Congestion Mitigation and Planning Coordination Study of the Sagtikos Regional Development Zone

	Current 2006 Capital	Revised 2006 Capital
Total		

	<u>Est'd Cost</u>	<u>Budget & Program</u>	<u>Budget & Program</u>
1. Planning & Design	\$102,315 B	\$0 B	\$102,315 B
	\$409,260 F	\$0 F	\$409,260 F
TOTAL	\$511,575	\$0	\$511,575

and be it further

RESOLVED, that the proceeds of \$102,315 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5182.110	Congestion Mitigation and Planning Coordination Study of the Sagtikos Regional Development Zone	\$102,315

and be it further

RESOLVED, that the State Aid in the amount of \$409,260 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5182.110	Congestion Mitigation and Planning Coordination Study of the Sagtikos Regional Development Zone	\$409,260

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0. Legislator Barraga voted no.

Intro. Res. No. 2273A-2006

BOND RESOLUTION NO. 1253 -2006

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS TO FINANCE A PART OF THE COST OF THE REFURBISHING

**OF DISTRICT ATTORNEY SPACE AT THE COHALAN COURT
COMPLEX (CP 1134.510)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the refurbishing of District Attorney space at the Cohalan Court Complex, 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 \$785,000. The plan of financing includes (a) the issuance of \$385,000 capital reserve funds appropriated pursuant to Resolution No. 1081-2004, (b) the issuance of \$400,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law of the Law, is fifteen (15) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of

1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0. Legislator Barraga voted no.

Intro. Res. No. 2273-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 10/17/2006

RESOLUTION NO. 1254 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH REFURBISHING DISTRICT ATTORNEY SPACE AT COHALAN COURT COMPLEX (CP 1134)

WHEREAS, the District Attorney has requested funds for the second phase of the refurbishment and updating of office space on the 5th, 6th, 7th, and 8th floors of the Cohalan Court Complex; and

WHEREAS, there are sufficient capital authorizations within the 2006 Capital Budget and Program to fund said request; and

WHEREAS, pursuant to Resolution No. 675-2006, the application of the 5-25-5 Law has been waived during fiscal year 2006, this resolution requests the method of financing be changed for this project; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$400,000 in Suffolk County Serial Bonds; now, therefore be it

RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, Resolution No. 311-2004 classified the action contemplated by this as a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), Section 617.5(c)(1), (2) and (21) as the action concerns maintenance or repair involving no substantial changes in an existing structure and/or replacement, rehabilitation or reconstruction of a structure or facility, in-kind; the Legislature has no further responsibilities under SEQRA; and be it further

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

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

Project No: 1134
Project Title: Refurbishing District Attorney Space at Cohalan Court Complex

Current Modified

	<u>Total Est'd Cost</u>	<u>2006 Capital Budget & Program</u>	<u>2006 Capital Budget & Program</u>
3. Furniture & Equipment	\$ 435,000	\$ 400,000G	\$ 400,000B
TOTAL	\$ 435,000	\$ 400,000	\$ 400,000

and be it further

RESOLVED, that the proceeds of \$400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1134.510 (Fund 001 Debt Service)	19	Construction - Refurbish District Attorney Space, Cohalan Court Complex	\$400,000

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

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

Intro Res. No. 2276-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1255 -2006, AMENDING RESOLUTION NO. 1401-2005 WHICH WAS AMENDED BY RESOLUTION NO. 160-2006 AND AUTHORIZING THE PURCHASE AND INSTALLATION OF BICYCLE RACKS ON SUFFOLK COUNTY TRANSIT BUSES AND ACCEPTING AND APPROPRIATING FEDERAL AID (80%) AND STATE AID (10%) IN CONNECTION WITH THIS PURCHASE AND INSTALLATION (CP 5648.517)

WHEREAS, Resolution No. 1401-2005 authorized the purchase and installation of bicycle racks on Suffolk County Transit Buses; and

WHEREAS, Resolution No. 160-2006 authorized certain technical corrections to Resolution No. 1401-2005 regarding the funding and Capital Project Number; and

WHEREAS, Resolution Nos. 329-2006 and 331-2006 authorized the filing for and the execution of grants with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) for mass transportation projects including the purchase of transit buses and related equipment which includes bicycle racks; and

WHEREAS, the FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the County providing 10% of the cost of this project; and

WHEREAS, an additional amendment to Resolution No. 1401-2005 as amended by Resolution No. 160-2006 is necessary in order to accept and appropriate the federal and state grant funds that are available to the County for use in connection with this purchase; and

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

WHEREAS, the total cost of the purchase is estimated to be \$60,000; and

WHEREAS, there are sufficient funds within the 2006 Capital Budget and Program; and

WHEREAS, that the County Legislature, by Resolution No. 1401-2005 authorized \$60,000 in Capital Reserve Funds to cover the County share of this purchase; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project has been classified as a priority ranking of sixty-two (62) and is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

3rd RESOLVED, that Resolution No. 1401-2005 as amended by Resolution No. 160-2006 is hereby amended to reflect the Federal and State funding that is available to provide 90% of the cost of this project; and be it further

4th RESOLVED, that the Purchasing Division is authorized to acquire and have installed on Suffolk County Transit Buses bicycle racks subject to approvals of FTA and NYSDOT and pursuant to applicable Federal and State regulations; and be it further

5th RESOLVED, that the excess of \$60,000 in Capital Reserve Funds be returned to fund 001 upon receipt of Aid.

and be it further

6th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-5648.517</u>	<u>Purchase and installation of bicycle racks on Suffolk County Transit Buses</u>	<u>\$6,000</u>

and be it further

7th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-5648.517</u>	<u>Purchase and installation of bicycle racks on Suffolk County Transit Buses</u>	<u>\$48,000</u>

and be it further

8th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 10-4-4-0. Legislators Romaine, Caracappa, Barraga and Kennedy voted no. Legislators Schneiderman, Losquadro, Alden and Nowick abstained.

Intro. Res. No. 1797-2006

Laid on Table 6/13/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1258 -2006, AUTHORIZING THE SALE OF BROWNFIELD PROPERTY TAX LIENS AT PUBLIC AUCTION

WHEREAS, the Suffolk County Legislature has heretofore established that the County of Suffolk be the sole bidder at real property tax lien sales; and

WHEREAS, that by Legislative Resolution No. 1010-1972, *Declaring A Moratorium On Assignments By The County Of Suffolk Of Tax Liens*, the Suffolk County Legislature resolved that a moratorium banning the sale to any third party of any and all tax

liens acquired by the County of Suffolk is to continue indefinitely until otherwise declared by the County Legislature; and

WHEREAS, it was then determined by Legislative Resolution No. 1010-1972 that it would be in the best interest of the County of Suffolk to become the ultimate owner of such real property in the event that the parcel is not redeemed by the delinquent tax payer so that the parcel could be used for governmental purposes or sold at public auction for its true market value; and

WHEREAS, the County of Suffolk is now owed a substantial sum in unpaid property taxes on parcels where the redevelopment or reuse of which may be complicated by the presence or potential presence of hazardous waste, petroleum, pollutant or contaminant; and

WHEREAS, such parcels are known as “Brownfield” properties as that term is defined in Title 14 of Article 27 of the Environmental Conservation Law of the State of New York; and

WHEREAS, it may not be in the best interests of the County of Suffolk to acquire title to Brownfield properties due to clean-up costs and liabilities which could result from ownership of such properties; and

WHEREAS, it would be in the best interests of the County of Suffolk to sell the tax liens for Brownfield properties to third parties who have the financial means and expertise to remediate and reuse such properties, and to restore such properties to the tax rolls; and

WHEREAS, it is in the best interests of the County of Suffolk to have at its disposal the opportunity to utilize as many procedural methods as possible to collect the sum owed as a result of unpaid taxes on Brownfield properties, and to restore such properties to the tax rolls; and

WHEREAS, the Office of the Suffolk County Treasurer has identified the following parcels as Brownfield properties:

- (1) 0100-198.00-02.00-029.000,
- (2) 0200-000.00-00.08-542.060,
- (3) 0200-000.00-00.08-542.072,
- (4) 0200-000.00-00.08-542.074,
- (5) 0200-000.00-00.08-542.075,
- (6) 0200-000.00-00.08-542.090,
- (7) 0500-224.00-01.00-078.000,
- (8) 0500-224.00-01.00-080.002,
- (9) 0600-126.00-01.00-023.000,
- (10) 0800-042.00-01.00-001.000,
- (11) 0800-042.00-01.00-002.002,
- (12) 0800-042.00-01.00-026.002; and

WHEREAS, the sale of Brownfield tax liens will enable the County of Suffolk to expedite the collection of the delinquent taxes and receipt of anticipated revenues, and will keep County property taxes down for those who pay their taxes on time by restoring these properties to the tax rolls; now, therefore be it

1st **RESOLVED**, that the first resolved clause of Legislative Resolution No. 1010-1972 is hereby amended to read as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Suffolk County Legislature does hereby declare a moratorium upon the sale [transfer] of any [and all] tax liens purchased by the said County heretofore or in the future,[.] except that such moratorium shall not apply to the sale of any tax lien for any Brownfield property.

and be it further

2nd **RESOLVED**, that the sale of any tax liens of Brownfield properties shall be offered for sale at public auction pursuant to regulations established for such auctions by the Commissioner of the Department of Environment and Energy or his or her designee ("Commissioner"). The rate of interest at which any person or persons shall offer to take the Brownfield property to be sold shall be established by his or her bid, but in no event shall the rate exceed the maximum rates prescribed by Section 45 of the Suffolk County Tax Act; and be it further

3rd **RESOLVED**, the Commissioner shall advertise in the official newspapers, and may advertise in such other media as he or she may elect, the date, time, and place of the public auction for the sale of any of the tax liens for Brownfield properties. Lists of the tax liens to be offered for sale may be made available by mail to persons requesting such lists; and be it further

4th **RESOLVED**, the Commissioner, or his or her designee, shall deliver to the County Legislature, in resolution for approval, the Brownfield tax lien proposed to be sold, together with the bid price. If the sale of such lien is not concluded within two years after the effective date of the County resolution authorizing such sale, the tax lien shall be re-listed for sale at public auction to the highest bidder; and be it further

5th **RESOLVED**, the sale of any Brownfield property tax lien not described herein above shall be approved via duly enacted resolution. Notwithstanding anything herein to the contrary, the moratorium established by Resolution No. 1010-1972 shall continue for any tax lien now owned or hereinafter acquired by the County of Suffolk for the parcels known as 550 Suffolk Avenue, Brentwood, New York, 11717 bearing Suffolk County Tax Map number 0500-136.00-03.00-009.000 and 1 Cordello Avenue, Central Islip, New York, 11722, bearing Suffolk County Tax Map Number 0500-120.00-03.00-093.003; and be it further

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

7th **RESOLVED**, that this resolution shall take effect immediately.

[] Brackets denote deletion of language
— Underlining denotes addition of new language

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 29, 2006

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

Intro. Res. No. 2219-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1259 -2006, AUTHORIZING THE
TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK
COUNTY DEPARTMENT OF PUBLIC WORKS (SCTM NO.
0200-975.90-02.00-032.001)**

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property, surplus to its needs and described as follows:

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 975.90 Block 02.00 Lot 032.001 and acquired by Tax Deed on October 8, 1999, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 11, 1999 in Liber 12002 at Page 410 and described as follows, Town of Brookhaven, NY & Bklyn Sub Inv Co. Map 6/444, N x Robinson Blvd., n/k/a Montauk Highway, S.R. 27A, E x now or formerly MIR, S x LIRR, W x now or formerly Feicht, filed in the Office of the Clerk of Suffolk County on June 9, 1890; and

WHEREAS, this parcel has been requested by the Department of Public Works for highway drainage purposes to alleviate the current flooding problem in order to provide safer intersection geometry; and

WHEREAS, as a result thereof the jurisdiction of said parcel should be transferred to the Suffolk County Department of Public Works; and

WHEREAS, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore be it

RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy be authorized to transfer to the Suffolk County Department of Public Works, 335 Yaphank Avenue, Yaphank, New York, the interest of

Suffolk County in the above described property for the above stated reasons and purpose; and be it further

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

RESOLVED, that the designation of such property to the Suffolk County Department of Public Works is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

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

Intro. Res. No. 2236-2006

Laid on Table 10/17/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1260 -2006, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
VINCENT SCHMITT AND LICIA SCHMITT, HIS WIFE (SCTM
NO. 0400-077.00-02.00-055.000)**

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 077.00 Block 02.00 Lot 055.000 and acquired by Tax Deed on May 16, 1997 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on May 23, 1997 in Liber 11832 at Page 321 and described as follows, Town of Huntington, N & W x now or formerly known as Vincent and Licia Schmitt, E x now or formerly known as Martin and Gail Redler, S x now or formerly known as Joseph M. and Rachel

DeRiso and now or formerly known as Michele Algeria, Marie L. Brennan, Ralph Grausso Jr. and Deborah A. Schmit; and

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

WHEREAS, Vincent Schmitt and Licia Schmitt, his wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$12,100.00. 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 \$12,000.00, 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 \$12,100.00, 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

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

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

3rd RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Vincent Schmitt and Licia Schmitt, his wife, 71 Greenlawn Road, Huntington, NY 11743.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 1, 2006

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

Intro. Res. No. 2282-2006
Introduced by Legislator Kennedy

Laid on Table 10/17/2006

RESOLUTION NO. 1261 -2006, AUTHORIZING TRANSFER OF TEN (10) SURPLUS COUNTY COMPUTERS TO FAMILY SERVICE LEAGUE

WHEREAS, the Departments of Health Services and Probation have submitted to the Department of Public Works a list of surplus reconditioned computers and monitors which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, various not-for-profit and public service organizations in Suffolk County have requested the donation of computers from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st RESOLVED, that the Department of Health Services is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:
Family Service League
Flexible Employment
60 Plant Avenue
Hauppauge, NY 11788

Contact: Ms. Lori Brennan
Telephone: 631-582-8492 x222

SERVICE TAG NO.
Dell Tower - H9M220B
Dell Tower - 9S3Z30B
Dell Tower - 6SYQ20B
Dell Tower - 77YV501
Dell Tower - 84QZ30B
Dell Tower - 4X3Z30B
Dell Tower - GS46601
Dell Tower - 85YV501
Dell Tower - B7YV501
Dell Tower - 34LL401

and be it further

2nd **RESOLVED**, that the Probation Department is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:

Family Service League
Flexible Employment
60 Plant Avenue
Hauppauge, NY 11788

Contact: Ms. Lori Brennan
Telephone: 631-582-8492 x222

SERIAL NO.

Dell – MXO62771R-47741-13F-10FI
Sceptre – 915EJJA2B00121
Dell – 66746-J9AL2-38
Sceptre – 915EJJA2B00156
Sceptre – 917EJJA2B00384
Future Power – AP0004BXA00326
Future Power – AP0004BXA00323
IBM – 24-PX408
CTX – 1G3-74607083-A02
Sceptre – 915EJJAB00440

and be it further

3rd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed non-profit for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

4th **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 21, 2006

APPROVED BY:

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

Date: December 7, 2006

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1262 -2006, AUTHORIZING THE OFFICE OF THE SUFFOLK COUNTY EXECUTIVE TO ACT AS SIGNATORY ON A SHARED SERVICES AGREEMENT WITH THE STATE OF NEW YORK FOR SNOW REMOVAL ON CERTAIN LONG ISLAND EXPRESSWAY SERVICE ROADS

WHEREAS, New York State Highway Law Section 12 sets forth responsibilities of the New York State Commissioner of the Department of Transportation in regards to roadway maintenance and snow and ice removal; and

WHEREAS, the New York State Department of Transportation has proposed pursuant to Section 12 of the Highway Law a shared responsibilities agreement with the Department of Public Works, annexed as Exhibit "A," for snow and ice removal on certain Long Island Expressway service roads; and

WHEREAS, the Department of Public Works has reviewed the proposed agreement and considers such division of responsibilities as equitable; and

WHEREAS, by this resolution it is the intent of the Suffolk County Legislature to authorize the Office of the Suffolk County Executive to act as signatory for the Snow and Ice Removal Shared Services Agreement: now, therefore be it

1st RESOLVED, that the Chief Deputy County Executive is the representative authorized to act as signatory on behalf of Suffolk County for the Snow and Ice Removal Shared Services Agreement, and that he is otherwise authorized, empowered and directed to act for Suffolk County related to such agreement; and be it further

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

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 7, 2006

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

Intro. Res. No. 2344-2006
Introduced by Presiding Officer Lindsay

Laid on Table 11/8/2006

**RESOLUTION NO. 1263 -2006, REAPPOINTING
COMMISSIONER OF THE SUFFOLK COUNTY BOARD OF
ELECTIONS (ANITA S. KATZ)**

WHEREAS, a Certificate of Recommendation has been filed by the appropriate Party County Committee for Anita S. Katz, pursuant to Section 3-504 of the NEW YORK ELECTION LAW; now, therefore be it

1st RESOLVED, that **Anita S. Katz**, currently residing at 165 Gleeland Street, Deer Park, New York, 11729, be and she hereby is reappointed as the Democratic Commissioner to the Suffolk County Board of Elections, pursuant to Section 3-504(2) of the NEW YORK ELECTION LAW, effective January 1, 2007 for a term of office to expire December 31, 2010.

DATED: November 21, 2006

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

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

Intro. Res. No. 2345-2006
Introduced by Legislator Losquadro

Laid on Table 11/8/2006

**RESOLUTION NO. 1264 -2006, APPOINTING
COMMISSIONER OF THE SUFFOLK COUNTY BOARD OF
ELECTIONS (CATHY L. RICHTER GEIER)**

WHEREAS, a Certificate of Recommendation has been filed by the appropriate party County committee for Cathy L. Richter Geier, pursuant to Section 3-504 of the NEW YORK ELECTION LAW; now, therefore be it

1st RESOLVED, that **Cathy L. Richter Geier**, currently residing at 214 Oak Street, Greenport, New York, 11944, be and she hereby is appointed as the Republican Commissioner to the Suffolk County Board of Elections, pursuant to Section 3-504(2) of the NEW YORK ELECTION LAW, effective January 1, 2007, for a term to expire December 31, 2010.

DATED: November 21, 2006

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

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

Intro Res. No. 2439-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1265 -2006, ACCEPTING AND APPROPRIATING 100% GRANT FUNDS FROM THE NEW YORK STATE OFFICE OF FAMILY AND CHILDREN SERVICES TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE REGISTRATION AND INSPECTION OF CHILD CARE PROVIDERS

WHEREAS, the New York State Office of Children and Family Services has awarded Suffolk County Department of Social Services additional Federal funds in the amount of \$80,083 for a total of \$939,193 for a child care registration and inspection program designated for contracted services; and

WHEREAS, the 2006 Adopted budget includes \$859,110 for a contract with the Child Care Council of Suffolk, Inc.; and

WHEREAS, it is the intention of the Department of Social Services to continue to contract the activities of registration and inspection to the Child Care Council of Suffolk, Inc. and modifying their contract by increasing their 2006 allocation in the amount of \$80,083 for a total of \$939,193; and

WHEREAS, the New York State Office of Family and Children's Services has transferred the responsibility of registering Family Day Care Providers and School Aged Child Care programs to the local districts; and

WHEREAS, the Child Care Council of Suffolk, Inc. will provide this service in Suffolk County; and

WHEREAS, this program is 100% funded and is in the best interest of Suffolk County to accept these funds; now, therefore be it

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

<u>REVENUES:</u>		<u>\$80,083</u>
001-4620	FEDERAL AID: Child Care Block Grant	\$80,083

and be it further

RESOLVED, that total funds in the amount of \$80,083 be and are hereby appropriated as follows:

<u>ORGANIZATIONS:</u>		<u>\$80,083</u>
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Department of Social Services
Client Benefits Administration

<u>4000 – Contractual Expenses</u>	<u>\$80,083</u>
4980 – GGN1– Child Care Council: Registration and Inspection	80,083
and be it further	

RESOLVED, that the County Executive and the Commissioner of Social Services be and they are hereby are authorized to modify the existing contract with the Child Care Council of Suffolk, Inc. for Child Care Registration and Inspection.

DATED: November 21, 2006

APPROVED BY:

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

Date: November 24, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-1-0-0. Legislator Alden voted no.

Intro. Res. No. 2417-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1266-2006, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST IN THE TOWNS OF BABYLON, HUNTINGTON, AND ISLIP

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No. 3 - Southwest in the amount of \$ 1,246,450.49 in the Town of Babylon; and in the amount of \$ 69,245.93 in the Town of Huntington; and in the amount of \$ 710,039.30 in the Town of Islip; now, therefore be it

1st RESOLVED, that a copy of such lists as are applicable to County Sewer District No. 3 - Southwest be transmitted to the Tax Receivers of the Towns of Babylon, Huntington, and Islip, respectively thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Towns of Babylon, Huntington, and Islip under the name of "unpaid sewer rents".

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2206

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-1-0-0. Legislator Alden voted no.

Intro. Res. No. 2418-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1267-2006, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 13 (WIND WATCH), SUFFOLK COUNTY SEWER DISTRICT NO. 14 (PARKLAND), AND SUFFOLK COUNTY SEWER DISTRICT NO. 15 (NOB HILL) IN THE TOWN OF ISLIP

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No.13 - (Wind Watch) in the amount of \$ 4,127.01, Suffolk County Sewer District No.14 - (Parkland) in the amount of \$ 80,403.44, and Suffolk County Sewer District No. 15 - (Nob Hill) in the amount of \$ 14,619.23 in the Town of Islip; now, therefore be it

1st RESOLVED, that a copy of such lists as are applicable to each sewer district in the Town of Islip be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Islip under the name of "unpaid sewer rents".

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

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

Intro. Res. No. 2419-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1268-2006, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 1 (PORT JEFFERSON), SUFFOLK COUNTY SEWER DISTRICT NO. 7 (MEDFORD), SUFFOLK COUNTY SEWER DISTRICT NO. 10 (STONY BROOK), SUFFOLK COUNTY SEWER DISTRICT NO. 11 (SELDEN), SUFFOLK COUNTY SEWER DISTRICT NO. 14 (PARKLAND) SUFFOLK COUNTY SEWER DISTRICT NO. 19 (HAVEN HILLS), SUFFOLK COUNTY SEWER DISTRICT NO. 20 (WILLIAM FLOYD), AND SUFFOLK COUNTY SEWER DISTRICT NO. 23 (COVENTRY MANOR) IN THE TOWN OF BROOKHAVEN

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No.1 - (Port Jefferson) in the amount of \$ 12,914.64, and Suffolk County Sewer District No. 7 - (Medford) in the amount of \$ 9,275.69, and Suffolk County Sewer District No. 10 - (Stony Brook) in the amount of \$ 4,104.00, and Suffolk County Sewer District No. 11 - (Selden) in the amount of \$ 52,619.56, and Suffolk County Sewer District No. 14 - (Parkland) in the amount of \$10,157.45, and Suffolk County Sewer District No. 19 - (Haven Hills) in the amount of \$ 2,565.34, and Suffolk County Sewer District No. 20 - (William Floyd) in the amount of \$30,792.92, and Suffolk County Sewer District No. 23 - (Coventry Manor) in the amount of \$ 23,052.61 in the Town of Brookhaven; now, therefore be it

1st RESOLVED, that a copy of such lists as applicable to each sewer district in the Town of Brookhaven be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Brookhaven under the name of "unpaid sewer rents".

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

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

Intro. Res. No. 2420-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1269-2006, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 6 (KINGS PARK), SUFFOLK COUNTY SEWER DISTRICT NO. 13 (WIND WATCH), SUFFOLK COUNTY SEWER DISTRICT NO. 15 (NOB HILL), SUFFOLK COUNTY SEWER DISTRICT NO. 18 (HAUPPAUGE INDUSTRIAL), SUFFOLK COUNTY SEWER DISTRICT NO. 22 (HAUPPAUGE MUNICIPAL), AND SUFFOLK COUNTY SEWER DISTRICT NO. 28 (FAIRFIELD @ ST. JAMES) IN THE TOWN OF SMITHTOWN

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No. 6 - (Kings Park) in the amount of \$ 1,221.95, Suffolk County Sewer District No. 13 - (Wind Watch) in the amount of \$ 763.48, Suffolk County Sewer District No. 15 - (Nob Hill) in the amount of \$ 3,799.53, Suffolk County Sewer District No. 18 - (Hauppauge Industrial) in the amount of \$ 81,178.76, Suffolk County Sewer District No. 22 - (Hauppauge Municipal) in the amount of \$ 18,237.10, and Suffolk County Sewer District No. 28 - (Fairfield @ St. James) in the amount of \$ 4,210.18, in the Town of Smithtown; now, therefore be it

1st RESOLVED, that a copy of such lists as applicable to each sewer district in the Town of Smithtown be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Smithtown under the name of "unpaid sewer rents".

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0.

Intro. Res. No. 2421-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1270-2006, APPROVING THE RETURN OF THE FUND BALANCE OF THE GENERAL FUND, POLICE DISTRICT FUND, and DISTRICT COURT DISTRICT TO THE TAXPAYERS OF THE TOWNS OF SUFFOLK COUNTY

WHEREAS, the Legislature, by Resolution No. 936-1985, has determined the method of returning the fund balance to the General Fund, Police District Fund, and District Court District taxpayers; now, therefore be it

1st RESOLVED, that the amount of money to be returned to a Suffolk County taxpayer under Local Law 21-1983 for tax year 2006-2007, for the County Operating Budget, shall be in direct proportion to his or her share of the total General Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the County-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the County-wide real property tax levy for the County Operating Budget collected from within that town for the tax year 2004-2005 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all ten towns for tax year 2004-2005; and be it further

2nd RESOLVED, that the allocation of the general fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2004-2005 as established by the Legislature by Resolution No. 1177-2004, be and hereby is fixed as follows:

<u>Town</u>	<u>Amount</u>
Babylon	(14,178,655)
Brookhaven	(34,342,145)
East Hampton	(12,845,654)
Huntington	(26,216,558)
Islip	(23,046,134)
Riverhead	(3,416,063)
Shelter Island	(1,390,570)
Smithtown	(12,891,956)
Southampton	(24,613,877)
Southold	(6,106,091)
TOTALS	(159,047,703)

and be it further

3rd RESOLVED, that the amount of money to be returned to a Suffolk County taxpayer under Local Law 21-1983 for tax year 2006-2007 shall be in direct proportion to his or her share of the total General Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the County-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the County-wide real property tax levy for the County Operating Budget

collected from within that town for tax year 2005-2006 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all ten towns for tax year 2005-2006; and be it further

4th RESOLVED, that the allocation of the general fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2005-2006 as established by the Legislature by Resolution No. 1192-2005 be and hereby is fixed as follows:

<u>Town</u>	<u>Amount</u>
Babylon	\$2,439,397
Brookhaven	6,357,235
East Hampton	2,166,557
Huntington	4,329,211
Islip	4,065,079
Riverhead	679,596
Shelter Island	255,303
Smithtown	2,176,580
Southampton	4,329,067
Southold	1,042,741
TOTALS	\$27,840,766

and be it further

5th RESOLVED, that the amount of money to be returned to a Suffolk County Police District taxpayer under Local Law 21-1983 for the tax year 2006-2007 shall be in direct proportion to his or her share of the total Police District Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the Police District-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the Police District-wide real property tax levy collected from within that town for tax year 2004-2005 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all five towns within the Police District for tax year 2004-2005; and be it further

6th RESOLVED, that the allocation of the police district fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2004-2005 as established by the Legislature by Resolution No. 1180-2004, be and hereby is fixed as follows:

<u>Town</u>	<u>Amount</u>
Babylon	\$3,179,685
Brookhaven	8,143,754
Huntington	5,644,854
Islip	5,356,699
Smithtown	2,900,415
TOTALS	\$25,225,407

and be it further

7th RESOLVED, that the amount of money to be returned to a Suffolk County Police District taxpayer under Local Law 21-1983 for the tax year 2006-2007 shall be in direct proportion to his or her share of the total Police District Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the Police District-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the Police District-wide real property tax levy for the County Operating Budget collected from within that town for tax year 2005-2006 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all five towns within the Police District for tax year 2005-2006; and be it further

<u>Town</u>	<u>Amount</u>
Babylon	(\$4,633,456)
Brookhaven	(12,775,614)
Huntington	(7,895,042)
Islip	(8,003,009)
Smithtown	(4,142,329)
TOTALS	(\$37,449,450)

and be it further

9th RESOLVED, that the amount of money to be returned to a Suffolk County District Court District taxpayer under Local Law 21-1983 for the tax year 2006-2007 shall be in direct proportion to his or her share of the total District Court District Fund real property taxes as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the District Court District-wide real property tax levy for the portion of the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the District Court District-wide real property tax levy for the portion of the County Operating Budget collected from within that town for tax year 2004-2005 shall bear to the total real property tax levy portion of the County Operating Budget as should have been collected by the County from all five towns within the District Court District for tax year 2004-2005; and be it further

10th RESOLVED, that the allocation of the District Court District fund balance for the portion of the County Operating Budget to Suffolk County taxpayers, based upon the equalized

full valuations for 2004-2005 as established by the Legislature by Resolution No. 1181-2004, be and hereby is fixed as follows:

Town	Amount
Babylon	\$176,098
Brookhaven	426,528
Huntington	325,608
Islip	286,232
Smithtown	160,117
TOTALS	\$1,374,583

and be it further

11th RESOLVED, that the amount of money to be returned to a Suffolk County District Court District taxpayer under Local Law 21-1983 for the tax year 2006-2007 shall be in direct proportion to his share of the total District Court District Fund real property taxes as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the District Court District-wide real property tax levy for the portion of the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the District Court District-wide real property tax levy for the portion of the County Operating Budget collected from within that town for tax year 2005-2006 shall bear to the total real property tax levy for the portion of the County Operating Budget as should have been collected by the County from all five towns within the District Court District for tax year 2005-2006, and be it further
Intro. Res. No. 2421-2006

12th RESOLVED, that the allocation of the District Court District fund balance for the portion of the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2005-2006 as established by the Legislature by Resolution No. 1194-2005, be and hereby is fixed as follows:

Town	Amount
Babylon	(\$87,153)
Brookhaven	(227,128)
Huntington	(154,671)
Islip	(145,235)
Smithtown	(77,764)
TOTALS	(\$691,951)

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-2-0-0. Legislators Schneiderman and Alden voted no.

Intro. Res. No. 2422 -2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1271-2006, DETERMINING EQUALIZED REAL PROPERTY VALUATIONS FOR THE ASSESSMENT ROLLS OF THE 10 TOWNS

WHEREAS, the assessment rolls of the several towns have been duly adopted;
and

WHEREAS, the County Legislature believes that the rates as determined by the State Board of Equalization and Assessment for the ten towns of Suffolk County as shown on the report of 10-02-06 fairly indicates the ratio of assessment in the several tax districts to the full valuation thereof, and that the equalized real property valuations upon the said assessment rolls of the several towns and districts should be determined accordingly, and the County Legislature so finds and determines; now therefore, be it

RESOLVED, that the equalization rates and tables pursuant to the NEW YORK REAL PROPERTY TAX LAW shall be computed, established, and adopted in accordance with the state equalization rates for assessment rolls completed in 2006, as shown on the report of 10-02-06 for the ten towns of Suffolk County, as determined by the State Board of Equalization and Assessment and applied to the 2006 assessment rolls of the ten towns of Suffolk County for the several tax districts and that the equalized real property valuations be determined accordingly, as follows:

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 15-3-0-0. Legislators Romaine, Schneiderman and Alden voted no.

Intro. Res. No. 2423-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

RESOLUTION NO. 1272-2006, APPROVING THE TABULATION OF TOWN CHARGES AND FIXING THE TAX LEVIES AND

**CHARGES TO THE TOWNS UNDER THE COUNTY BUDGET
FOR FISCAL YEAR 2007**

1st BE IT RESOLVED, that the tabulations of charges to the towns shown on the attached Schedule A be approved and that the amounts thereof as specified be and hereby are made charges against the respective towns to be levied and extended upon the assessment rolls of the several towns for the year 2006-2007 found to be properly applicable for determining the equalized real property valuations by resolution adopted this date; and be it further

2nd RESOLVED, that the amount of tax levies and charges to the towns for the County Operating Budget as shown by the budget adopted for fiscal year 2007 in the amounts as follows:

<u>SCHEDULE</u>	<u>TAX DISTRICT</u>	<u>AMOUNT</u>
B	County General	\$182,662,440
C	Community College	\$5,074,213
D	Police District	\$441,591,227
E	District Court District	\$7,203,534

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and tax districts, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto; and be it further

3rd RESOLVED, that nothing contained herein shall be construed as approval of the substantive content of the County Operating Budget, 2007 Adopted County Operating Budget or any real property tax increase contained therein since the act of approving this Resolution represents a ministerial act over which the County Legislature and individual Legislators cannot exercise any discretion.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0.

Intro. Res. No. 2424-2006

Laid on Table 11/21/2006

Introduced by the Presiding Officer

RESOLUTION NO. 1273-2006, APPROVING AND DIRECTING THE LEVY OF TAXES AND ASSESSMENTS FOR SEWER DISTRICTS OF SUFFOLK COUNTY UNDER THE COUNTY BUDGET FOR FISCAL YEAR 2007

BE IT RESOLVED, that the amount of taxes, levies and charges to the towns as shown in the budget adopted for fiscal year 2007 for Sewer Districts in the amounts as follows:

<u>SCHEDULE</u>	<u>SEWER DISTRICT</u>	<u>AMOUNT</u>
A	#1 - Port Jefferson (Brookhaven)	\$1,403,040
B	#5 - Strathmore (Huntington)	656,904
C	#6 - Kings Park (Smithtown)	16,578
D	#7 - Medford (Brookhaven)	1,238,538
E	#8 - Strathmore Ridge (Brookhaven)	97,717
F	#9 - College Park (Brookhaven)	84,282
G	#10 - Stony Brook (Brookhaven)	946,361
H	#11 - Selden (Brookhaven)	1,863,545
I	#12 - Birchwood/Holbrook (Brookhaven)	132,018

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and sewer districts, found to be properly applicable for determining the equalized real property valuations by resolution adopted this date, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 17-1-0-0. Legislator Alden voted no.

Intro. Res. No. 2425-2006
Introduced by the Presiding Officer

Laid on the Table 11/21/2006

**RESOLUTION NO. 1274 -2006, AFFIRMING, CONFIRMING,
AND ADOPTING THE ASSESSMENT ROLL FOR S.C.S.D. NO.
3 - SOUTHWEST AND DIRECTING THE LEVY OF
ASSESSMENTS AND CHARGES WITHIN THE TOWNS OF
BABYLON, ISLIP AND HUNTINGTON FOR THE SOUTHWEST
SEWER DISTRICT IN THE COUNTY OF SUFFOLK FOR
FISCAL YEAR 2007**

WHEREAS, the Administrative Head of the Southwest Sewer District in the County of Suffolk, also known as Suffolk County Sewer District No. 3 - Southwest, did duly submit and file a tentative 2006-2007 assessment roll for said district for fiscal year 2007; and

WHEREAS, a public hearing upon said assessment roll was duly called, noticed, and held at which time the County Legislature did hear and consider all objections and complaints addressed to the said assessment roll; and

WHEREAS, after having carefully reviewed and considered the tentative assessment roll and the objections, complaints, testimony, and comments addressed thereto; now, therefore be it

1st RESOLVED, that the tentative assessment roll proposed for Suffolk County Sewer District No. 3 - Southwest be and the same hereby is affirmed, confirmed, and adopted as the final 2006-2007 assessment roll for said District for fiscal year 2007, and the Clerk of the Legislature is directed to file same immediately; and it is further

2nd RESOLVED, that the budget for the levy of said sewer district, which has been approved and adopted by this County Legislature by previous resolution, and as adjusted by Schedule "A", attached hereto and made a part of hereof, is hereby assessed, levied, and charged upon all the property subject to special assessment and charge for the purposes of the Suffolk County Sewer District No. 3 - Southwest within the Towns of Babylon, Islip, and Huntington based upon the equalized value or full value of all such property, as determined in accordance with the equalization rates hereinafter set forth and upon the full value of the "S" parcels as determined by the Administrative Head, all as shown on the annexed schedule; plus an additional amount of \$29.02 per taxable parcel located within the District or that amount which when multiplied by the total number of taxable parcels located within the District will amount to the sum of \$ 42,546,864 or such other sum as the County Legislature may ultimately fix and confirm and that the warrant shall reflect this levy; and be it further

3rd RESOLVED, that the respective town tax receivers are hereby directed to collect the said sums as levied in the same manner provided by law for the levy of State, County, or Town taxes; and be it further

4th RESOLVED, that the Clerk of the County Legislature is directed to publish a Notice of Adoption of this resolution at least once in the official newspapers of the County and in three having circulation within the sewer district. Said notice shall be substantially in the following form, to wit:

* * * * *

Intro. Res. No. 2425-2006

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Suffolk, New York, duly adopted Resolution No. 1274-2006 dated November 21, 2006, affirming, confirming, and adopting the assessment roll and directing the levy of assessment and charges for the portion of the County Operating Budget for fiscal year 2007 for the Southwest Sewer District in the County of Suffolk. A true copy of said resolution is attached hereto and published herewith.

Dated: November 22, 2006

HAUPPAUGE, NY

BY ORDER OF THE COUNTY LEGISLATURE OF THE
COUNTY OF SUFFOLK, NEW YORK

BY:
Clerk of the Legislature
Suffolk County Legislature

(ATTACHED RESOLUTION)

* * * * *

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-1-0-0. Legislator Alden voted no.

Intro. Res. No. 2426-2006
Introduced by the Presiding Officer

Laid on Table 11/21/2006

**RESOLUTION NO. 1275-2006, EXTENDING THE TIME FOR
THE ANNEXATION OF THE WARRANT TO THE TAX ROLLS**

WHEREAS, subdivision (a) of Section 13 of the Suffolk County Tax Act authorizes the Legislature to fix a date other than December 1st as the last day for the annexation of the warrant to the tax and assessment rolls of the several towns; and

WHEREAS, circumstances indicate an extension must be made; now, therefore
be it

RESOLVED, that December 15 be and hereby is fixed as the date on or before which the Legislature shall cause to be annexed to the tax and assessment rolls of the several towns, the warrants directing the collection of taxes.

DATED: November 21, 2006

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 22, 2006

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

Mem. Res. No. 75-2006
Introduced by Presiding Officer Lindsay

LOT 10/17/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ALLOWING FIRE DISTRICT COMMISSIONERS TO
OBTAIN HOUSING (S03311)**

WHEREAS, it is increasingly difficult for communities to maintain their forces of
volunteer firefighters; and

WHEREAS, in order to provide protection to the residents of Suffolk County,
actions must be taken that allow volunteers to remain in Suffolk County; and

WHEREAS, legislation has been introduced in the New York State Senate which
will ease the difficulty of maintaining volunteer forces by authorizing fire departments to
purchase real property for the purpose of providing affordable housing to firefighters; now,
therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate Bill
No. S03311, which will allow local fire districts to provide affordable housing for volunteer
firefighters; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward
copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York
State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver;
to the Minority Leaders of the New York State Senate and the New York State Assembly; and to
each member of the Long Island delegation to the New York State Legislature.

DATED: November 21, 2006

s:\memres\mr-real property fire districts

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

Mem. Res. No. 76-2006
Introduced by Legislator Viloría-Fisher

LOT 10/17/2006

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
SCREENING FOR HEALTH OF INFANTS AND NEWBORNS
(SHINE) ACT OF 2006**

WHEREAS, each year, approximately four (4) million newborns are screened for life threatening diseases and severe disorders are detected in five thousand (5,000) babies; and

WHEREAS, these disorders are often life threatening and can cause mental and physical disabilities if left untreated; and

WHEREAS, New York State recently expanded their newborn screening panel from eleven (11) to forty four (44) conditions; and

WHEREAS, every child born with a treatable disease should receive early diagnosis and lifesaving treatment in order to have an opportunity to grow up happy and healthy; and

WHEREAS, legislation has been introduced in the United States Senate that will award grants for demonstration projects that increase State capacity to screen for all core conditions for newborns, and educate the public on newborn diseases and screening services; now, therefore, be it

RESOLVED, that this Legislature hereby supports the Screening for Health of Infants and Newborns Act (S.3743) that will ensure the health and quality of life of all newborns in the United States by enhancing the capacity to screen for heritable diseases; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: November 21, 2006

s:\memres\mr-us-newborn screening

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

Mem. Res. No. 77 -2006

LOT 10/17/06

Introduced by Legislator Stern

**MEMORIALIZING RESOLUTION IN SUPPORT OF
CREATING THE PRESCRIPTION DRUG ASSISTANCE
PROGRAM**

WHEREAS, the health and quality of life of many people depends on prescription drug treatments; and

WHEREAS, increasing costs limit accessibility to prescription drugs, especially for seniors, disabled and chronically ill individuals; and

WHEREAS, these rising costs also place a burden on health insurance plans and publicly funded medical plans; and

WHEREAS, legislation has been introduced in the New York State Legislature to create a prescription drug assistance program that will improve the health of New York residents by making prescription drugs more accessible and affordable; and

WHEREAS, this program seeks to reduce the cost of and improve access to prescription drugs by allowing consumers to organize and maximize their purchasing power to obtain discount prices; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A06336, and New York State Senate Bill No. S05029 which will create the Prescription Drug Assistance Program; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor George E. Pataki; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: November 21, 2006

s:\memres\mr-prescription drug assistance program

**ADJOURNED 8:36PM
TIM LAUBE, CLERK OF THE LEGISLATURE**