

SECOND DAY
REGULAR MEETING
February 6, 2007

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 9:37 a. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Vilorio-Fisher, Legislators Browning, Eddington, Montano, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislators Romaine, Schneiderman, Losquadro, Alden, Barraga and Kennedy arrived at 9:40 a.m.

Legislator Caracappa arrived at 10:10 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

[THE MEETING WAS RECESSED AT 12:38 P.M. AND RESUMED AT 2:30 P.M.]

The Clerk called the roll and the following were found present: Presiding Officer Lindsay, Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Barraga, Nowick, Horsley, Mystal, Stern, and D'Amaro.

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

Intro. Res. No. 1154-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 12 -2007, APPROVING THE APPOINTMENT
OF YVONNE ISABELLA MILEWSKI, M.D., AS CHIEF MEDICAL
EXAMINER**

WHEREAS, the Chief Medical Examiner is appointed by the County Executive of Suffolk County, subject to the approval of the County Legislature, under Section A9-2(d)(1)(b) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and

WHEREAS, a vacancy exists in the position of Chief Medical Examiner due to the expiration of the term of Charles V. Wetli, M.D. on January 31, 2007, coupled with his retirement from that office; and

WHEREAS, Steve Levy, the County Executive of Suffolk, has appointed Yvonne Isabella Milewski, M.D., currently residing at 4441 Rusk, Houston, Texas 77023, as Chief Medical Examiner to replace Charles V. Wetli, M.D., as Chief Medical Examiner; and

WHEREAS, this title has been exempted from the residency requirement under Section 6-1(C)(6)(bb) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and

WHEREAS, Yvonne Isabella Milewski is planning to move to Suffolk County; and

WHEREAS, the Blue Ribbon Search Committee for the position of Chief Medical Examiner has unanimously recommended the appointment of Yvonne Isabella Milewski, M.D. as Suffolk County Chief Medical Examiner; now, therefore be it

1st RESOLVED, that the appointment of Yvonne Isabella Milewski, M.D., as Chief Medical Examiner, currently residing at 4441 Rusk, Houston, Texas 77023, for a term of office beginning February 1, 2007, and expiring January 31, 2013 is hereby approved, said appointment having been made by the County Executive pursuant to the provisions of Section A9-2(d)(1)(b) of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2557-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/19/2006

**RESOLUTION NO. 13 -2007, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND CHARGE-
 BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:
 COUNTY LEGISLATURE (CONTROL # 761-2006)**

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

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

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

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

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

RESOLUTION NO.

CONTROL# 761-2006

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	05/06	8703781	200 182 4 33.1	220,512.94	166,324.95	54,187.99
A	BROOKHAVEN	05/06	8730701	200 327 1 4.1	177,899.35	129,569.98	48,329.37
A	BROOKHAVEN	04/05	5866183	200 471 8 32	4,081.91	1,349.95	2,731.96
A	BROOKHAVEN	04/05	8410265	200 956 1 18	15,030.12	2,147.16	12,882.96
A	BROOKHAVEN	05/06	8410265	200 956 1 18	15,763.16	2,251.88	13,511.28
A	BROOKHAVEN	04/05	8220339	200 739 2 2.4	124,098.70	62,763.16	61,335.54
A	BROOKHAVEN	05/06	8220339	200 739 2 2.4	145,399.94	73,087.26	72,312.68
A	SOUTHOLD	05/06	N/A	1000 31 3 11.32	12,487.98	7,467.91	5,020.07

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amato were not present.

Intro Res. No. 2558-2006
Introduced by Presiding Officer, on the request of the County Executive

Laid on Table 12/19/2006

RESOLUTION NO. 14 -2007, TO
READJUST, COMPROMISE, AND GRANT REFUNDS
AND CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #263

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>
BROOKHAVEN:				
0200-975.80-04.00-039.000 Item # 3410720	2005/06	\$19,067.92	\$0.00	\$19,067.92

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

Legislator Caracappa made motion for the following resolution, seconded by

Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2566-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 15 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF A SANITARY FACILITY AT INDIAN ISLAND COUNTY PARK, (CP 7009), TOWN OF RIVERHEAD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction of a Sanitary Facility at Indian Island County Park, CP 7009, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of approximately 1,995 square foot sanitary building adjacent to existing camping facilities; and

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Parks, Recreation and Conservation in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(7) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 Sanitary Facility at Indian Island County Park, CP 7009, Town of Riverhead constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(7) and Chapter 279 of the Suffolk County Code, which project involves the construction or expansion of a primary accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and be it further

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: February 6, 2007

APPROVED BY:

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

Date: February 7, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vioria-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amario were not present.

Intro. Res. No. 2567-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 16 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CONSTRUCTION AND RENOVATION OF FACILITIES AT GABRESKI AIRPORT, (CP 5702) TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Construction and Renovation of Facilities at Gabreski Airport, CP 5702, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the replacement of sidewalks at the Airport Administration Building; and

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Economic Development and Workforce Housing in connection with this project; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 and Renovation of Facilities at Gabreski Airport, CP 5702, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2) and Chapter 279 of the Suffolk County Code, which project involves replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and be it further

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

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2568-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 17 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED AVIATION UTILITY INFRASTRUCTURE AT GABRESKI AIRPORT, (CP 5734), TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Aviation Utility Infrastructure at Gabreski Airport, CP 5734, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the upgrading of underground utilities (electric, water, telephone, gas, sewer, etc.) along existing roadways and increasing the lane width along one roadway from 10 to 12 feet; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development & Workforce Housing and subsequently sent out to all concerned parties; and

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; 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 December 7, 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 Aviation Utility Infrastructure at Gabreski Airport, CP 5734, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in 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 of the Suffolk County Charter or the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) 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; and
- 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

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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2569-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 18 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RELOCATION OF EXISTING MAINTENANCE FACILITY AT GABRESKI AIRPORT, (CP 5733), TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Relocation of Existing Maintenance Facility at Gabreski Airport, CP 5733, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves relocating an existing maintenance facility from its former location in the proposed industrial park area and constructing a 6,074 sq. ft. maintenance building on a .67 acre site in the southern portion of the airport; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development & Workforce Housing and subsequently sent out to all concerned parties; and

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; 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 December 7, 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 Relocation of Existing Maintenance Facility at Gabreski Airport, CP 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, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environment or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1991; and
- 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

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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2570-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 19 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED AIRPORT OBSTRUCTION PROGRAM AT GABRESKI AIRPORT, CP 5731, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Airport Obstruction Program at Gabreski Airport, CP 5731, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the removal of approximately 18 acres of trees in the center of the airfield adjacent to Runway 15-33 as required by the FAA for safety purposes; and

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

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 279 of the Suffolk County Code, since it involves the physical alteration of more than 10 acres; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 Airport Obstruction Program at Gabreski Airport, CP 5731, Town of Southampton constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b)(6)(i) and Chapter 279 of the Suffolk County Code, since it involves the physical alteration of more than 10 acres, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter of the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
- 4.) The action is in conformance with the 1990 Airport Master Plan approved by the Suffolk County Legislature in 1992;
- 5.) The action does not cause exceedance of the Central Pine Barrens Commission clearance standard for the airport as set forth in the Commission's letter of October 18, 2006;
- 6.) The removed vegetation will be replaced with natural grassland habitat which the Central Pine Barrens Commission considers to be a desirable habitat which warrants preservation; and
- 7.) 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

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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amato were not present.

Intro. Res. No. 2571-2006

Laid on Table 12/19/2006

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 20 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – FERRIERI 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 II Addition – Ferrieri Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.181 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 December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 II Addition – Ferrieri 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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2572-2006
Introduced by the Presiding Officer and Legislator Browning

Laid on Table 12/19/2006

RESOLUTION NO. 21 -2007, 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 – FISCHETTI 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 – Fischetti 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 December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 – Fischetti 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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2573-2006

Laid on Table 12/19/2006

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 22 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – NIELSEN 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 II Addition – Nielsen Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.187 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 December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 II Addition – Nielsen 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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2574-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 23 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SMITH ROAD/AVR 123 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 Smith Road/AVR 123 Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±296.6 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I 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 December 7, 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 Smith Road/AVR 123 Property, Town of Brookhaven constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: February 6, 2007

APPROVED BY:

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

Date: February 12, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2575-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 24 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FRESH POND/DICKERSON CREEK – DICKERSON PROPERTY, TOWN OF SHELTER ISLAND

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond/Dickerson Creek – Dickerson Property, Town of Shelter Island", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.74 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 December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 2006 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Fresh Pond/Dickerson Creek – Dickerson Property, Town of Shelter Island 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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vioria-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2576-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 25 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED

**ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION
PURPOSES KNOWN AS THE AMSTERDAM BEACH COUNTY
PARK ADDITION II – ESTATE OF WEISZ PROPERTY, TOWN
OF EAST HAMPTON**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Amsterdam Beach County Park Addition II – Estate of Weisz Property, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±26.0 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 Amsterdam Beach County Park Addition II – Estate of Weisz Property, Town of East Hampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Section 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: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2577-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

RESOLUTION NO. 26 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE RIVER CLUB PROPERTY, TOWN OF RIVERHEAD

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 River Club Property, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±17.6 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its December 6, 2006 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated December 7, 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 River Club Property, Town of Riverhead constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Section 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: February 6, 2007

APPROVED BY:

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

Date: February 12, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2552-2006
Introduced by Presiding Office, on request of the County Executive

Laid on Table 12/19/2006

RESOLUTION NO. 27 -2007, 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 DNA LABORATORY CAPACITY ENHANCEMENT – NYS PROGRAM AND TO TRANSFER TWO (2) POSITIONS WITHIN THE DEPARTMENT OF HEALTH SERVICES

WHEREAS, the NYS 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 DNA Laboratory Capacity Enhancement-NYS Program in the amount of \$235,800 for the period 11/01/06-04/30/08; and

WHEREAS, this grant provides funding to enhance our DNA laboratory's capacity for processing evidence for DNA within an average thirty (30) day turnaround time to support the early identification and apprehension of offenders; and

WHEREAS, these 100% State grant funds include funding for two (2) positions; and

WHEREAS, there exists two (2) vacant positions within the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate a supplemental grant award of \$235,800 as follows:

REVENUES	AMOUNT
001-3322 Target Crime: Aid to Prosecution	\$235,800

APPROPRIATIONS

Department of Health Services (HSV)
 Division of Medical, Legal Investigations and Forensic Sciences
 DNA Laboratory Capacity Enhancement – NYS Program
 001-HSV-4733

<u>Personal Services</u>	<u>\$128,100</u>
1100 Permanent Salaries	\$128,100
<u>Fees for Services</u>	<u>\$49,400</u>
4560 Fees for Services, Non-employees	\$49,400
Employee Benefits Retirement 001-EMP-9010	
<u>Employee Benefits</u>	<u>\$22,733</u>

8280 Retirement \$22,733

Employee Benefits
Social Security
001-EMP-9030

Employee Benefits \$9,800
8330 Social Security \$9,800

Employee Benefits
Welfare Fund Contribution
001-EMP-9080

Employee Benefits \$2,662
8380 Welfare Fund Contribution \$2,662

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

Employee Benefits \$23,105
9600 Transfer of Funds \$23,105

and be it further

2nd 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 \$23,105

ORGANIZATION

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

Employee Benefits \$23,105
8360 Health Insurance \$23,105

and be it further

3rd RESOLVED, that the following positions be and they hereby are transferred within the Department of Health Services as follows:

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences

FROM:

Forensic Sciences
001-HSV-4720

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>	<u>Change</u>
4720-6006-0250	2262	Forensic Scientist I (Serology)	C	19/8	-1
4720-6006-0257	2264	Forensic Scientist I (Criminalist)	C	19/8	-1

TO:

DNA Laboratory Capacity Enhancement – NYS Program
001-HSV-4733

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>	<u>Change</u>
4733-1000-XXXX	2262	Forensic Scientist I (Serology)	C	19/8	+1
4733-1000-XXXX	2264	Forensic Scientist I (Criminalist)	C	19/8	+1

and be it further

4th 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

5th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No.2555-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 28 –2007, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$1,900,000 FOR THE “URBAN AREA SECURITY INITIATIVE PROGRAM (UASI) FY2006” ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE,

**RESCUE AND EMERGENCY SERVICES AND TO EXECUTE GRANT
RELATED AGREEMENTS**

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County Federal Funds under the UASI FY2006 program to be implemented by the Suffolk County Department of Fire, Rescue & Emergency Services; and

WHEREAS, the UASI FY2006 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive matters; and

WHEREAS, this grant is for a twenty-four (24) month period in which the County will receive 100% grant funding in the amount of \$1,900,000; and

WHEREAS, the UASI FY2006 is slated to operate for the period beginning 07/01/2006 to 06/30/2008; and

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

WHEREAS, the UASI FY2006 grant includes funding to continue the employment of a Resources Management Officer (full-time) for the Department of Fire, Rescue and Emergency Services to handle WMD logistics; and

WHEREAS, these positions already exist in the 2006 Operating Budget in 001-FRE-3407 as position number 0300-0003; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective April 1, 2007, to 001-FRE-3413 as position number 0300-0003; and

WHEREAS, the UASI FY2006 grant includes funding for the purchase of one (1) heavy-duty, prime mover truck for the Department of FRES for the transport of the BlueMed Response System Trailers; and

WHEREAS, the purchase of this truck will increase the fleet of the Departments of FRES by one (1) vehicle; and

WHEREAS, Chapter 186 of the Suffolk County Code 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 Suffolk County Legislature; now, therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept \$1,900,000 and appropriate said grant funds as follows:

UASI FY2006 - \$1,900,000

<u>REVENUES</u>	<u>AMOUNT</u>
001-FRE-4390 – UASI FY2006	\$945,900
001-POL-4390 – UASI FY2006	\$428,000
001-HSV-4390 – UASI FY2006	\$229,100
001-IST-4390– UASI FY2006	\$ 25,000
001-DPW-4390 – UASI FY2006	\$245,000
001-PKS-4390 – UASI FY2006	\$ 2,000
001-SHF-4390 – UASI FY2006	\$ 25,000

ORGANIZATIONS

Suffolk County Department of Fire, Rescue & Emergency Svcs
001-FRE-3413 - \$926,486

<u>1000 – Personnel Services</u>	<u>\$ 65,536</u>
1100 – Permanent Salaries	\$ 57,036
1120 – Overtime	\$ 8,500
<u>2000 – Equipment</u>	<u>\$491,950</u>
2090 – Radio & Communications Equipment	\$ 51,950
2040 – Trucks, Trailers & Jeeps	\$250,565
2260 – Public Safety Equipment	\$ 65,000

2500 – Equipment - Other	\$424,435
<u>3000 – Supplies</u>	<u>\$ 30,000</u>
3310 – Clothing & Accessories	\$ 30,000
<u>4300 – Travel</u>	<u>\$ 19,000</u>
4340 - Travel, Other	\$ 19,000
<u>4500 – Contractual Expenses</u>	<u>\$ 20,000</u>
4560 – Fees for Services: Non Employees	\$ 20,000

**Suffolk County Police Department
001-POL-3294 - \$415,000**

<u>1000 – Personnel Services</u>	<u>\$211,238</u>
1120 – Overtime	\$211,238
<u>2000 – Equipment</u>	<u>\$125,000</u>
2090 - Radio & Communications Equipment	\$ 65,000
2500 – Other Equipment	\$ 60,000
<u>4700 – Special Services</u>	<u>\$ 53,000</u>
4770 – Special Services	\$ 53,000

**Suffolk County Dept of Health Services
Division of Emergency Medical Services
001-HSV-4625 - \$228,770**

<u>1000 – Personnel Services</u>	<u>\$ 3,000</u>
1120 – Overtime	\$ 3,000

<u>2000 – Equipment</u>	<u>\$109,050</u>
2080 – Medical, Dental & Laboratory Equipment	\$109,050
<u>3000 – Supplies</u>	<u>\$ 96,720</u>
3370 – Medical, Dental & Laboratory Supplies	\$ 96,720
<u>4500 – Contractual Expenses</u>	<u>\$ 20,000</u>
4560 – Fees for Services-Non Employees	\$ 20,000

Department of Public Works

001-DPW-5121 - \$245,000

<u>2000 – Equipment</u>	<u>\$245,000</u>
2090 – Radio & Communication Supplies	\$245,000

Office of Information Technology Services

001-ITS-1680 - \$25,000

<u>2000 – Equipment</u>	<u>\$ 25,000</u>
2020 – Office Machines	\$ 25,000

Sheriff's Office

001-SHF-3116 - \$20,695

<u>1000 – Personnel Services</u>	<u>\$20,695</u>
1120 – Overtime	\$20,695

Parks Department

001-PKS-7110 - \$1,656

<u>1000 – Personnel Services</u>	<u>\$ 1,656</u>
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1120 – Overtime \$ 1,656

Employee Benefits
Social Security
001-EMP - 9030 - \$10,241

Employee Benefits \$ 10,241
8330 – Social Security \$ 10,241

Employee Benefits
Retirement
001-EMP-9010 – \$44,543

Employee Benefits \$ 44,543
8280 – Retirement \$ 44,543

Employee Benefits
Welfare Fund
001-EMP-9080 - \$1,601

Employee Benefits \$ 1,601
8380 – Welfare Fund Contribution \$ 1,601

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - \$6,770

Employee Benefits \$ 6,770

9600 Transfer of Funds \$ 6,770

and be it further

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

REVENUES

039-IFT-R0001 Transfer from General Fund \$ 6,770

ORGANIZATION

Employee Benefits
Major Medical Claim
039-EMP-9060

Employee Benefits \$ **6,770**

8360 – Health Insurance \$ 6,770

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

4th RESOLVED, that the following positions be and they hereby are created in the Department of Fire, Rescue and Emergency Services:

Department of Fire, Rescue & Emergency Services

Transfer FROM:

Position No. **Spec No.** **Position Title** **JC** **Grade No. Created**

3407-0300-0003	5808	Resources Mgmt Officer	C	16	1
		Emergency Preparedness			

Transfer TO:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>	<u>No. Created</u>
3413-0300-0003	5808	Resources Mgmt Officer	C	16	1
		Emergency Preparedness			

and be it further

5th 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

6th RESOLVED, that the County Legislature hereby authorizes the fleet of the Department of FRES be increased by one (1) vehicle; and be it further

7th RESOLVED, the purchase of one (1) heavy-duty, prime mover truck capable and suitably equipped to tow a 28 foot, 16,000 GVWR trailer is hereby approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, for use by the Fire Marshal's Office of the Department of Fire, Rescue and Emergency Services; 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 the 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 of 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D’Amaro were not present.

Intro. Res. No. 2556-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 29 -2007, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$694,300 FOR THE “STATE HOMELAND SECURITY PROGRAM (SHSP) FY2006” ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County Federal Funds under the SHSP FY2006 program to be implemented by the Suffolk County Department of Fire, Rescue and Emergency Services; and

WHEREAS, the SHSP FY2006 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials; and

WHEREAS, this grant is for a twenty-four (24) month period in which the County will receive 100% grant funding in the amount of \$694,300 for the SHSP FY2006; and

WHEREAS, the SHSP FY2006 is slated to operate for the period beginning 07/01/2006 to 06/30/08; and

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

WHEREAS, the SHSP FY2006 grant includes funding to continue the employment of two (2) part-time Training Officers for terrorism training; and

WHEREAS, these positions already exist in the 2006 Operating Budget in 001-FRE-3406 as positions numbers 0300-0001 and 0300-0002; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective April 1, 2007, to 001-FRE-3412 as position numbers 0300-0001 and 0300-0002; now, therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept \$694,300 and appropriate said grant funds as follows:

SHSP FY2006 - \$694,300

REVENUES

AMOUNT

001-FRE-4389– SHSP FY2006	\$ 505,300
001-POL-4389 – SHSP FY2006	\$ 88,000
001-HSV-4389 – SHSP FY2006	\$ 101,000

ORGANIZATIONS

Suffolk County Police Department

SHSP FY2006

001-POL-3292 - \$88,000

<u>2000 – Equipment</u>	<u>\$88,000</u>
2500 – Other Equipment	\$88,000

Suffolk County Dept of Fire, Rescue and Emergency Services

Domestic Preparedness Support

001-FRE-3412 - \$499,575

<u>1000 – Personnel Services</u>	<u>\$74,375</u>
1100 – Permanent Salaries	\$74,375
<u>2000 – Equipment</u>	<u>\$130,000</u>
2090 - Radio & Communications Equipment	\$130,000
<u>3000 – Supplies</u>	<u>\$ 41,300</u>
3680 – Repairs, Special Equipment	\$ 41,300
<u>4000 – Utilities</u>	<u>\$ 78,900</u>
4010 – Telephone & Telegraph	\$ 78,900
<u>4500 – Contractual Expenses</u>	<u>\$175,000</u>
4560 – Fees for Services – Non Employees	\$175,000

Suffolk County Dept. of Health Services
Division of Emergency Medical Services
001-HSV-4624 - \$101,000

<u>2000 – Equipment</u>	<u>\$ 35,246</u>
2010 – Furniture and Furnishings	\$ 13,700
2020 – Office Machines	\$ 2,700
2080 – Medical, Dental, Laboratory Equipment	\$ 1,546
2090 – Radio & Communications Equipment	\$ 6,500
2440 – Instructional Equipment	\$ 5,500
2500 – Other Equipment	\$ 5,300
<u>3000 – Supplies</u>	<u>\$ 59,754</u>
3370 - Medical, Dental & Laboratory Supplies	\$ 55,432
3500 – Other Supplies	\$ 4,322

<u>4500 - Contractual Expenses</u>	<u>\$ 6,000</u>
4560 – Fees for Services: Non-Employees	\$ 6,000

Employee Benefits
Social Security
001-EMP -9030-\$5,725

<u>8000 – Employee Benefits</u>	<u>\$ 5,725</u>
8330 – Social Security	\$ 5,725

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

3rd RESOLVED, that the following positions be and they hereby are transferred in the Department of Fire, Rescue and Emergency Services effective April 1, 2007:

Department of Fire, Rescue and Emergency Services

Transfer FROM:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3406-0300-0001/0002	5812	Training Officer- Emergency Preparedness	C	16

Transfer TO:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3412-0300-0001/0002	5812	Training Officer- Emergency Preparedness	C	16

and be it further

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

5th RESOLVED, that this Legislature, being the 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 the 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 of 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: February 6, 2007

APPROVED BY:

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

Date: February 16, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2561-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 30 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$5,200 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2007) BUCKLE-UP NY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor’s Traffic Safety Committee has made \$5,200 in funds available to Suffolk County for the (GTSC FFY2007) Buckle-Up NY Program to be administered by the Suffolk County Sheriff’s Office; and

WHEREAS, this program provides high visibility enforcement, public information and education, designed to save lives and reduce the severity of injuries by increasing seatbelt use; and

WHEREAS, the operational period of the program is from October 1, 2006 through September 30, 2007; and

WHEREAS, said grant funds have not been include in the 2007 Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$5,200 as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
001-3114-Federal Aid: Sheriff – Traffic Safety Initiative	\$5,200
<u>APPROPRIATION:</u>	
	Suffolk County Sheriff’s Office Sheriff Traffic Safety Initiative 001-SHF-3114
<u>1000-Personal Services</u>	<u>\$5,200</u>
1120-Overtime Salaries	\$5,200

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Intro. Res. No. 1320-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/20/2007

**RESOLUTION NO. 353 -2007,
AUTHORIZING CERTAIN TECHNICAL CORRECTION
TO ADOPTED RESOLUTION NO. 30-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 30-2007; and

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

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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 30-2007

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$5,200 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
[001-3114-Federal Aid: Sheriff - Traffic Safety Initiative]	\$5,200
<u>001-4392-Federal Aid: Sheriff - Traffic Safety Initiative</u>	

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

<u>1000-Personal Services</u>	<u>\$5,200</u>
1120-Overtime Salaries	\$5,200

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2562-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 31 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$7,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2007) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made \$7,500 in funds available to Suffolk County for the Child Passenger Safety Program (GTSC FFY2007) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Sheriff's Office will address this issue by participating in the New York State Child Passenger Safety Program; and

WHEREAS, the operational period of the program is from October 1, 2006 through September 30, 2007; and

WHEREAS, said grant funds have not been include in the 2007 Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$7,500 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3114-Federal Aid: Sheriff – Traffic Safety Initiative	\$7,500

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

<u>3000-Supplies, Materials & Others</u>	<u>\$7,500</u>
3260-Signs and Maps	\$1,000
3500-Other: Unclassified	\$6,500

DATED: February 6, 2007

APPROVED BY:

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

Date: February 12, 2007

Intro. Res. No. 1319-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 352 -2007,
AUTHORIZING CERTAIN TECHNICAL CORRECTION
TO ADOPTED RESOLUTION NO. 31-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 31-2007; and

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

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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 31-2007

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$7,500 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	\$7,500
 <u>APPROPRIATION:</u>	
Suffolk County Sheriff’s Office Sheriff Traffic Safety Initiative [001-SHF-4392] <u>001-SHF-3114</u>	
<u>3000-Supplies, Materials & Others</u>	<u>\$7,500</u>
3260-Signs and Maps	\$1,000
3500-Other: Unclassified	\$6,500

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

**RESOLUTION NO. 353 -2007,
AUTHORIZING CERTAIN TECHNICAL CORRECTION
TO ADOPTED RESOLUTION NO. 30-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 30-2007; and

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

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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 30-2007

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$5,200 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
[001-3114-Federal Aid: Sheriff - Traffic Safety Initiative]	\$5,200
<u>001-4392-Federal Aid: Sheriff - Traffic Safety Initiative</u>	

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

<u>1000-Personal Services</u>	<u>\$5,200</u>
1120-Overtime Salaries	\$5,200

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2564-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 32 -2007, ACCEPTING AND APPROPRIATING 100% PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF EMERGENCY MANAGEMENT OF THE NYS DIVISION OF MILITARY AND NAVAL AFFAIRS FOR A SUFFOLK COUNTY CITIZEN CORPS COUNCIL PROGRAM

WHEREAS, the New York State Office of Emergency Management has awarded to Suffolk County-Department of Fire, Rescue and Emergency Services-\$78,713 in grant funds to improve the effectiveness of citizen response during times of natural or man-made disaster; and

WHEREAS, these funds will be used to ensure minimal loss of life and property through a nationwide initiative call for volunteer citizens to assist in homeland defense; and

WHEREAS, these funds will continue the work funded by Resolution Nos. 768-2003; 545-2004; 1218-2005; and 1183-2006 and performed by the Suffolk County Citizens Corps. Council (created by Resolution No. 1283-2004) initiating and guiding the Suffolk County Community Emergency Response Team (CERT) Program, the Suffolk County Volunteers in Police Service (VIPS) Program, and the Suffolk County Medical Reserve Corps. (MRC); and

WHEREAS, this is a grant program beginning 7/01/06 to 6/30/08 in which the County will receive one hundred percent grant funding in the amount of \$78,713; and

WHEREAS, \$18,793 of said funds have been included in the 2006 Operating Budget; and

WHEREAS, \$59,920 of said funds have not been included in the 2006 Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept \$78,713, including \$18,793 included in the 2006 Operating Budget (001-FRE-3400-1100) and appropriate said grant funds as follows:

REVENUES:

AMOUNT

001-4089 Federal Aid: Other

\$59,920

ORGANIZATIONS:

Citizens Corps Council
001-FRE-3411- \$53,637

2000 – Equipment \$ 5,020

2020 Office Machines \$ 2,420

2090 Radio & Communication Equipment \$ 2,600

3000 - Supplies, Materials & Other Expenses \$ 24,617

3040 Outside Printing \$ 1,332

3010 Office Supplies \$ 1,055

3310 Clothing & Accessories \$ 14,500

3370 Medical Supplies \$ 610

3500 Other, Unclassified \$ 7,120

4000 – Contractual Expenses \$ 24,000

4560 Fees for Services \$ 24,000

Fire, Rescue & Emergency Service
001-FRE-3400-\$6,283

1000 – Personal Services \$ 5,933

1120 Overtime Salaries \$ 5,933

3000 - Supplies, Materials & Other Expenses \$ 350

3510 Rent- Business Machines & Systems \$

350

and be it further

2nd RESOLVED, that the reporting category for the County Integrated Financial Management System (IFMS) is EM13.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 16, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2592-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 33 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1344-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1344-2006; and

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

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

1st RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 1344-2006

In the 2nd RESOLVED clause:

Department of Parks
001-[7100]7510-Parks

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-0-0-2. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 2603-2006
Introduced by the Presiding Officer

Laid on Table 12/19/2006

**RESOLUTION NO. 34 -2007, APPROVING PAYMENT
TO GENERAL CODE PUBLISHERS FOR
ADMINISTRATIVE CODE PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 75 to update the Suffolk County Administrative Code totaling \$2,885.43; and

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

1st RESOLVED, that the payment of a \$2,885.43 for the provisions of such pages is hereby approved.

DATED: February 6, 2007

APPROVED

BY:

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

Date: February 9, 2007

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

Intro. Res. No. 1073B -2006

BOND RESOLUTION NO. 36 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE THE COST OF A SOUND WALL STUDY AT CR 97, NICOLL'S ROAD, BETWEEN MONTAUK HIGHWAY AND FURROWS ROAD (CP 5114)

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 a sound wall study at CR 97, Nicholl's Road, between Montauk Highway and Furrows Road, as authorized in the 2006 Capital Budget and Program, as amended by Resolution No. 129-2006. 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: February 6, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED FEBRUARY 22, 2007

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

Intro. Res. No. 1525-2006
Introduced by Legislator Alden

Laid on Table 5/16/2006

RESOLUTION NO. 37 -2007, ADOPTING LOCAL LAW NO. 2 -2007, A LOCAL LAW TO ESTABLISH RESPONSIBLE EUTHANASIA STANDARDS AT ANIMAL SHELTERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 16, 2006, a proposed local law entitled, "**A LOCAL LAW TO**

ESTABLISH RESPONSIBLE EUTHANASIA STANDARDS AT ANIMAL SHELTERS” now, therefore be it

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

LOCAL LAW NO. 2 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ESTABLISH RESPONSIBLE EUTHANASIA STANDARDS AT ANIMAL SHELTERS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that local media reported that a family cat was recently brought to a town animal shelter under false pretenses by a third party and quickly euthanized before the rightful owners could reclaim their pet.

This Legislature also finds that this family’s heartbreak could have been avoided if the animal shelter had waited even a few days before acting.

This Legislature further determines that it is in the best interest of animal owners and the general public to require animal shelters to hold dogs and cats for a reasonable period of time before performing euthanasia.

Therefore, the purpose of this law is to bar animal shelters from euthanizing dogs and cats for 7 days after an animal is taken in by the shelter and allow time for the animals to be returned to its rightful owners or adopted.

Section 2. Amendments

A. Paragraph L of § 216-7 of the SUFFOLK COUNTY CODE is hereby repealed in its entirety, and the subsequent paragraphs are hereby re-lettered accordingly.

B. Chapter 216 of the SUFFOLK COUNTY CODE is hereby amended by the addition of a new Article:

Chapter 216, ANIMAL SHELTERS AND KENNELS

ARTICLE III, Euthanasia

§ 216-19. Definitions.

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

ANIMAL – Shall refer only to dogs and cats.

ANIMAL SHELTER -- A property consisting of a tract or tracts of land and all buildings or structures and installations, temporary or permanent, pertaining thereto, any part or all of which is maintained for the harboring of animals which may be stray, unwanted, lost or abandoned, including those facilities owned or operated by a municipality. For the purpose of this article, the term "animal shelter" shall not apply to a facility commonly known as a "boarding kennel," where the ownership of the animal is not transferred; a facility commonly known as a "pet store," where animals are offered for sale as all or part of a business, an animal hospital owned, operated or supervised by a licensed veterinarian; or a facility where the owner or operator is licensed by the New York State Department of Environmental Conservation as a nuisance wildlife control agent or wildlife rehabilitator.

§ 216-20. Requirements and restrictions.

- A. Euthanasia shall be performed in an animal shelter only in accordance with the provisions of § 374 of the New York Agriculture and Markets Law.
- B. No animal shall be euthanized within 72 hours of the animal being taken in by the animal shelter, and the animal shall be placed within the general population of the animal shelter and made available for return to its rightful owner, if any, or for adoption in lieu of euthanasia.
- C. Animals surrendered for euthanasia shall only be accepted by the animal shelter from owners; animal owners shall be required to complete a certification form indicating said ownership.
- D. Notwithstanding the requirements of this section, euthanasia may be performed within 72 hours of the animal being taken in by the animal shelter only if the animal constitutes a threat to other animals in the shelter due to a communicable disease or a behavioral problem, or if delaying euthanasia would constitute cruel and inhumane treatment due to a terminal illness or an injury of the animal.

§ 216-21. Penalties for offenses.

Any animal shelter that violates any provision of this article shall be liable for a civil penalty of \$500 for each violation.

§ 216-22. Enforcement.

This article shall be enforced by the Suffolk County Department of Health Services in accordance with the provisions of Article II, § 760-200 et seq., of the Suffolk County Sanitary Code.

§ 216-23. Promulgation of rules and regulations.

The Department of Health Services shall promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this article.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 23, 2007

After a public hearing duly held on February 20, 2007
Filed with the Secretary of State on March 26, 2007

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

Intro. Res. No. 1854-2006
Introduced by Legislator Alden

Laid on Table 6/27/2006

**RESOLUTION NO. 38 -2007, ADOPTING LOCAL LAW
NO. 4 -2007, A LOCAL LAW TO INCREASE CONNECTION
FEES FOR SEWER DISTRICT CONTRACTEES LOCATED
OUTSIDE THE GEOGRAPHIC BOUNDARY OF A SEWER
DISTRICT**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 27, 2006, a proposed local law entitled, "**A LOCAL LAW TO INCREASE CONNECTION FEES FOR SEWER DISTRICT CONTRACTEES LOCATED OUTSIDE THE GEOGRAPHIC BOUNDARY OF A SEWER DISTRICT**" now, therefore, be it

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

LOCAL LAW NO. 4 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INCREASE CONNECTION FEES FOR
SEWER DISTRICT CONTRACTEES LOCATED OUTSIDE THE
GEOGRAPHIC BOUNDARY OF A SEWER DISTRICT**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the current fees imposed upon contractees located outside the geographic boundaries of Suffolk County Sewer Districts for connecting to a district have not been reviewed or updated in several years.

This Legislature further finds and determines that over the past several years, the County has received numerous applications for businesses to connect to existing County Sewer Districts.

This Legislature finds that the rates being charged for outside hookups is currently below market value and should be raised to meet the increased demand for service and maintenance costs incurred by the sewer districts.

Therefore, the purpose of this law is to increase the connection fees imposed on any user located outside the geographic boundary of a sewer district who wishes to connect to a Suffolk County Sewer District.

Section 2. Amendments.

Section 424-38 of Article VII of the SUFFOLK COUNTY CODE is hereby amended as follows:

ARTICLE VII, Sewer Charges, Assessments and Fees

* * * *

§ 424-38. User charges and connection fees.

The Administrator may, pursuant to § 266 of the County Law, establish a user charge system consisting of a schedule of charges for sewer service, subject to the review and approval of the Suffolk County Legislature. These charges may be in addition to or in lieu of applicable ad valorem or benefit assessments. Such charges shall be based on the estimated annual district cost of operation, maintenance and regulatory program costs and capital and improvement costs or portions thereof. The Administrator may, in accordance with said § 266 and after public notice of hearing, adopt a separate user charge system for each sewer district, subject to the review and approval of the Suffolk County Legislature. The Administrator shall impose a separate connection fee of ~~[\$15]~~ \$30.00 per gallon per day on any user from outside the geographical boundaries of any Suffolk County Sewer District which receives approval from the County of Suffolk to connect to that pertinent Suffolk County Sewer District, said connection fee to replace the current connection fee of ~~[\$12]~~ \$15.00 per gallon per day that is administratively imposed by any Suffolk County Sewer District via agreement with connectees. The connection fee is to represent a purchase of capacity and is based on both hydraulics and mass loading criteria.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law, except that users from outside the geographical boundaries of any Suffolk County Sewer District that are granted conceptual certification or formal approval by the Suffolk County Sewer Agency prior to this law's effective date, shall be charged the \$15.00 per gallon fee that predates the effective date of this law.

Section 4. Severability.

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

partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: February 6, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 8, 2007

After a public hearing duly held on February 20, 2007
Filed with the Secretary of State on March 26, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 17-0-0-1.

Intro. Res. No. 2306-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 39 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL NO. 759-2006)

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

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

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

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

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

RESOLUTION NO.

CONTROL# 759-2006

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	SMITHTOWN	05/06		0800/15-5-14	8385.95	4170.81	4215.14
A	SMITHTOWN	04/05		0800/15-5-14	9681.19	5736.75	3944.44
C	SMITHTOWN	05/06		0800/66-3-13.2	10968.98	1617.92	9351.06
A	SOUTHAMPTON	04/05		0900/113-2-1.2	23191.68	6990.22	16200.46
A	SOUTHAMPTON	05/06		0900/123-2-1.3	33393.50	27835.98	5557.52
A	SOUTHAMPTON	05/06		0905/18-1-1	4333.56	329.00	4004.56

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

Intro. Res. No. 2317-2006

Laid on Table 11/21/2006

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 40 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-ON REAL PROPERTY CORRECTION OF ERRORS BY: LEGISLATURE CONTROL # 760-2006
BACKS COUNTY

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

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

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

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

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

RESOLUTION NO.		CONTROL # 760-2006	
KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	SMITHTOWN	05/06		0800/75-7-2.4	23739.04	19767.43	3971.61
A	SMITHTOWN	05/06		0800/85-5-1	6661.28	3473.33	3187.95
A	SMITHTOWN	05/06		0800/105-1-30.6	29396.24	23149.45	6246.79
A	SOUTHAMPTON	05/06		0900/92-2-33	22034.21	11924.78	10109.43
A	SOUTHAMPTON	04/05		0900/92-2-33	23285.68	11646.17	11639.51

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

RESOLUTION NO. 41 -2007, CREATING THE SUFFOLK COUNTY CARBON CAP IMPLEMENTATION ADVISORY COMMITTEE

WHEREAS, global warming is a matter of increasing concern for the public health, environment and economy of Suffolk County; and

WHEREAS, global warming is caused by the emission of greenhouse gases, which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride; and

WHEREAS, the health of Suffolk residents is threatened by global warming and scientists have concluded that reducing the emission of greenhouse gases will reduce air pollution, a known contributor to respiratory ailments; and

WHEREAS, fossil fuel burning electric generating units are the largest individual source of carbon dioxide and these units account for approximately one-quarter of the annual emission of carbon dioxide; and

WHEREAS, the reduction of greenhouse gas emissions from electric generating plants in Suffolk County should be of primary concern to those who are charged with protecting the health and safety of Suffolk residents; now, therefore be it

1st RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee is hereby created to study the level of greenhouse gas emissions from electric generating plants in Suffolk County and to develop strategies to achieve a 25% reduction in greenhouse gas emissions from such electric generating plants by 2020; and be it further

2nd RESOLVED, that this Suffolk County Carbon Cap Implementation Advisory Committee shall consist of the following fifteen (15) members:

- 1.) the Chairman of the Suffolk County Legislature's Economic Development, Higher Education and Energy Committee;
- 2.) the Commissioner of Environment and Energy, or his or her designee, who will serve as Co-Chair;
- 3.) the Presiding Officer, or his or her designee;
- 4.) the Minority Leader, or his or her designee;
- 5.) a representative from the Office of Legislative Budget Review;
- 6.) the Dean of SUNY Stony Brook School of Engineering, or his or her designee;
- 7.) the President of SUNY Farmingdale, or his or her designee;
- 8.) the Director of the Brookhaven National Laboratory, or his or her designee;

- 9.) the Executive Director of the Neighborhood Network, or his or her designee, who shall serve as Co-Chair;
- 10.) the Executive Director of Renewable Energy Long Island, or his or her designee;
- 11.) the Executive Director of Citizens Campaign for the Environment, or his or her designee;
- 12.) a representative of the Long Island Association Energy Committee;
- 13.) a representative from Sustainable Energy Long Island;
- 14.) a representative from LIPA; and
- 15.) a representative from KeySpan;

and be it further

3rd RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall determine the baseline level of greenhouse gas emissions from electric generation in Suffolk County in the year 1990; the current level of greenhouse gas emissions from electric generation; and the projected level of greenhouse gas emissions in Suffolk County in the year 2020 if no action is taken by the County; and be it further

4th RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall develop strategies for the reduction of greenhouse gas emissions from electric generation in Suffolk County and shall determine what technologies are most feasible for reducing the amount of greenhouse gas emissions from electric generation by 25%; the legal authority to mandate the use of any technology or strategy or to establish a “carbon cap”; what timeline should be set to ensure that the goal of a 25% reduction is met by 2020; and which implementation scheme, including, but not limited to, a cap and trade system, mandated technologies, mandated emission reductions per plant or mandated emission reductions per electric generation company, would be most effective; and be it further

5th RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall also study and determine which entities should bear the costs associated with any greenhouse gas emission reduction strategy; and be it further

6th RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall study the proposed KeySpan/National Grid merger, and determine how such a merger would effect any implementation program, and whether or not a phased in implementation of any recommended strategies can be made a condition of such merger; and be it further

7th RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairperson of the Suffolk County Carbon Cap Implementation Advisory Committee, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

8th **RESOLVED**, that the members of said Suffolk County Carbon Cap Implementation Advisory Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

9th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee shall 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 there for signed by at least three (3) members of the Suffolk County Carbon Cap Implementation Advisory Committee. 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

10th **RESOLVED**, that eight (8) members of the Suffolk County Carbon Cap Implementation Advisory Committee shall constitute a quorum to transact the business of the Suffolk County Carbon Cap Implementation Advisory Committee at both regular and special meetings; and be it further

11th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Suffolk County Carbon Cap Implementation Advisory Committee 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

12th **RESOLVED**, that clerical services involving the month-to-month operation of this Suffolk County Carbon Cap Implementation Advisory Committee, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

13th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

14th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee may delegate to any member of the Suffolk County Carbon Cap Implementation Advisory Committee the power and authority to conduct such hearings and meetings; and be it further

15th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee 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

16th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of Health Services, and the County Executive no later than June 1, 2007 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

17th **RESOLVED**, that the Suffolk County Carbon Cap Implementation Advisory Committee shall expire, and the terms of office of its members terminate, as of June 1, 2007 at which time the Suffolk County Carbon Cap Implementation Advisory Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

18th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2534-2006
Introduced by Legislator Romaine

Laid on Table 12/5/2006

RESOLUTION NO. 42 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (NORTH STREET PROPERTIES) TOWN OF BROOKHAVEN

WHEREAS, Resolution No. 840-2004 adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the preservation of open space; the acquisition of lands to be used as Hamlet Greens, Hamlet Parks or Pocket Parks; and for the acquisition of farmland development rights; and

WHEREAS, Resolution No. 840-2004 entitled the Save Open Space Bond Act authorizes the removal of development rights from County acquired parcels for the purposes of Workforce Housing; and

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 8705.210, Project Name: Preservation of Open Space; now, therefore, be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 8705.210, to acquire title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for the preservation of Open Space purposes;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District Section Block Lot	±67 EXHIBIT "A"	ATTACHED

and be it further

2nd RESOLVED, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Sections C36-1(A)(1)(5) and (6) of the SUFFOLK COUNTY CHARTER in connection with the Preservation of Open Space acquisitions; and be it further

3rd RESOLVED, that the Director of the Department of Planning, in consultation with the Department of Health Services, is authorized to interpret and report the number of WHDRs that may be yielded from the subject property in the event that said property is to be purchased with Save Open Space Bond funds in accordance with Suffolk County Resolution No. 840-2004; and be it further

4th RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

5th RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund; and be it further

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

hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2578-2006
Introduced by Legislator Schneiderman

Laid on Table 12/19/2006

RESOLUTION NO. 43 –2007, AMENDING RESOLUTION NO. 683-2006, TO CLARIFY THE MEMBERSHIP OF THE REGIONAL SOLID WASTE MANAGEMENT COMMISSION

WHEREAS, Resolution No. 683-2006, “Creating a Regional Solid Waste Management Commission to Reduce Pollution, Traffic Congestion and Financial Impact of Current Solid Waste Disposal Practices in Suffolk County”, was adopted by this Legislature; and

WHEREAS, the membership of the Regional Solid Waste Management Commission requires amendment in order to better effectuate the purposes of evaluating the current Regional Solid Waste Disposal practices in Suffolk County; now, therefore be it

1st RESOLVED, that the 5th RESOLVED clause of Resolution No. 683-2006 is hereby amended to read as follows:

* * * * *

5th RESOLVED, the Commission shall consist of:

1. Commissioner of Department of Environment and Energy, who shall serve as chair,
2. Commissioner or designee of Department of Public Works,
3. Commissioner or designee of Department of Economic Development and Workforce Housing,
4. Chair or designee of Environment Planning and Agriculture Committee,
5. Chair or designee of Economic Development and Energy Committee,
6. Chairman or designee of Public Works and Transportation Committee,
7. Representative of New York State Department of Environmental Conservation who has expertise in solid waste regulations,

8. Representative of the Waste Reduction and Management Institute at Stony Brook,
9. Expert in ~~landfill reclamation~~rail transport,
10. Expert in municipal and commercial Recycling,
11. Director or representative of a large scale successful municipal solid waste program in Suffolk County,
12. Solid Waste Engineer,
13. Representative of Cornell Cooperative Extension,
14. Representative of the Suffolk County Village Officials Association,
15. Representative of an Environmental group to be appointed by the Legislature,
16. Representative of the Suffolk County Supervisor's Association,
17. Representative to be chosen by the Presiding Officer of the Legislature,

18. ~~Member of the Long Island Municipal Waste Officials Association~~Representative of the Long Island Sanitation Officials Association, and

19. The Executive Director or designee of the Long Island Regional Planning Board; and be it further

* * * *

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 683-2006 shall remain in full force and effect; and be it further

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

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

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1000-2007

Laid on Table 1/2/2007

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

**RESOLUTION NO. 44 -2007, AUTHORIZING THE
ACQUISITION OF LAND UNDER THE NEW SUFFOLK
COUNTY DRINKING WATER PROTECTION PROGRAM –
OPEN SPACE COMPONENT - FOR THE NIELSEN
PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II
TOWN OF BROOKHAVEN – (SCTM NO. 0200-983.40-02.00-
078.000)**

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

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

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the

Director of Real Property Acquisition and Management to negotiate the acquisition; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of One Hundred Thirty Thousand Dollars (\$130,000.00), 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	.187±	Wilhelmi Nielsen
	Section 983.40		34 Olive Street
	Block 02.00		Lake Grove, NY 11755
	Lot 078.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of One Hundred Thirty Thousand Dollars (\$130,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$130,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$130,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$130,000.00 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	\$130,000.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$130,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to

be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

and be it further

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

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

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

have; and be it further

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1001-2007

Laid on Table 1/2/2007

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

RESOLUTION NO. 45 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE FISCHETTI PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA TOWN OF BROOKHAVEN – (SCTM NO. 0200-982.20-02.00-001.000)

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Fourteen Thousand Five Hundred Dollars (\$14,500.00), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 982.20 Block 02.00 Lot 001.000	.180±	Anthony Fischetti 4 Foxboro Lane Old Brookville, NY 11552

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Fourteen Thousand Five Hundred Dollars (\$14,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$14,500.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$14,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$14,500.00 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 Protection Program	\$14,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$14,500.00, 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

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

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

- 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

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

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

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 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

- 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

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1002-2007

Laid on Table 1/2/2007

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

RESOLUTION NO. 46 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE FERRERI PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II TOWN OF BROOKHAVEN – (SCTM NO. 0200-983.40-03.00-032.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Fourteen Thousand Five hundred Dollars (\$14,500.00), 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:

<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 03.00 Lot 032.000	0.181±	Luciano Ferreri 1063 Cedar Drive South New Hyde Park, NY 11040

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Fourteen Thousand Five Hundred Dollars (\$14,500.00), subject to a final survey; and, be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$14,500.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$14,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$14,500.00 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 Protection Program	\$14,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$14,500.00, 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

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

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

- c.) 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

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

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

12th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

- 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
- 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

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1003-2007

Laid on Table 1/2/2007

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

**RESOLUTION NO. 47 –2007, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM –
LAND PRESERVATION PARTNERSHIP PROGRAM – FOR**

**THE DICKERSON PROPERTY – DICKERSON CREEK
TOWN OF SHELTER ISLAND – (SCTM NO. 0700-019.00-
01.00-023.006)**

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

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

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

WHEREAS, the Town of Shelter Island (“Town”) has approved by Resolution on August 25, 2006 authorization to acquire the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Five Hundred Thousand Dollars (\$500,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Two Hundred Fifty Thousand Dollars (\$250,000.00) for a fifty percent (50%) undivided interest; and the Town’s share, totaling Two Hundred Fifty Thousand Dollars (\$250,000.00), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0700 0.74± Section 019.00 Block 01.00 Lot 023.006	Neil O. Dickerson (95% Interest) & Carol Dickerson (5% Interest) As Tenants-In-Common 56 Freesia Court Holmedel, NJ 07733

and be it further

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

Preservation Program, for the County's share of the purchase price of Two Hundred Fifty Thousand Dollars (\$250,000.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$250,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

6th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation according to the requirements of the Suffolk County Land Preservation Partnership Program (Resolution No. 751-1997, 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 Resolution No. 751-1997, et seq.; and be it further

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

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

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

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

13th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2609-2006
Introduced by Legislators Eddington and Cooper

Laid on Table 12/19/2006

RESOLUTION NO. 48 -2007, APPROVING THE APPOINTMENT OF TRACY A. TRYPUC AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF HEALTH

WHEREAS, appointments to the Suffolk County Board of Health are within the purview of the County Legislature under Section 9-4 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the term of office of Vincent Bove expired on June 11, 1997, which has resulted in his appointment being in holdover status; and

WHEREAS, a vacancy has occurred due to the death of Vincent Bove; now, therefore be it

1st RESOLVED, that **Tracy A. Trypuc**, currently residing in Patchogue, New York, be and is hereby appointed as a member of the Suffolk County Board of Health, pursuant to Section C9-4 of the SUFFOLK COUNTY CHARTER, for a term of office to expire on June 11, 2009.

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) and 9-4 OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 1010-2007

Laid on Table 1/2/2007

Introduced by Presiding Officer Lindsay, Mystal and Romaine

RESOLUTION NO. 49 -2007, PROVIDING FURTHER DIRECTION TO THE SUFFOLK COUNTY HEALTH CARE TASK FORCE

WHEREAS, Resolution No. 815-2006 created the Suffolk County Health Care Task Force to develop a comprehensive needs assessment to improve the health care delivery system in Suffolk County, to address the problem of uncompensated care and help control the cost of health care; and

WHEREAS, Resolution No. 815-2006 directed the Suffolk County Health Care Task Force to submit a written report of its findings and determinations, together with recommendations for action, to the County Executive and the members of the Suffolk County Legislature by August 2007; and

WHEREAS, Part K of Chapter 63 of the Laws of the State of New York (2005) created the Commission on Health Care Facilities in the 21st Century to undertake an independent review of health care capacity and resources in the State, to ensure that the regional and local supply of general hospital and nursing home facilities is best configured to respond to community needs for quality, affordable and accessible health care, and to achieve meaningful efficiencies in delivery and financing; and

WHEREAS, this State legislation directed the Commission on Health Care Facilities in the 21st Century to develop recommendations for reconfiguring the State's general hospital and nursing home bed supply to align supply with regional and local needs; further, the Commission was authorized to make specific recommendations for facilities to be closed, resized, consolidated, converted or restructured; and

WHEREAS, the Commission has issued its recommendations for Suffolk County; and

WHEREAS, the County's Health Care Task Force should address the Commission's finding and recommendations in its report; now, therefore be it

1st RESOLVED, that the Suffolk County Health Care Task Force is hereby authorized, empowered and directed to specifically consider and address during its deliberations and in its final report and recommendations, the findings and recommendations of the Commission on Health Care Facilities in the 21st Century; 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1953-2006 Laid on Table 8/8/2006
Introduced by Legislators Cooper, Romaine, D'Amaro, Schneiderman, Stern, Losquadro, Nowick, Mystal, Horsley, Browning, Eddington

RESOLUTION NO. 50 -2007, LINKING COUNTY PARK FEES FOR VETERANS TO PARK FEES FOR SENIOR CITIZENS

WHEREAS, the County Department of Parks, Recreation and Conservation currently charges senior citizens a discounted rate for the use of County Parks; and

WHEREAS, pursuant to Section 688-4 of the Suffolk County Code, the entrance fee for all Suffolk County Parks is not charged to veterans on Memorial Day Weekend; and

WHEREAS, Section 688-5 of the Suffolk County Code provides an exemption of certain fees to disabled veterans who are Suffolk County Residents; and

WHEREAS, it is the desire of this Legislature to extend this rate structure, on a permanent basis, to all veterans who reside in Suffolk County; now, therefore be it

1st RESOLVED, that the County Department of Parks, Recreation and Conservation is hereby required, pursuant to Section C28-3(A)(4) and C28-4(A) of the Suffolk County Charter, and Section 378-11 of the Suffolk County Code, to charge veterans, who are Suffolk County residents, a fee for the use of County Parks and facilities that is equivalent to the prevailing fee for senior citizens for any such use or activity in any County Park, except as to golf fees, effective immediately, and those portions of Section 688-3 of the Suffolk County Code, pertaining to such fees, except as to golf fees, are hereby amended by the addition of such language requiring parity of fees; and be it further

2nd RESOLVED, that this program shall be implemented under the supervision of the Commissioner of the County Department of Parks, Recreation and Conservation, which Department shall promulgate rules and regulations to implement this Resolution; and be it further

3rd RESOLVED, that eligibility under this program for exemption from such fees for veterans shall be conditioned upon submission of a DD Form 214, along with submission of proof that said veteran is a Suffolk County resident; and be it further

4th RESOLVED, nothing contained herein is intended to revoke or amend the exemptions contained in Sections 688-4 and 688-5 of the Suffolk County Code, which remain in full force and effect; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2607-2006
Introduced by Presiding Officer Lindsay

Laid on Table 12/19/2006

RESOLUTION NO. 51 -2007, REAPPOINTING AURELIO A. COLINA AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION

WHEREAS, Aurelio A. Colina, representing the Town of Southampton, is currently a holdover member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, his term having expired on November 30, 2004; and

WHEREAS, the Supervisor of the Town of Southampton has recommended the reappointment of **Aurelio A. Colina**, representing the Town of Southampton, to said Board; now, therefore be it

RESOLVED, that **Aurelio A. Colina**, currently residing in Water Mill, New York, be and he hereby is reappointed, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of Southampton for a term of office to expire on November 30, 2009.

DATED: February 6, 2007

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

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

Intro. Res. No. 2347-2006

Laid on Table 11/21/2006

Introduced by Legislators Browning, Eddington, Romaine, Schneiderman, Mystal, D'Amato, Horsley and Stern

RESOLUTION NO. 52 -2007, AUTHORIZING THE COUNTY SHERIFF AND POLICE DEPARTMENT TO MONITOR REGISTERED SEX OFFENDERS

WHEREAS, sex offenders are required under the State's Sex Offender Registration Act (Article 6-C of the Correction Law) to register with the Division of Criminal Justice Services, and provide certain information including their home address and/or expected place of domicile; and

WHEREAS, registering sex offenders provides law enforcement with important information critical to preventing sexual victimization; and

WHEREAS, careful monitoring of registered sex offenders by law enforcement officials maximizes the potential benefits of the Sex Offender Registration Act; and

WHEREAS, the Police Department and Sheriff's Office have the capability of monitoring registered sex offenders to ensure that they are, in fact, residing at the address that they have provided to the state registry; now, therefore be it

1st RESOLVED, that the Suffolk County Police Department is hereby authorized, empowered and directed to monitor registered sex offenders within the police district and specifically to visit the addresses provided to the registry by sex offenders maintained by the Division of Criminal Justice Services to ensure that they are residing at those addresses; and be it further

2nd RESOLVED, that the Suffolk County Sheriff is hereby authorized, empowered, and directed to utilize Deputy Sheriffs to monitor registered sex offenders outside the Suffolk County Police District, and specifically to visit the addresses provided to the registry by sex offenders maintained by the Division of Criminal Justice Services to ensure that they are residing at those addresses; and be it further

3rd RESOLVED, that within one hundred twenty (120) days of the effective date of this Resolution, the Suffolk County Sheriff and the Suffolk County Police Commissioner shall advise, in writing, the County Executive and each member of the Suffolk County Legislature, of the steps that have been taken to implement the terms of this Resolution; 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

ntro. Res. No. 1412-2007
Introduced by Legislators Browning and Schneiderman

Laid on Table 4/24/2007

**RESOLUTION NO. 466 –2007, AMENDING RESOLUTION
NO. 52-2007**

WHEREAS, Resolution No. 52-2007 authorized and directed the Suffolk County Police Department and the Suffolk County Sheriff’s Office to visit the addresses provided to the State’s Sex Offender Registry by sex offenders to ensure that the offenders are, in fact, residing at the addresses provided; and

WHEREAS, Resolution No. 52-2007 authorized the Suffolk County Sheriff to utilize Deputy Sheriffs to perform address checks outside the Suffolk County Police District; and

WHEREAS, police departments in certain towns and villages have requested that Resolution No. 52-2007 be amended to clarify and confirm their primary role under the State’s Sex Offender Registration Act; and

WHEREAS, it is necessary to provide further direction to the Suffolk County Police Department to successfully implement Resolution No. 52-2007; now, therefore be it

1st RESOLVED, that the 1st Resolved clause of Resolution No. 52-2007 is hereby amended to read as follows:

1st RESOLVED, that the Suffolk County Police Department is hereby authorized, empowered and directed to conduct an initial verification of addresses provided by registered sex offenders to the registry maintained by the Division of Criminal Justice Services and to thereafter perform random spot-checks of these addresses, to ensure that sex offenders are residing at the address they have provided; and be it further

and be it further

2nd RESOLVED, that the 2nd Resolved clause of Resolution No. 52-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Suffolk County Sheriff is hereby authorized, empowered and directed, in areas outside the Suffolk County Police District, to utilize Deputy Sheriffs to conduct an initial verification of addresses provided by registered sex offenders to the registry maintained by the Division of Criminal Justice Services and to thereafter perform random spot-checks of these addresses to ensure that registered sex offenders are residing at the address they have provided; and be it further

and be it further

3rd RESOLVED, that Resolution No. 52-2007 is further amended by the addition of a new 3rd Resolved clause which shall read as follows:

3rd RESOLVED, that the Suffolk County Sheriff shall not perform address verifications and spot checks in those towns and villages which have requested, in writing to the Sheriff, that the Sheriff not perform these responsibilities; and be it further

and be it further

4th RESOLVED, that the 3rd and 4th Resolved clauses of Resolution No. 52-2007 shall be renumbered as the 4th and 5th Resolved clauses accordingly; and be it further

5th RESOLVED, that all other terms and conditions of Resolution No. 52-2007 shall remain in effect; and be it further

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (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: May 15, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 30, 2007

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2.

Intro. Res. No. 2535-2006
Introduced by Legislator D’Amaro

Laid on Table 12/5/2006

RESOLUTION NO. 53 -2007, ADOPTING LOCAL LAW NO. 3 -2007, A LOCAL LAW TO FACILITATE SCREENING OF HOT-LINE EMPLOYEES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on December 5, 2006, a proposed local law entitled, "**A LOCAL LAW TO FACILITATE SCREENING OF HOT-LINE EMPLOYEES**"; now, therefore be it

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

LOCAL LAW NO. 3 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO FACILITATE SCREENING OF HOT-LINE EMPLOYEES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 20-2005 requires agencies providing hot-line service, under a County contract, to children who are victims of sexual abuse to screen their employees to ensure that their employment does not pose an unreasonable risk to the vulnerable minors they serve.

This Legislature further finds that obtaining a criminal history record from the New York State Division of Criminal Justice Services (DCJS) is a critical component of the screening process required pursuant to Local Law No. 20-2005.

This Legislature further finds and determines that the DCJS now advises the County that it will not assist in the implementation of this local law unless several amendments are made to Local Law No. 20-2005.

Therefore, the purpose of this law is to amend Local Law No. 20-2005 (which is codified in Chapter 578 of the SUFFOLK COUNTY CODE), so that the screening of employees providing hot-line services to sexual abuse victims may proceed.

Section 2. Amendments.

Section 578 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 578 CHILD SEX ABUSE HOT-LINE SERVICE AGENCIES

* * *

§ 578-2. Screening of personnel.

- A. Any contractor shall be responsible for the recruitment of appropriate employees, the verification of credentials and references, the review of criminal record information in conjunction with the Youth Bureau, the screening of all [current and] prospective employees, the selection and hiring of all employees necessary to furnish hot-line services and the periodic updating of such information obtained from the implementation of this section. The Director of the Youth Bureau/Children's Services is authorized, empowered, and directed to enter into agreements with New York State Division of Criminal Justice Services, or any successor agency thereto as may be necessary or appropriate to implement the requirements of this chapter.
- B. Screening.
 - (1) Screening shall include, but not be limited to, the following:
 - (a) Fingerprinting;
 - (b) Review of criminal convictions and pending criminal actions in conjunction with the Youth Bureau and the contractor;
 - (c) Inquiry as to persons 18 years of age and older with the Statewide Central Register of Child Abuse and Maltreatment and review of the results of the inquiry in conjunction with the Youth Bureau and the contractor;

- (d) Prior to allowing any new employee or volunteer to work at an agency contracted with the County of Suffolk to provide hot-line services, an inquiry shall be made to the New York State Sex Offender Registry. A completed verification form prescribed by the Youth Bureau shall be filed with the Contract Administrator at the Youth Bureau within three business days prior to the commencement of employment and shall be included as part of the facility's official record; and
 - (e) For prospective employees only, inquiry with the applicant's three most recent employers.
- (2) Any criminal history record (CHR) reply supplied by the State of New York Division of Criminal Justice Services, upon the submission of finger prints and the appropriate processing fee to DCJS, shall be received and reviewed by the Youth Bureau in conjunction with the contractor.
- C. In accordance with the standards set forth in New York Correction Law, Article 23-A, [T]the conviction of employees of a crime involving a sex offense against or involving a minor, the sale of a controlled substance to a minor, or violence against a minor shall disqualify an employee from employment with any agency contracting with the County of Suffolk to provide hot-line services to children who are victims of sexual abuse, unless the employee has been granted a certificate of relief from disabilities, a certificate of good conduct, or a similar certificate from a jurisdiction outside the State of New York. Such certificate shall be issued by the court having jurisdiction over the conviction and shall specifically indicate that the authority granting such certificate has considered the bearing, if any, the criminal offense for which the person was convicted will have on the employee's certification as an employee of a hot-line service for children who are victims of sexual abuse. The Director of the Youth Bureau/Children's Services may, on the basis of such a certificate, permit the employment, notwithstanding the aforementioned criminal conviction(s).

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to

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

Section 6. Effective Date.

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

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

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 23, 2007

After a public hearing duly held on February 20, 2007
Filed with the Secretary of State on March 23, 2007

Legislator Eddington made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2. Legislators Barraga and Horsley were not present.

Intro. Res. No. 2565-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 54 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$25,500 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO FUND A MOTORCYCLE SAFETY ENFORCEMENT PROGRAM WITH 84.75% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$25,500 in Federal Highway Safety pass-through monies to fund a program allowing the Suffolk County Police Department to continue to conduct enforcement activities to effectively reduce the number of motorcycle fatalities in Suffolk County; and

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

WHEREAS, said grant funds totaling \$25,500 have not been included in the 2006 Suffolk County Operating Budget; now, therefore be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4356-Federal Aid: Motorcycle Safety Enforcement	\$25,500

ORGANIZATIONS:

Police Department (POL)
Motorcycle Safety Enforcement 2007
115-POL-3298

<u>1000-Personal Services</u>	<u>\$25,000</u>
1120-Overtime Salaries	25,000
<u>3000-Supplies, Materials & Others</u>	<u>\$ 500</u>
3110-Printing Supplies	500

and be it further

2nd RESOLVED, that the fringe benefits associated with the overtime salaries for this grant are included in the 2006 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-0-2. Legislators Barraga and Horsley were not present.

Intro. Res. No. 1008-2007
Introduced by Legislator Losquadro

Laid on Table 1/2/2007

RESOLUTION NO. 55 -2007, ACCEPTING DONATION OF TWO (2) ALL TERRAIN VEHICLES (ATV'S) FROM THE TOWN OF BROOKHAVEN FOR THE SUFFOLK COUNTY POLICE DEPARTMENT

WHEREAS, the Town of Brookhaven has offered to transfer as a gift two (2) All Terrain Vehicles (ATV's) to the County of Suffolk; and

WHEREAS, these vehicles would be utilized by the COPE Unit for the 6th Precinct of the Suffolk County Police Department for additional patrol assistance; now, therefore be it

1st RESOLVED, that the donation of the following vehicles is hereby accepted for use by the Suffolk County Police Department COPE Unit of the 6th Precinct:

<u>Year:</u>	<u>Make/Model:</u>	<u>Vehicle Number:</u>
2001	Yamaha Quad	JY4AM01321A006992
2003	Yamaha Quad	JH3TE19013K80735

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 15-0-0-3. Deputy Presiding Officer Vioria-Fisher and Legislators Barraga and Horsley were not present.

Intro. Res. No. 2580-2006
Introduced by Presiding Officer Lindsay

Laid on Table 12/19/2006

RESOLUTION NO. 56 -2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (ANDREA R. NEUBAUER)

WHEREAS, the term of office of Andrea R. Neubauer as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Andrea R. Neubauer as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that Andrea R. Neubauer is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

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

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

Legislator Browning made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 15-0-0-3. Deputy Presiding Officer Vilorio-Fisher and Legislators Barraga and Horsley were not present.

Intro. Res. No. 2581-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 57 –2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (STEVE KAMVAKIS)

WHEREAS, the term of office of Steve Kamvakis as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Steve Kamvakis as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that Steve Kamvakis is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules,

policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 15-0-0-3. Deputy Presiding Officer Viloria-Fisher and Legislators Barraga and Horsley were not present.

Intro. Res. No. 2582-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 58 –2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (JOHN J. MCGARVEY)

WHEREAS, the term of office of John J. McGarvey as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint John J. McGarvey as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that John J. McGarvey is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

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

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 16-0-0-2. Legislators Barraga and Horsley were not present.

Intro. Res. No. 2584-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 59 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR 80% FEDERAL AID FOR SUFFOLK COUNTY TRANSIT BUS ROUTE S92 SERVICE ENHANCEMENTS

WHEREAS, Federal Aid has been made available to the County for a period of three (3) years for the purpose of the County providing service enhancements to Suffolk County Transit Bus Route S92; and

WHEREAS, said Federal Aid which is being administered by the New York State Department of Transportation and will provide 80% of the cost of the service enhancements; and

WHEREAS, the Federal Aid available for the initial term amounts to \$264,000 or 80% of the total eligible project cost with the County providing \$66,000 or 20% of the total cost of \$330,000 for the period of October 1, 2006 through September 30, 2007; and

WHEREAS, sufficient funds as well as the revenue estimates have been included in both the 2006 and 2007 Operating Budgets; now, therefore be it

1st RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute a grant agreement with the New York State Department of Transportation to receive Federal Aid for this project.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-0-1-0. Legislator Alden abstained.

Intro. Res. No. 2588-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 60 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH ESTEE LAUDER, INC. (HU-1036)

WHEREAS, Estee Lauder, Inc. is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Estee Lauder, Inc. has petitioned and requested the Administrative Head of the District for permission to discharge an additional 15,000 gallons per day to a connection previously approved for 52,840gpd; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity (or the current Connection Fee rate should the Suffolk County Sewer Agency adopt a new one); with an additional daily flow of 15,000 gallons, for a total connection fee of \$225,000.00 and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 - Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2604-2006
Introduced by Presiding Officer Lindsay

Laid on Table 12/19/2006

RESOLUTION NO. 61 –2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (ROBERT PEARCE)

WHEREAS, the term of office of Robert Pearce as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Robert Pearce as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that Robert Pearce is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

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

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 2605-2006
Introduced by Presiding Officer Lindsay

Laid on Table 12/19/2006

RESOLUTION NO. 62 –2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (KARL W. KLUG)

WHEREAS, the term of office of Karl W. Klug as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Karl W. Klug as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that Karl W. Klug is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

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

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 2606-2006
Introduced by Presiding Officer Lindsay

Laid on Table 12/19/2006

RESOLUTION NO. 63 –2007, REAPPOINTING MEMBER TO THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (MARC H. AUERBACH)

WHEREAS, the term of office of Marc H. Auerbach as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 will expire on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint Marc H. Auerbach as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that Marc H. Auerbach is hereby reappointed as a member of the Suffolk County Traffic Safety Board for a term of office to expire December 31, 2009, pursuant to the provisions of Section C29-3 of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules,

policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 29-3 OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 1007-2007

Laid on Table 1/2/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 64 –2007, CONFIRMING APPOINTMENT OF COMMISSIONER OF PUBLIC WORKS

WHEREAS, the Commissioner of the Suffolk County Department of Public Works is appointed by the County Executive, subject to approval by the Suffolk County Legislature, under Section 8-1(A) of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Charles J. Bartha, the previous Commissioner of Public Works, has resigned, leaving the position vacant; and

WHEREAS, Steve Levy, the County Executive of Suffolk County, wishes to appoint a new Commissioner of Public Works; and

WHEREAS, Steve Levy, the County Executive of Suffolk County, has appointed Gilbert A. Anderson, P.E., currently residing at 114 Belle Terre Road, Port Jefferson, New York 11777, as Commissioner of the Suffolk County Department of Public Works; now, therefore be it

1st RESOLVED, that the appointment of Gilbert A. Anderson, P.E., currently residing at 114 Belle Terre Road, Port Jefferson, New York 11777, as Commissioner of the Suffolk County Department of Public Works, is hereby approved, commencing on the date of approval of this resolution, pursuant to Section 9-2 of the SUFFOLK COUNTY CHARTER, to serve at the pleasure of the County Executive.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 9, 2007

GILBERT A. ANDERSON, P.E.
114 BELLE TERRE ROAD
PORT JEFFERSON, NY 11777
516 - 331 - 6215

EXPERIENCE:

Chief Deputy Commissioner of Public Works
Suffolk County

July 2006 - Present

Management and coordination of Department of Public Works for Suffolk County, New York. Duties include development, design review and oversight of public works construction projects; management of consultants; budget development; administration of DPW divisions including Highway Engineering, Operation and Maintenance, Sanitation Engineering, Operations and Maintenance; Buildings Design and Construction; Transportation; Vector Control; Purchasing; Printing; and Facilities Engineering. Duties require a high level of contact and liaison with County officials, constituents, contractors and consultants.

Commissioner of Public Works / Executive Director of TNH Solid Waste Management Authority
Town of North Hempstead

January 2002 – July 2006

Management and coordination of municipal public works and solid waste departments in L.I. / N.Y. metropolitan township. Duties included development, design review and oversight of public works construction projects; management of consultants; budget development; supervision of department staff including Engineering, Solid Waste and Highway Departments; oversight of street and infrastructure maintenance including Town's Sidewalk District and Street Lighting District; interpretation of contracts, specifications, codes and regulations; site planning review; and claim review. Duties required a high level of contact and liaison with Town officials, constituents, contractors and consultants.

Senior Civil Engineer

Town of Smithtown Department of Engineering, Smithtown, New York

May 2001 – January 2002

Management and supervision of municipal engineering department for a L.I./N.Y. metropolitan township. Duties include scoping, development, design, and oversight of public works construction projects; management of consultant Engineers and Architects; departmental and capitol budget development and implementation; supervision of department staff; interpretation of contracts, specifications, codes and regulations; site planning review; and claim review. Duties require a high level of contact and liaison with Town officials, constituents, contractors and consultants.

Deputy Commissioner of Public Works

Town of North Hempstead Dept. of Public Works, New Hyde Park, NY

September 1994 - May 2001

Management and coordination of municipal public works department in L.I. / N.Y. metropolitan township. Duties included development, design review and oversight of public works construction projects; management of consultants; budget development; supervision of department staff; oversight of street and infrastructure maintenance including Town's Sidewalk District and Street Lighting District; interpretation of contracts, specifications, codes and regulations; site planning review; and claim review. Duties required a high level of contact and liaison with Town officials, constituents, contractors and consultants.

Project Manager/Design Engineer

Evans & Posthuaer, Civil Engineers, Hicksville, NY

July 1993 - September 1994

Design, management and coordination of engineering and technical support, including sub-consultants, preparation of project reports, construction plans, specifications, estimates and related documentation for municipal clients. Duties required high level of contact with clients in acquiring new work, preparation of proposals, cost control, billing and collection.

Project Manager/Design Engineer

Sidney B. Bowne & Son, Civil Engineers, Smithtown - Mineola, NY

November 1977 - July 1993

Design, coordination, and preparation of varied projects for both public and private clients. Responsible for direct client contact in obtaining new work, expediting existing projects, billing, collection as well as providing full construction management, inspection and requisition review services.

SKILLS:

Fully competent in the following disciplines of Civil Engineering:

- Highway and Street Design and Redevelopment
- Construction Project Management and Inspection.
- Site and Land Planning, Layout and Design.
- Land and Construction Surveying.
- Traffic Study and Analysis.
- Small Building Design and Redevelopment.
- Storm water Drainage Facilities.
- Sanitary Sewage Collection & Treatment Facilities.
- Water Supply Distribution and Pumping Facilities.
- Strong Competency in CADD and COGO.
- Soil Engineering and Analysis.
- Concrete Design including Retaining Walls.

EDUCATION AND CERTIFICATION:

New York State Licensed Professional Engineer, license no. 71698.
A.A.S. Civil Technology, State University of New York at Farmingdale, NY, 1976.

PERSONAL DATA: Marital Status: Married Date of Birth: 12 November 1956

ADDITIONAL ORGANIZATIONS: Port Jefferson Village Zoning Board Of Appeals
BSA Troop 45

REFERENCES: Available upon request.

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

Intro. Res. No. 2490-2006 Laid on Table 12/5/2006
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 65 -2007, AUTHORIZING THE CONVEYANCE OF PARCEL BEARING SUFFOLK COUNTY TAX MAP NUMBER 0500-002.00-01.00-002.001 TO THE STATE OF NEW YORK PURSUANT TO SECTION 850 OF THE COUNTY LAW

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, bounded and described as follows:

BEGINNING at a point on the East line of the land of the County of Suffolk, said point of beginning being the following two courses and distances from the intersection of the South line of Veterans Memorial Highway (C.R. 78) with the West line of Harrison Avenue: (1) along the South line of Veterans Memorial Highway (C.R. 78) South 85° 07' 13" West, 59.00

feet to the land of the County of Suffolk, (2) along the East line of the land of the County of Suffolk, South 00° 26' 45" East, 139.44 feet to the point of beginning; running thence from said point of beginning along other lands of the State of New York, the following two courses and distances: (1) in an Easterly direction along the arc of a curve bearing to the right, having a radius of 11,481.16 feet, the distance of 993.79 feet to a point and (2) South 80° 01' 58" East, 471.55 feet to a point and other lands of the State of New York (Department of Transportation); thence along the lands of the State of New York (Department of Transportation), South 03° 06' 13" East, 590.08 feet to a point and other lands of the State of New York; thence along other lands of the State of New York in a Southwesterly direction on an arc of a curve bearing to the left, having a radius of 5189.96 feet, the distance of 1742.98 feet to the land of the Town of Islip; thence along the land of the Town of Islip, South 80°34' 06" West, 272.03 feet to a point and other lands of the State of New York; thence along other lands of the State of New York, North 37° 33' 56" West, 455.72 feet to a point and land of the County of Suffolk; thence along the land of the County of Suffolk, the following two courses and distances: (1) North 00° 22' 05" East, 1139.05 feet to a point; (2) North 00° 26' 45" West, 805.11 feet to the point and place of beginning, containing 2,392,013 square feet or 54.913 acres of land, more or less; all bearings being referred to True North.

And described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 002.00, Block 01.00, Lot 002.001; and

WHEREAS, the County of Suffolk acquired title to the subject parcel from the State of New York pursuant to an agreement and supplemental agreement entered into in 1969 and 1970 respectively, between the County of Suffolk and the People of the State of New York, as authorized under section 850 of the New York State County law, for the purpose of the County of Suffolk constructing the State Office Building located on Veterans Highway in Hauppauge, New York; and

WHEREAS, pursuant to the terms of the aforesaid agreements and in accordance with Section 850 of the New York State County Law, the County of Suffolk issued and sold bonds to finance the costs of the construction of the State Office Building, which upon completion was leased back to the State of New York for its use; and

WHEREAS, the aforesaid lease expires on December 31, 2008, or until earlier payment of the principal of and interest on all outstanding bonds and notes; and

WHEREAS, upon expiration of the lease, the County of Suffolk is to re-convey the subject parcel to the State of New York; and

WHEREAS, the debt attributable to the State Office Building has been fully retired; and

WHEREAS, the State of New York has requested re-conveyance of the subject parcel (Exhibit "A"); now, therefore be it

1st **RESOLVED**, that the Director of Real Property Acquisition and Management or her Deputy, is hereby authorized to execute and acknowledge the Quitclaim deed in the form annexed (Exhibit "B") and on the terms and conditions described herein so as to convey the interest of the County of Suffolk in the above described parcel to the People of the State of New York for the sum of \$1.00; and be it further

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 12, 2007

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

Intro. Res. No. 2515-2006
Introduced by Legislators Horsley and Vilorio-Fisher

Laid on Table 12/5/2006

RESOLUTION NO. 66 -2007, AUTHORIZING THE DEPARTMENT OF INFORMATION TECHNOLOGY TO DEVELOP A WEBPAGE FOR THE TRACKING OF BROWNFIELDS PROPERTIES

WHEREAS, the Suffolk County Legislature adopted Resolution No. 1258-2006 (I.R. 1797-2006) for the purpose of authorizing the sale of tax liens of Brownfield properties at public auction, subject to legislative approval; and

WHEREAS, the County's website should be used to inform the general public as to which properties are considered Brownfields, and when tax liens to these properties will be auctioned; and

WHEREAS, this website should also describe the status of Brownfield sites, creating a clearinghouse for private companies to review Brownfield sites that may become available at public auction; now, therefore be it

1st **RESOLVED**, that pursuant to Section C20-3 of the SUFFOLK COUNTY CHARTER, the Department of Information Technology is hereby authorized, empowered and directed to work establish and implement a page or link on the County's website for the tracking of tax delinquent Brownfield sites, including the tax map number, physical location, status of the property, and date of any auction, within 120 days of the effective date of this Resolution; and

2nd **RESOLVED**, that pursuant to Section C42-3(A) of the SUFFOLK COUNTY CHARTER, the Department of Environment and Energy is hereby authorized, empowered and directed to advise and assist the Department of Information Technology by providing the necessary information required for the webpage; 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2554-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 67 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO SECTION 72-H OF THE
GENERAL MUNICIPAL LAW (TOWN OF BROOKHAVEN)
(SCTM NO. 0200-211.00-03.00-001.000)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 211.00 Block 03.00 Lot 001.000 and acquired by Tax Deed on April 21, 1982 from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 21, 1982 in Liber 9171 at Page 219 and described as follows, Town of Brookhaven, Map of Highland Park Plate 32, Map No. 287, Lot 393. Filed in the Office of the Clerk of Suffolk County on October 30, 1905; and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Brookhaven has requested that the County of Suffolk convey this parcel to it (see annexed resolution - Exhibit "A"); and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of this parcel; and

1st **RESOLVED**, that Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, or her Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the above described terms and conditions to said Town of Brookhaven for the sum of \$3,002.21 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for highway purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcels for other than highway 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 highway purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed issued by Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, 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 governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee 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 the above described public governmental purposes; or 3) the grantee 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 violates Resolution No. 256-1998; and be it further

4th **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).

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 2559-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 68 -2007, AUTHORIZING THE
SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT RICHARD E. ALBRECHT (SCTM
NO. 0500-346.00-03.00-066.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 346.00, Block 03.00, Lot 066.000, and acquired by tax deed on May 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006, in Liber 12449, at Page 773, and otherwise known as and by Town of Islip, North by now or formerly Richard E. Albrecht as Executor of the Estate of Luella Albrecht; East by Carleton Avenue (C.R. 17); South by now or formerly Richard E. Albrecht 50% interest and Richard E. Albrecht as Executor of the Estate of Luella Albrecht 50% interest; West by now or formerly Richard E Albrecht 50% interest and Richard E. Albrecht as Executor of the Estate of Luella Albrecht 50% interest; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006 in Liber 12449 at Page 773.

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

WHEREAS, RICHARD E. ALBRECHT has made application of said above described parcel and RICHARD E. ALBRECHT has paid the application fee and \$40,869.49, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

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

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

Intro. Res. No. 2560-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 69 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MILDRED LENTINI (SCTM NO. 0200-978.80-05.00-030.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 978.80, Block 05.00, Lot 030.000, 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 Lot No. 95 as shown on a certain map entitled, “Map of Shirley, Long Island, Unit E” and filed in the Suffolk County Clerk’s Office on March 27, 1951 as Map No. 1827; 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 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, MILDRED LENTINI has made application of said above described parcel and MILDRED LENTINI has paid the application fee and \$574.89, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MILDRED LENTINI, 28 Ashwood Drive, Shirley, New York 11967 to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

Intro. Res. No. 2563-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 70 -
2007, AUTHORIZING AN INCREASE IN RENT FOR SPACE
LOCATED AT 1121 AND 1117 DEER PARK AVENUE,
DEER PARK, NEW YORK FOR USE BY THE
DEPARTMENT HEALTH SERVICES**

WHEREAS, the County of Suffolk, Department of Health Services, has been a holdover tenant at premises located at 1121 and 1117 Deer Park Avenue, Deer Park, New York pursuant to a lease that expired on June 30, 2003; and

WHEREAS, during the period subsequent to the expiration of the lease there were attempts by the parties to renegotiate the lease, however a determination was made that the subject premises could not cost effectively be renovated to satisfy County building specifications; and

WHEREAS, the Landlord at the subject premises consented to the County's holdover status while the County searched for new premises for the health services provided from said location; and

WHEREAS, there has been no rent increase during the period of the County's holdover at the subject premises; and

WHEREAS, the Landlord has requested an increase to the monthly rent for the period commencing September 1, 2006 through December 31, 2006 in the amount of \$350.00 per month, from \$3,560.07 to \$3,910.07; and

WHEREAS, the Space Management Steering Committee recommended the approval of the increased rent on October 19, 2006; and

WHEREAS, sufficient funds have been provided in the 2006 Operating Budget for lease payments for the subject premises; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(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 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a letter agreement in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed, to provide for the monthly rent of \$3,560.07 to increase by \$350.00 to \$3,910.07, retroactive to September 1, 2006.

DATED: February 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1004-2007

Laid on Table 1/2/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 71 -2007, AUTHORIZING THE SALE PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ALFRED A. SMITH, Executor of the Estate of Marie Smith a/k/a Marie Smith Divine (SCTM NO. 0200-980.50-03.00-017.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 980.50, Block 03.00, Lot 017.000, and acquired by tax deed on July 31, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 1, 2003, in Liber 12264, at Page 691, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York and described as follows, to wit: Lot Nos. 2752, 2753, 2754 & 2755 as designated and delineated on the map entitled, "Fifth Map of Mastic Beach, Suffolk County, Long Island, New York" and filed in the Suffolk County Clerk's Office on 09/02/1930, Map No. 1005; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 31, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 1, 2003 in Liber 12264 at Page 691.

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, ALFRED A. SMITH, Executor of the Estate of Marie Smith a/k/a Marie Smith Divine has made application of said above described parcel and ALFRED A. SMITH, Executor of the Estate of Marie Smith a/k/a Marie Smith Divine, has paid the application fee and \$26,721.42, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ALFRED A. SMITH, Executor of the Estate of Marie Smith a/k/a Marie Smith Divine, 3159 Saint Andrews Drive, Chambersburg, Pennsylvania 17201, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

Intro. Res. No. 1005-2007

Laid on Table 1/2/2007

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

RESOLUTION NO. 72 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THOMAS CONT a/k/a THOMAS CONTE AND MARY CONTE, his wife (SCTM NO. 0800-078.00-04.00-027.001

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 078.00, Block 04.00, Lot 027.001, and acquired by tax deed on May 3, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006, in Liber 12449, at Page 774, and otherwise known as and by Town of Smithtown, bounded now or formerly north and west by Thomas and Mary Conte, bounded now or formerly east and south by Kevin and Kelley Nolan; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 3, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006 in Liber 12449 at Page 774.

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

WHEREAS, THOMAS CONTE and MARY CONTE have made application of said above described parcel and THOMAS CONTE and MARY CONTE have paid the application fee and \$386.36, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to THOMAS CONT a/k/a THOMAS CONTE and MARY CONTE, his wife, 5 Kent Place, Smithtown, New York 11787, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 9, 2007

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

Intro. Res. No. 1009-2007
Introduced by Legislators Montano and Kennedy

Laid on Table 1/2/2007

RESOLUTION NO. 73 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT (LAURA KEENAN AS ADMINISTRATRIX OF THE ESTATE OF ANNE C. GRIMILA) (SCTM NO. 0500-163.00-01.00-009.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 163.00, Block 01.00, Lot 009.000, and acquired by tax deed on October 16, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 21, 2003, in Liber 12279, at Page 096, and otherwise known as and by Town of Islip, known and designated on a certain map entitled "Map of Loretta (The New Town), Section 3, situated near Brentwood, Property of Wm. H. Moffitt Realty Co., New York City and Main Street, Bay Shore, N.Y. surveyed by Robert Kurz, C.E. & S., Jamaica, New York" and filed in the Office of the Clerk of the County of Suffolk on April 26, 1905 as Map No. 474, as and by Lots 3056 to 3058; 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 October 16, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 21, 2003 in Liber 12279 at Page 096.

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, LAURA KEENAN as Administratrix of the Estate of Anne C. Grimila, has made application of said above described parcel and LAURA KEENAN as Administratrix of the Estate of Anne C. Grimila, has paid the application fee and will be paying \$44,854.43 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

1st RESOLVED, that 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 administrator and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LAURA KEENAN as Administratrix of the Estate of Anne C. Grimila, 12 Audubon Street, Nesconset, New York 11767, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: February 6, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED FEBRUARY 21, 2007

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

Intro. Res. No. 1011-2007

Laid on Table 1/2/2007

Introduced by Legislator Losquadro

**RESOLUTION NO. 74 -2007, APPROVING THE
APPOINTMENT OF A RELATIVE OF A COUNTY JUDGE
IN THE SUFFOLK COUNTY LEGISLATURE**

WHEREAS, §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of a Suffolk County District Court Judge, Suffolk County Family Court Judge, Suffolk County Court Judge, Suffolk County Surrogate, Suffolk County Supreme Court Justice, or Judge of any court, when the position will not be filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, Lori Murphy, wife of County Court Judge Glenn Murphy, has been offered employment in the Legislature's 6th District Office as a Legislative Aide; now, therefore be it

1st RESOLVED, that the appointment of Lori Murphy as a Legislative Aide for the 6th Legislative District of the Suffolk County Legislature is hereby approved pursuant to §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; 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: February 6, 2007

APPROVED BY:

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

Date: February 7, 2007

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

Intro. Res. No. 1016-2007

Laid on Table 1/2/2007

Introduced by Legislators Romaine, Alden, Lindsay, Schneiderman, Stern, D'Amaro and Mystal

RESOLUTION NO. 75 –2007, DIRECTING THE COUNTY ATTORNEY TO FILE AN AMICUS CURIAE BRIEF ON BEHALF OF SUFFOLK COUNTY MEDICARE BENEFICIARIES

WHEREAS, a class action lawsuit filed against the United States Department of Health and Human Services on behalf of Medicare beneficiaries in Suffolk, Nassau, Westchester and Rockland counties is pending in Federal District Court; and

WHEREAS, this lawsuit alleges that disparities in the Medicare Plus Choice coverage between New York City and its surrounding suburban counties is unconstitutional; and

WHEREAS, this lawsuit further alleges that Medicare Plus Choice reimbursement to HMOs does not account for high cost suburban regions, giving HMOs an incentive to stop providing coverage in counties like Suffolk; and

WHEREAS, thousands of seniors on Long Island lost their health insurance coverage because of HMO withdrawals which, in turn, caused seniors to pay higher premiums to those HMOs that still service suburban counties; and

WHEREAS, the County of Suffolk wishes to support Suffolk County seniors and the lawsuit that seeks redress on their behalf; now, therefore be it

1st RESOLVED, that the Suffolk County Attorney is hereby authorized, empowered, and directed to file an Amicus Curiae ("Friend of the Court") Brief supporting the position of Plaintiffs in the case, Anderson v Leavitt at el, Docket Number 03-6115, presently pending before Justice Hurley in the Federal District Court for the Eastern District; 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: February 6, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: February 16, 2007

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

Intro. Res. No. 1093-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 76 -2007, ACCEPTING AND APPROPRIATING FUNDS FROM NEW YORK STATE IN THE AMOUNT OF \$425,810.70 TO BE ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, as part of its Disaster Planning and Preparedness Program, New York State has appropriated in its FY2006 Budget, \$425,810.70 for Suffolk County to support emergency management and disaster preparedness initiatives to be implemented by the Department of Fire, Rescue & Emergency Services; and

WHEREAS, A.12045/S.8471 Budget Article VII indicates that commencing state fiscal year April 1, 2006, counties or cities shall receive from monies appropriated by the legislature an amount equal to the population of such county or city multiplied by thirty cents; and

WHEREAS, monies shall be used by such counties or cities for the purpose of funding local disaster planning and preparedness programs, including coordination of disaster preparedness plans and purposes with the cities, towns and villages within such counties; and

WHEREAS, notification has been received that an extension through March 31, 2008; will be applied for; and

WHEREAS, the said funds have not been included in the 2007 Operating Budget; and

WHEREAS, funding will be used to create and fill four (4) part-time Resource Management Officers in the department's Emergency Management Office; now, therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept \$425,810.70 and appropriate said grant funds as follows:

REVENUES

AMOUNT

001-FRE-3305

\$425,810.70

ORGANIZATION

Suffolk County Dept of Fire, Rescue & Emergency Services

Domestic Preparedness Support

001-FRE-3409

1000 – Personnel Services

\$100,411

1100 – Permanent Salaries

\$ 78,720

1120 – Overtime

\$ 21,691

2000 – Equipment

\$ 42,638

2010 – Furniture & Furnishings

\$ 10,888

2020 – Office Machines

\$ 3,550

2500 – Equipment – Other

\$ 28,200

3000 – Supplies

\$113,510

3030 – Photostat, Photograph, Blueprint

\$ 100

3250 – Building Materials

\$111,250

3500 – Supplies – Other

\$ 2,160

4500 – Contractual Expenses

\$159,028

4560 – Fees for Services – Non Employees

\$159,028

Employee Benefits

Social Security

001-EMP -9030

Employee Benefits

\$ 7,684

8330 – Social Security

\$ 7,684

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

<u>Employee Benefits</u>	<u>\$ 2,539</u>
8280 – Retirement	\$ 2,539

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

3rd RESOLVED, that the following positions be and they hereby are created in the Department of Fire, Rescue & Emergency Services as follows:

Department of Fire, Rescue & Emergency Services
001-FRE-3409

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>	<u>No. Created</u>
3409-0100-0001/2/3/4	5808	Resource Mgt Officer	C	17	4

and be it further

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

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of the 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 of 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: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

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

Intro. Res. No. 1152-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 77 –2007, ACCEPTING AND
APPROPRIATING 100% ADDITIONAL FEDERAL AND STATE
AID FROM THE NEW YORK STATE OFFICE OF ALCOHOL
AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR
YMCA OF LONG ISLAND, INC. AND AMENDING THE 2007
SUFFOLK COUNTY OPERATING BUDGET TO TRANSFER
FUNDING TO YMCA OF LONG ISLAND, INC.**

WHEREAS, the 2006-2007 New York State Legislative Enacted Budget included a 2.8 percent cost of living adjustment (COLA) for certain chemical dependence prevention and treatment programs; and

WHEREAS, the 2006-2007 New York State Legislative Enacted Budget also included additional 100% Federal and State Aid to facilitate agency conversion from non-medically supervised outpatient services to medically supervised outpatient services; and

WHEREAS, the Division of Community Mental Hygiene Services worked cooperatively with the NYS OASAS Long Island Field Office, YMCA of Long Island, Inc. and Concepts for Narcotics Prevention to develop a plan to best utilize this federal, state and local funding for the provision of prevention and treatment services; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these funds are 100% Federal and State funded; and

WHEREAS, Resolution No. 81-2006 transferred \$296,411 in state and local funding for the provider agency Concepts for Narcotics Prevention from line-item designation to generic funding for Contracted Services in the 2006 Suffolk County Operating Budget; and

WHEREAS, the 2007 Suffolk County Operating Budget includes \$296,411 in generic funding for Contracted Services pending its reallocation to a designated provider agency; and

WHEREAS, the NYS OASAS Certification Bureau has approved the consolidation of YMCA of Long Island, Inc. and Concepts for Narcotics Prevention effective January 1, 2007; and

WHEREAS, these funds included in the 2007 Suffolk County Operating Budget need to be transferred; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate \$100,914 in additional grant funding as follows:

<u>REVENUES</u>	<u>\$100,914</u>
001- 3486 State Aid: Narcotics Addiction Control	\$ 4,826
001- 4491 Federal Aid: Alcoholism	\$ 96,088

ORGANIZATIONS

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

<u>XORG OBJECT NAME</u>	<u>2007 Adopted</u>	<u>2007 Mod Adopted</u>	<u>Change</u>
AYU1 YMCA of LI, INC.	\$726,647	\$827,561	+ \$100,914

and be it further

2nd **RESOLVED**, that the 2007 Suffolk County Operating Budget be and hereby is amended and the County Comptroller be and is hereby authorized to transfer funds as follows:

ORGANIZATIONS

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

<u>From:</u>	<u>2007 Adopted</u>	<u>2007 Mod Adopted</u>	<u>Change</u>
001-4310-4980 Contracted Services	\$763,988	\$467,577	- \$296,411

To:

001-4310-AYU1-4980 YMCA of LI, INC.	\$726,647	\$1,023,058	+ \$296,411
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and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with YMCA of Long Island, Inc.; and be it further

4th **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

5th **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

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

Intro. Res. No. 1153-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 78 -2007 ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR A HEALTH WORKFORCE RETRAINING INITIATIVE PROGRAM TO TRAIN PERSONNEL IN BASIC MEDICAL SPANISH

WHEREAS, the New York State Department of Health has awarded 100% State Aid in the amount of \$137,600 for a Health Workforce Retraining Initiative Program to Train Personnel in Basic Medical Spanish for the period 04/01/07-03/31/10; and

WHEREAS, this funding will be used to train Health Department staff with basic medical Spanish communication skills to more efficiently serve our Spanish-speaking patients; and

WHEREAS, this 100% State Aid in the amount of \$137,600 needs to be appropriated for a new Health Workforce Retraining Initiative Program to Train Personnel in Basic Medical Spanish to be overseen by Suffolk County Division of Patient Care Services; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these funds are 100% State funded; now, therefore be it

and Waste Management, to the Soil and Water Conservation District, even though it was eight grades higher than the highest ranking position in the Soil and Water Conservation District and even though the transfer has been determined to be in violation of the NEW YORK CIVIL SERVICE LAW, according to the County Personnel Director and even though the County Personnel Director concluded that:

- A.) Section 22 of the NEW YORK CIVIL SERVICE LAW directs that:
 - 1.) before any new position is created, a Duties Statement must be provided to the County Department of Personnel, Human Resources and Civil Service (Department) for classification in the appropriate title;
 - 2.) a new position shall be created only with the title approved and certified by the Department;
 - 3.) the movement of the Chief Environmental Analyst position, in effect, creates a new position in the Soil and Water Conservation District which cannot be classified in the Chief Environmental Analyst title; and
 - 4.) the position, therefore, cannot be placed in the Soil and Water Conservation District;
- B.) the scope of duties within the purview of a Chief Environmental Analyst is beyond what could be offered by placement in the Soil and Water Conservation District; and
- C.) there is no such staff in the Soil and Water Conservation District and no potential for appropriate usage of a Chief;
- D.) since a Chief Environmental Analyst position cannot be authorized in the Soil and Water Conservation District, certification for payment to an incumbent in that title would be withdrawn if the position moves from the Department of Environment and Energy; and
- E.) action must be taken to reverse the budget's move of this position; and

WHEREAS, the position of Chief Environmental Analyst is required within the Department of Environment and Energy to help encourage proper waste management and recycling and to seek affordable ways to reduce the volume of solid waste currently being produced; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to transfer funds as follows:

FROM:

Soil and Water Conservation District
001-8730

1000 – Personal Services (\$97,240)
1100 – Permanent Salaries (\$97,240)

TO:

Department of Environment and Energy
Office of Recycling and Waste Management
001-8230

1000 – Personal Services +\$97,240
1100 – Permanent Salaries +\$97,240

and be it further

2nd **RESOLVED**, that the following position is hereby transferred, as follows:

Soil and Water Conservation District
001-8730

<u>Title:</u>	<u>Spec No:</u>	<u>Grade:</u>	<u>Adopted:</u>	<u>Modified:</u>	<u>Change:</u>
Chief Environmental Analyst	9431	33	1	0	-1

Department of Environment and Energy
Office of Recycling and Waste Management
001-8230

<u>Title:</u>	<u>Spec No:</u>	<u>Grade:</u>	<u>Adopted:</u>	<u>Modified:</u>	<u>Change:</u>
Chief Environmental Analyst	9431	33	0	1	+1

and be it further

3rd **RESOLVED**, that this resolution shall take effect immediately and apply to the first payroll period occurring on or after the effective date of this resolution.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 15, 2007

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

Intro. Res. No. 1156-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 80 -2007, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR A HEALTH WORKFORCE RETRAINING INITIATIVE – HEALTHCARE WORKER TO LICENSED PRACTICAL NURSE PROGRAM

WHEREAS, the New York State Department of Health has awarded 100% State grant funds to the Department of Health Services for a Health Workforce Retraining Initiative – Healthcare Worker to Licensed Practical Nurse Program in the amount of \$231,797 for the period 04/01/07-03/31/10; and

WHEREAS, the purpose of this grant funding is to train healthcare workers in order to increase the number of available Licensed Practical Nurses in Suffolk County to help meet the growing demand for healthcare services; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these funds are 100% State funded; now, therefore be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$231,797 grant funds as follows:

REVENUES

001-3401: Public Health \$231,797

APPROPRIATIONS

Department of Health Services (HSV)
General Administration
Health Workforce Retraining Initiative - Healthcare Worker to Licensed Practical Nurse Program
001-HSV-4003

Contractual Expenses \$231,797
4560 Fees for Service: Non-employee \$231,797

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the vendor chosen to provide training for healthcare workers; and be it further

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

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

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

Intro. Res. No. 1158-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 81 –2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM RIVERHEAD CENTRAL SCHOOL DISTRICT TO RIVERHEAD COMMUNITY AWARENESS PROGRAM, INC. AND TO ACCEPT AND APPROPRIATE ADDITIONAL 100% STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOL AND SUBSTANCE ABUSE (NYS OASAS) FOR RIVERHEAD COMMUNITY AWARENESS PROGRAM, INC.

WHEREAS, the Suffolk County Department of Health Services, Division of Community Mental Hygiene Services worked cooperatively with the NYS OASAS Long Island Field Office, Riverhead Central School District and Riverhead Community Awareness Program, Inc. to develop a plan to best utilize State and local funding for the provision of prevention services in the Riverhead area; and

WHEREAS, the State has approved the transfer of funding from Riverhead Central School District to Riverhead Community Awareness Program, Inc. in order to maximize available resources and to promote efficiency in the operation of the program; and

WHEREAS, the transfer of funding from Riverhead Central School District to Riverhead Community Awareness Program, Inc. is not currently reflected in the Suffolk County Operating Budget; and

WHEREAS, the 2006-2007 New York State Legislative Enacted Budget included a 2.8 percent cost of living adjustment (COLA) for certain chemical dependence prevention programs; and

WHEREAS, the State has provided additional one-time only 100% State Aid of \$2,800 to Riverhead Community Awareness Program, Inc. to conduct a needs assessment in the Riverhead Central School District; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these funds are 100% State funded; now, therefore be it

1st RESOLVED, that the 2007 Suffolk County Operating Budget be and hereby is amended and the County Comptroller be and is hereby authorized to transfer funds as follows:

ORGANIZATIONS

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

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2007 Adopted</u>	<u>2007 Modified Adopted</u>	<u>Change</u>
AON1	RIVERHEAD CSD	\$12,784	\$0	- \$12,784
AOH1	RIVERHEAD COMMUNITY AWARENESS	\$142,899	\$155,683	+\$12,784

and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate this 100% State Aid funding as follows:

REVENUES

001-3486 State Aid: Narcotics Addiction Control \$7,072

ORGANIZATIONS

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

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2007 Adopted</u>	<u>2007 Modified Adopted</u>	<u>Change</u>
AOH1	RIVERHEAD COMMUNITY AWARENESS	\$142,899	\$149,971	+\$7,072

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Riverhead Community Awareness Program, Inc.; and be it further

4th 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

5th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: February 6, 2007

APPROVED BY:

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

Date: February 8, 2007

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

Mem. Res. No. 80 -2006
Introduced by Legislator Romaine

LOT 11/21/06

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
RIGHT-TO-RIDE LIVESTOCK ON FEDERAL LANDS ACT OF
2005**

WHEREAS, many individuals who enjoy recreational horse riding on public lands have been frustrated by the recent closure of many federal lands to use by horses; and

WHEREAS, there is a strong historical tradition of horseback riding and pack and saddle stock animal use on public federal lands throughout the country; and

WHEREAS, the use of public lands for equestrian purposes should be encouraged to preserve the quality of life of horseback riders and to recognize the historic use of public lands by horse, pack and saddle stock animals; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Senate bill S781 which would preserve the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other specifically designated areas, administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: February 8, 2007

s:\memres\mr-right-to-ride

ADJOURNED 4:14 P.M.
TIM LAUBE, CLERK OF THE LEGISLATURE