

**EIGHTEENTH DAY**

**REGULAR MEETING**

**December 19, 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 9:30 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher, Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Mystal, Stern, D'Amario and Cooper.

Pledge of Allegiance.

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Statements and Presentations  
Public Portion

**(\*Brief Recess Taken: 2:21 PM - 2:33 PM)**

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, Barraga, Nowick, Horsley, Mystal, and Stern.

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

Intro. Res. No. 2476-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 1414 -2006, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY  
TREASURER BY: COUNTY LEGISLATURE #262

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BABYLON:</b>				
0100-055.00-02.00-085.000	2004/05	\$ 8,509.02	\$ 0.00	\$ 8,509.02
0100-125.00-01.00-027.000	2005/06	\$18,568.86	\$ 150.00	\$18,418.86
0100-165.00-02.00-001.000	2002/03	\$ 8,486.48	\$1,753.44	\$ 6,733.04

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No. 2491-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1415 -2006, ACCEPTING AND APPROPRIATING A GRANT AWARD FOR A NEW YORK ECONOMIC DEVELOPMENT CAPITAL PROGRAM (NYEDCP), FOR FACILITY RENOVATIONS AND PURCHASE OF EQUIPMENT, ADMINISTERED BY THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK, 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has been approved by the New York State Assembly Ways & Means Committee to receive a New York Economic Development Capital Program (NYEDCP) grant, administered by the Dormitory Authority of the State of New York, in the amount of \$3,000,000, for Facility Renovations and Purchase of Equipment, for the period of November 1, 2006 through August 31, 2009; and

**WHEREAS**, the grant provides for facility renovations and the purchase of furnishings and equipment for the Grant, Ammerman, and East Campuses, the Riverhead Center Nursing Lab and Culinary Arts Program, and the Cottage on the Ammerman Campus; and

**WHEREAS**, no matching funds are required as the program is 100% reimbursed by State funds; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant award on October 19, 2006 by Resolution No. 2006.92; and

**WHEREAS**, the College anticipates spending the \$3,000,000 in accordance with the terms of said grant award by August 31, 2009; now, therefore be it

1<sup>st</sup> **RESOLVED**, that said grant award, in the amount of \$3,000,000, for a New York Economic Development Capital Program (NYEDCP), for Facility Renovations and Purchase of Equipment, to be administered by the Dormitory Authority of the State of New York, be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: NYEDCP: Facility Renovations: 818-GRT-32898-07	\$3,000,000

APPROPRIATIONS:	AMOUNT
NYEDCP: Facility Renovations: 818-GRT-GC44-07	\$3,000,000

Suffolk County Community College  
NYEDCP: Facility Renovations  
818-GRT-GC44-07

3000-Supplies & Materials	\$2,910,000
3250-Building Materials	515,000
3650-Repairs-Building	2,395,000

4500-Contracted Services	\$ 90,000
4560-Fees for Services, Non-Employees	90,000

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2446-2006  
Introduced by Presiding Officer

Laid on Table 12/5/2006

**RESOLUTION NO. 1416 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF A MEMORIAL FOR THE VICTIMS OF THE SEPTEMBER 11 TERRORIST ATTACK, H. LEE DENNISON BLDG., TOWN OF ISLIP**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of a Memorial for the Victims of the September 11 Terrorist Attack, H. Lee Dennison Bldg., Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of a Memorial approximately 100' x 100' or 10,000 sf. The Memorial is a four sided square of approximately 150 glass panels. Each glass panel will honor a Suffolk County victim of the 9/11 attacks. Bench seating is provided in front of the panels as well as an access walkway and landscaped areas; and

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

**WHEREAS**, at its November 9, 2006 meeting, the CEQ reviewed the EAF and 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 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Construction of a Memorial for the Victims of the September 11 Terrorist Attack, H. Lee Dennison Bldg., Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The 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;
- 2.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and
- 3.) Existing vegetation will be incorporated into the design wherever possible;

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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2447-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer and Legislator Browning

**RESOLUTION NO. 1417 -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 – SCHAEFFLER 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 – Schaeffler Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.043 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Schaeffler 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 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2448-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer and Legislator Browning

**RESOLUTION NO. 1418 -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 – DOWNEY 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 – Downey Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.318 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Downey 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2449-2006  
Introduced by Presiding Officer and Legislator Browning

Laid on Table 12/5/2006

**RESOLUTION NO. 1419 -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 – FURNISS  
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 – Furniss Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.459 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Furniss 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2450-2006

Laid on Table 12/5/2006

Introduced by the Presiding Officer and Legislator Browning

**RESOLUTION NO. 1420 -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 – SCHNEIDER 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 – Schneider 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Schneider 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 Environment 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2451-2006  
Introduced by the Presiding Officer and Legislator Browning

Laid on Table 12/5/2006

**RESOLUTION NO. 1421 -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 – ANGELO ACCARDO, DONATO ACCARDO, L'HOMMEDEIEU AND LAGREGA 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 – Angelo Accardo, Donato Accardo, L'Hommedeieu and Lagrega Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.18 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Angelo Accardo, Donato Accardo, L’Hommedeieu and Lagrega 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

**RESOLUTION NO. 1422 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE TERRELLS RIVER COUNTY PARK ADDITION – BEGGINS 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 Terrells River County Park Addition – Beggins Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 6.457 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 November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Terrells River County Park Addition – Beggins 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2453-2006  
Introduced by the Presiding Officer

Laid on Table 12/5/2006

**RESOLUTION NO. 1423 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS FOR SCDHS TDR REQUIREMENT – FILE #S02-03-0128, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks for SCDHS TDR Requirement – File #S02-03-0128, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the donation of 0.57 acres of land to Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Donation of Property to Suffolk County Parks for SCDHS TDR Requirement – File #S02-03-0128, 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2454-2006  
Introduced by the Presiding Officer

Laid on Table 12/5/2006

**RESOLUTION NO. 1424 -2006, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF PROPERTY TO SUFFOLK COUNTY PARKS FOR SCDHS TDR REQUIREMENT – FILE #S02-05-0111, TOWN OF BROOKHAVEN**

**WHEREAS**, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Property to Suffolk County Parks for SCDHS TDR Requirement – File #S02-05-0111, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the donation of 0.28 acres of land to Suffolk County for open space preservation purposes; and

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

**WHEREAS**, at its November 9, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning in connection with this project; 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 November 20, 2006 of said recommendations; and

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

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

**1st RESOLVED**, that this Legislature hereby determines that the Proposed Donation of Property to Suffolk County Parks for SCDHS TDR Requirement – File #S02-05-0111, 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2470-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1425 -2006, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE FORENSIC TOXICOLOGY LABORATORY ACCREDITATION PROGRAM, #11**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Forensic Toxicology Laboratory Accreditation Program, #11 in the amount of \$76,129 for the period 04/01/06-03/31/08; and

**WHEREAS**, this funding is provided to assist in maintaining New York State accreditation standards for the Toxicology laboratory; and

**WHEREAS**, 100% State aid in the amount of \$27,745 needs to be appropriated for the Forensic Toxicology Laboratory Accreditation Program, #11 administered by the Suffolk County Division of Medical, Legal Investigations and Forensic Sciences; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$27,745 grant funds as follows:

<b>REVENUES</b>	<b>AMOUNT</b>
001-3322 Target Crime: Aid to Prosecution	\$27,745

**APPROPRIATIONS**

Department of Health Services (HSV)  
 Division of Medical, Legal Investigations and Forensic Sciences  
 Toxicology Lab Accreditation Grant  
 001-HSV-4722

<b>Personal Services:</b>	<b>\$ 7,595</b>
1120 Overtime Salaries	\$ 7,595
<u>Supplies, Materials &amp; Other:</u>	<u>\$ 16,900</u>
3370 Medical, Dental, Laboratory Supplies	\$ 6,000
3500 Other: Unclassified	\$ 10,900
<u>Travel:</u>	<u>\$ 1,750</u>
4340 Travel: Other Contract	\$ 1,750
<u>Fees for Services:</u>	<u>\$ 1,500</u>

4560 Fees for Services, Non-Employees

\$ 1,500

and be it further

**2<sup>nd</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2471-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1426 -2006, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF HEALTH SERVICES FOR THE TOBACCO ENFORCEMENT PROGRAM AND TO CREATE ONE NEW POSITION AND APPROVE THE REPLACEMENT OF ONE VEHICLE**

**WHEREAS**, the NYS Department of Health has awarded 100% State grant funds to the Department of Health Services for the Tobacco Enforcement Program in the amount of \$448,744 for the period 10/01/06–09/30/07; and

**WHEREAS**, this grant provides funding for compliance checks on tobacco vendors to reduce the use of tobacco products among persons under 18 years of age; and

**WHEREAS**, these 100% State grant funds includes the cost of one (1) new position and the replacement of one (1) vehicle; and

**WHEREAS**, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless “explicit approval for the acquisition of such vehicle, via lease or purchase, has been granted via duly enacted Resolution of the County of Suffolk Legislature”; and

**WHEREAS**, the one (1) replacement vehicle is a program vehicle used to transport underage children throughout Suffolk County to conduct sting operations at vendors that sell tobacco products; and

**WHEREAS**, 100% State aid in the amount of \$82,335 needs to be appropriated for the Tobacco Enforcement Program; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate supplemental grant award of \$82,335 as follows:

<b>REVENUES</b>	<b>AMOUNT</b>
001-3401 Public Health	\$82,335

**APPROPRIATIONS**

Department of Health Services (HSV)  
Tobacco Enforcement Program  
001-HSV-4009

<u>Personal Services</u>	<u>\$36,331</u>
1100 Permanent Salaries	\$36,331
<u>Equipment</u>	<u>\$23,998</u>
2010 Furniture & Furnishings	\$598
2020 Office Equipment	\$900
2030 Purchase of Automobiles	\$22,500
<u>Supplies, Materials &amp; Other</u>	<u>\$1,200</u>
3370 Advertising	\$1,200
<u>Contractual Services</u>	<u>\$7,000</u>
4330 Travel: Employee Contracts	\$2,000
4560 Fees for Services, Non-employees	\$5,000
	Employee Benefits
	Retirement
	001-EMP-9010
<u>Employee Benefits</u>	<u>\$4,251</u>
8280 Retirement	\$4,251
	Employee Benefits
	Social Security
	001-EMP-9030
<u>Employee Benefits</u>	<u>\$2,779</u>
8330 Social Security	\$2,779
	Employee Benefits
	Welfare Fund Contribution
	001-EMP-9080
<u>Employee Benefits</u>	<u>\$1,331</u>
8380 Welfare Fund Contribution	\$1,331

Interfund Transfer  
Transfer of Employee Medical Health Plan  
001-IFT-E039

<u>Employee Benefits</u>	<u>\$5,445</u>
9600 Transfer of Funds	\$5,445

and be it further

**2<sup>nd</sup> RESOLVED**, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES

039-IFT-R001 Transfer from General Fund	\$5,445
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ORGANIZATION

Employee Benefits (EMP)  
Major Medical Claim  
039-EMP-9060

<u>Employee Benefits</u>	<u>\$5,445</u>
8360 Health Insurance	\$5,445

and be it further

**3<sup>rd</sup> RESOLVED**, that the following positions be and they hereby are created in the Department of Health Services as follows:

Department of Health Services (HSV)  
Tobacco Enforcement Program  
001-HSV-4009

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>	<u>No. Created</u>
4009-0100-0018	2110	Public Health Sanitarian Trainee	C	16/1	1

and be it further

**4<sup>th</sup> RESOLVED**, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

**5<sup>th</sup> RESOLVED**, that the Suffolk County Department of Health Services is authorized to initiate the process for the replacement of the vehicles through the Purchase Requisition process; and be it further

**6<sup>th</sup> RESOLVED**, that the Department of Public Works, Purchasing Division, in adherence with the New York State General Municipal Law, is hereby authorized to conduct a formal sealed bid process, in which the specifications for the vehicle will comply with the "County Vehicle Standard"; and be it further

**7<sup>th</sup> RESOLVED**, that there will be no net increase in the number of vehicles in the Department's fleet as a result of this Resolution; and be it further

**8<sup>th</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2472-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1427 -2006, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE CRIME LABORATORY ACCREDITATION PROGRAM, #11**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Crime Laboratory Accreditation Program, #11 in the amount of \$163,575 for the period 04/01/06-03/31/08; and

**WHEREAS**, this grant provides funding to maintain New York State accreditation standards for the crime laboratory; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$163,575 grant funds as follows:

<b>REVENUES</b>	<b>AMOUNT</b>
001-3322 Target Crime: Aid to Prosecution	\$ 163,575

**APPROPRIATIONS**

Department of Health Services (HSV)

Division of Medical, Legal Investigations and Forensic Sciences  
Crime Laboratory Accreditation Program Grant  
001-HSV-4723

<b>Personal Services:</b>	<b>\$ 15,000</b>
1120 Overtime Salaries	\$ 15,000
<u>Equipment:</u>	<u>\$ 46,000</u>
2020 Office Machines	\$ 25,000
2080 Medical, Dental & Lab Equipment	\$ 21,000
<u>Supplies, Materials &amp; Other:</u>	<u>\$ 82,575</u>
3010 Office Supplies	\$ 3,375
3070 Memberships & Subscriptions	\$ 4,200
3370 Medical, Dental, Laboratory Supplies	\$ 13,500
3500 Other: Unclassified	\$ 22,000
3680 Repairs: Special Equipment	\$ 39,500
<u>Travel:</u>	<u>\$ 10,000</u>
4340 Travel: Other Contract	\$ 10,000
<u>Fees for Services:</u>	<u>\$ 10,000</u>
4560 Fees for Services, Non-Employees	\$ 10,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2473-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/5/2006

**RESOLUTION NO. 1428 -2006, ACCEPTING AND APPROPRIATING  
100% FEDERAL GRANT FUNDS FROM THE U.S. NATIONAL  
INSTITUTE OF JUSTICE TO THE DEPARTMENT OF HEALTH**

**SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE DNA CAPACITY ENHANCEMENT, FY 06**

**WHEREAS**, the U.S. National Institute of Justice has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the DNA Capacity Enhancement, FY 06 in the amount of \$56,918 for the period 10/01/06-09/30/07; and

**WHEREAS**, this grant provides funding for the analysis of DNA from a backlog of unsolved criminal cases; and

**WHEREAS**, the Laboratory Technician needed to perform these DNA analyses is being provided through a contract with On Assignment Staffing Services, Inc.; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate supplemental grant award of \$56,918 as follows:

<b>REVENUES</b>	<b>AMOUNT</b>
001-4320 General Aid: Crime Control	\$56,918

**APPROPRIATIONS**

Department of Health Services (HSV)  
Division of Medical, Legal Investigations and Forensic Sciences  
DNA Capacity Enhancement, FY 06  
001-HSV-4728

<u>Fees for Services</u>	<u>\$56,918</u>
4560 Fees for Services, Non-employees	\$56,918

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to renew a contract with On Assignment Staffing Services, Inc.; and be it further

**3<sup>rd</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2474-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1429 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FROM THE U.S. NATIONAL INSTITUTE OF JUSTICE TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE FORENSIC CASEWORK DNA BACKLOG REDUCTION PROGRAM, FY 06**

**WHEREAS**, the U.S. National Institute of Justice has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Forensic Casework DNA Backlog Reduction Program, FY 06 in the amount of \$28,568 for the period 10/01/06-09/30/07; and

**WHEREAS**, this grant provides funding for the analysis of DNA from a backlog of unsolved criminal cases; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate supplemental grant award of \$28,568 as follows:

<b>REVENUES</b>	<b>AMOUNT</b>
001-4320 General Aid: Crime Control	28,568

**APPROPRIATIONS**

Department of Health Services (HSV)  
Division of Medical, Legal Investigations and Forensic Sciences  
Forensic Casework DNA Backlog Reduction Program, FY 06  
001-HSV-4728

<b>Personal Services</b>	<b>\$ 12,504</b>
1120 Overtime Salaries	\$ 12,504

<u>Supplies Materials and Other</u>	<u>\$ 16,064</u>
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<b>3370 Medical, Dental, Lab Supplies</b>	<b>\$ 16,064</b>
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and be it further

**2<sup>nd</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2475-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1430 -2006, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR A DNA CAPACITY ENHANCEMENT PROGRAM, FY 2005**

**WHEREAS**, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the DNA Capacity Enhancement Program, FY 2005 in the amount of \$71,269 for the period 10/01/05 – 09/30/07; and

**WHEREAS**, this grant provides funding to improve current operations in the average number of days between the submission of a sample to a forensic science lab and the delivery of test results to the requesting office or agency and to realize an overall increase in DNA analysis for the laboratory; and

**WHEREAS**, 100% Federal funds in the amount of \$71,269 needs to be appropriated for the DNA Capacity Enhancement Program, FY 2005; and

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

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$71,269 grant funds as follows:

**REVENUES**

001-4320 General Aid: Crime Control \$71,269

**APPROPRIATIONS**

Department of Health Services (HSV)

Division of Medical, Legal Investigations and Forensic Sciences  
DNA Capacity Enhancement Program, FY 2005  
001-HSV-4728

<u>Equipment:</u>	<u>\$71,269</u>
2080 Medical, Dental & Laboratory Equipment	\$71,269

and be it further

**2<sup>nd</sup> RESOLVED**, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2484-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1431 -2006, ACCEPTING AND APPROPRIATING 100% FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES IN RECOGNITION FOR "MOST IMPROVED PROGRAM ACCESS INDEX" RELATING TO FOOD STAMP PROGRAM PARTICIPANTS**

**WHEREAS**, New York State is one of four states to receive a performance bonus for "Most Improved Program Access Index," defined as the ratio of Food Stamp participants to the number of people below 125 percent of poverty; and

**WHEREAS**, the New York State Office of Temporary and Disability Assistance has awarded the Suffolk County Department of Social Services an allocation of \$109,971 as a performance award for being a part of this success; and

**WHEREAS**, the 2006 Adopted budget does not include \$109,971 related to this additional grant award; and

**WHEREAS**, it is the intention of the Department of Social Services to utilize this one time revenue in such a manner as to not create a recurring expense; and

**WHEREAS**, the Department of Social Services is proposing to use this funding for Temporary Salaries for food stamp related initiatives; and

**WHEREAS**, in accordance with a corrective action plan resulting from a New York State review of the Food Stamp Program, the Collections Unit in the Finance Division will utilize temporary staff to post a backlog of food stamp claims (recoupments) to the Cash Management System (CAMS); and

**WHEREAS**, the Client Benefits Division will utilize temporary staff to assist in the document preparation of food stamp case records as part of the department’s implementation of a statewide Imaging and Enterprise Document Repository (IEDR) scanning project; and

**WHEREAS**, these funds are 100% federally funded and in the best interest of Suffolk County to accept and appropriate; now, therefore be it

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

<u>REVENUES:</u>	<u>\$109,971</u>
001-3612 STATE AID: Food Stamp Performance Bonus	109,971

and be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$109,971 be and are hereby appropriated as follows as follows, less indirect costs of \$48,660 already included in the 2006 Operating Budget:

<u>ORGANIZATIONS:</u>	<u>\$61,311</u>
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Department of Social Services  
General Administration  
001-DSS-6005

<b><u>1000 – Personal Services</u></b>	<b><u>\$26,280</u></b>
<b>1130 – Temporary Salaries</b>	<b>26,280</b>

Department of Social Services  
Client Benefits Administration  
001-DSS-6015

<b><u>1000 – Personal Services</u></b>	<b><u>\$29,500</u></b>
<b>1130 – Temporary Salaries</b>	<b>29,500</b>

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

<b><u>8000 – Employee Benefits</u></b>	<b><u>\$4,267</u></b>
<b>8330 - Social Security</b>	<b>4,267</b>

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

<b><u>9000 – Interfund Transfers</u></b>	<b><u>\$1,264</u></b>
<b>9600 – Transfer to Funds</b>	<b>1,264</b>

and be it further

3<sup>rd</sup> RESOLVED, that the

following interfund revenues be accepted and appropriated as follows:

<b><u>REVENUES:</u></b>		<b><u>\$1,264</u></b>
038-IFT-R001	Transfer from General Fund	1,264

<b><u>ORGANIZATIONS:</u></b>		<b><u>\$1,264</u></b>
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**Employee Benefits  
Workers' Compensation  
038-EMP-9040**

<b><u>8000 - Employee Benefits</u></b>		<b><u>\$1,264</u></b>	
8300 – Workers' Compensation			1,264

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2485-2006 Laid on Table 12/5/2006  
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1432 -2006, ACCEPTING AND APPROPRIATING  
100% ADDITIONAL TRADE ADJUSTMENT ASSISTANCE (TAA)  
GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF  
LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA)  
PROGRAM

WHEREAS, the New York State Department of Labor has awarded additional funds for the Workforce Investment Act (WIA) Program to the Suffolk County Department of Labor in the amount of \$573,110; and

WHEREAS, the additional funds were awarded in the "Rapid Response – TAA" category to integrate TAA-related employment and training services into a comprehensive workforce delivery system for impacted workers; and

WHEREAS, these additional funds have not been included in the 2006 Adopted

**Operating Budget; and**

WHEREAS, it is in the best interest of the County to accept this 100% funded grant; now, therefore be it

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

REVENUES:

320-4790 Federal Aid \$573,110

ORGANIZATIONS:

\$573,110

Department of Labor (LAB)  
Workforce Investment Act  
320-6300

1000-Permanent Salaries 229,244

1110-Interim Salaries 229,244

4000-Contractual Expenses 343,866

4980-Contracted Agencies 343,866

**and be it further**

2<sup>nd</sup> RESOLVED, that the Reporting Category for the Integrated Financial Management System (IFMS) is 6300.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2487-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1433 -2006, ACCEPTING AND  
APPROPRIATING A GRANT IN THE AMOUNT OF \$16,000  
FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC  
SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY**

**POLICE DEPARTMENT TO CONTINUE A CHILD PASSENGER SAFETY PROGRAM WITH 100% SUPPORT**

**WHEREAS**, the State of New York Governor's Traffic Safety Committee has awarded \$16,000 in Federal Highway Safety pass-through monies to continue a Suffolk County Police Department project designed to increase the proper use and installation of child safety seats; and

**WHEREAS**, this project will allow the Suffolk County Police Department to continue to operate permanent child safety seat fitting stations, train Child Passenger Safety Technicians, hold child safety seat check events and distribute child safety seats; and

**WHEREAS**, the operational period of the Program will be from October 1, 2006, through September 30, 2007; and

**WHEREAS**, said grant funds totaling \$16,000 have not been included in the 2006 Suffolk County Operating Budget; now, therefore be it

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

<b><u>REVENUES:</u></b>	<b><u>AMOUNT</u></b>
115-4350-Federal Aid: Child Passenger Safety Program	\$16,000

**ORGANIZATIONS**

Police Department (POL)  
Child Passenger Safety Program 2007  
115-POL-3295

<u>2000-Equipment</u>	<u>\$13,500</u>
2500-Other Equip Not Otherwise	13,500
<u>3000-Supplies Materials and Others</u>	<u>\$ 2,500</u>
3010-Office Supplies	50
3040-Outside Printing	300
3070-Memberships & Subscriptions	700
3100-Instructional Supplies	400
3260-Signs & Maps	500
3350-Safety Supplies	350
3500-Other Unclassified	200

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: December 19, 2006

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: December 21, 2006

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**Legislator Schneiderman made motion for the following resolution, seconded by Deputy Presiding Officer Vioria-Fisher. The resolution was passed 17-1-0-0. Legislator Barraga voted no.**

Intro. Res. No. 1522-2006

Laid on Table 5/16/2006

Introduced by Legislator Schneiderman

**RESOLUTION NO. 1434 –2006, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (PETERS PROPERTY – TOWN OF EAST HAMPTON)**

**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 12-2(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 5.8 ± 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

Intro. Res. No. 1026-2007  
Introduced by Legislator Schneiderman

Laid on Table 2/6/2007

RESOLUTION NO. 96                –2007, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1434-  
2006

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1434-2006; and

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

**Resolution No. 1434-2006**

In the **EXHIBIT “A”**, change the Tax Map **BLOCK** and **LOT** numbers:

**PARCEL:** 1

<b>FROM:</b>	Block	15.00	<b>TO:</b>	Block	01.00
	Lot	002.000		Lot	015.002

**PARCEL:** 2

FROM: Block 15.00  
Lot 003.000

TO: Block 01.00  
Lot 015.003

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0300 Section 126.000 Block 15.00 Lot 002.000	2.9 ±	Alexander & Margaret Peters 86 Stony Hill Road Amagansett, NY 11930
2	District 0300 Section 126.000 Block 15.00 Lot 003.000	2.9 ±	Alexander & Margaret Peters 86 Stony Hill Road Amagansett, NY 11930

**EXHIBIT "A"**

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

Intro. Res. No. 2076-2006  
Introduced by Legislator Schneiderman

Laid on Table 8/22/2006

**RESOLUTION NO. 1435 -2006, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO STUDY THE FEASIBILITY OF PROVIDING A TEMPORARY LANE ALONG COUNTY ROAD 39 ON FRIDAY EVENINGS FROM MEMORIAL DAY THROUGH LABOR DAY OF 2007**

**WHEREAS**, the eastbound bottleneck at County Road 39 on Friday evenings in the summer months adds significant travel time as tourists and second homeowners flock to the region; and

**WHEREAS**, maintaining the flow of traffic to the Hamptons is of fundamental importance to the economy of Suffolk County and the generation of sales tax revenue; and

**WHEREAS**, mitigating the traffic congestion will assist public safety personnel and emergency responders during these peak travel times; and

**WHEREAS**, converting the middle turning-lane into an additional eastbound lane was successfully accomplished on County Road 39 during the morning rush hour in the Summer of 2006; and

**WHEREAS**, it is in the County's interest to determine the feasibility and costs of providing an additional eastbound lane during Friday evenings in the summer; now, therefore be it

**1st RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed pursuant to §8-2(W) of the SUFFOLK COUNTY CHARTER, to determine the feasibility of providing a temporary eastbound lane along County Road 39, from its interface with State Route 27 from the merge at North Highway to the light at North Sea Road, on Friday evenings commencing May 25, 2007 and continuing through August 31, 2007, during the hours of 7 to 10 PM or as the department deems practicable; and be it further

**2nd RESOLVED**, the Department of Public Works may issue a Request for Proposals (RFP) to gather supplemental information necessary to determine the costs and feasibility of the operation if additional equipment or personnel are needed beyond the resources available within the department; and be it further

**3rd RESOLVED**, the Department of Public Works shall consult with the Town of Southampton and other state and local agencies whose cooperation is necessary to implement the temporary lane; and be it further

**4th RESOLVED**, that the Department of Public Works will determine other specific road closures and turn limitations associated with the success of this project; and be it further

**5th RESOLVED**, that the Department of Public Works shall determine where safe turning areas can be allowed to accommodate the needs of businesses along CR39; and be it further

**6th RESOLVED**, that the Department of Public Works shall issue said report to the Legislature within 90 days of the effective date of this Resolution; 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 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2346-2006  
Introduced by Legislator Cooper

Laid on Table 11/21/2006

**RESOLUTION NO. 1436 –2006, TO AUTHORIZE THE FLYING OF THE MERCHANT MARINE FLAG AT ARMED SERVICES PLAZA AT THE H. LEE DENNISON BUILDING, HAUPPAUGE**

**WHEREAS**, the United States Merchant Marine is a fleet of ships that is used to transport both imports and exports during peace time and serves as an auxiliary to the United States Navy during times of war, delivering both troops and supplies; and

**WHEREAS**, the United States Merchant Marine predates both the United States Coast Guard and the United States Navy; and

**WHEREAS**, in honor of the brave, hardworking, loyal and patriotic members of the United States Merchant Marine, this Legislature wishes to have the flag of the United States Merchant Marine flown at the Armed Services Plaza located in front of the H. Lee Dennison Building in Hauppauge; and

**WHEREAS**, in May of 2006, the Suffolk County Veterans Advisory Committee voted to approve the flying of the Merchant Marine Flag at the Armed Services Plaza; now, therefore be it

**1st RESOLVED**, that, effective immediately, the flag of the United States Merchant Marine shall be flown at the Armed Services Plaza located in front of the H. Lee Dennison Building in Hauppauge; and be it further

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2383-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1437 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN ENGINEERING FOR THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5172)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 67, Motor Parkway, from Caleb's Path to CR 17, Carleton Avenue; and

**WHEREAS**, there are Federal funds available for this project, identified as PIN 0756.70, under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

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

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

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$450,000 in Suffolk County Serial Bonds; now, therefore be it

**1st RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2nd RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3rd RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of CR 67, Motor Parkway; and be it further

**4th RESOLVED**, that the proceeds of \$450,000 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>
Ref-525-5172.113	50	Reconstruction of CR 67, Motor Parkway, from Caleb's Path to	\$450,000

and be it further

**5th RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$90,000; and be it further

**6th RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$360,000; and be it further

**7th RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$360,000; and be it further

**8th RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2383A-2006

**BOND RESOLUTION NO. 1438 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$450,000 BONDS TO FINANCE A  
PART OF THE COST OF THE ENGINEERING FOR THE  
RECONSTRUCTION OF CR 67, MOTOR PARKWAY, TOWN OF ISLIP  
(CP 5172.113)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$450,000 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 engineering for the reconstruction of CR 67, Motor Parkway, Town of Islip, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$890,000. The plan of financing includes (a) the issuance of \$440,000 bonds or bond anticipation notes

heretofore authorized pursuant to Bond Resolution No. 1154-2002, (b) the issuance of \$450,000 bonds or bond anticipation notes authorized pursuant to this resolution ), with the expectation that Federal grant funds in the amount of 80% or \$360,000 and the County's share in the amount of 20% or \$90,000 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, 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2384A-2006

**BOND RESOLUTION NO. 1439 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE A  
PART OF THE COST OF THE ACQUISITION OF LAND IN  
CONNECTION WITH IMPROVEMENTS TO CR 80, MONTAUK  
HIGHWAY, BETWEEN NYS 112 AND CR 101, SILLS ROAD, TOWN  
OF BROOKHAVEN (CP 5534.211)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land in connection with improvements to CR 80, Montauk Highway, between NYS 112 and CR 101, Sills Road, Town of Brookhaven, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,325,000. The plan of financing includes (a) the issuance of \$300,000 bonds or bond anticipation notes heretofore authorized

pursuant to Bond Resolution No. 116-1998, (b) the issuance of \$25,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 1122-2000, (c) the issuance of \$1,600,000 bonds or bond anticipation notes (\$200,000 for planning and \$1,400,000 for land acquisition) heretofore authorized pursuant to Bond Resolution No. 1053-2002, (d) the issuance of \$3,550,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 747-2003, (e) the issuance of \$2,400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 712-2005, (f) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 917-2005, (g) the issuance of \$250,000 bonds or bond anticipation notes authorized pursuant to this resolution and (h) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from December 1, 1998, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 116-1998.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

EFFECTION PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
 RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JANUARY 3, 2007

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

Intro. Res. No. 2387-2006 Laid on Table 11/21/2006  
 Introduced by Presiding Officer, on request of the County Executive and Romaine

**RESOLUTION NO. 1440 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 58, OLD COUNTRY ROAD AT PULASKI STREET, PHASE II (CAPITAL PROGRAM NUMBER 5543)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 58, Old Country Road at Pulaski Street; and

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

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

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

**WHEREAS**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 488 of 2006 classified the action contemplated by this as an Unlisted Action, which will not have a significant effect on the environment; now, therefore be it

**1<sup>ST</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>ND</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

**3<sup>RD</sup> RESOLVED**, that the proceeds of \$600,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525- CAP- 5543.310 (Fund 001 – Debt Service)	50	Reconstruction of CR 58, Old Country Road at Pulaski Street, Phase II	\$600,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2387A-2006

**BOND RESOLUTION NO. 1441 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$600,000 BONDS TO FINANCE A  
PART OF THE COST OF THE RECONSTRUCTION OF CR 58, OLD  
COUNTRY ROAD AT PULASKI STREET, PHASE II (CP 5543.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$600,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 58, Old Country Road at Pulaski Street, Phase II, as authorized in the 2006

Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$975,000. The plan of financing includes (a) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 357-2000, (b) the issuance of \$75,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 832-2001, (c) the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1218-2001, (d) the issuance of \$600,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 1, 2002, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 357-2000. (b) Pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolutions 832-2001 and 357-2000 is hereby amended and restated to be 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Stern made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-2-0-0. Legislators Alden and Barraga voted no.**

Intro. Res. No. 2392A-2006

**BOND RESOLUTION NO. 1442 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$124,000 BONDS TO FINANCE  
THE COST OF THE PLANNING FOR RENOVATIONS TO  
SURROGATES COURT (CP 1133.110)**

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 \$124,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for

renovations to Surrogates Court, 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 \$124,000. The plan of financing includes the issuance of \$124,000 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 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: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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**Legislator Mystal made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-3-0-0. Legislators Caracappa, Alden and Barraga voted no.**

Intro. Res. No. 2404-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1443 –2006, AMENDING THE 2006  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS  
IN CONNECTION WITH THE ACQUISITION OF A CLUSTER  
REPLACEMENT (CP 1789)**

**WHEREAS**, the Director of Information Services has requested the appropriation of funds in connection with the acquisition of a County Cluster Replacement; 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 within, has authorized the issuance of \$95,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No: 1789  
 Project Title: County Cluster Replacement

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Modified 2006 Capital Budget &amp; Program</u>
3. Furniture & Equipment	\$ 95,000	\$ 95,000G	\$ 95,000B
TOTAL	\$ 95,000	\$ 95,000	\$ 95,000

**4<sup>th</sup> RESOLVED**, that the proceeds of \$95,000 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-1789.511	32	County Cluster Replacement	\$95,000
<b>(Fund 001-Debt Service)</b>			

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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**Legislator Mystal made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-3-0-0. Legislators Caracappa, Alden and**

**Barraga voted no.**

Intro. Res. No. 2404A-2006

**BOND RESOLUTION NO. 1444 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$95,000 BONDS TO FINANCE  
THE COST OF THE ACQUISITION OF A CLUSTER REPLACEMENT  
(CP 1789.511)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$95,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of a cluster replacement, 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 \$95,000. The plan of financing includes the issuance of \$95,000 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 11.00 a. 32 of the Law of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro Res. No. 2436-2006  
Introduced by Presiding Officer, on request of County Executive

Laid on Table 11/21/2006

**RESOLUTION NO. 1445 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE OPTICAL DISK IMAGING SYSTEM (CP 1751)**

**WHEREAS**, the County Clerk has requested funds that have been provided in the Capital Program to complete the final phase of the optical imaging disk system of converting microfilm to electronic images and will allow a single point of access integration for GIS; and

**WHEREAS**, the end result for this project will allow for electronic recording of land instruments whereby synergies will be realized through increased productivity and the significant reduction of paper; and

**WHEREAS**, this project has been approved by the Information Steering Committee; and

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

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the cost of said request under CP 1751 and, pursuant to Suffolk County Charter Section C 4-13, and 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**, the County Legislature by resolution of even date herewith, has authorized the issuance of \$1,025,000 in Suffolk County serial bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II Action, pursuant to Volume 6 of New York Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-seven (47) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No.: 3117

Project Title: Purchase of Additional Helicopter

	Total Est'd <u>Cost</u>	Current 2006 Capital <u>Budget</u>	Revised 2006 Capital <u>Budget</u>
5. Furniture & Equipment	\$9,450,000	\$7,350,000B	\$6,350,000B
<b>TOTAL</b>	<b>\$9,475,000</b>	<b>\$7,350,000</b>	<b>\$6,350,000</b>

Project No. 1751

Project Title: Optical Disk Imaging System

Current      Revised

	<u>Total Est'd Cost</u>	<u>2006 Capital Budget</u>	<u>2006 Capital Budget</u>
1. Planning, Design, Supervision	\$1,250,000	\$25,000G \$225,000B	\$1,100,000B
5. Furniture & Equipment	\$4,411,800	\$0	\$150,000B
TOTAL	\$5,661,800	\$250,000	\$1,250,000

and be if further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$1,025,000 in Suffolk Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1751.112 (Fund 001 - Debt Service)	Optical Disk Imaging System - Software application, design, development and programming	\$875,000
525-CAP-1751.515 (Fund 001 - Debt Service)	Optical Disk Imaging System - Equipment and Installation	\$150,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2436A-2006

**BOND RESOLUTION NO. 1446 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$1,025,000 BONDS TO FINANCE  
THE COST OF DESIGN, PROGRAMMING, EQUIPMENT AND  
INSTALLATION IN CONNECTION WITH THE OPTICAL DISK  
IMAGING SYSTEM (CP 1751.112 and .515)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,025,000 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 design, programming, equipment and installation in connection with the Optical Disk Imaging System, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,025,000. The plan of financing includes the issuance of \$1,025,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$875,000 for design and programming and \$150,000 for equipment and installation) 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 11.00 a. 32 of the Law of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2099-2006

Laid on Table 9/19/2006

Introduced by Legislators Romaine, Schneiderman, Montano, D'Amaro, Alden, Cooper, Losquadro, Vilorio-Fisher

**RESOLUTION NO. 1447 –2006, AMENDING THE 2006 OPERATING BUDGET AND TRANSFERRING FUNDS TO THE PECONIC COMMUNITY COUNCIL FOR THE PURCHASE OF A VAN FOR MAUREEN'S HAVEN PROGRAM**

**WHEREAS**, the 2006 Operating Budget does not include sufficient funds to provide emergency housing services to homeless individuals on the East End of Suffolk County; and

**WHEREAS**, the contract agency Peconic Community Council can provide these needed services through a program known as "Maureen's Haven"; and

**WHEREAS**, Maureen's Haven transports homeless individuals to 12 locations on the East End where they can receive an evening meal, a place to sleep and shower, breakfast in the morning and a bag lunch before being transported back to where they were originally picked up; and

**WHEREAS**, significant County savings are associated with the provision of services to the homeless through Maureen's Haven Program which runs 7 days a week from November 1<sup>st</sup>

through April 15<sup>th</sup> utilizing 24 volunteers rather than having homeless individuals referred to and serviced by the Suffolk County Department of Social Services emergency housing programs; and

**WHEREAS**, since the program's inception in 2001, Maureen's Haven has saved the County an estimated \$1 million and projects an annual future savings of at least \$350,000 per year based on the previous volume of homeless served in 2005-2006 when the program operated seven nights per week for approximately twenty-two weeks; and

**WHEREAS**, Maureen's Haven homeless program is in need of funds to purchase a 15 passenger van as the transportation company with which Maureen's Haven has contracted to provide this service has recently doubled their nightly rates; and

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

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

**APPROPRIATIONS**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	BOE	1450	1450	3030	Photostat, Photograph & Blueprints	-\$25,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	XXXX	6008	4980	Peconic Community Council	+\$25,000

and be it further

**RESOLVED**, that the County Executive's Budget Office is authorized to assign a pseudo code to the Peconic Community Council; and be it further

**RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used exclusively for the sole purpose of funding the purchase of a 15 passenger van for Maureen's Haven Program of the Peconic Community Council.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2443-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 12/5/2006

**RESOLUTION NO. 1448 –2006, AMENDING THE 2006 OPERATING BUDGET IN CONNECTION WITH THE PURCHASING OF VEHICLES**

**WHEREAS**, the Department of Labor lease for six (6) low mileage 2004 Chevy Impalas in excellent working condition expires in December of 2006; and

**WHEREAS**, purchasing these vehicles is a less expensive option for the County than purchasing new replacement vehicles for the County's fleet; and

**WHEREAS**, it is the desire of the Legislature to exercise the buyout option to purchase these six (6) vehicles to achieve savings for Suffolk County taxpayers; and

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

**1<sup>st</sup> RESOLVED**, that the County Department of Public Works, Division of Purchasing, is hereby authorized, empowered, and directed, pursuant to Section 186-2(B)(5)(a) and (6)(c) of the SUFFOLK COUNTY CODE, to purchase six (6) previously leased vehicles to replace six (6) high mileage vehicles in the Legislature, as soon as their underlying Labor Department leases expire, subject to an assessment of said vehicles by the Suffolk County Department of Public Works before the vehicles are purchased subject to assignment and County Vehicle Standard Provisions of Section 186-2(B)(5) and (6) of the SUFFOLK COUNTY CODE; and be it further

**2<sup>nd</sup> RESOLVED**, that it is the desire of the Legislature to purchase the six (6) vehicles identified in the chart that follows at a cost of \$6,600 per vehicle; and be it further

<b>Vehicle Identification Number (VIN)</b>	<b>Color</b>
2GIWF52E249248236	Silver
2GIWF52E049246713	White
2GIWF52E449251000	Gold
2GIWF52E849248838	Gold
2GIWF52E049250616	Black
2GIWF52E349248133	Gray

**3<sup>rd</sup> RESOLVED**, that the 2006 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations; and be it further

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>Dept</u>	<u>Unit</u>	<u>Act</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	LEG	1010	1010	1100	COUNTY LEGISLATURE	-\$31,100
001	LEG	1010	1010	4560	COUNTY LEGISLATURE	-\$8,500

**TO:**

<u>FD</u>	<u>Dept</u>	<u>Unit</u>	<u>Act</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
016	DPW	5130	5130	2030	PURCHASE OF AUTOMOBILES	+\$39,600
001	IFT	E016	E016	9600	TRANSFER TO FUNDS	+\$39,600

**REVENUES:**

<u>FD</u>	<u>Dept</u>	<u>Unit</u>	<u>Rev</u>	<u>ORG Name</u>	<u>AMOUNT</u>
016	IFT	E016	R001	TRANSFER TO FUNDS	+\$39,600

and be it further

**4<sup>th</sup> RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the purchase of vehicles.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 29, 2006

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

Intro. Res. No. 2461-2006 Laid on Table 12/5/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1449 -2006, APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER**

**RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on October 16, 2006 relative to the distribution of mortgage taxes for the six month period ending September 30, 2006, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 29, 2006

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

Intro. Res. No. 2479-2006  
Introduced by Legislator Losquadro

Laid on Table 12/5/2006

**RESOLUTION NO. 1450 –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. 11- SELDEN (CP 8117)**

**WHEREAS**, the Timber Ridge 5 Pump Station, with a property line of approximately 400 feet, is located in Selden at the end of a cul-de-sac in Sewer District No. 11 surrounded by relatively new homes; and

**WHEREAS**, it is the desire of the Legislature to support site improvements at this location through landscaping that will screen the property line with trees for visual as well as noise abatement purposes; and

**WHEREAS**, the developer of Timber Ridge met the design standards of the County for the pump station and is no longer responsible for the site; and

**WHEREAS**, any additional improvements would be borne by the district; and

**WHEREAS**, the Operating Budget for Sewer District No. 11 does not include sufficient funds to landscape and purchase trees to improve this site; and

**WHEREAS**, the Department of Public Works (DPW) has evaluated the Timber Ridge 5 Pump Station location and has determined that DPW can install the trees; and

**WHEREAS**, DPW has determined that \$36,000 is needed to screen the property line with the most cost effective solution, eight-to-ten foot Eastern Red Cedars that are the most durable choice and are native to Long Island; and

**WHEREAS**, there are insufficient funds in the 2006 Capital Budget and Program for site improvements to the Selden Sewer District; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund provide \$36,000 to improve the Timber Ridge 5 Pump Station; 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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy (70) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 8117

Project Title: Improvements to Sewage Treatment Facilities - Sewer District 11 – Selden

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
4. Site Improvements	\$36,000	\$0	\$36,000A
<b>TOTAL</b>	<b>\$6,286,000</b>	<b>\$6,250,000</b>	<b>\$6,286,000</b>

and be it further

**3<sup>rd</sup> 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	+\$36,000
527-IFT-R404-Transfer from Fund 404	+\$36,000

**4<sup>th</sup> RESOLVED**, that funds in the amount of \$36,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8117.410	Improvements to Sewage Treatment Facilities	\$36,000
	- Selden Sewer District	
	- Site Improvements	

and be it further

**5<sup>th</sup> RESOLVED**, that the Administrative Head of the Sewer District 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 the construction of improvements to SD 11 – Selden; and be it further

**6<sup>th</sup> RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2492-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1451 -2006, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR A RETAIL SKILLS CENTER 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the State University of New York, in the amount of \$50,000, including indirect costs, for a Community College Workforce Development Training Grants Program for a Retail Skills Center for the period of September 1, 2006 through August 24, 2007; and

**WHEREAS**, financial support, to serve as required cash matching funds, in the amount of \$5,550, provided by the Suffolk County Industrial Development Agency and the Town of Islip Industrial Development Agency, will increase the program total to \$55,550, including indirect costs; and

**WHEREAS**, the required financial support amount of \$5,550 from the Industrial Development Agencies, will come from the surplus financial support from these agencies remaining from Phase I of the Retail Skills Center Program that was accepted for the operation of the program by County Resolution No. 1279-2005; and

**WHEREAS**, Phase II of the Retail Skills Center Program will continue to recruit, assess, train and place participants in retail industry as well as other service related industry sectors,

and expand to include career support, computer skills, English as a Second Language (ESL), and Spanish for retail workers; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant on October 19, 2006 by Resolution No. 2006.79; and

**WHEREAS**, the College anticipates spending the \$50,000, including indirect costs, in accordance with the terms of said grant award before August 24, 2007; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that said grant award from the State University of New York, for a Community College Workforce Development Training Grants Program for a Retail Skills Center, in the amount of \$50,000, including \$7,228 in indirect costs, be accepted; and be it further

**2<sup>nd</sup>** **RESOLVED**, that surplus financial support, to serve as required cash matching funds, in the amount of \$5,550, provided by the Suffolk County Industrial Development Agency and the Town of Islip Industrial Development Agency from Phase I of the Retail Skills Center Program, be accepted for the operation of Phase II of the Community College Workforce Development Training Grants Program for a Retail Skills Center; and be it further

**3<sup>rd</sup>** **RESOLVED**, that said program, in the amount of \$50,000, including \$7,228 in indirect costs, be appropriated for the operation of the project as follows:

REVENUES:	AMOUNT:
State Aid: WDT: Retail Skills Center: 818-3267-07	\$ 50,000
APPROPRIATIONS:	AMOUNT:
WDT: Retail Skills Center: 818-GRT-GT34-07	\$ 42,772
Suffolk County Community College Workforce Development Training: Retail Skills Center 818-GRT-GT34-07	
1000-Personal Services	\$ 27,166
1160-Part-time Instructors-Day	13,584
1170-Part-time Instructors-Evening	10,865
1180-Part-time Instructors-Summer	2,717
3000-Supplies & Materials	\$ 13,165
3010-Office Supplies	2,000
3100-Instructional Supplies	10,665
3500-Unclassified Supplies	500
4300-Travel	\$ 200
4330-Travel, Employee Contracts	200
8000-Employee Benefits	\$ 2,241
8330-Social Security	2,078
8350-Unemployment Insurance	163

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2497-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1452 -2006, ACCEPTING A GRANT AWARD FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION-AVIATION BUREAU, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND INSTALLATION OF PERIMETER FENCING FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING, AVIATION DIVISION (CP 5721)**

**WHEREAS**, the Department of Economic Development and Workforce Housing has received a \$500,000 grant award from the New York State Department of Transportation –Aviation Bureau through the GA (General Aviation) Security Program to assist with the purchase and installation of perimeter fencing at Gabreski Airport; and

**WHEREAS**, this fencing will assist the department in reducing access to the airfield and with increasing the overall security at Gabreski Airport; and

**WHEREAS**, the 2006 Adopted Capital Budget and Program does not include funds to cover the full cost of said request under Capital Project 5721 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**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), Resolution No. 534-2002 classified the action contemplated by this as a Type II action, pursuant to provisions of Chapter 279 of the Suffolk County CODE and NYCRR Part 617.5 (c)(2) and (27) since it involves the replacement of equipment within the existing facility to upgrade the facility to meet security and safety requirements and therefore the SEQRA review is complete and no further action is required; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; now, therefore be it

**RESOLVED**, that it is hereby determined that this project, with a priority ranking of 66, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**RESOLVED**, that the Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

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

**Project No.:** 5721

**Project Title:** *Airport Perimeter Survey and Fencing*

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
4. Site Improvements	\$2,191,000	\$ 250,000B <u>0S</u>	\$ 250,000 B <u>500,000 S</u>
TOTAL	\$2,191,000	\$ 250,000	\$750,000

and be it further

**RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.:</u>	<u>Project Title:</u>	<u>Amount</u>
<b>525-CAP-5721.411</b> (Fund 625-Debt Service)	<b><i>Airport Perimeter Survey and Fencing</i></b> Francis S. Gabreski Airport	<b><i>\$250,000</i></b>

and be it further

**RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.:</u>	<u>Project Title</u>	<u>Amount</u>
<b>525-CAP-5721.411</b>	<b><i>Airport Perimeter Survey and Fencing</i></b> Francis S. Gabreski Airport	<b><i>\$500,000</i></b>

and be it further

**RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute any necessary agreement with the New York State Department of Transportation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

**RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2497A-2006

**BOND RESOLUTION NO. 1453 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE  
THE COST OF THE PURCHASE AND INSTALLATION OF  
PERIMETER FENCING FOR THE DEPARTMENT OF ECONOMIC  
DEVELOPMENT AND WORKFORCE HOUSING, AVIATION  
DIVISION, AT GABRESKI AIRPORT (CP 5721.411)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase and installation of perimeter fencing for the Department of Economic Development and Workforce Housing, Aviation Division, at Gabreski Airport, 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 \$750,000. The plan of financing includes (a) the expenditure of \$500,000 in State Aid funds, (b) the issuance of \$250,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or

for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Horsley made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-1-0-0.**

Intro. Res. No. 2509-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1454 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT/RELOCATION OF THE EXISTING MAINTENANCE FACILITY AT GABRESKI AIRPORT, (CP 5733, TOWN OF SOUTHAMPTON AND ADOPTING A SEQRA DETERMINATION**

**WHEREAS**, the Commissioner of the Department of Economic Development and Workforce Housing has requested funds for the Replacement of the Maintenance Facility at Francis S. Gabreski Airport; and

**WHEREAS**, these funds will allow the department to demolish the old maintenance buildings which lie within the boundaries of the Hampton Business and Technology Park; and

**WHEREAS**, the 2006 Adopted Capital Budget and Program includes funds to cover the full cost of said request under Capital Project 5733; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$640,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that the "Proposed Relocation of Existing Maintenance Facility at Gabreski Airport, CP No. 5733, 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 and that the project will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
4. The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1991.
5. The project is also in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Plan, the 1995 Central Pine Barrens Comprehensive Land Use Plan as well as the 1970 & 1999 Town of Southampton Master Plan;

and be it further

**2<sup>nd</sup> RESOLVED**, that the Legislature and County Executive adopt a SEQRA determination of non-significance (negative declaration); and be it further

**3<sup>rd</sup> 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

**4<sup>th</sup> 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; and be it further

**5<sup>th</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 46, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**6<sup>th</sup> RESOLVED**, that the Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**7<sup>th</sup> RESOLVED**, that the proceeds of \$640,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.:</u>	<u>Project Title:</u>	<u>Amount</u>
<b>525-CAP-5733.310</b> (Fund 625-Debt Service) at Francis S. Gabreski Airport	<b>Replacement/Relocation</b> of Existing Maintenance Facility	<b>\$600,000</b>
525-CAP-5733.510 (Fund 625-Debt Service)	Equipment for Replacement/ Relocation of Existing Maintenance Facility at Francis S. Gabreski Airport	\$ 40,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Horsley made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-1-0-0.**

Intro. Res. No.2509A -2006

**BOND RESOLUTION NO. 1455 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$640,000 BONDS TO FINANCE A  
PART OF THE COST OF THE REPLACEMENT AND RELOCATION  
OF THE EXISTING MAINTENANCE FACILITY AT FRANCIS S.  
GABRESKI AIRPORT (CP 5733.310 and .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 \$640,000 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 replacement and relocation of the existing maintenance facility at Francis S. Gabreski Airport, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$700,000. The plan of financing includes (a) the issuance of \$60,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 705-2004, (b) the issuance of \$640,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$600,000 for replacement and \$40,000 for equipment) 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. (a) 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, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 705-2004.

(b) It is hereby determined that the planning for this project shall be finance as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution 705-2004 is hereby amended and restated to be fifteen (15) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 705-2004.

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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 16-0-0-2.**

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

**RESOLUTION NO. 1456 -2006, ACCEPTING A GRANT AWARD FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION-AVIATION BUREAU, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH AVIATION UTILITY INFRASTRUCTURE AT GABRESKI AIRPORT (CP 5734) AND ADOPTING THE SEQRA DETERMINATION**

**WHEREAS**, the Department of Economic Development and Workforce Housing has received a \$120,000 grant award from the New York State Department of Transportation through the 2005 Transportation Bond Act assist with the installation of adequate utilities for aviation related businesses at Gabreski Airport; and

**WHEREAS**, this infrastructure will allow the department to proceed with the aviation development as outlined in the adopted Master Plan as well as the draft Master Plan update; and

**WHEREAS**, the 2006 Adopted Capital Budget and Program does not include funds to cover the full cost of said request under Capital Project 5734 and pursuant to the Suffolk County Charter, Section C4-13 an offset from another project is required; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$880,500 in Suffolk County Serial Bonds; now, therefore be it

**RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that the "Proposed Aviation Utility Infrastructure at Gabreski Airport CP 5734" constitutes an Unlisted action pursuant to the provisions of Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code and that the project will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;
3. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
4. The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1991.
5. The project provides sewer service to the northern portion of the airport as required by the Legislature in 1991.
6. The project is also in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Plan, the 1995 Central Pine Barrens Comprehensive Land Use Plan as well as the 1970 & 1999 Town of Southampton Master Plan;

and be it further

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

**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; and be it further

**RESOLVED**, that it is hereby determined that this project, with a priority ranking of 43, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**RESOLVED**, that the Department of Economic Development and Workforce Housing and the Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete this project; and be it further

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

Project No. 5731  
Project Title: Airport Obstruction Program

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget and Program</u>
1. Planning, Design Supervision	\$ 0	\$ 750G 750S 28,500F	\$ 0 0 0
4. Site Improvements	\$ 0	\$ 13,500G 13,500S 243,000F	\$ 0 0 0
	<hr/>	<hr/>	<hr/>
TOTAL	\$ 0	\$ 300,000	\$ 0

Project No. 6413  
Project Title: Incubators for Businesses in Distressed Areas

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget and Program</u>
4. Site Improvements	<u>\$ 169,500</u>	<u>\$ 750,000B</u>	<u>\$ 169,500B</u>
TOTAL	\$ 169,500	\$ 750,000	\$ 169,500

Project No. 5734

Project Title: Aviation Utility Infrastructure

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget and Program</u>
4. Site Improvements	\$1,050,500	\$ 0	\$ 880,500B
			<u>120,000S</u>
TOTAL	\$1,050,500	\$ 50,000	\$ 1,050,500

and be it further

**RESOLVED**, that the proceeds of \$880,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.:</u>	<u>Project Title:</u>	<u>Amount</u>
<b>525-CAP-5734.410</b> (Fund 625-Debt Service)	<b>Aviation Utility Infrastructure</b> at Francis S. Gabreski Airport	<b>\$880,500</b>

and be it further

**RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.:</u>	<u>Project Title</u>	<u>Amount</u>
<b>525-CAP-5734.410</b>	<b>Aviation Utility Infrastructure</b> at Francis S. Gabreski Airport	<b>\$120,000</b>

and be it further

**RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute the any necessary agreement with the New York State Department of Transportation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

**RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2511A-2006

**BOND RESOLUTION NO. 1457 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$880,500 BONDS TO FINANCE A  
PART OF THE COST OF THE CONSTRUCTION OF AVIATION  
UTILITY INFRASTRUCTURE AT FRANCIS S. GABRESKI AIRPORT  
(CP 5734.410)**

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 \$880,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the construction of aviation utility infrastructure at Francis S. Gabreski Airport, 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 \$1,150,500. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 710-2004, (b) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1313-2006, (c) the issuance of \$880,500 bonds or bond anticipation notes authorized pursuant to this resolution, (d) ) the expenditure of \$120,000 in State Aid funds and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 4, 5 and 94 of the Law, is thirty (30) years computed from November 1, 2005, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 710-2004.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized pursuant to Bond Resolution No. 710-2004 is hereby amended and restated to be thirty (30) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 705-2004.

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: December 19, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2510-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1458 -2006, AMENDING THE 2006  
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING  
FUNDS IN CONNECTION WITH THE REDEVELOPMENT TO  
CREATE A HOMELAND SECURITY TECHNOLOGY PARK  
AT GABRESKI AIRPORT (CP 5735)**

**WHEREAS**, the Commissioner of the Department of Economic Development and Workforce Housing has requested funds for the Redevelopment to Create a Homeland Security Technology Park at Francis S. Gabreski Airport; and

**WHEREAS**, the County and the Town of Southampton have been jointly working on the zoning and planning of the redevelopment of the 58 acre industrial park at Francis S. Gabreski Airport to create Homeland Security and Technology Park; and

**WHEREAS**, it is the intent to develop this park to attract year round, decent paying, career employment to the residents of the east end of Suffolk County; and

**WHEREAS**, Suffolk County is working with the Town of Southampton as they prepare to adopt an Airport Planned Development District (APDD) Master Plan which details the allowable industries as well as site requirements for the district; and

**WHEREAS**, the Town of Southampton is also preparing the Final Generic Environmental Impact Statement associated with this development and will be adopting the FGEIS along with the adoption of the APDD Master Plan; and

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

**WHEREAS**, sufficient funds are included in the 2006 Adopted Capital Budget and Program under Capital Project 5713, which has been incorporated under Capital Project 5735 in the 2007 Adopted Capital Budget and Program, to cover the full cost of the road and utility redevelopment necessary to move this project forward; now, therefore be it

**RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; and be it further

**RESOLVED**, that prior to the adoption of a bond authorization by this Legislature and any expenditure or commitment of said funds for this project, an environmental review shall be completed in accordance with SEQRA by Town of Southampton and the Final Generic Environmental Impact Statement associated with this development will be adopted by Town of Southampton along with the adoption of the APDD Master Plan; and be it further

**RESOLVED**, that the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law; and be it further

**RESOLVED**, that it is hereby determined that this project, with a priority ranking of 68, 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 Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

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

**Project No.:** 5713

**Project Title:** *Industrial Park Redevelopment*

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	\$ 0	\$3,000,000 B <u>35,110 S</u>	\$0 <u>35,110 S</u>
TOTAL	\$ 330,000	\$ 3,035,110	\$35,110

**Project No.:** 5735

**Project Title:** *Redevelopment and Creation of a Homeland Security Technology Park*

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	<u>\$6,000,000 B</u>	<u>\$ 0</u>	<u>\$3,000,000 B</u>
TOTAL	\$6,000,000	\$ 0	\$3,000,000

and be it further

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

<u>Project No.</u>		<u>Project Title</u>	<u>Amount</u>
	<u>JC</u>		
525-CAP-5735.310 (Fund 625 Debt Service)	35	<b><i>Redevelopment and Creation of a Homeland Security Technology Park</i></b>	\$3,000,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2396-2006 Laid on Table 11/21/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1460 -2006, TO APPOINT MEMBER OF  
COUNTY PLANNING COMMISSION (DAVID L. CALONE)**

**WHEREAS**, Section 14-2 of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large; and

**WHEREAS**, the term of the Suffolk County Planning Commission member representing the Town of Babylon expires on December 31, 2006; and

**WHEREAS**, Steve Levy, the County Executive of Suffolk has appointed **DAVID L. CALONE**, currently residing at 69 Clinton Street, Babylon, New York 11702, as a member of the County Planning Commission; now, therefore be it

**1st RESOLVED**, that **DAVID L. CALONE**, currently residing at 69 Clinton Street, Babylon, New York 11702 is hereby appointed as a member of the Suffolk County Planning Commission to represent the Town of Babylon for a term of office expiring December 31, 2010.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2462-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1461  
-2006 AUTHORIZING THE ACQUISITION OF LAND UNDER THE  
NEW SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM – OPEN SPACE COMPONENT - FOR THE BEGGINS  
PROPERTY – TERRELL RIVER ( TOWN OF BROOKHAVEN – SCTM  
NO. 0200-944.00-06.00-050.000)**

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

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

**WHEREAS**, Resolution No. 904-2001, authorized planning steps for the acquisition of said property; and

**WHEREAS**, the Town of Brookhaven (“Town”) has approved Resolution No. 65A on August 22, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Eight Hundred Thousand Dollars (\$800,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Hundred Thousand Dollars (\$400,000.00), for a fifty percent (50%) undivided interest; and the Town's share, totaling Four Hundred Thousand Dollars (\$400,000.00), 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:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0200 Section 944.00 Block 06.00 Lot 050.000	6.457±	Paul & Carol Beggins 34 the Keel East Islip, NY 11730

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the purchase price of Eight Hundred Thousand Dollars (\$800,000.00), of which Suffolk County's share is Four Hundred Thousand Dollars (\$400,000.00), subject to a final survey; and be it further

**3<sup>rd</sup> 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	\$400,000.00*

\*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
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IFT            525            R477                            E525            Transfer from Fund 477    \$400,000.00\*

\*subject to a final survey  
;and, be it further

**5<sup>th</sup> RESOLVED**, that the \$400,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	Suffolk County Drinking Water Protection Program	\$400,000.00*

\*subject to a final survey

and be it further

**6<sup>th</sup> 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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$400,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

**8<sup>th</sup> RESOLVED**, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning an undivided 50% interest; and be it further

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

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

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

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

**14<sup>th</sup> RESOLVED**, that the above activity is an unlisted action (if greater than 100 acres; Type I action) pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

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

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

Assessment Form; and

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

**16<sup>th</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
Chief Deputy County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2463-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1462 -2006 AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION AND HAMLET PARKS FUND –FARMLAND COMPONENT FOR THE CONKLIN PROPERTY (BREEZE HILL FARM) (SCTM NO. 0900-049.00-01.00-008.007- TOWN OF SOUTHAMPTON)**

**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**, Resolution No. 621-2004, authorized planning steps for the acquisition of farmland development rights of the subject property; and

**WHEREAS**, the Town of Southampton (the “Town”) has approved Resolution No. 2006-688 on May 9, 2006 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

**1<sup>st</sup> 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 Ten Million Seven Hundred Eighty One Thousand Four Hundred dollars (\$10,781,400.00±), at \$302,000.00 per acre for 35.7± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Million Three Hundred Twelve Thousand Five Hundred Sixty dollars (\$4,312,560.00±), for a Forty percent (40%) undivided interest; and the Town's share, totaling Six Million Four Hundred Sixty Eight Thousand Eight Hundred Forty dollars (\$6,468,840.00±), for a Sixty percent (60%) 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 0900	35.7±	Benjamin H. Conklin
	Section 049.00		as Trustee of the
	Block 01.00		Benjamin H. Conklin Revocable Trust
	Lot 008.007		c/o Gilbert G. Flanagan, Esq.
			21 South Main Street
			Southampton, NY 11968

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel 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 Ten Million Seven Hundred Eighty One Thousand Four Hundred dollars (\$10,781,400.00±), subject to a final survey, of which the County contribution will be Four Million Three Hundred Twelve Thousand Five Hundred Sixty Dollars (\$4,312,560.00±), at \$302,000.00± per acre for 35.7± acres, subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$4,312,560.00 ±, 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 of 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

**4<sup>th</sup> RESOLVED**, that title to this acquisition shall be held by the County and the Town, with the County owning a Forty percent (40%) undivided interest and the Town owning a Sixty percent (60%) undivided interest, as tenants-in-common; and be it further

**5<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional

expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2464-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1463 -  
2006, AUTHORIZING THE ACQUISITION OF LAND UNDER THE  
NEW SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM – OPEN SPACE COMPONENT - FOR THE FURNISS  
PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN  
OF BROOKHAVEN – SCTM NO. 0200-983.40-07.00-013.000)**

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

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

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program,

Open Space component, effective as of December 1, 2000, for a total purchase price of Ten Thousand Dollars (\$10,000.00), 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:

	<b>SUFFOLK COUNTY</b>			<b>REPUTED OWNER</b>
<b><u>PARCEL:</u></b>	<b><u>TAX MAP NUMBER:</u></b>		<b><u>ACRES:</u></b>	<b><u>AND ADDRESS:</u></b>
No. 1	District	0200	0.459± acres	Robert Furniss
	Section	983.40		56 Cranberry Drive
	Block	07.00		Mastic Beach, NY 11951
	Lot	013.000		

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Ten Thousand Dollars (\$10,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> 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	\$10,000.00*

\*subject to a final survey

and be it further

**4<sup>th</sup> 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	\$10,000.00*

\*subject to a final survey

**5<sup>th</sup> RESOLVED**, that the \$10,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$10,000.00*

\*subject to a final survey

and be it further

**6<sup>th</sup> 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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

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

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

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

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

**13<sup>th</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2465-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1464  
-2006, AUTHORIZING THE ACQUISITION OF LAND UNDER THE  
NEW SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM – OPEN SPACE COMPONENT - FOR THE SCHNEIDER  
PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN  
OF BROOKHAVEN – SCTM NO. 0200-983.40-03.00-047.000)**

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

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

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Seven Thousand Five Hundred Dollars (\$7,500.00), 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:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>		<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District	0200	.092± acres	George Schneider
	Section	983.40		110 South Warwick Road
	Block	03.00		Greenville, SC 29617
	Lot	047.000		

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Seven Thousand Five Hundred Dollars (\$7,500.00), subject to a final survey; and be it further

**3<sup>rd</sup> 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	\$7,500.00*

\*subject to a final survey

and be it further

**4<sup>th</sup> 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	\$7,500.00*

\*subject to a final survey

and be it further

**5<sup>th</sup> RESOLVED**, that the \$7,500.00 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	\$7,500.00*

Water Protection Program

\*subject to a final survey

and be it further

**6<sup>th</sup> 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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$7,500.00, 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

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

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

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

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

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

**13<sup>th</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

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

**RESOLUTION NO. 1465 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT FOR THE ANGELO ACCARDO, DONATO ACCARDO, L’HOMMEDIEU & LAGREGA PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA (TOWN OF BROOKHAVEN – SCTM NO.0200-982.10-06.00-016.000)**

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

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

**WHEREAS**, Resolution No. 625-2004, authorized planning steps for the acquisition of the subject property; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Eleven Thousand Dollars (\$11,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0200 Section 982.10 Block 06.00 Lot 016.000	0.18± acres	Angelo Accardo 85 Forge Lane Coram, NY 11727  Donato Accardo 65 Pershing Place Cresskill, NJ 07626  Amalia L’Hommedieu P.O. Box 194 Washington, NH 03280  Catherine LaGrega 200F Springmeadow Drive Holbrook, NY 11741

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Eleven Thousand Dollars (\$11,000.00), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$11,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

**5<sup>th</sup> RESOLVED**, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, 0 (Zero) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have; and, be it further

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2467-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1466 -2006, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM - OPEN SPACE COMPONENT - FOR THE SCHAEFFLER ESTATE PROPERTY - MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-983.50-02.00-053.000)**

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

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

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of One Thousand Six Hundred Dollars (\$1,600.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY</u></b>		<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER</u></b>
No. 1	<b><u>TAX MAP NUMBER:</u></b>			<b><u>AND ADDRESS:</u></b>
	District	0200	.043±	Estate of Wilfred Schaeffler
	Section	983.50		by Florence Schaeffler
	Block	02.00		252 Windy Ridge Lane
	Lot	053.000		Murphy, NC

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of One Thousand Six Hundred Dollars (\$1,600.00), subject to a final survey; and, be it further

**3<sup>rd</sup> 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:**

<b><u>Agency</u></b>	<b><u>Fund</u></b>	<b><u>Organization</u></b>	<b><u>Object</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
IFT	477	E525	9600	Transfer to Capital Budget	\$1,600.00*

\*subject to a final survey

and be it further

**4<sup>th</sup> 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	\$1,600.00*

\*subject to a final survey

and be it further

**5<sup>th</sup> RESOLVED**, that the \$1,600.00 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	\$1,600.00

\*subject to a final survey

and be it further

**6<sup>th</sup> 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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,600.00, 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

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

and be it further

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

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

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

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

**13<sup>th</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2468-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1467 -  
2006, AUTHORIZING THE ACQUISITION OF LAND UNDER THE  
NEW SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM - OPEN SPACE COMPONENT - FOR THE DOWNEY  
PROPERTY - MASTIC/SHIRLEY CONSERVATION AREA II (TOWN  
OF BROOKHAVEN – SCTM NO. 0200-983.40-08.00-001.000)**

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

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

**WHEREAS**, Resolution No. 877-2005, authorized planning steps for the acquisition of said property; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Thirty Seven Thousand Dollars (\$37,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.40 Block 08.00 Lot 001.000	0.318±	Phillip & Kay Downey 36-37 201 <sup>st</sup> Street Bayside, NY 11361

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Thirty Seven Thousand Dollars (\$37,000.00), subject to a final survey; and, be it further

**3<sup>rd</sup> 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	\$37,000.00*

\*subject to a final survey

and be it further

**4<sup>th</sup> 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	\$37,000.00*

\*subject to a final survey

and be it further

**5<sup>th</sup> RESOLVED**, that the \$37,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	Drinking Water Protection Program	\$37,000.00*

\*subject to a final survey

and be it further

**6<sup>th</sup> 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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$37,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

**9<sup>th</sup> 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:

- b.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

and be it further

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

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

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

- 5.) 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
- 6.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposes acquisition and preservation of the site would have;

and be it further

**13<sup>th</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2469-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1468 -2006, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] - FOR THE NEW AGE BUILDERS, INC. PROPERTY - PINE BARRENS CORE (TOWN OF RIVERHEAD – SCTM NOS. 0600-141.01-03.00-014.000, (TOWN OF SOUTHAMPTON) 0900-196.00-02.00-005.000, 0900-196.00-02.00-007.000, 0900-197.00-02.00-007.000, 0900-215.01-01.00-038.000, 0900-215.02-01.00-013.000 & 0900-215.02-01.00-022.000)**

**WHEREAS**, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the

acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

**WHEREAS**, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(b) of Article XII of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for the acquisition of such land; and

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

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Forty Thousand One Hundred Dollars (\$40,100.00), 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:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0600 Section 141.01 Block 03.00 Lot 014.000	8.02±	New Age Builders, Inc. William Siegel, President 186 W. Montauk Hwy-Suite D11 Hampton Bays, NY 11946
No. 2	District 0900 Section 196.00 Block 02.00 Lot 005.000		
No. 3	District 0900 Section 196.00 Block 02.00 Lot 007.000		
No. 4	District 0900 Section 197.00 Block 02.00 Lot 007.000		
No. 5	District 0900 Section 215.01 Block 01.00 Lot 038.000		
No. 6	District 0900 Section 215.02 Block 01.00 Lot 013.000		

No. 7	District	0900
	Section	215.02
	Block	01.00
	Lot	022.000

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Forty Thousand One Hundred Dollars (\$40,100.00), subject to a final survey; and, be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$40,100.00, subject to a final survey, from previously appropriated funds in MY-475-MS-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2506-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1469 -2006, AUTHORIZING THE SUFFOLK COUNTY PLANNING FEDERATION TO PROVIDE TRAINING FOR COUNTY PLANNING COMMISSIONERS AND LOCAL PLANNING AND ZONING OFFICIALS**

**WHEREAS**, Section 239-g of General Municipal Law provides for the creation of planning federations “to provide for the collection and distribution of information on planning, subdivision and zoning matters”... and other “matters affecting the county comprehensive plan and the county official map” and further provides for annual appropriations by the county legislative body for “establishing and maintaining information services for the benefit of its members”; and

**WHEREAS**, Chapter 662 of the 2006 Laws of New York State amended General Municipal Law, Town and Village Law to require certain training for County Planning Commissioners and local planning board and zoning appeals board officials, including a minimum of four hours of training per year and a requirement that training be completed as a condition of reappointment to the Board on which they serve; and

**WHEREAS**, the Suffolk County Planning Federation has been in operation since 1994, utilizing volunteers, representatives of the NYS Department of State and the Suffolk County Planning Department, to deliver training to planning and zoning officials on the regional and local level and training for professional planners, engineers and attorneys working in the field of municipal planning and zoning, all at minimal cost; and

**WHEREAS**, Suffolk County has, from time to time, appropriated funds to defray costs associated with annual training by the Suffolk County Planning Federation; now, therefore be it

**1<sup>st</sup> RESOLVED**, that hereafter, in accordance with General Municipal Law Section 239-g -2, there shall be an annual appropriation not to exceed \$10,000 which shall be used by the Suffolk County Planning Federation to further the goal of training competent, qualified citizens to serve their communities and regional public interests as members of the County Planning Commission, and local Zoning Boards of Appeal and Planning Boards; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Planning Director be directed to seek written authorization from town and village legislative bodies in Suffolk County, in accordance with the abovementioned Chapter 662 of the 2006 of the Laws of New York State, that the Suffolk County Planning Federation shall be an approved entity for the purposes of implementing the required training; and be it further

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2539-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1470 -  
2006, AUTHORIZING THE ACQUISITION OF FARMLAND  
DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE  
OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET  
PARKS FUND - FARMLAND COMPONENT FOR THE  
SHARKEY/MOLFETTA PROPERTY (SCTM NO. 0600-  
100.00-03.00-010.005 p/o - TOWN OF RIVERHEAD)**

**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. 1020-2006, 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; now, therefore be it

**1<sup>st</sup> 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 Seven Hundred Forty Eight Thousand Two Hundred Dollars (\$748,200.00±), at \$87,000.00 per acre, for 8.6± 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 Section 100.00 Block 0300 Lot 010.005 p/o	8.6±	James P. Sharkey and Monique Molfetta, 1535 Middle Road Calverton, NY 11933

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the 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 Seven Hundred Forty Eight Thousand Two Hundred Dollars (\$748,200.00±), at \$87,000.00 per acre for 8.6± acres, subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$748,200.00±, 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

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

**5<sup>th</sup> RESOLVED**, that this 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 617.5c(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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2540-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1471 -  
2006, AUTHORIZING THE ACQUISITION OF FARMLAND  
DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE  
OPEN SPACE (SOS), FARMLAND PRESERVATION AND HAMLET  
PARKS FUND FOR THE JURGIELEWICZ DUCK FARM PROPERTY  
(SCTM NOS. 0200-788.00-01.00-001.005, 0200-788.00-01.00-001.006,  
0200-751.00-02.00-005.000 AND 0200-750.00-07.00-001.004, TOWN  
OF BROOKHAVEN)**

**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**, Resolution No. 693-2006, 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. 29A on September 5, 2006 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

**1<sup>st</sup> 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 Five Million Eight Hundred Fifty Six Thousand Seven Hundred Forty Four Dollars (\$5,856,744.00±), at \$123,560.00 per acre for 47.40± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Two Million Nine Hundred Twenty Eight Thousand Three Hundred Seventy Two Dollars (\$2,928,372.00±), for a fifty percent (50%) undivided interest; and the Town’s share, totaling Two Million Nine Hundred Twenty Eight Thousand Three Hundred Seventy Two Dollars (\$2,928,372.00±), 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:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District        0200	47.40±	Jurgielewicz Duck Farm
	Section        788.00		A New York Partnership
	Block         01.00		Barnes Road – Box 69
	Lot             001.005		Moriches, NY 11955
			Benjamin Jurgielewicz-General Partner

Owner as to Parcels 1, 2, and 3

No. 2	District	0200	
	Section	788.00	
	Block	01.00	
	Lot	001.006	
No. 3	District	0200	
	Section	751.00	
	Block	02.00	
	Lot	005.000	
No. 4	District	0200	Jurgielewicz Estates LLC
	Section	750.00	A New York Limited Liability Co.
	Block	07.00	Barnes Road – Box 69
	Lot	001.004	Moriches, NY 11955
			Benjamin Jurgielewicz-Sole Member

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the 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 Two Million Nine Hundred Twenty Eight Thousand Three Hundred Seventy Two Dollars (\$2,928,372.00±), subject to a final survey, at \$123,560.00 per acre for 47.40± acres; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,928,372.00±, 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

**4<sup>th</sup> 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

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

**6<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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

Intro. Res. No. 2516-2006  
Introduced by Legislators Browning and Romaine

Laid on Table 12/5/2006

**RESOLUTION NO. 1472 -2006, DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO CONDUCT AN AIR QUALITY TEST IN THE AREA OF WARDS LANE, BELLPORT**

**WHEREAS**, compost is the end product of a complex feeding pattern involving hundreds of different organisms, in bacteria, fungi, worms, and insects; and

**WHEREAS**, residents in the area located near Wards Lane in Bellport, adjacent to a compost facility, have complained of odors and particles that have raised concerns regarding the environmental and health impacts of composting operations; and

**WHEREAS**, Suffolk County supports the concept of compost sites and their environmental goals but believes they should be sited so the health and quality of life of its citizens is guaranteed; and

**WHEREAS**, an environmental rating of the air quality of the area surrounding Wards Lane in Bellport would help residents determine whether the health and respiratory issues they are experiencing are related to the operation of the compost facility; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Suffolk County Department of Health Services is hereby authorized, empowered, and directed to conduct an investigation or study of the air quality surrounding Wards Lane in Bellport, and to issue an environmental rating of the air quality; and be it further

**2nd RESOLVED**, that this investigation or study shall be completed within 180 days of the effective date of this Resolution; and be it further

**3rd RESOLVED**, that a written report of the findings and determinations of this investigation or study shall be made available to the County Executive and each member of the Suffolk County Legislature, with recommendations and/or action to be taken to control or reduce the amount or kind of air contaminant harming the residents of this area; 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 29, 2006

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

**Intro. Res. No. 2536-2006**

**Laid on Table 12/5/2006**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1473 -2006,  
AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY  
PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW  
TO THE TOWN OF ISLIP FOR AFFORDABLE HOUSING PURPOSES  
(SCTM NO. 0500-141.00-02.00-067.000)**

**WHEREAS**, the County of Suffolk is the fee owner of a certain parcel, which is particularly described hereto:

**ALL**, that certain plot, piece or parcel of land, with 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 141.00, Block 02.00, Lot 067.000, and acquired by tax deed on December 14, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, unrecorded Bargain and Sale Deed dated April 27, 1998, Resolution No. 1098-1997, otherwise known as and by Town of Islip, Brightsides Map Number 8 Blk 39 Lot 67; and

**WHEREAS**, said parcel is surplus to the needs of the County of Suffolk; and

**WHEREAS**, section 72-H of the General Municipal Law permits the sale of real property between Municipal Corporations; and

**WHEREAS**, the Town of Islip, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

**WHEREAS**, the transfer of this parcel is pursuant to and in accordance with Local Law Nos. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

**WHEREAS**, the Suffolk County Department of Planning has approved the use of this parcel for the purposes stated above; now, therefore, be it

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

1. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
2. The Town of Islip shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2007, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
3. The Town of Islip and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

**2<sup>nd</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

1. Principal residence of owner for a period of 5 years;
2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director

after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:

1. Income of tenant limited to 80% of median income based on family size;
2. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
3. Home must meet local building and zoning codes;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
5. Property must remain as an affordable unit for at least 10 years.

**3<sup>rd</sup> RESOLVED**, the conveyance of the parcel described to the Town of Islip for the purposes described herein shall be for the sum of One Dollar (to be waived), plus the pro rata share of the current taxes; and be it further

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

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

**Intro. Res. No. 2537-2006**

**Laid on Table 12/5/2006**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1474** **-2006,**  
**AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY**  
**PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO**

**THE TOWN OF ISLIP FOR AFFORDABLE HOUSING PURPOSES (SCTM  
NO. 0500-141.00-02.00-074.000)**

**WHEREAS**, the County of Suffolk is the fee owner of a certain parcel, which is particularly described hereto:

**ALL**, that certain plot, piece or parcel of land, with 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 141.00, Block 02.00, Lot 074.000, and acquired by tax deed on January 27, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 29, 2003, in Liber 12232, CP 747 and otherwise known as and by Town of Islip, Map of Brightsides, Map No. 8 Block 39 Lots 39 to 42 Inc. Filed in the Office of the Clerk of Suffolk County on August 22, 1916; and

**WHEREAS**, said parcel is surplus to the needs of the County of Suffolk; and

**WHEREAS**, section 72-h of the General Municipal Law permits the sale of real property between Municipal Corporations; and

**WHEREAS**, the Town of Islip, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

**WHEREAS**, the transfer of this parcel is pursuant to and in accordance with Local Law Nos. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

**WHEREAS**, the Suffolk County Department of Planning has approved the use of this parcel for the purposes stated above; now, therefore be it

**1<sup>st</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

4. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
5. The Town of Islip shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2007, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
6. The Town of Islip and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

**2<sup>nd</sup> RESOLVED**, the subject parcel shall be conveyed to the Town of Islip, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

5. Principal residence of owner for a period of 5 years;

6. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
7. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
8. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:

6. Income of tenant limited to 80% of median income based on family size;
7. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
8. Home must meet local building and zoning codes;
9. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
10. Property must remain as an affordable unit for at least 10 years.

**3<sup>rd</sup> RESOLVED**, the conveyance of the parcel described to the Town of Islip for the purposes described herein shall be for the sum of One Dollar (to be waived), plus the pro rata share of the current taxes; and be it further

**4<sup>th</sup> RESOLVED**, that Patricia B. Zielenski, Director of Real Property acquisition and Management, or her Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2444-2006  
Introduced by Legislator Kennedy

Laid on Table 12/5/2006

**RESOLUTION NO. 1475 -2006, AUTHORIZING  
MANAGEMENT/STEWARDSHIP AGREEMENT FOR THE  
COMMERDINGER PROPERTY, TOWN OF SMITHTOWN (SCTM  
NO. 0800-170.00-02.00-033.001)**

**WHEREAS**, Resolution No. 1217-2006, authorized the County's Acquisition of the Commerdinger Property, Town of Smithtown (SCTM No. 0800-170.00-02.00-033.001), under the County's Save Open Space (SOS) Program, the Hamlet Park component; and

**WHEREAS**, Resolution No. 1217-2006, authorized the Suffolk County Department of Parks, Recreation and Conservation to enter into a Management Agreement for the property with the Town of Smithtown; and

**WHEREAS**, it will be more beneficial to the County of Suffolk and it's residents to have a local civic organization manage and maintain this property; now; therefore be it

**1st RESOLVED**, that the 6th RESOLVED Clause of Resolution No. 1217-2006 is deleted in its entirety and replaced with a new 6th RESOLVED Clause to read as follows:

**6th RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and enter into an agreement with the Walter S. Commerdinger, Jr. Historical Society or other qualified 501(c)(3) non-profit organization for the management and/or stewardship of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management of operation of said property; and be it further

and be it further

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

DATED: December 19, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JANUARY 3, 2007

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

Intro. Res. No. 2445-2006  
Introduced by Legislator Kennedy

Laid on Table 12/5/2006

**RESOLUTION NO. 1476 -2006, NAMING COUNTY PARKLAND IN THE COMMUNITY OF NESCONSET AND LAKE RONKONKOMA AS THE "WALTER S. COMMERDINGER, JR. COUNTY PARK"**

**WHEREAS**, Walter S. Commerdinger, Jr. represented the highest level of community service that any Suffolk County resident can demonstrate by and through his service in the United States Navy as a Machinist's Mate during World War I; and

**WHEREAS**, Mr. Commerdinger went on to further demonstrate his dedication to public service by serving as the Postmaster of the Nesconset Post Office from 1923 to 1933, as the Clerk of the Nesconset School District, as a member of the Board of Appeals for the Town of Smithtown, and maintaining membership in numerous local civic and charity based organizations; and

**WHEREAS**, Mr. Commerdinger's willingness to promote the well being and betterment of the citizens of the County of Suffolk is further noted through prior dedications and transfers to the County of Suffolk for the lands now known as "Lilly Ponds Preserve"; and

**WHEREAS**, the necessary review has been performed by the Suffolk County Review Committee for the Siting of Memorials and Symbols and Naming of County Facilities, Parks and Roads, and the Committee recommended this proposed naming; now, therefore be it

**1st RESOLVED**, that pursuant to Section 215 of the NEW YORK COUNTY LAW, the parkland acquired by and for the County of Suffolk through adopted Resolution No. 1217-2006, shall be named the "Walter S. Commerdinger, Jr. County Park"; and be it further

**2nd RESOLVED**, that the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section C28-4 of the SUFFOLK COUNTY CHARTER, to take all necessary and appropriate actions to effectuate this naming and dedication; 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-1-0-1. Legislator**

**Barraga voted no. Legislator D'Amaro was not present.**

Intro. Res. No. 2480-2006  
Introduced by Legislator Cooper

Laid on Table 12/5/2006

**RESOLUTION NO. 1477 -2006, MODIFYING NEW INVESTMENT  
POLICY FOR SUFFOLK COUNTY VANDERBILT MUSEUM TRUST  
FUND**

**WHEREAS**, Resolution No. 933-1994 was adopted on November 4, 1994, for the purpose of permitting the Vanderbilt Museum Trust Fund's Investment Advisor to utilize a total return concept, by providing a fixed annual income of \$1,000,000.00 as requested by the Suffolk County Vanderbilt Museum, and authorizing the use of realized capital gains in the Trust Fund for cash flow purposes only, with any unused funds from said realized gains to be returned to the Trust Fund for reinvestment; and

**WHEREAS**, said authorization, as increased to \$1.2 million, and extended by Resolution Nos. 196-2002, 1251-2002, 1177-2003, 1372-2004, and 1306-2005, expires as of December 31, 2006; and

**WHEREAS**, the Museum Board of Trustees has requested the extension of the guaranteed \$1.2 million revenue from the Endowment Fund; and

**WHEREAS**, the Vanderbilt Museum Trust Fund's Investment Advisor will be unable to generate \$1.2 million dollars in revenue from the Endowment Fund under the current restriction limiting the use of realized capital gains in the Trust Fund to the year of authorization because of declines in the stock market; and

**WHEREAS**, the Vanderbilt Museum Trust Fund's Investment Advisor has issued written recommendations, dated October 1, 2002 and October 7, 2002, to the Suffolk County Legislature regarding the shortfall in revenue, advised as to the investment vehicle to be utilized to cover the shortfall, and issued a written opinion, dated October 1, 2002 and October 7, 2002, that such measures would not be in violation of the Prudent Investor Rule set forth in Section 11-2.3 of the NEW YORK ESTATES POWERS AND TRUSTS LAW or the Suffolk County Investment Guidelines applicable to the Vanderbilt Museum Trust Fund; now, therefore be it

**1st RESOLVED**, that the deadline contained in Resolution No. 933-1994, as extended by Resolution Nos. 385-1997, 557-1998, 914-1999, 971-1999, 656-2000, 196-2002, 1251-2002, 1177-2003, 1372-2004, and 1306-2005 for permitting the Vanderbilt Museum Trust Fund's Investment Advisor to utilize a total return concept, by providing a fixed annual income of \$1,200,000.00 as requested by the Suffolk County Vanderbilt Museum, to be paid to the Suffolk County Vanderbilt Museum at \$100,000.00 per month, and authorizing the use of realized capital gains in the Trust Fund attributable to realized capital gains for a period of time prior to December 18, 2002 through December 31, 2006, for cash flow purposes only, as long as the corpus of the Trust does not go below the value of the original bequest, with any unused funds from said realized gains to be returned to the Trust Fund for reinvestment, is hereby extended from January 1, 2007 through December 31, 2007, subject to the condition that distribution from realized capital gains be limited to a maximum of the realized capital gains, less the trust management fees authorized to be paid from capital gains under Resolution No. 682-1993; and be it further

**2nd RESOLVED**, that the current investment guidelines are hereby modified to maintain a 50/50 split between fixed securities and equities to range between 5-10% of the 50/50 split as determined by market conditions; and be it further

**3rd RESOLVED**, that the Suffolk County Attorney is hereby authorized, empowered, and directed to formalize an agreement with the Bank of America regarding the Suffolk County Vanderbilt Museum's Endowment Trust Fund.

DATED: December 19, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 29, 2006

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

Intro. Res. No. 2482-2006  
Introduced by Legislator Horsley

Laid on Table 12/5/2006

**RESOLUTION NO. 1478 -2006, REAPPOINTING MARJORIE E. FUHRMANN AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 10)**

**WHEREAS**, the term of office of **Marjorie E. Fuhrmann**, as a member of the Suffolk County Vanderbilt Museum Commission will expire on December 28, 2006; now, therefore be it

**1st RESOLVED**, that **Marjorie E. Fuhrmann**, residing in Babylon, New York 11702, is hereby reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 10, for a term of office to expire December 28, 2010, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE.

DATED: December 19, 2006

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Res. No. 2489-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/5/2006

**RESOLUTION NO. 1479 -2006, AUTHORIZING AN INTERMUNICIPAL LICENSE AGREEMENT WITH THE TOWN OF SOUTHAMPTON FOR USE OF THE COUNTY'S WASTE PUMP-OUT FACILITY AT THE SHINNECOCK COUNTY MARINA**

**WHEREAS**, the Town of Southampton has provided and maintained a pump-out vessel, at its own cost and expense, to assist the County in the utilization of the pump-out facility at Shinnecock County Marina under a previous agreement which expired on December 31, 2005; and

**WHEREAS**, the Town of Southampton desires to continue to use the County's waste pump-out facilities at the Shinnecock County Marina located on the Northeast side of the Shinnecock Canal; and

**WHEREAS**, the Department of Parks, Recreation and Conservation desires to continue their relationship with the Town of Southampton for their use of the waste pump-out facilities; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature authorizes the Town of Southampton to use said facilities for a period of five (5) years, commencing on January 1, 2006 and ending on December 31, 2010, with one (1) option to renew for a period of five (5) years to December 31, 2015, at the discretion of the Commissioner of Parks, Recreation and Conservation; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive or his duly appointed designee is hereby authorized to enter into an agreement with the Town of Southampton for the use of said waste pump-out facility containing such terms and conditions as are set forth herein and such other terms and conditions as are acceptable to the Department of Parks, Recreation and Conservation and the County Attorney; and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency pursuant to Environmental Conservation Law Article 8 ("SEQRA"), Volume 6 of the New York Code of Rules and Regulations ("NYCRR") § 617.2, and Chapter 279 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR § 617.5(c)(20) and (27), because it constitutes a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities. As a Type II action, the Legislature has no further responsibilities under SEQRA. See NYCRR § 617.5

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 14-2-2-0. Legislators Caracappa and Barraga voted no. Legislators Romaine and Alden abstained.**

Intro. Res. No. 2495-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1480 -2006, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO PLANETARIUM, SUFFOLK COUNTY VANDERBILT MUSEUM, CP 7437, TOWN OF HUNTINGTON**

**WHEREAS**, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds to upgrade facilities at the Vanderbilt Planetarium; and

**WHEREAS**, there are sufficient funds within the 2006 Adopted Capital Program and Budget to cover the cost of said request under Capital Program 7437; and

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

**WHEREAS**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), Resolution 1388-2004 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5 (1) and (2), because it involves replacement and rehabilitations involving no substantial changes to an existing structure; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Suffolk County Serial Bonds; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter, to complete such improvements to the Vanderbilt Planetarium at the Suffolk County Vanderbilt Museum; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7437.312 (Fund 001 Debt Service)	Improvements to Planetarium	\$50,000

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Vloria-Fisher. The resolution was passed 14-3-1-0. Legislators Caracappa, Alden and Barraga voted no. Legislator Romaine abstained.**

Intro. Res. No. 2495A-2006

**BOND RESOLUTION NO. 1481 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE  
THE COST OF CONSTRUCTION OF IMPROVEMENTS TO THE  
SUFFOLK COUNTY VANDERBILT MUSEUM PLANETARIUM (CP  
7437.312)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the construction of improvements to the Suffolk County Vanderbilt Museum, 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 \$50,000. The plan of financing includes the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) of the Law, is ten (10) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or

declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No. 2496-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1482 -2006, AMENDING THE 2006  
CAPITAL PROGRAM AND BUDGET AND APPROPRIATING FUNDS  
IN CONNECTION WITH RESTORATION OF FACADES (CP 7441)**

**WHEREAS**, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds in connection with restoring damaged and unstable building facades at museum facilities; and

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

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

**WHEREAS**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), Resolution No. 721-1994 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.13 (d) and (1) and (18), since it involves replacement and rehabilitation involving no substantial changes to an existing structure; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$577,000 in Suffolk County Serial Bonds; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete restoration of damaged, unstable and unsafe building facades at the Suffolk County Vanderbilt Museum; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2006 Capital Program and Budget is hereby amended as follows:

Project No: 7450  
 Project Title: Modifications for Compliance with ADA at Vanderbilt Museum

	Total Est'd. <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$128,000	27,000B	0
3. Construction	<u>\$1,134,000</u>	<u>300,000B</u>	<u>0</u>
Total	1,262,000	327,000B	0

Project No: 7441  
 Project Title: Restoration of Facades

Total Est'd.	Current 2006 Capital Budget &	Revised 2006 Capital Budget &

3. Construction	<u>Cost</u> \$1,277,000	<u>Program</u> 250,000B	<u>Program</u> 577,000B
Total	\$1,437,000	250,000B	577,000B

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$577,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u> 525-CAP-7441.310 (Fund 001 Debt Service)	<u>Project Title</u> Restoration of Facades	<u>Amount</u> \$577,000
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DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No.2496A-2006

**BOND RESOLUTION NO. 1483 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$577,000 BONDS TO FINANCE A  
PART OF THE COST OF THE RESTORATION OF FACADES OF THE  
SUFFOLK COUNTY VANDERBILT MUSEUM PLANETARIUM (CP  
7441.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$577,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the restoration of facades at the Vanderbilt Museum Planetarium, 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 \$937,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 1225-1999, (b) the issuance of \$10,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1185-2000, (c) the

issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1381-2004 (d) the issuance of \$577,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years, computed from June 15, 2001, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 1225-1999.

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: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No. 2500-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1484 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF BULKHEAD AT TIMBER POINT MARINA, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5377)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering and construction in connection with the Reconstruction of Bulkhead at Timber Point Marina; and

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the cost of said request under Capital Program 5377; 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 \$630,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1201-2006 classified the action contemplated by this as 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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project No.: 5377  
 Project Title: Reconstruction of Bulkhead at Timber Point Marina

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning, Design & Supervision	\$80,000	\$30,000B	\$80,000P
3. Construction	<u>\$550,000</u>	<u>\$600,000P</u>	<u>\$550,000P</u>
TOTAL	\$630,000	\$630,000	\$630,000

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$630,000 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-5377.110 (Fund 001 Debt Service)	50	Reconstruction of Bulkhead at Timber Point Marina	\$80,000
525-CAP-5377.310 (Fund 001 Debt Service)	50	Reconstruction of Bulkhead at Timber Point Marina	\$550,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
 County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2500A-2006

**BOND RESOLUTION NO. 1485 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$630,000 BONDS TO FINANCE  
THE COST OF CONSTRUCTION OF IMPROVEMENTS TO  
BULKHEADS AT TIMBER POINT MARINA, TOWN OF ISLIP (CP  
5377.110 and .310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$630,000 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 construction of improvements to bulkheads at Timber Point Marina, Town of Islip, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$630,000. The plan of financing includes the issuance of \$630,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$80,000 for planning and \$550,000 for construction) 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 11.00 a. 22(a) of the Law of the Law, is thirty (30) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers

and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2521-2006  
Introduced by Legislator Cooper

Laid on Table 12/05/2006

**RESOLUTION NO. 1486 -2006, MAKING A SEQRA DETERMINATION AND APPROPRIATING FUNDS IN CONNECTION WITH REVITALIZATION OF WILLIAM & MOLLIE ROGERS WATERFRONT (CP 7427)**

**WHEREAS**, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds to revitalize the waterfront area of the museum to enhance interpretive opportunities and increase annual operating revenues at the museum; and

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

**WHEREAS**, pursuant to the State Environmental Quality Review Act Article 8 (hereinafter called "SEQRA"), CEQ Resolution No. 85-2005 recommended the activity as a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617.4 (b) and (9); and Chapter 279 of the Suffolk County Code, since the project involves a site dedicated to the Suffolk County Historic Trust and listed on the National Historic Register; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$550,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA, hereby finds and determines that this resolution constitutes a Type I action, pursuant to Title 6 NYCRR, Part 617.4 (b) and (9), and Chapter 279 of the Suffolk County Code, and determines that implementation of this action will not have a significant impact on the environment for the following reasons:

7. **The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;**
8. **The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code;**
9. **The project will not negatively affect the historic integrity of the site and will be compatible with the architecture of the Vanderbilt Museum;**
10. **The final design of the two covered pavilions will be submitted to the CEQ for their approval as members of the Suffolk County Historic Trust;**
11. **The elevation of the boardwalk will be one (1) foot above the uphill grade;**
12. **In lieu of using pressure-treated wood for the structural piers, the DPW will consider either using Locust Piles or "Timber Guard" (polymer protected wood);**
13. **After the boardwalk's construction removal of the existing chain link fence along the seawall will occur;**
14. **Removal of the existing decayed seaplane hanger ramp will occur;**
15. **Replanting of native vegetation such as "Mountain Laurel" will be completed after boardwalk construction and removal of vegetation will occur only in the area where the structural pilings will be installed;**
16. **The same railing used along the recently built seawall will be used to be consistent. It will be black in color to be more visually subtle.**

and be it further

**2<sup>nd</sup> 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; and be it further

**3<sup>rd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty seven (47) as amended by Resolution No. 563-2005, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 398-2000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to complete construction of boardwalks and covered interpretive platforms leading to the revitalization of the waterfront at the Suffolk County Vanderbilt Museum; and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$550,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7427.311	50	Revitalization of William & Mollie Rogers Waterfront	\$550,000

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO OVERRIDE ADOPTED ON JANUARY 2, 2007\*\***

Intro. Res. No. 1032-2007  
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 98 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1486-2006 (CP 7427)**

**WHEREAS**, the County Legislature has adopted Resolution No. 1486-2006, which appropriated \$550,000 for construction; and

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

**WHEREAS**, the Legislature 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. 1486-2006**

In the fifth RESOLVED paragraph change the Project No.

FROM:

TO:

Project No.  
525-CAP-7427.311

Project No.  
**525-CAP-7427.310**

DATED: March 6, 2007

APPROVED BY:

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

Intro. Res. No. 2521A-2006

**BOND RESOLUTION NO. 1487 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$550,000 BONDS TO FINANCE A  
PART OF THE COST OF REVITALIZATION OF THE WILLIAM AND  
MOLLIE ROGERS WATERFRONT AT THE VANDERBILT MUSEUM,  
CENTERPORT (CP 7427.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$550,000 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 revitalization of the William and Mollie Rogers Waterfront at the Vanderbilt Museum, Centerport, 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 \$1,175,000. The plan of financing includes (a) the issuance of \$125,000 bonds or bond anticipation notes heretofore authorized for planning pursuant to Bond Resolution No. 1175-2003, (b) the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 1393-2005, (c) the issuance of \$550,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 19 (c) of the Law of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1175-2003.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized pursuant to Bond Resolution No. 705-2004 is hereby amended and restated to be fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1175-2003.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO OVERRIDE ADOPTED ON JANUARY 2, 2007\*\***

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-2-0-0. Legislators Caracappa and Barraga voted no.**

Intro. Res. No. 2522-2006  
Introduced by Legislator Cooper

Laid on Table 12/05/2006

**RESOLUTION NO. 1488 -2006, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO NORMANDY MANOR (CP 7430)**

**WHEREAS**, the Executive Director of the Suffolk County Vanderbilt Museum has requested construction funds to provide accessibility to the physically challenged, and infrastructure improvements including electrical wiring, plumbing and HVAC upgrades necessary to accommodate public use of the museum facility known as Normandy Manor; and

**WHEREAS**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), CEQ Resolution No. 30-2006 recommended the activity as a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.5 (c) and (1), (2) and (25); 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 sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$300,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c), (1), (2) and (25) as it consists of the maintenance and rehabilitation involving no substantial changes to an existing structure or in-kind reconstruction of a structure or facility including upgrading buildings to meet building and fire codes and the purchase of equipment; and be it further

**2<sup>nd</sup> 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; and be it further

**3<sup>rd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 398-2000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to complete infrastructure improvements necessary to accommodate public use of the Normandy Manor facility at the Suffolk County Vanderbilt Museum; and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7430.310	50	Improvements to Normandy Manor	\$300,000

DATED: December 19, 2006

EFFECTION PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JANUARY 3, 2007

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-2-0-0. Legislators Caracappa and Barraga voted no.**

Intro. Res. No. 2522A-2006

**BOND RESOLUTION NO. 1489 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$300,000 BONDS TO FINANCE  
THE COST OF CONSTRUCTION OF IMPROVEMENTS TO  
NORMANDY MANOR (CP 7430.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$300,000 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 construction of improvements to Normandy Manor, 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 \$300,000. The plan of financing includes the issuance of \$300,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) of the Law, is ten (10) years.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2542-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1490 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT GARDINER COUNTY PARK/SAGTIKOS MANOR, WEST BAY SHORE (CP 7164)**

**WHEREAS**, the Commissioner of Parks, Recreation and Conservation has requested funds for planning and construction for restoration of buildings and structures at Sagtikos Manor County Park, West Bay Shore; and

**WHEREAS**, sufficient funds are not included within the 2006 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 7164; and

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

**WHEREAS**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 877-2006 has determined that the Proposed Restoration of the Buildings and Structures at Sagtikos Manor County Park, West Bay Shore, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and Chapter 279 of the Suffolk County Code, which project involves "maintenance, repair, replacement, rehabilitation or reconstruction of a structure or facility, in kind, the same on the same site, including upgrading buildings to meet buildings or fire code"; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No. 7164  
Project Title: Improvements to Gardiner County Park/Sagtikos Manor

Total 2006 Estimated <u>Cost</u>	Current 2006 Capital Program and Budget	Revised 2006 Capital Program and Budget
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1. Planning	\$100,000	\$0	\$50,000B
3. Construction	<u>\$650,000</u>	<u>\$250,000B</u>	<u>\$200,000B</u>
<b>TOTAL</b>	\$750,000	\$250,000	\$250,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7164.110 (Fund 001 - Debt Service)	26	Planning for Improvements to Gardiner County Park/ Sagtikos Manor	\$50,000
525-CAP-7164.312 (Fund 001 - Debt Service)	26	Construction for Improvements to Gardiner County Park/ Sagtikos Manor	\$200,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2542A-2006

**BOND RESOLUTION NO. 1491 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE THE COST OF PLANNING AND CONSTRUCTION OF IMPROVEMENTS AT GARDINER COUNTY PARK/SAGTIKOS MANOR, WEST BAY SHORE (CP 7164.110 and .312)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning and construction of improvements at Gardiner County Park/Sagtikos Manor, West Bay Shore, 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 \$250,000. The plan of financing includes the issuance of \$250,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$50,000 for planning and \$200,000 for construction) 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 11.00 a. 19(c) of the Law of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 17-0-1-0. Legislator Montano abstained.**

Intro. Res. No. 2241-2006  
Introduced by Legislators Schneiderman and Browning

Laid on Table 10/17/2006

**RESOLUTION NO. 1492 –2006, AUTHORIZING THE COUNTY OF SUFFOLK TO ENTER INTO A CONTRACT FOR THE PROVISION OF AMBULANCE SERVICE TO COUNTY CORRECTIONAL FACILITIES AND TO COMPENSATE LOCAL AMBULANCE DISTRICTS FOR SUCH SERVICE**

**WHEREAS**, the County of Suffolk recognizes the vital service that volunteer ambulance districts provide in the emergency transport of inmates from County Correctional Facilities to nearby hospitals; and

**WHEREAS**, County Correctional Facilities are tax exempt real property, and therefore provide no revenue to the districts to help offset the costs associated with prisoner transport; and

**WHEREAS**, the remaining property owners in these ambulance districts must shoulder the entire tax burden of the district, including calls made to County Correctional Facilities; and

**WHEREAS**, the County of Suffolk has taken proactive steps in the past to try to ameliorate unfair tax burdens on Suffolk County residents, including the creation of two committees to study strategies to reduce the overburden of school district taxes on property owners; and

**WHEREAS**, this resolution is introduced with the support of County Executive Steve Levy; now, therefore be it

**1st RESOLVED**, that the County of Suffolk is hereby authorized to enter into a contract for the provision of ambulance transport services, and emergency medical services in connection

therewith, to and from the Suffolk County Correctional Facilities in Riverhead and Yaphank; and be it further

**2nd RESOLVED**, that the County Attorney is hereby authorized, empowered and directed, pursuant to § C16-2 of the SUFFOLK COUNTY CHARTER, to enter into an intermunicipal agreement or agreements with any Town within which an ambulance transport service currently contracting with said Town would provide such ambulance transport service to the Suffolk County Correctional Facilities in Riverhead and Yaphank, or directly with an ambulance transport service or services within whose district the Suffolk County Correctional Facilities are located, whichever in the opinion of the County Attorney is permitted by law; and be it further

**3rd RESOLVED**, that any contract or contracts for the provision of ambulance transport services to and from the Suffolk County Correctional Facilities in Riverhead and Yaphank shall provide for compensation in the amount of \$300 for each actual emergency trip made to and from the County Correctional Facilities in Riverhead and Yaphank in the preceding fiscal year, which amount shall be the level of consideration for the following fiscal year; said amount of consideration shall be required to be recalculated every fiscal year; and be it further

**4th RESOLVED**, that this Resolution shall take effect on January 1, 2007, shall authorize initial funding to begin for fiscal year 2008, and shall be subject to Legislative appropriations; and be it further

**5th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 29, 2006

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

Intro. Res. No. 2459-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1493 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE SECOND FLOOR CONSTRUCTION, SPECIAL PATROL BUREAU-POLICE DEPARTMENT (CP 3139)**

**WHEREAS**, the Police Commissioner has requested additional funds for the second floor construction, Special Patrol Bureau; and

**WHEREAS**, additional funds are not included in the 2006 Adopted Capital Budget and Program to cover said additional costs under CP 3139, and pursuant to Suffolk County Charter Section C-4-13 an offsetting authorization must be provided from another capital project; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$280,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is determined that this program with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No.: 5806  
 Project Title: Movable Bridges –Needs Assessment and Rehabilitation

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	<u>\$1,090,000</u>	<u>\$550,000B</u>	<u>270,000B</u>
	\$1,690,000	\$850,000	570,000

and be it further

Project No.: 3139  
 Project Title: Second Floor Construction-Special Patrol Bureau

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning	\$ 61,200	\$ -0-	\$ -0-
3. Construction	<u>\$1,092,150</u>	<u>\$ -0-</u>	<u>\$280,000B</u>
TOTAL	\$1,153,350	\$ -0-	\$280,000

and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 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"), the Legislature has no further responsibilities under SEQRA; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$280,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP -3139.310 (Fund 001-Debt Service)	28	Second Floor Construction- Special Patrol Bureau	\$280,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2459A-2006

**BOND RESOLUTION NO. 1494 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$280,000 BONDS TO FINANCE A  
PART OF THE COST OF THE SECOND FLOOR CONSTRUCTION,  
SPECIAL PATROL BUREAU-POLICE DEPARTMENT (CP 3139.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$280,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the second floor construction, Special Patrol Bureau-Police Department, 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 \$1,153,350. The plan of financing includes (a) the issuance of \$61,200 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 1171-2000, (b) the issuance of \$612,150 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1234-2001, (c) the transfer of \$200,000 from the General Fund pursuant to Resolution No. 456-2003 (d) the issuance of

\$280,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 11(a)(1) of the Law, is thirty (30) years computed from June 15, 2001, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 1171-2000.

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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2460-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1495 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF DIGITAL PHOTOGRAPHY EQUIPMENT FOR SHERIFF'S OFFICE (CP 3062)**

**WHEREAS**, the Sheriff has requested funds for both the removal and replacement of the obsolete AGFA photographic printer which is used to take photographs of all inmates admitted into Suffolk County's Correctional System; and

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the costs of said request under CP 3062, and pursuant to Suffolk County Charter Section C 4-13 an offsetting authorization must be provided from another capital project; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000, has been established a priority ranking system, implemented in the 2006 Adopted 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 \$160,000 in Suffolk County Serial Bonds; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget and Program is hereby amended as follows:

Project No.: 5806  
 Project Title: Movable Bridges –Needs Assessment and Rehabilitation

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	<u>\$1,210,000</u>	<u>\$550,000B</u>	<u>390,000B</u>
	\$1,810,000	\$850,000	690,000

and be it further

Project No.: CP 3062  
 Project Title: Purchase of Digital Photography Equipment For Sheriff's Office

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment	<u>\$160,000</u>	<u>-0-</u>	<u>\$160,000</u>
TOTAL	\$160,000	-0-	\$160,000

and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 671.5(c) (20), (25) and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$160,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3062.511 (Fund 001-Debt Service)	28	Purchase of Digital Photography Equipment for Sheriff's Office	\$160,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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Intro. Res. No. 2460A-2006

**BOND RESOLUTION NO. 1496 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$160,000 BONDS TO FINANCE  
THE COST OF THE PURCHASE OF DIGITAL PHOTOGRAPHY  
EQUIPMENT FOR THE SHERIFF'S OFFICE (CP 3062.511)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$160,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of digital photography equipment for the Sheriff's office, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$160,000. The plan of financing includes the issuance of \$160,000 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 11.00 a. 32 of the Law of the Law, is five (5) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 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. 2488-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1497 -2006, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$84,000 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO ENFORCE MOTOR VEHICLE PASSENGER RESTRAINT REGULATIONS WITH 84.5% SUPPORT**

**WHEREAS**, the State of New York Governor's Traffic Safety Committee has awarded \$84,000 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to continue a Buckle Up Program targeting enforcement of motor vehicle passenger restraint regulations; and

**WHEREAS**, the operational period for this program will be from October 1, 2006, through September 30, 2007; and

**WHEREAS**, said grant funds totaling \$84,000 have not been included in the 2006 Suffolk County Operating Budget; now, therefore be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4378-Federal Aid: Buckle Up	\$84,000
 <u>ORGANIZATIONS:</u>	
Police Department (POL) Buckle Up 2007 115-POL-3296	
<u>1000-Personal Services</u>	<u>\$84,000</u>
1120-Overtime Salaries	84,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the employee benefits associated with the overtime salaries for this grant are included in the 2006 Suffolk County Operating Budget; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2348-2006  
Introduced by Legislator Eddington

Laid on Table 11/21/2006

**RESOLUTION NO. 1498 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO CR 99, WOODSIDE AVENUE, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5175)**

**WHEREAS**, the Commissioner of Public Works has requested funds for Improvements to CR 99, Woodside Avenue in the Town of Brookhaven; and

**WHEREAS**, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution 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**, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project No.: 5175  
 Project Title: Woodside Avenue Corridor Study

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning, Design & Supervision	<u>\$100,000</u>	<u>\$100,000</u>	<u>\$ 0</u>
<b>TOTAL</b>	<b>\$200,000</b>	<b>\$100,000</b>	<b>\$100,000</b>

Project No.: 5175  
 Project Title: Improvements to CR 99, Woodside Avenue

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction	<u>\$100,000</u>	<u>\$ 0</u>	<u>\$100,000</u>
<b>TOTAL</b>	<b>\$200,000</b>	<b>\$100,000</b>	<b>\$100,000</b>

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$100,000 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>
Ref-525-CP# 5175.310	50	Improvements to CR 99, Woodside Avenue	\$100,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
 County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2348A-2006

**BOND RESOLUTION NO. 1499 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A  
PART OF THE COST OF IMPROVEMENTS TO CR 99, WOODSIDE  
AVENUE, TOWN OF BROOKHAVEN (CP 5175.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to CR 99, Woodside Avenue in the Town of the Brookhaven, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 804-2003, (b) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 20 (c) of the Law of the Law, is fifteen (15) years, computed from November 1, 2006, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 804-2003.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2457-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/5/2006

**RESOLUTION NO. 1500 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE WEATHERPROOFING OF COUNTY BUILDINGS (CAPITAL PROGRAM NUMBER 1762)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Weatherproofing of County Buildings; and

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

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

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

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 260-2005 classified the action contemplated by this as a Type II action; and be it further

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

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1762.311 (Fund 001 – Debt Service)	20	Weatherproofing Of County Buildings	\$150,000

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No. 2457A-2006

**BOND RESOLUTION NO. 1501 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE A  
PART OF THE COST OF THE WEATHERPROOFING OF COUNTY  
BUILDINGS (CP 1762.311)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the weatherproofing of County buildings, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$300,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 444-2005, (b) the issuance of \$150,000 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, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 444-2005.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or

declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

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

Date: December 26, 2006

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

Intro. Res. No. 2458-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1502 -2006, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 100, SUFFOLK AVENUE @ BRENTWOOD ROAD/ WASHINGTON AVENUE, TOWN OF ISLIP (CAPITAL PROGRAM NUMBER 5065)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with Intersection Improvements on CR 100, Suffolk Avenue @ Brentwood Road/Washington Avenue; and

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

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,500,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1184 of 2002 classified the action contemplated by this as an Unlisted Action which will not have a significant effect on the environment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-five (65) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525- CAP-5065.311 (Fund 001-Debt Service)	50	Intersection Improvements on CR 100, Suffolk Avenue @ Brentwood Road/Washington Avenue	\$1,500,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2458A -2006

**BOND RESOLUTION NO. 1503 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS TO FINANCE  
A PART OF THE COST OF INTERSECTION IMPROVEMENTS ON CR  
100, SUFFOLK AVENUE AT BRENTWOOD ROAD/WASHINGTON  
AVENUE, TOWN OF ISLIP (CP 5065.311)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of intersection improvements on CR 100, Suffolk Avenue at Brentwood Road/Washington Avenue, Town of Islip, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,020,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 694-1999, (b) the issuance of \$20,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 877-2000 (c) the issuance of \$1,200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1141-2005; (d) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 649-2004, (e) the issuance of \$1,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is fifteen (15) years, computed from December 15, 1999, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 694-1999.

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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

**Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-1-0-0. Deputy Presiding Officer Viloria-Fisher voted no.**

Intro. Res. No. 2478-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1504 -2006, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON WITH 125 EAST OAKLAND AVENUE BUILDING (HU-1355.1)**

**WHEREAS**, 125 East Oakland Avenue Building is located outside the boundary of Suffolk County Sewer District No. 1 – Port Jefferson; and

**WHEREAS**, 125 East Oakland Avenue Building has petitioned and requested the Administrative Head of the District for permission to remain connected to the sanitary sewers of the Sewer District No. 1; and

**WHEREAS**, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs due to the change of usage for this connection to a lower gallon per day rate; and

**WHEREAS**, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, the connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with a daily flow of 3,600 gallons, for a total connection fee of \$54,000.00, less usage fees paid previously in excess by accident; and

**WHEREAS**, it will be financially beneficial to Suffolk County Sewer District No. 1 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

**WHEREAS**, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 1 – Port Jefferson and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 29, 2006

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

Intro. Res. No. 2481-2006  
Introduced by Legislator Eddington

Laid on Table 12/5/2006

**RESOLUTION NO. 1505 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO CR 80, MONTAUK HIGHWAY (CP 5534)**

**WHEREAS**, Montauk Highway in Patchogue requires pavement upgrades and drainage systems, additional turn lanes and other traffic control and safety systems to improve traffic flow and safety; and

**WHEREAS**, the \$100,000 scheduled in the 2005 Adopted Capital Budget for planning and design for this project was not appropriated; and

**WHEREAS**, the 2006 Adopted Capital Budget does not schedule additional funds for this capital project and it is necessary to appropriate \$100,000 for engineering to advance this traffic mitigating project; and

**WHEREAS**, Capital Project 1755 includes excess funds in the 2006 adopted capital budget for infrastructure improvements for traffic and public safety projects; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; and

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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

	Total Estimated <u>Cost</u>	Current 2006 Capital Budget & <u>Program</u>	Revised 2006 Capital Budget & <u>Program</u>
<u>Cost Elements</u>			
3. Construction	\$310,390	\$410,390 B	\$310,390 B
TOTAL	\$310,390	\$410,390	\$310,390

and be it further

Project Number: 5534

Project Title: Improvements to CR 80, Montauk Highway, Between NYS Rt. 112 and CR 101, Patchogue, Yaphank Rd./Sills Rd.

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning	\$100,000	\$0	\$100,000 B
TOTAL	\$8,280,000	\$0	\$100,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5534.111	50	Improvements to CR 80, Montauk Highway, Between NYS Rt. 112 and CR 101, Patchogue, Yaphank Rd./Sills Rd	\$100,000

and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: December 19, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JANUARY 3, 2007

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

**BOND RESOLUTION NO. 1506 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A  
PART OF THE COST OF THE PLANNING FOR IMPROVEMENTS TO  
CR 80, MONTAUK HIGHWAY, BETWEEN NYS 112 AND CR 101,  
TOWN OF BROOKHAVEN (CP 5534.111)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the planning for improvements to CR 80, Montauk Highway, between NYS 112 and CR 101, Town of Brookhaven, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,425,000. The plan of financing includes (a) the issuance of \$300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 116-1998, (b) the issuance of \$25,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 1122-2000, (c) the issuance of \$1,600,000 bonds or bond anticipation notes (\$200,000 for planning and \$1,400,000 for land acquisition) heretofore authorized pursuant to Bond Resolution No. 1053-2002, (d) the issuance of \$3,550,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 747-2003, (e) the issuance of \$2,400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 712-2005, (f) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 917-2005 (g) the issuance of \$250,000 bonds or bond anticipation notes pending authorization on December 19, 2006, (h) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (i) 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. It is hereby determined that the planning for this project shall be financed as part of the capital project, and the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from December 1, 1998, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 116-1998.

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

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.  
DATED: December 19, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JANUARY 3, 2007

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

Intro. Res. No. 2483-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1507 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS (CAPITAL PROGRAM NUMBER 5497)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with the construction of sidewalks on CR 10, Elwood Road, from CR 11, Pulaski Road to the Long Island Railroad; and

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

**WHEREAS**, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

**WHEREAS**, 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 \$300,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 486 of 2006 classified the action contemplated by this as an Unlisted Action, which will not have a significant effect on the environment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-two (52) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$300,000 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>
Ref-525-CP# 5497.329	50	Construction of Sidewalks on Various County Roads	\$300,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2483A-2006

**BOND RESOLUTION NO. 1508 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$300,000 BONDS TO FINANCE  
THE COST OF THE CONSTRUCTION OF SIDEWALKS ON CR 10,  
ELWOOD ROAD, FROM CR 11, PULASKI ROAD, TO THE LIRR (CP  
5497.329)**

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 \$300,000 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 construction of sidewalks on CR 10, Elwood Road, from CR 11, Pulaski Road, to the LIRR, 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 \$300,000. The plan of financing includes the issuance of \$300,000 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 11.00 a. 24 of the Law of the Law, is ten (10) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon

all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-1-0. Legislator Alden abstained.**

Intro. Res. No. 2493-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1509 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE CLOSED LOOP TRAFFIC SIGNAL SYSTEM (CAPITAL PROGRAM NUMBER 3309)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with the Closed Loop Traffic Signal System; and

**WHEREAS**, there are Federal funds available for this project, identified as PIN 0756.72, under the Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21), with a share allocation of 80% Federal funds and 20% County funds; and

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

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the cost of said request under Capital Project 3309 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

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

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$800,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1175-1995 classified the action contemplated by this as a Type II Action which will not have a significant effect on the environment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Closed Loop Traffic Signal System; and be it further

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

Project No.: 3309  
Project Title: Closed Loop Traffic Signal System

	Total Est'd Cost	Current 2006 Capital Budget & Program \$340,000B	Revised 2006 Capital Budget & Program \$500,000B
3. Construction	<u>\$3,937,500</u>	<u>\$1,360,000F</u>	<u>\$2,000,000F</u>

TOTAL \$8,200,000 \$1,700,000 \$2,500,000

5<sup>th</sup> RESOLVED, that the proceeds of \$800,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3309.311	50	Closed Loop Traffic Signal System	\$800,000

and be it further

6<sup>th</sup> RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$160,000; and be it further

7<sup>th</sup> RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$640,000; and be it further

8<sup>th</sup> RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$640,000; and be it further

9<sup>th</sup> RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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Legislator Cooper made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-1-0-0. Legislator Alden voted no.

Intro. Res. No. 2493A-2006

**BOND RESOLUTION NO. 1510 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$800,000 BONDS TO FINANCE A  
PART OF THE COST OF THE COUNTY'S SHARE OF THE COST OF  
CONSTRUCTION OF A CLOSED LOOP TRAFFIC SIGNAL SYSTEM  
(CP 3309.311)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$800,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the construction of a closed loop traffic signal system, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000. The plan of financing includes (a) the issuance of \$1,700,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 601-2006 the bond issuance being limited to the County share of 20% or \$340,000 and the issuance of bond anticipation notes for the Federal share of \$1,360,000, (b) the issuance of up to \$800,000 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or \$160,000 and the issuance of bond anticipation notes for the Federal share of \$640,000) 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. It is expected that Federal Aid shall be received to pay a part of the cost of the project and any such aid is authorized to be expended for such purpose. Bond anticipation notes are authorized to be issued in the principal amount of up to \$800,000. The maximum amount of serial bonds authorized to be issued pursuant to this resolution is \$500,000.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from November 1, 2006, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 601-2006.

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

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

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

anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2494-2006 Laid on Table 12/5/2006  
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1511 -  
2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM,  
TRANSFERRING FUNDS FROM THE ASSESSMENT  
STABILIZATION RESERVE FUND, AND APPROPRIATING  
FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK  
COUNTY SEWER DISTRICT NO. 9 - COLLEGE PARK (CP 8163)

**WHEREAS**, the College Park Wastewater Treatment Plant requires infrastructure improvements; and

**WHEREAS**, a Public Hearing was held at the regularly scheduled meeting of the County Legislature in Hauppauge, New York on June 13, 2006, in connection with the proposed improvements; and

**WHEREAS**, a findings resolution approving the increase and consistent with the Public Hearing, a resolution authorizing \$550,000 for this project and this resolution which amends the 2006 Capital Budget and Program and appropriates funds have been submitted to the Legislature for approval; and

**WHEREAS**, a portion of this project in the amount of \$500,000 will be financed with Sewer District Serial Bonds and the balance of \$50,000 will be funded by a transfer from the Assessment Stabilization Reserve Fund; and

**WHEREAS**, an application will be submitted to the New York State Comptroller requesting approval of the funding and the proposed improvements for the District stated herein; and

**WHEREAS**, the Administrative Head of Sewer District No. 9 - College Park has requested that funds be appropriated to cover costs associated with the improvement project; and

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

**WHEREAS**, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 370 of 2006 determined that the proposed sewerage facility improvement to the Sewer District No. 9 - College Park constitutes an Unlisted action pursuant to the provisions of NYCRR Part 617; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Sewer District Serial Bonds; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund provide the increased funding of \$50,000 for the purpose of implementing this project; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of \$50,000 for the purpose of implementing this project; and be it further

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

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$50,000
527-IFT-R404-Transfer from Fund 404	\$50,000

and be it further

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

Project No.: 8163  
Project Name: Improvements to Sewer District 9 - College Park

<u>COST ELEMENTS</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning, Design and Supervision	\$50,000	\$- 0 -	\$50,000-A
3. Construction	\$500,000	\$500,000	\$500,000-X
TOTAL	\$550,000	\$500,000	\$550,000

A - Assessment Stabilization Reserve Fund Loan

and be it further

**5<sup>th</sup>** **RESOLVED**, that the proceeds of \$50,000 in Assessment Stabilization Reserve Funds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8163.110	Improvements to Sewer District 9 - College Park Planning, Design and Supervision	\$ 50,000

and be it further

**6<sup>th</sup>** **RESOLVED**, that the proceeds of \$500,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8163.310	Improvements to Sewer District 9 - College Park Construction	\$500,000

and be it further

**7<sup>th</sup>** **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD 9 - College Park.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0. Legislator Alden voted no.**

Intro. Res. No. 2494A-2006

**BOND RESOLUTION NO. 1512 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE A  
PART OF THE COST OF IMPROVEMENTS TO SUFFOLK COUNTY  
SEWER DISTRICT NO. 9-COLLEGE PARK (CP 8163.110 and .310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to Suffolk County Sewer District No. 9-College Park, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$550,000. The plan of financing includes (a) the transfer of \$50,000 from the Assessment Stabilization Reserve Fund, (b) the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 4 of the Law of the Law, is forty (40) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers

and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2499-2006

Laid on Table 12/5/2006

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

RESOLUTION NO.

1513  
-2006,

TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2006 OPERATING BUDGET AND APPROPRIATING ADDITIONAL FUNDS FOR THE ENVIRONMENTAL AND FEASIBILITY STUDY

OF GREASE/SCAVENGER WASTE TREATMENT FACILITY BY  
THE PRIVATE SECTOR (CP 8179)

**WHEREAS**, the majority of septage and scavenger waste generated within Suffolk County is transported to Bergen Point for treatment; and

**WHEREAS**, a portion of the septage and scavenger waste contains elevated concentrations of grease that is detrimental to Bergen Point; and

**WHEREAS**, there is a need to provide additional means to treat and dispose of grease and scavenger waste; and

**WHEREAS**, an Environmental Impact Study and a Feasibility Study that the private sector could provide a grease/scavenger waste treatment facility on County land are being prepared for a treatment facility in Yaphank; and

**WHEREAS**, additional funds are needed to complete these projects; and

**WHEREAS**, the Administrative Head of the Sewer District requests that additional funds be appropriated to cover these costs; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 571-1998 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 these projects; and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund provide \$350,000 for the purpose of completing these projects; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617. (c)(18) and (21), in that the resolution concerns an environmental impact study and a feasibility study of a grease/scavenger waste treatment facility by the private sector on County land; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup>** **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty three (63), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of \$350,000 for the purpose of completing these projects; and be it further

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

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$350,000
527-IFT-R404-Transfer from Fund 404	\$350,000

and be it further

5<sup>th</sup> **RESOLVED**, that funds in the amount of \$350,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8179.114	Planning Scavenger Waste Feasibility Study	\$350,000

and be it further

6<sup>th</sup> **RESOLVED**, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the environmental impact study and the private sector construction, operating, and charging fees for operating a grease/scavenger waste treatment facility on County-owned land under a long-term lease agreement.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 22, 2006

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**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-0-0-3. Legislators Caracappa, Montano and Kennedy were not present.**

Intro. Res. No. 2543-2006 Laid on Table 12/5/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1514 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING ADDITIONAL FUNDS IN CONNECTION WITH THE IMPROVEMENTS TO COUNTY CENTER, C001 RIVERHEAD - PHASES I RENOVATIONS TO THE DATA CENTER (CAPITAL PROGRAM NUMBER 1643)**

**WHEREAS**, Additional funding is required for the upgrade of the data center in the County Center, Riverhead and other revisions required to accommodate the requirements of the Department of Information Technology Services; and

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

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21), and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-nine (69) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

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

Project No. 5128  
 Project Title: Intersection Improvements on CR 19 Patchogue-Holbrook Road at Furrows Road

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget and Program</u>
2. Land Acquisition	\$ 30,000	\$ 250,000B	\$ 0
TOTAL	\$550,000	\$ 250,000	\$ 0

and be it further

Project No. 1643  
 Project Title: Improvements to County Center, C-001 Riverhead

	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget and Program</u>
1. Planning, Design & Supervision	\$ 2,390,000	\$ 40,000B	\$ 20,000B
3. Construction	<u>\$31,180,000</u>	<u>\$ 360,000B</u>	<u>\$ 630,000B</u>
TOTAL	\$33,570,000	\$ 400,000	\$ 650,000

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
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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, computed from June 15, 1999, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 200-1997.

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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2501-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1516 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF SMITH POINT BRIDGE, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5838)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Rehabilitation of Smith Point Bridge; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under CP 5838; 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 \$500,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to

commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5838.110 (Fund 001 Debt Service)	50	Rehabilitation of Smith Point Bridge	\$500,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2501A-2006

**BOND RESOLUTION NO. 1517 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE A  
PART OF THE COST OF THE PLANNING FOR THE  
REHABILITATION OF SMITH POINT BRIDGE (CP 5838.110)**

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 \$500,000 pursuant to the Local Finance Law,

constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the planning for the rehabilitation of Smith Point Bridge, 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 \$850,000. The plan of financing includes (a) the issuance of \$350,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 363-2004, (b) the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law of the Law, is five (5) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 363-2004.

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: December 19, 2006

APPROVED BY:

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

Date: December 26, 2006

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**Legislator Stern made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-0-0-3. Legislators Caracappa, Kennedy and Mystal were not present.**

Intro. Res. No. 2504-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1518 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT (CAPITAL PROGRAM 5047)**

**WHEREAS**, the Commissioner of Public Works has requested funds for purchase in connection with the Purchase of Highway Maintenance Equipment; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said request under Capital Project 5047; 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**, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless “explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature”; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$800,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the purchase of this equipment is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works; and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (25) (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

**3<sup>rd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project No: 5047  
 Project Title: Purchase of Highway Maintenance Equipment

	<u>Total Est.'s Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Modified 2006 Capital Budget &amp; Program</u>
3. Furniture & Equipment	\$ 10,054,500	\$ 800,000G	\$ 800,000B
TOTAL	\$ 10,054,500	\$ 800,000	\$ 800,000

and be it further

**6<sup>th</sup> RESOLVED**, that the proceeds of \$800,000 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-5047.523 (Fund 001 - Debt Service)	50	Purchase of Highway Maintenance Equipment	\$800,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

Intro. Res. No. 1168-2007 Laid on Table 3/6/2007  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 250 -2007, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1518-  
2006**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 1518-2006; and

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

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

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

**Resolution No. 1518-2006**

In the 6<sup>th</sup> RESOLVED paragraphs change the Project No.

FROM:

TO:

Project No.

Project No.

525-CAP-5047.523  
(Fund 001-Debt Service)

**525-CAP-5047.523**  
**(Fund 016-Debt Service)**

DATED: March 20, 2007

APPROVED BY:

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

Date: March 23, 2007

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**Legislator Stern made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 14-1-0-3. Legislator Alden voted no. Legislators Caracappa, Kennedy and Mystal were not present.**

Intro. Res. No. 2504A-2006

**BOND RESOLUTION NO. 1519 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$800,000 BONDS TO FINANCE  
THE COST OF THE PURCHASE OF HIGHWAY MAINTENANCE  
EQUIPMENT (CP 5047.523)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$800,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of highway maintenance equipment, 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 \$800,000. The plan of financing includes the issuance of \$800,000 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 11.00 a. 28 of the Law of the Law, is fifteen (15) years.

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

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

shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-0-0-3. Legislators Caracappa, Kennedy and Mystal were not present.**

Intro. Res. No. 2505-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1520 -2006, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2006 OPERATING BUDGET, AND APPROPRIATING FUNDS FOR A SAFETY AND SECURITY IMPROVEMENTS PROGRAM FOR SANITARY FACILITIES IN SUFFOLK COUNTY SEWER DISTRICTS (CP 8103)**

**WHEREAS**, the sanitary facilities under the ownership and operation of Suffolk County have increased over the past thirty-five years to twenty-two treatment plants and nearly ninety pumping stations; and

**WHEREAS**, there exists a need to insure that safety and security system measures are appropriate and current; and

**WHEREAS**, the Administrative Head of the Sewer Districts has requested that funds be appropriated to cover design and installation costs associated with the Safety and Security Improvements; 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**, it is proposed that the Assessment Stabilization Reserve fund the districts the sum of \$540,000 for the purpose of implementing this project for the benefit of all the sewer districts, excluding SD #3 Southwest, which has a program underway; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Resolution No. 638-2006 classified the action contemplated by the proposed Safety and Security Improvements for Suffolk County Sewer District a Type II action pursuant to the provisions of Environmental Conservation Law Article 8, Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (1), (2) and (25), in that the resolution concerns the upgrade of an existing facility and the purchase and installation of auxiliary equipment; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53), is eligible for approval provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the Assessment Stabilization Reserve Fund shall fund the Sewer Districts the sum of \$540,000 for the purpose of implementing this project for the benefit of all the sewer districts; and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2006 Adopted Operating Budget increasing Interfund appropriations and revenues, transferring funds and accepting proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
Appropriations:	
404-IFT-E527 - Transfer to Fund 527	\$540,000
Revenues:	
527-IFT-R404 - Transfer from Fund 404	\$540,000

and be it further

**5<sup>th</sup> RESOLVED**, that funds in the amount of \$540,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8103.110	80	Planning for Sewer Districts Safety and Security Program	\$40,000
527-CAP-8103.310	80	Construction of Sewer District Safety and Security Program	\$500,000

and be it further

**6<sup>th</sup> RESOLVED**, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the installation of the Safety and Security Program.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2512-2006 Laid on Table 12/5/2006  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1521 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT/VAC-HAUL MACHINES PURSUANT TO PHASE II REQUIREMENTS (CP 5047.524)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the Purchase of Vac-Haul Machines; and

**WHEREAS**, sufficient funds are not included in the 2006 Capital Budget and Program to cover the costs of said request under Capital Program 5047 and, pursuant to Suffolk County Charter Section C 4-13, an offsetting authorization must be provided from another Capital Project; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution 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 \$900,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (25) (C) (2), (11), (20), (21) and (27) of Title 6 of the New York Code of Rules and Regulations (“NYCRR”), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project No.: 8180  
 Project Title: Sewer District No. 3 – Southwest Sludge Treatment & Disposal Project

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
3. Construction			\$51,665,000 \$17,654,110X \$16,754,110X
<b>TOTAL</b>	<b>\$56,815,000</b>	<b>\$18,904,110</b>	<b>\$18,004,110</b>

Project No.: 5047  
 Project Title: Purchase of Highway Maintenance Equipment

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment			\$10,954,500 \$800,000B\$1,700,000B
<b>TOTAL</b>	<b>\$10,954,500</b>	<b>\$800,000</b>	<b>\$1,700,000</b>

and be it further

**RESOLVED**, that the proceeds of \$900,000 in Suffolk County Serial Bonds be and hereby is appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5047.524 (Fund 001 Debt Service)	50	Purchase Of Vac-Haul Machines Pursuant To Phase II Requirements	\$900,000

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

Intro. Res. No. 1169-2007 Laid on Table 3/6/2007  
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 251 -2007, AUTHORIZING CERTAIN TECHNICAL  
CORRECTION TO ADOPTED RESOLUTION NO. 1521-2006

**WHEREAS**, the County Legislature has adopted and the County Executive has signed  
Resolution No. 1521-2006; 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. 1521-2006**

In the 5<sup>th</sup> RESOLVED paragraph change the Project No.

FROM:

TO:

Project No.

Project No.

525-CAP-5047.524  
(Fund 001-Debt Service)

**525-CAP-5047.524**  
**(Fund 016-Debt Service)**

DATED: March 20, 2007

APPROVED BY:

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

Date: March 23, 2007

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2512A-2006

**BOND RESOLUTION NO. 1522 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$900,000 BONDS TO FINANCE  
THE COST OF THE PURCHASE OF HIGHWAY MAINTENANCE  
EQUIPMENT/VAC-HAUL MACHINES PURSUANT TO PHASE II  
REQUIREMENTS (CP 5047.524)**

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 \$900,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of highway maintenance equipment/Vac-Haul Machines pursuant to Phase II Requirements, 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 \$900,000. The plan of financing includes the issuance of \$900,000 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 11.00 a. 28 of the Law of the Law, is fifteen (15) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall

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

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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Legislator Browning made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.

**Intro. Res. No. 2541-2006**

**Laid on Table 12/5/2006**

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

**RESOLUTION NO. 1523 -2006, APPROVING DETERMINATIONS AND FINDINGS MADE PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW AND DIRECTING THE COMMISSIONER OF SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS TO PREPARE AND FILE WITH THE CLERK OF THE SUFFOLK COUNTY LEGISLATURE ACQUISITION MAPS IN ACCORDANCE WITH THE SELECTED ALTERNATIVE FOR THE ACQUISITION OF LANDS IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF C.R. 80, MONTAUK HIGHWAY FROM WILLIAM FLOYD PARKWAY TO BARNES ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (C.P. 5516 PIN 0756.68)**

**WHEREAS**, the Department of Public Works of the County of Suffolk has prepared maps entitled "ABSTRACT REQUEST MAP"; and

**WHEREAS**, on August 26, 2004, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 876-2004 and SEQRA is complete; and

**WHEREAS**, pursuant to Adopted Resolution No's. 914-2002 and 127-2006, the Department of Public Works was directed to hold public hearings; and

**WHEREAS**, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Smithtown Messenger, said newspapers being the current official County newspapers of the County of Suffolk; and the South Shore Press, the official town newspaper situated in the locality where the public project is located; and

**WHEREAS**, a public hearing was duly held on September 26, 2006 for the following purposes:

- A. To inform the public.
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.
- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

**WHEREAS**, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

**WHEREAS**, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on November 30, 2006, pursuant to Adopted Resolution No's. 914-2002 and 127-2006; and

**WHEREAS**, a brief synopsis thereof was duly published in two successive issues in the Smithtown News and the Smithtown Messenger, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the South Shore Press, which, at the time of publication was the current official town newspaper situated in the locality where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

**WHEREAS**, the acquisition maps of this project have not yet been duly filed with the Clerk of the Suffolk County Legislature, pursuant to Adopted Resolution No's. 914-2002 and 127-2006; now, therefore be it

**1<sup>st</sup> RESOLVED** that the Determinations and Findings heretofore filed with the Clerk of the Suffolk County Legislature on November 30, 2006, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

**2<sup>nd</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works is hereby directed to prepare and file with the Clerk of the Suffolk County Legislature, acquisition maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 80, MONTAUK HIGHWAY FROM WILLIAM FLOYD PARKWAY TO BARNES ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (C.P. 5516 PIN 0756.68)" pursuant to the Alternative selected by the Hearing Officer and approved by this Legislature.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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**Legislator Browning made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2520-2006  
Introduced by Legislator Browning

Laid on Table 12/5/2006

**RESOLUTION NO. 1524 -2006, APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR THE RECONSTRUCTION OF CR 80, MONTAUK HIGHWAY SHIRLEY/MASTIC, TOWN OF BROOKHAVEN (CP 5516)**

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program for this project; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$3,750,000 in Suffolk County Serial Bonds; and

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

in the Adopted 2006 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 69 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$3,750,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5516.211	50	Reconstruction of CR 80, Montauk Highway Shirley/Mastic, Town of Brookhaven	\$3,750,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$750,000; and be it further

**4<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$3,000,000; and be it further

**5<sup>th</sup> RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$3,000,000; and be it further

**6<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

**7<sup>th</sup> RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 29, 2006

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**Legislator Browning made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2520A-2006

**BOND RESOLUTION NO. 1525 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$3,750,000 BONDS TO FINANCE  
A PART OF THE COST OF THE RECONSTRUCTION OF CR 80,  
MONTAUK HIGHWAY, TOWN OF BROOKHAVEN (CP 5516.211)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$3,750,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 80, Montauk Highway, Town of Brookhaven, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,150,000. The plan of financing includes (a) the issuance of \$400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 779-2003, with the expectation of \$320,000 in Federal Aid funds (80%) and \$80,000 in County share (20%), (b) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 989-2004, with the expectation of \$800,000 in Federal Aid funds (80%), \$150,000 State Marchiselli Aid (15%) (as appropriated in Resolution 608-2006) and \$50,000 in County share (20%), (c) the issuance of \$3,750,000 bonds or bond anticipation authorized pursuant to this resolution, with the expectation of \$3,000,000 in Federal Aid funds (80%) and \$750,000 in County share (20%), and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. The Comptroller is directed to limit the principal amount of serial bonds issued pursuant to this resolution to the \$750,000 County share, but the full amount of \$3,750,000 may be financed by the issuance of bond anticipation notes.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 15,2005, the date of issuance of the first bonds or notes issued pursuant to Bond Resolution No. 779-2003.

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

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

shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 29, 2006

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.

Intro. Res. No. 2548-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer Lindsay

**RESOLUTION NO. 1526 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REPLACEMENT OF PUBLIC WORKS FLEET MAINTENANCE EQUIPMENT (CP 1769)**

**WHEREAS**, the Department of Public Works has requested funds for the Replacement of Public Works Fleet Maintenance Equipment; and

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

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$75,000 in Suffolk County Serial Bonds; and

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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 43 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1769

Project Title: Public Works Fleet Maintenance Equipment Replacement

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$905,000	\$75,000G	\$75,000B
<b>TOTAL</b>	<b>\$905,000</b>	<b>\$75,000G</b>	<b>\$75,000B</b>

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$75,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1769.513	50	Public Works Fleet Maintenance Equipment Replacement	\$75,000

and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

**5<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 27, 2006

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2548A-2006-2006

**BOND RESOLUTION NO. 1527 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$75,000 BONDS TO FINANCE  
THE COST OF THE REPLACEMENT OF PUBLIC WORKS FLEET  
MAINTENANCE EQUIPMENT (CP 1769.513)**

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 \$75,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of Public Works fleet maintenance equipment, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$75,000. The plan of financing includes the issuance of \$75,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the

foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 27, 2006

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2549-2006  
Introduced by Presiding Officer Lindsay

Laid on Table 12/5/2006

**RESOLUTION NO. 1528 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF DRAINAGE SYSTEMS ON VARIOUS COUNTY ROADS (CP 5024)**

**WHEREAS**, funding is required to proceed with improvements to the drainage systems on various County roads; and

**WHEREAS**, the Adopted 2006 Capital Budget and Program schedules sufficient funding for this project; and

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; and

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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the 2006 Capital Budget and Program be and is hereby amended as follows:

Project Number: 5024

Project Title: Reconstruction of Drainage Systems on Various County Roads

	Total	Current 2006	Revised 2006
	Estimated	Capital Budget &	Capital Budget &
<u>Cost Elements</u>	<u>Cost</u>	<u>Program</u>	<u>Program</u>

3. Construction	\$500,000	\$500,000G	\$500,000B
TOTAL	\$500,000	\$500,000	\$500,000

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5024.310	50	Reconstruction of Drainage Systems on Various County Roads	\$500,000

and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

**5<sup>th</sup> RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

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

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2549A-2006

**BOND RESOLUTION NO. 1529 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE  
THE COST OF THE RECONSTRUCTION OF DRAINAGE SYSTEMS  
ON VARIOUS COUNTY ROADS (CP 5024.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the reconstruction of drainage systems of various County roads, as authorized in the 2006 Capital Budget and Program,

as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$500,000. The plan of financing includes the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 4 of the Law of the Law, is forty (40) years.

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

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

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

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

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

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

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

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

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO SUSTAINED FOR LACK OF MOTION ON JANUARY 2, 2007\*\***

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2550-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer Lindsay

**RESOLUTION NO. 1530 –2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS (CP 5054)**

**WHEREAS**, the Suffolk County Department of Public Works is in need of funds for Traffic Signal Improvements; and

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

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; and

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

**1<sup>st</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1175-1995 classified the action contemplated by this as a Type II action; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project Number: 5054  
 Project Title: Traffic Signal Improvements

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
1. Planning Design & Supervision	\$630,000	\$100,000G	\$100,000B
<b>TOTAL</b>	<b>\$6,450,000</b>	<b>\$600,000</b>	<b>\$600,000</b>

and be it further

**5<sup>th</sup> RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5054.112	50	Traffic Signal Improvements	\$100,000

and be it further

**6<sup>th</sup> RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO SUSTAINED JANUARY 2, 2007\*\***

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2550A-2006

**BOND RESOLUTION NO. 1531 - 2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
 AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE  
 THE COST OF PLANNING FOR TRAFFIC SIGNAL IMPROVEMENTS  
 (CP 5054.112)**

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

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

signal improvements, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000. The plan of financing includes the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 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: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO SUSTAINED FOR LACK OF MOTION JANUARY 2, 2007\*\***

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2551-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer Lindsay

**RESOLUTION NO. 1532 –2006, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS (CP 5497)**

**WHEREAS**, the Commissioner of Public Works has requested funds for construction in connection with construction of sidewalks on various county roads (CP 5497); and

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

**WHEREAS**, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; and

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

**RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 486 of 2006 classified the action contemplated by this as an Unlisted Action, which will not have a significant effect on the environment; and be it further

**RESOLVED**, that it is hereby determined that this project, with a priority ranking of 52 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

**RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

**RESOLVED**, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5497.328	50	Construction of Sidewalks on Various County Roads	\$200,000

and be it further

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

**\*\*VETO SUSTAINED JANUARY 2, 2007\*\***

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2551A -2006

**BOND RESOLUTION NO. 1533 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE  
THE COST OF THE CONSTRUCTION OF SIDEWALKS ON VARIOUS  
COUNTY ROADS (CP 5497.328)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the construction of sidewalks on various County roads, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 24 of the Law of the Law, is ten (10) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures

made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: December 19, 2006

**\*\*VETOED BY COUNTY EXECUTIVE ON JANUARY 2, 2007\*\***

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**Legislator Romaine made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2115-2006

Laid on Table 9/19/2006

Introduced by Legislators Romaine, Browning Mystal, Schneiderman, Losquadro, Stern and Eddington

**RESOLUTION NO. 1534 -2006, ADOPTING LOCAL LAW NO. 1  
-2007, A LOCAL LAW TO EXTEND PROTECTIONS TO  
RESIDENTS OF PLANNED RETIREMENT COMMUNITIES**

**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 EXTEND PROTECTIONS TO RESIDENTS OF PLANNED RETIREMENT COMMUNITIES**,"; now, therefore be it

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

**LOCAL LAW NO. 1 -2007, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO EXTEND PROTECTIONS TO RESIDENTS OF  
PLANNED RETIREMENT COMMUNITIES**

**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 developers in different parts of the country are selling homes in "retirement communities," in which the purchaser buys and owns the home while the developer retains ownership of the land on which the home is installed (as well as the roads, sidewalks and common areas in the communities). The homeowners in those communities lease the property on which their home is installed.

This Legislature also finds that there is one example of this type of development in Suffolk County, Greenwood Village in Manorville, where approximately 525 homes are located.

This Legislature further finds that the unique nature of this kind of development, where the purchaser owns a home but is required to lease the land on which the home is situated, could potentially lead to abuses that harm the residents of a retirement community.

This Legislature also finds and determines that this type of development is not governed or regulated under New York Real Property Law and, therefore, the residents of those retirement communities are not afforded the kinds of protection that are extended to mobile homeowners or multiple dwelling tenants.

Therefore, the purpose of this law is to extend to occupants of homes in planned retirement communities protections similar to those provided to mobile homeowners and multiple dwelling tenants.

## **Section 2. Definitions.**

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

HOMEOWNER - one who holds title or bill of sale to a home.

PLANNED RETIREMENT COMMUNITY - a contiguous parcel of privately owned real property on which two hundred or more lots are leased to owners of year-round homes erected thereon and affixed thereto wherein the permanent occupation is restricted to tenants fifty-five years of age or older. This term shall not include mobile homes, manufactured homes, or condominiums as defined in New York Real Property Law or real property owned by a corporation formed pursuant to the New York Cooperative Corporations Law.

TENANT - one who occupies a home in a planned retirement community.

## **Section 3. Leases.**

- (A) Any planned retirement community owner or operator shall offer every homeowner or tenant the opportunity to sign a long term lease for ninety-nine years, with the sole option of the homeowner or tenant to cancel said lease on ninety days written notice to said owner or operator.
- (B) A copy of the planned retirement community's rules and regulations, if any, shall be attached to and become a part of the lease provided for by this section, as if fully set forth therein and that said rules and regulations may not be changed, altered, amended or modified without the written consent of three-fourths of all homeowners or tenants then in residence.
- (C) No rules or regulations shall be inconsistent with the lease provisions in effect at the commencement of said lease.
- (D) A copy of the lease shall be delivered by the planned retirement community owner or operator to all home owners or tenants at the time of the first deposit made payable to said planned retirement community owner or operator.

## **Section 4. Rules and Regulations.**

- (A) The planned retirement community owner or operator may promulgate rules or regulations governing the rent and use or occupation of the home lot, provided that such rules or regulations shall not be unreasonable, arbitrary or capricious.
- (B) A copy of all rules and regulations shall be delivered by the planned retirement community owner or operator to all home owners or tenants at the time of the first deposit made payable to said planned retirement community owner or operator.
- (C) A copy of all rules and regulations shall be posted in a conspicuous public location upon the grounds of the planned retirement community.
- (D) If a rule or regulation is not applied uniformly to all home owners or tenants, there shall be a rebuttable presumption that such rule or regulation is unreasonable, arbitrary or capricious.

- (E) Any rule or regulation which does not conform to the requirements of this section or which has not been supplied or posted as required by this section, shall not be enforceable.
- (F) No rule or regulation may be added, amended, repealed or changed by the planned retirement community owner or operator without the written consent of all of the then residing home owners or tenants.

### **Section 5. Fees.**

- (A) No planned retirement community home owner or tenant shall be charged a fee, charge, or assessment, except for rent and utilities unless agreed to by three-fourths of all of the home owners.
- (B) All such charges for rent and utilities must be reasonably related to the value of the facility available or the services actually rendered.
- (C) A planned retirement community owner or operator must fully disclose all charges for rent and utilities to all home owners or tenants at the time of the first deposit made payable to said community owner or operator.
- (D) Failure on the part of the planned retirement community owner or operator to fully disclose all charges for rent or utilities shall prevent the said community owner or operator from collecting such charges.
- (E) No charges for rent or utilities may be increased except as set forth in the lease.

### **Section 6. Prohibitions.**

No planned retirement community owner or operator shall:

- 1) Require a home owner or tenant to purchase goods or services from said planned retirement community owner or operator, or from any vendor designated by said community owner or operator.
- 2) Restrict the installation, maintenance or repair of any property of the home owner or tenant to specific vendors including, but not limited to, employees, agents or other persons acting for or on behalf of the planned retirement community owner or operator.
- 3) Charge a fee or impose other charges on a home owner or tenant who chooses to install any property including appliances and/or fixtures.
- 4) Impose any charge for, or restrict the ingress or egress to the planned retirement community of, any person employed, retained, or invited by the home owner or tenant, whether to provide a commodity or service or otherwise.
- 5) Restrict the purchase and/or installation of any commodities, goods or services by the home owner or tenant to specific vendors, including employees, agents or other persons acting for or on behalf of the planned retirement community owner or operator.
- 6) Restrict the making of any interior installation, furnishing or improvement to the planned retirement community home, so long as such installation, furnishing or improvement is in compliance with applicable building codes and other provisions of law.

### **Section 7. Sale of Homes.**

- (A) The home owner has the unrestricted right to sell his home in the said planned retirement community.
- (B) The right to sell a planned retirement community home includes the incidental right to use any and all methods common to sales of residential property.
- (C) The planned retirement community homeowner`s lease agreement is assignable to a subsequent purchaser, without conditions or restrictions by the planned retirement community owner or operator.
- (D) The planned retirement community owner or operator shall not exact a commission or fee with respect to the price realized by the seller unless the community owner or operator has acted as agent for the said home owner in the sale pursuant to a written contract.

### **Section 8. Emergencies.**

- (A) A planned retirement community owner or operator may enter a planned retirement community home only in case of emergency.
- (B) A planned retirement community owner or operator shall designate an agent on the premises who can be contacted on a twenty-four hour basis to insure the availability of emergency response in matters affecting the health, safety, well-being, and/or general welfare of planned retirement community tenants, the designated agent`s name, address and telephone number shall be posted in a conspicuous public location in the planned retirement community, given in writing to each tenant, and register with appropriate municipal law enforcement, health and fire officials.

### **Section 9. Retaliation.**

No planned retirement community owner or operator may threaten reprisal, overtly or covertly, against any of the said homeowners or tenants as a result of their lawful pursuits and activities.

### **Section 10. Furnishing Services.**

Any planned retirement community owner or operator who has agreed to provide hot or cold water, heat, light, power, or any other service or facility to an occupant of the planned retirement community, shall not intentionally or willfully fail to furnish such services or otherwise interfere with a quiet enjoyment on the leased premises.

### **Section 11. Receipts.**

Upon receipt of rent, fees, charges or other assessments, in the form of cash or any instrument other than the personal check of the tenant, it shall be the duty of the planned retirement community owner or operator to provide the pay or with a written receipt containing the following:

- 1) the date;
- 2) the amount;
- 3) the identity of the premises and the period for which paid; and
- 4) the signature and title of the person receiving payment.

### **Section 12. Penalties and Remedies.**

- (A) Any planned retirement community owner or operation who unlawfully violates a provision of this law shall be guilty of a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500) and/or imprisonment not to exceed six (6) months.
- (B) Any planned retirement community home owner or tenant injured or damaged in whole or in part as a result of a violation of any of the provisions of this section may bring an action for recovery of damages in an amount not to exceed three times the actual damages or five hundred dollars, whichever is greater, plus reasonable attorney's fees. The remedy shall be in addition to and shall not preclude or diminish any action that an individual may have under common law or any local, state or federal law or regulation.
- (C) The Suffolk County Attorney may commence an action to restrain, prevent, and/or enjoin a violation of this section or a continuance of such violation of this section or a continuance of such violation by a planned retirement community owner or operator.

### **Section 13. Applicability.**

This law shall apply to sales, actions, or leases involving planned retirement community homes occurring or entered into after the effective date of this law.

### **Section 14. 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 15. 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 16. Effective Date.**

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

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: January 19, 2007

After a public hearing duly held on January 9, 2007  
Filed with the Secretary of State on February 5, 2007

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**Legislator Mystal made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro Res. No. 2513-2006 Laid on Table 12/5/2006  
Introduced by Legislators Stern, Romaine, Cooper, Schneiderman, Mystal, Eddington, D’Amaro, Losquadro, Browning

**RESOLUTION NO. 1535 -2006, CREATING A COUNTY-WIDE SENIOR CITIZEN TASK FORCE**

**WHEREAS**, the senior citizen population in Suffolk County continues to grow at a rapid pace; and

**WHEREAS**, seniors today are facing life altering decisions with regard to housing, health care costs, long term medical care, transportation, and available government benefits; and

**WHEREAS**, the creation of a Task Force to study the present and future needs of senior citizens would be a helpful tool for County officials and agencies that seek to serve this vital segment of society; now, therefore be it

**1st**           **RESOLVED**, that a special County-Wide Senior Citizen Task Force is hereby created to study the needs of senior citizens, both current and future, including, but not limited to, the availability of affordable housing, transportation, long term health care, nutrition, and available government benefits; and be it further

**2nd**           **RESOLVED**, that this Task Force shall consist of the following sixteen (16) members:

- 1.) the Chairman of the Suffolk County Legislature's Veterans and Seniors Committee, who shall serve as Chairman of the Task Force;
- 2.) the Director of the Suffolk County Office for the Aging, or designee;
- 3.) a representative to be selected by the Presiding Officer of the Suffolk County Legislature;
- 4.) a representative to be selected by the Minority Leader of the Suffolk County Legislature;
- 5.) a representative from each of the ten Towns, representing the Town's Senior Citizens Office or Department;
- 6.) a representative from AARP; and
- 7.) a senior consumer advocate, appointed by the Chairman of the Veterans and Seniors Committee; and be it further

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

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

**5th**           **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

**6th**           **RESOLVED**, that nine (9) members of the Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

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

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

**9th** **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

**10th** **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

**11th** **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

**12th** **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

**13th** **RESOLVED**, that said Task Force shall issue a written report, after a comprehensive study of the needs of senior citizens, both current and future, including, but not limited to, the availability of affordable housing, transportation, long term health care, nutrition, and government benefits; and be it further

**14th** **RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

**15th** **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate, as of September 1, 2007 at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**16th** **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

**17th** **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: December 19, 2006

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 26, 2006

**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2376-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1536 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ROBERT TOUSSIE (SCTM NO. 0200-973.80-06.00-019.000)**

**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 973.80, Block 06.00, Lot 019.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, County of Suffolk, and State of New York, known and designated as and by Lots 43 and 44, Block 509 as shown on a certain map entitled, "Map of New York and Brooklyn Suburban Investment Company" being filed in the Office of the Clerk of the County of Suffolk on April 9, 1890, as Map No. 444; 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 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

**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**, ROBERT TOUSSIE has made application of said above described parcel and ROBERT TOUSSIE has paid the application fee and \$1,128.97, as payment of taxes, penalties, interest, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; and

**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

**RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROBERT TOUSSIE, 290 Exeter Street, Brooklyn, New York 11235, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 19, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2455-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1537 -2006, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT GAYLE MASTROMONICO (SCTM NO. 0200-051.00-09.00-003.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 051.00, Block 09.00, Lot 003.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 7266 and 7267 on a certain map entitled, "Third Map of Sound Beach" and filed in the Office of the Clerk of the County of Suffolk on June 19, 1929 as Map No. 529; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

**WHEREAS**, in accordance with Suffolk County Local Law No.16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

**WHEREAS**, GAYLE G. MASTROMONICO has made application of said above described parcel and GAYLE G. MASTROMONICO has paid the application fee and \$197.09, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to GAYLE MASTROMONICO, 112 Lynbrook Drive, P.O. Box 883, Sound Beach, New York 11789, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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**Legislator Cooper made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 16-0-0-2. Legislators Caracappa and Kennedy were not present.**

Intro. Res. No. 2486-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1538 -2006, AUTHORIZING THE SALE OF  
BROWNFIELD PROPERTY SOLD AT THE NOVEMBER 14, 2006  
AUCTION PURSUANT TO RESOLUTION NO. 413-2005**

**WHEREAS**, in accordance with Suffolk County Resolution No. 413-2005 (Exhibit "A") provision is made for disposition by Auction of a property located at 82 Milbar Boulevard, East Farmingdale (SCTM# 0100-036.00-01.00-007.001); and

**WHEREAS**, pursuant to Resolution No. 413-2005 and the Agreement and Covenant with the United States Environmental Protection Agency and the New York State Department of Environmental Conservation (Agreement), the Division of Real Property Acquisition and Management, Department of Environment and Energy, on November 14, 2006, offered at auction (See Exhibit "B" Auction Brochure) 82 Milbar Boulevard, East Farmingdale, at the minimum upset price of \$300,000.00 and accepted the highest bid of \$480,000.00 for such parcel; and

**WHEREAS**, pursuant to such Agreement and Section 11 of said Local Law No. 13-1976, the Division of Real Property Acquisition and Management, Department of Environment and Energy is authorized to deliver, by a Bargain and Sale Deed or such deed as further restricted by the parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject to Legislative approval; and

**WHEREAS**, Section A14-30[K] of the Suffolk County Administrative Code provides that the County Director of Real Property Acquisition and Management shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

**WHEREAS**, the Division of Real Property Acquisition and Management, Department of Environment and Energy, requests authority to execute a Bargain and Sale Deed or such deed as

further restricted by the parcel listed in the auction booklet, on the said designated parcel to the successful bidder thereon; now, therefore be it

**RESOLVED**, this Legislature, having previously approved the Agreement to sell said parcel at auction via Resolution No. 413-2005; and be it further

**RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, be and she hereby is authorized to execute and deliver a Bargain and Sale Deed or such deed as further restricted by the parcel listed in the auction booklet, to Robert A. Geier, a/k/a R & R, LLC, 3 Sycamore Street, Woodbury, NY 11797, the tax map parcel 0100-036.00-01.00-007.001, for the bid price of \$480,000.00, plus or minus usual closing adjustments.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2507-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1539 –2006, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF ISLIP, (SCTM NO. 0500-491.00-01.00-033.000, 69.00, 70.00,71.00 72.00 and 73.00, 0500-491-2-82.00, 83.00, 84.01, 84.02, 85.01 and 85.02 and 0500-491-3-67.01, 68.01, 67.02 and 68.02)**

**WHEREAS**, the COUNTY OF SUFFOLK is the fee owner of the following described parcels: all that plot, piece or parcels 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 491.00, Block 01.00, lots 33.00, 69.00, 70.00, 71.00, 72.00 and 73.00, Section 491.00, Block 02.00, lots 82.00, 83.00, 84.01, 84.02, 85.01 and 85.02 and Section 491.00, Block 03, lots 67.01, 68.01, 67.02 and 68.02; and

**WHEREAS**, the parcels consist of portions of streets within the hamlet of Kismet, Fire Island, Town of Islip upon which the Town of Islip wishes to perform certain construction work, including repair of the streets and construction of water mains, pursuant to a petition for street improvements filed by the abutting owners of the properties along said streets; and

**WHEREAS**, said street improvements will serve the public interest and provide a public benefit by increasing the safety of the residents, general public and law enforcement and emergency workers who utilize these streets; and

**WHEREAS**, the Town of Islip has requested that the County of Suffolk transfer title to said parcels to enable the town to perform the necessary improvements, and such transfer will further serve to eliminate existing liability of the County of Suffolk due to the ownership of said parcels in the County of Suffolk; and

**WHEREAS**, Section 72-h of the New York General Municipal Law permits a transfer of real property between municipal corporations, or between a municipal corporation and the State of New York or the United States of America; and

**WHEREAS**, the Town of Islip has formally requested that the County of Suffolk convey these parcels to it (see annexed resolutions – Exhibit “A”); and

**WHEREAS**, the parcels are surplus to the needs of Suffolk County; and

**WHEREAS**, the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management, supports the proposed transfer of ownership and use of these parcels; now, therefore be it

**1<sup>st</sup> RESOLVED**, that Director Patricia B. Zielenski or her Deputy, is hereby authorized to execute and acknowledge quitclaim deeds to transfer the interest of Suffolk County in the above described properties and on the herein described terms and conditions to the Town of Islip for the sum of \$10.00, plus the pro rata share of the current tax adjustment due at closing; and be it further

**2<sup>nd</sup> RESOLVED**, that the Town of Islip will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for public purposes; with all right, title and interest reverting to the County of Suffolk in the event that the Town of Islip, at any time, uses or attempts to use said subject parcels for other than public purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for public purposes; and be it further

**3rd RESOLVED**, that said quitclaim deed issued by Director Patricia B. Zielenski or her Deputy pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public purposes; or 2) the Town of Islip attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for public purposes; or 3) the Town of Islip imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee Town of Islip violates Resolution No. 256-1998; and be it further

**4th RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and/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: December 19, 2006

APPROVED BY:

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

Date: December 26, 2006

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

Intro. Res. No. 2538-2006

Laid on Table 12/5/2006

Introduced by Presiding Officer, on request of County Executive

**RESOLUTION NO. 1540 -2006, SALE OF COUNTY-OWNED  
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 122  
FLANDERS BLVD. CORP. (SCTM NO. 0900-145.00-02.00-022.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900 Section 145.00 Block 02.00 Lot 022.000 and acquired by Tax Deed on July 31, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 2, 2001 in Liber 12133 at Page 676 and described as follows, Town of Southampton, Map of Riverhead Estates Map #226 Sec. AA Lot 14 & 15 Blk 9; and

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

**WHEREAS**, 122 Flanders Blvd. Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$40,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

**WHEREAS**, the real property above described has been appraised at \$3,000.00, 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 \$40,000.00, pursuant to said purchase offer; and

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

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

administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

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

**3<sup>rd</sup> RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said 122 Flanders Blvd. Corp., 134 Mariner Drive, Southampton, NY 11968.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 21, 2006

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

Intro. Res. No. 2545-2006

Laid on Table 12/5/2006

Introduced by Legislator Schneiderman

**RESOLUTION NO. 1541 –2006, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2006 ADOPTED OPERATING BUDGET FOR THE CONTRACTED AGENCY LEAGUE OF WOMEN VOTERS**

**WHEREAS**, the 2006 Adopted Operating Budget provides funding for the contracted agency League of Women Voters; and

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

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

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

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	BOE	HNJ1	1450	4980	LEAGUE OF WOMEN VOTERS	-\$2,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	ECD	HNJ1	6410	4980	LEAGUE OF WOMEN VOTERS OF THE HAMPTONS	+\$2,000

and be it further

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

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2502-2006  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/5/2006

**RESOLUTION NO. 1542 -2006, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INCUBATORS FOR BUSINESSES IN DISTRESSED AREAS (CP 6413)**

**WHEREAS**, it is crucial for Suffolk County to promote growth of businesses in diverse, economically depressed areas of the County; and

**WHEREAS**, Capital Project 6413 will create incubators to promote growth of businesses in diverse, economically distressed areas; and

**WHEREAS**, there are sufficient funds within the 2006 Capital Budget and Program to cover the cost of said project under Capital Program 6413; and

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

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty (50) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

Project No. 6413  
 Project Title: Incubators for Businesses in Distressed Areas

<u>Cost</u>	<u>Total Estimated and Program</u>	<u>Current 2006 Capital Budget and Program</u>	<u>Revised 2006 Capital Budget</u>
1. Planning, Design & Supervision	\$ 100,000	\$ 0	\$ 100,000B
3. Construction	\$ 400,000	\$ 0	\$ 400,000B
4. Site Improvements	<u>\$ 419,500</u>	<u>\$ 919,500B</u>	<u>\$ 419,500B</u>
<b>TOTAL</b>	<b>\$ 919,500</b>	<b>\$ 919,500</b>	<b>\$ 919,500</b>

and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$500,000 in Serial Bonds be and they are hereby appropriated as follows:

<u><b>Project Number</b></u>	<u><b>JC</b></u>	<u><b>Project Title</b></u>	<u><b>Amount</b></u>
525-CAP-6413.110 (Fund 001-Debt Service)	35	Planning and Design for Incubators for Businesses in Distressed Areas	\$100,000
525-CAP-6413.310 (Fund 001-Debt Service)	35	Incubators for Businesses in Distressed Areas	\$400,000

and be it further

**4<sup>th</sup> RESOLVED**, that prior to the adoption of any bond resolution authorizing the issuance of bonds to finance construction of Incubators for Businesses in Distressed Areas, an environmental review of the project shall be undertaken and completed in accordance with SEQRA; and be it further

**5<sup>th</sup> RESOLVED**, no appropriations for the construction to Incubators for Businesses in Distressed Areas shall be allocated to or expended from this Capital Project No. 6413 unless and until the

adoption of the bond resolution authorizing the issuance of bonds to finance construction of these improvements; and be it further

**6<sup>th</sup> RESOLVED**, that the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law; and be it further

**7<sup>th</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (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, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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

Intro. Res. No. 2502A-2006

**BOND RESOLUTION NO. 1543 -2006**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,  
AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE  
THE COST OF PLANNING FOR PROPOSED CAPITAL PROJECTS  
FOR INCUBATORS FOR BUSINESSES IN DISTRESSED AREAS (CP  
6413.110)**

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 \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for proposed capital projects for incubators for businesses in distressed areas, as authorized in the 2006 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000. The plan of financing includes the issuance of \$100,000 bonds or bond anticipation notes authorized

pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.**

Intro. Res. No. 2184-2006  
Introduced Legislators Browning and Eddington

Laid on Table 9/19/2006

RESOLUTION NO. 1545 -2006, NAMING PICNIC AREAS 8 AND 9 IN SOUTHAVEN COUNTY PARK IN HONOR OF "SPECIALIST THOMAS J. WILWERTH"

**WHEREAS**, Thomas J. Wilwerth was a lifelong resident of Mastic; and

**WHEREAS**, in high school, he was the Commanding Officer of the ROTC Program, and completed his boot camp training at the age of 17; and

**WHEREAS**, Thomas was a member of the 1st Battalion, 8th Infantry Division of the United States Army, when he was killed in Iraq as a result of a roadside bombing on February 23, 2006; and

**WHEREAS**, Thomas often frequented Southaven County Park and by naming Picnic Areas 8 and 9 in Southaven County Park in Thomas J. Wilwerth's honor will be an enduring tribute to Thomas' dedication and devotion to our Country; now, therefore be it

**RESOLVED**, that, pursuant to Section 215(1) of the NEW YORK COUNTY LAW, Picnic Areas 8 and 9 in Southaven County Park shall be named and dedicated in honor of "Specialist Thomas J. Wilwerth" as a tribute for his brave and selfless actions; and be it further

**RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation, pursuant to Section C28-4 of the SUFFOLK COUNTY CHARTER, is hereby authorized, empowered, and directed to take all actions necessary and appropriate to effectuate this naming and dedication.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 26, 2006

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.**

Intro. Res. No. 2498-2006

Laid on Table 12/5/2006

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

**RESOLUTION NO. 1546 -2006, ACCEPTING A GRANT AWARD FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION-AVIATION BUREAU, AMENDING THE 2006 ADOPTED OPERATING BUDGET, AMENDING THE 2006 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH THE TOWER RENOVATIONS AT GABRESKI AIRPORT (CP 5709)**

**WHEREAS**, the Department of Economic Development and Workforce Housing has received a \$30,000 grant award from the New York State Department of Transportation through the 2005 Transportation Bond Act assist with the purchase and installation of an Automatic Terminal Information Services (ATIS) System at Gabreski Airport; and

**WHEREAS**, this equipment will assist the air traffic control tower personnel to control the flow of air traffic entering and exiting the airport; and

**WHEREAS**, the 2006 Adopted Capital Budget and Program does not include funds to cover the full cost of said request under Capital Project 5709 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 has established a priority ranking system, implemented in the Adopted 2006 Capital Budget, as the basis for funding Capital Projects such as this project; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

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

**3<sup>rd</sup> RESOLVED**, that the Adopted 2006 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Legislature: Budget Review 001-LEG-1025-4560	Interfund Transfer Transfer to Capital Reserve Fund 001-IFT-E401-9600	\$3,333

and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2006 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the Capital Reserve Fund (Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>R001</i>	<i>E401</i>	<i>Transfer from General Fund</i>	<i>\$3,333</i>

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>E525</i>	<i>9600</i>	<i>Transfer to Capital Fund</i>	<i>\$3,333</i>

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$3,333

and be it further

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

Project No.: 5709  
Project Title: Tower Renovations at Francis S. Gabreski Airport

	<u>Total Est'd Cost</u>	<u>Current 2006 Capital Budget &amp; Program</u>	<u>Revised 2006 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$33,333	\$ 0G	\$ 3,333G
		0S	30,000S
TOTAL	\$33,333	\$ 0	\$33,333

and be it further

**7<sup>th</sup> RESOLVED**, that the proceeds of \$3,333 in Capital Reserve Funds be and they are hereby appropriated as follows:

<u>Project No.:</u>	<u>Project Title:</u>	<u>Amount</u>
525-CAP-5709.510	Tower Renovations at Francis S. Gabreski Airport	\$3,333

and be it further

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

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5709.510	Tower Renovations at Francis S. Gabreski Airport	\$30,000

and be it further

**9<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive or his designee to execute the necessary agreement with the New York State Department of Transportation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

**10<sup>th</sup> RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project; and be it further

**11<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, to and from the Capital Reserve Fund required to finance this capital project.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

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**Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.**

*Intro. Res. No. 2553-2006*

*Laid on Table 12/19/2006*

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1547 -2006, ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$1,180,000 FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR PROVISION OF DEDICATED**

**TRAFFIC ENFORCEMENT IN THE VICINITY OF CERTAIN  
HIGHWAY CONSTRUCTION PROJECTS WITH 100%  
SUPPORT**

**WHEREAS**, the New York State Department of Transportation has made available \$1,180,000 in Federal pass through funding from the Federal Highway Safety Administration for the provision of dedicated Suffolk County Police Department enforcement efforts in the vicinity of certain highway construction projects in Suffolk County; and

**WHEREAS**, the contract period for the program will be from January 1, 2006 through December 31, 2011; and

**WHEREAS**, funds totaling \$104,710 for the program are included in the 2006 Suffolk County Operating Budget; and

**WHEREAS**, said grant funds totaling \$1,180,000 have not been included in the 2006 Suffolk County Operating Budget; now, therefore, be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4362 Federal Aid: DOT – Dedicated Traffic Enforcement	\$1,180,000

ORGANIZATIONS:

Police Department (POL)  
DOT – Dedicated Traffic Enforcement 2006-2011  
115-POL-3206

<u>1000-Personal Services</u>	<u>\$863,831</u>
1120-Overtime Salaries	863,831

<u>4300-Travel</u>	<u>\$52,865</u>
4310-Employee Miscellaneous Expenses	33,960
4330-Travel, Employee Contracts	18,905

Employee Benefits  
Retirement  
115-EMP-9010

<u>8000-Employee Benefits</u>	<u>\$146,029</u>
8280-Employee Retirement System	146,029

Employee Benefits  
Social Security  
115-EMP-9030

<u>8000-Employee Benefits</u>	<u>\$12,565</u>
8330-Social Security	12,565

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Department of Transportation.

DATED: December 19, 2006

APPROVED BY:

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

Date: December 22, 2006

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

Intro. Res. No. 2583-2006

Laid on Table 12/19/2006

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

**RESOLUTION NO. 1548 –2006, COMMITTING SUFFOLK COUNTY TO IMPLEMENTATION OF THE NYS DEPARTMENT OF STATE SHARED MUNICIPAL SERVICES INCENTIVE GRANT PROGRAM - LOCAL HEALTH INSURANCE INCENTIVE AWARD**

**WHEREAS**, the Suffolk County School District Consolidated Services Task Force has applied for a grant through the NYS Department of State to study the feasibility of forming a Suffolk County and Local School District/BOCES Health Insurance Consortium; and

**WHEREAS**, monies are available through the NYS Department of State Shared Municipal Services Incentive Grant Program to encourage cooperation amongst municipalities for municipal consolidations, mergers, cooperative agreements, dissolutions, or other shared services endeavors; and

**WHEREAS**, the County and its co-applicant, Lindenhurst Union Free School District, on behalf of the sixty-nine school districts within Suffolk, have applied for a Local Health Insurance Incentive Award; and

**WHEREAS**, the grant, if awarded is useful in evaluating the possibility of forming a health care consortium which would combine the buying power of the County of Suffolk with that of the sixty-nine school districts within the County to obtain deeper discounts and other favorable price concessions associated with cooperative purchasing; and

**WHEREAS**, the State requires a formal expression of support and commitment in order to evaluate the merits of the grant application; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby declares its commitment to fully implement this State grant once awarded.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 21, 2006

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

Intro. Res. No. 2600-2006

Laid on Table 12/19/2006

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

**RESOLUTION NO. 1549 –2006 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM FOR ENVIRONMENTALLY SENSITIVE LAND ACQUISITION - FOR THE NATURE CONSERVANCY, AS CONTRACT VENDEE – RIVER CLUB PROPERTY (TOWN OF RIVERHEAD – SCTM NO. 0600-130.00-03.00-001.000 THRU 047.000 and 0600-130.00-04.00-001.000 THRU 007.000)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 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. 1408-2006 appropriated \$23,000,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

**WHEREAS**, Resolution Nos. 346-2002, 761-2002 and 173-2006 authorized planning steps for acquisition of the subject property; and

**WHEREAS**, the Town of Riverhead (“Town”) is acquiring multiple tax lots located on the north side of Riverside Drive, Riverhead, New York from The Nature Conservancy, as Contract Vendee, the same reputed owner of the tax lots being purchased herein by the County of Suffolk which are located on the south side of Riverside Drive, Riverhead, New York; and

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program for environmentally sensitive land acquisition, for a total purchase price of Five Million Forty Thousand Dollars (\$5,040,000.00), 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:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1-47	District 0600 Section 130.00 Block 03.00 Lots 001.000 thru 047.000	17.0±	The Nature Conservancy as Contract Vendee 142 State Route 114 P.O. Box 5125 E. Hampton, NY 11937

No. 48-54      District            0600  
                         Section 130.00  
                         Block                04.00  
                         Lots                 001.000 thru 007.000

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Five Million Forty Thousand Dollars (\$5,040,000.00), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$5,040,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.229, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such 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

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

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

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

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

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

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

**9<sup>th</sup> RESOLVED**, 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 20, 2006

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**Legislator Browning made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.**

Intro. Res. No. 2601-2006

Laid on Table 12/19/2006

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

**RESOLUTION NO. 1550 –2006, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – LAND PRESERVATION PARTNERSHIP PROGRAM – FOR THE AVR RIDGE ESTATES LLC PROPERTY (TOWN OF BROOKHAVEN – SCTM NO. 0200-406.00-01.00-004.002 p/o & 0200-406.00-01.00-004.004 p/o)**

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 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. 1408-2006 appropriated \$23,000,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

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

**WHEREAS**, the Town of Brookhaven (“Town”) has approved Resolution No. 27A on December 5, 2006 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

**1<sup>ST</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Thirty Five Million Four Hundred Eighty Six Thousand Two Hundred Thirty Five Dollars and Forty Two Cents (\$35,486,235.42±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Seventeen Million Seven Hundred Forty Three Thousand One Hundred Seventeen Dollars and Seventy One Cents (\$17,743,117.71±) for a fifty percent (50%) undivided interest; and the Town’s share, totaling Seventeen Million Seven Hundred Forty Three Thousand One Hundred Seventeen Dollars and Seventy One Cents (\$17,743,117.71±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 406.00 Block 01.00 Lot 004.002 p/o	73.78±	AVR Ridge Estates LLC One Executive Blvd. Yonkers, NY 10701
No. 2	District 0200 Section 406.00 Block 01.00 Lot 004.004 p/o	222.81±	

and be it further

**2<sup>ND</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County’s share of the purchase price of Seventeen Million Seven Hundred Forty Three Thousand One Hundred Seventeen Dollars and Seventy One Cents (\$17,743,117.71±), subject to a final survey; and be it further

**3<sup>RD</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$17,743,117.71±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.229, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

**5<sup>TH</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such 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

**6<sup>TH</sup> RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation according to the requirements of the Suffolk County Land Preservation Partnership Program (Resolution No. 751-1997, et seq.) thereby meeting the following criteria for acquisition under the Open Space Preservation Program, as described in Resolution No. 751-1997, et seq. and meeting the following category of use:

C. The Open Space Preservation Program (natural resource preservation)

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

**7<sup>TH</sup> 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

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

**9<sup>TH</sup> RESOLVED**, that the above activity is Type I action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

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

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

**13<sup>TH</sup> 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 20, 2006

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

Intro. Res. No. 2602-2006

Laid on Table 12/19/2006

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

**RESOLUTION NO. 1551 –2006 AMENDING RESOLUTION NO. 954 – 2006 TO AUTHORIZE THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY COMMUNITY GREENWAYS FUND – OPEN SPACE COMPONENT AND UNDER THE MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM FOR THE COOPER PROPERTY – EMERALD ESTATES (TOWN OF HUNTINGTON - SCTM#0400-168.00-02.00-079.000 p/o)**

**WHEREAS**, Resolution No. 954-2006 authorized the acquisition of the Cooper Property consisting of 3.1± acres for a total purchase price of \$855,000.00, subject to a final survey, from the Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program; and

**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 open space acquisitions; and

**WHEREAS**, Resolution No. 559-1998 appropriated \$20,000,000.00 for acquisitions under the Suffolk County Community Greenways Fund, Open Space component; and

**WHEREAS**, Section C12A -1 (A) (10) of the SUFFOLK COUNTY CHARTER requires that the funds in the Suffolk County Greenways Fund, Open Space component be issued, appropriated and expended by County Comptroller, County Executive and County Legislature, via duly enacted resolutions and administrative actions, no later than December 31, 2006; and

**WHEREAS**, the 5<sup>th</sup> RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution 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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII-A of the SUFFOLK COUNTY CHARTER, the Suffolk County Community Greenways Fund, Open Space component and 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 Eight Hundred Fifty Five Thousand Dollars (\$855,000.00), 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>ACRES:</u>	<u>REPUTED OWNER</u>
<u>No. 1</u>	<u>TAX MAP NUMBER:</u>		<u>AND ADDRESS:</u>
	District 0400	3.1±	Paul & Linda Cooper
	Section 168.00		211 Cuba Hill Road
	Block 02.00		Huntington, NY 11743
	Lot 079.000 p/o		

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Community Greenways Fund, Open Space component, Article XII-A, Section C12-A(A)(1) in the amount of Seven Hundred Forty Nine Thousand Eight Hundred Fifty Six Dollars (\$749,856.00), and the Multifaceted Land Preservation Program in the amount of One Hundred Five Thousand One Hundred Forty Four Dollars (\$105,144.00), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$749,856.00, from previously appropriated funds in Capital Project 525-CAP-7147.210, Suffolk County Community Greenways Fund, Open Space component, for this acquisition; and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$105,144.00, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

**5<sup>th</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional

expenses out of the Multifaceted Land Preservation 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

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

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

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

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

**9<sup>th</sup> RESOLVED**, 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: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 20, 2006

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**Legislator Nowick made motion for the following resolution, seconded by Legislator**

**Kennedy. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.**

**Intro. Res. No. 2608-2006**

**Laid on Table 12/19/2006**

Introduced by Legislator Nowick

**RESOLUTION NO. 1552 -2006, AUTHORIZING USE OF DEEPWELLS PROPERTY BY THE DEEPWELLS FARM HISTORIC SOCIETY, FOR A NEW YEAR'S EVE FUNDRAISING EVENT**

**WHEREAS**, the Deepwells Farm Historic Society would like to use the Deepwells property for the purpose of hosting a New Year's Eve fundraising event; and

**WHEREAS**, the fundraising event would be held on December 31, 2006 from 8:00 p.m to 1:00 a.m.; and

**WHEREAS**, the County of Suffolk shall receive consideration in the total amount of One Hundred Twenty Five and 00/100 Dollars (\$125.00), payment of which shall be guaranteed by the Deepwells Farm Historic Society; and

**WHEREAS**, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Deepwells Farm Historic Society; and

**WHEREAS**, the use of County property for this fundraising event will benefit the Deepwells property preservation efforts; now, therefore be it

**1st RESOLVED**, that the use of County-owned Deepwells property in St. James, in consideration of the payment of One Hundred Twenty Five and 00/100 Dollars (\$125.00), for the purpose of hosting a fundraising event on December 31, 2006 between the hours of 8:00 p.m. and 1:00 a.m. is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Deepwells Farm Historic Society, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

**2nd RESOLVED**, that before this event shall be permitted to occur, the Deepwells Farm Historic Society must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

**3rd RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fundraising event by the Deepwells Farm Historic Society at Deepwells in St. James by the Deepwells Farm Historic Society; and be it further

**4th 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: December 19, 2006

APPROVED BY:

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

**Date: December 21, 2006**

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

Intro. Res. No. 2610-2006 Laid on Table 12/19/2006  
Introduced by Presiding Officer, on request of the County Executive and Legislators Browning and Viloría-Fisher

**RESOLUTION NO. 1553 -2006, AMENDING THE 2006 ADOPTED OPERATING BUDGET, AMENDING THE 2006 ADOPTED CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE SUFFOLK COUNTY FARM (CP 1796)**

**WHEREAS**, the Commissioner of Public Works has requested funds for the improvements to the Suffolk County Farm; and

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

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

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

**WHEREAS**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1382-2005 classified the action contemplated by this as a Type II action; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy (70) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and as reaffirmed by Resolution No. 209-2000; and be it further

**2<sup>nd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete this project; and be it further

**3<sup>rd</sup> RESOLVED**, that the Adopted 2006 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Legislature: Budget Review 001-LEG-1025-4560	Interfund Transfer Transfer to Capital Reserve Fund 001-IFT-E401-9600	\$17,500

and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2006 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the Capital Reserve Fund (Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>R001</i>	<i>E401</i>	<i>Transfer from General Fund</i>	<i>\$17,500</i>

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>E525</i>	<i>9600</i>	<i>Transfer to Capital Fund</i>	<i>\$17,500</i>

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$17,500

and be it further

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

Project No.: 1796  
Project Title: Improvements to the Suffolk County Farm

<u>Total</u>	<u>Current</u>	<u>Revised</u>
Est'd	2006	2006
<u>Cost</u>	<u>Capital</u>	<u>Capital</u>
	<u>Budget &amp;</u>	<u>Budget &amp;</u>
	<u>Program</u>	<u>Program</u>

1. Planning & Design	\$35,000	\$17,500B	\$17,500G
TOTAL	\$346,000	\$17,500	\$17,500

and be it further

**7<sup>th</sup> RESOLVED**, that the proceeds of \$17,500 in Capital Reserve Funds 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- 1796.110	20	Planning for the Improvements to the Suffolk County Farm	\$17,500

and be it further

**8<sup>th</sup> RESOLVED**, that Resolution No. 1390-2006 is hereby repealed, effective immediately.

DATED: December 19, 2006

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: December 26, 2006

**ADJOURNED 3:54PM**  
**TIM LAUBE, CLERK OF THE LEGISLATURE**