

FOURTH DAY
REGULAR MEETING

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

Legislators Browning and Mystal arrived at 9:36 a.m.
Legislator Caracappa arrived at 11:15 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

[THE MEETING WAS RECESSED AT 12:33 P.M. AND RESUMED AT 2:30 P.M.]

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

[THE MEETING WAS RECESSED AT 6:51 P.M. AND RESUMED AT 7:07 P.M.]

The Clerk called the roll and the following were found present: Presiding Officer Lindsay, Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Alden, Barraga, Kennedy, and Nowick.

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

Mem. Res. No. 1 -2007
Introduced by Legislator Romaine

LOT 2/6/2007

**MEMORIALIZING RESOLUTION IN SUPPORT OF
INSURANCE COVERAGE OF LONG-TERM MEDICAL CARE
FOR LYME DISEASE AND OTHER TICK BORNE RELATED
PATHOGENS**

WHEREAS, Lyme Disease and other tick borne pathogens strike many New Yorkers each year; and

WHEREAS, New York State Worker's Compensation Law and New York State Insurance Law do not specifically require that Lyme Disease and other tick borne pathogens be covered under individual and group health insurance policies or under worker's compensation; and

WHEREAS, legislation has been introduced in the New York State Assembly to require that Lyme Disease and other tick borne pathogens be covered under these laws; and

WHEREAS, this legislation will also ensure that long-term treatments are covered if such treatments are recommended by a physician licensed to practice in New York State; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill A.1041, which would amend the New York State Worker's Compensation Law and the New York State Insurance Law to require coverage of long-term medical care for those diagnosed with Lyme Disease and other tick borne pathogens; 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: March 6, 2007

s:\memres\mr-lyme-disease

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

Mem. Res. No. 2-2007
Introduced by Legislator Alden

LOT 2/6/2007

**MEMORIALIZING RESOLUTION IN SUPPORT OF
DEVELOPING AND IMPLEMENTING NEW TECHNOLOGIES
TO ENABLE BLIND AND VISUALLY IMPAIRED UTILITY
CUSTOMERS IN READING THEIR METERS**

WHEREAS, blind and visually impaired individuals are currently at a disadvantage when it comes to determining actual utility meter readings, i.e. water meters, electric meters and/or gas meters; and

WHEREAS, legislation has been introduced in the New York State Senate that would require the New York State Energy and Research Development Authority (NYSERDA) to

WHEREAS, although the region's highway infrastructure is overburdened, the public transportation sector remains largely underdeveloped, and new public transit systems may represent the best alternative to the growing traffic congestion problem in the region; and

WHEREAS, a new governmental framework is necessary to coordinate the different layers of government that private sector groups and community organizations must participate in the creation of a successful public transit system for the Peconic Bay region; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the State of New York to create the Peconic Bay Regional Transportation Council as outlined in Senate Bill No. S.1235 and Assembly Bill A.1735, which would establish a transportation action plan for the Peconic Bay region; 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: March 6, 2007

s:\memres\hr-peconic-bay-transportation-07

Deputy Presiding Officer Vioria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1061-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 82 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #264

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>
SOUTHAMPTON:				
0900-217.00-01.00-004.000				
Item # 77497.02	2005/06	\$11,412.44	\$0.00	\$11,412.44

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1064-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 83 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND CHARGE-
BACKS ON REAL PROPERTY CORRECTION OF ERRORS
BY: COUNTY LEGISLATURE (CONTROL # 762-2007)**

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# 762-2007

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	05/06		0200/132-4-1.7	32849.76	11648.85	21200.91
A	BROOKHAVEN	06/07		0200/554-3-3.2	40689.52	0	40689.52
A	BROOKHAVEN	06/07		0200/584-1-4.29	146014.33	102218.86	43795.47
A	BROOKHAVEN	06/07		0200/804-1-1.5	282131.62	175095.90	107035.72
A	BROOKHAVEN	05/06		0200/979.2-7-1	6409.61	2398.11	4011.50
C	EAST HAMPTON	06/07		0300/62-6-11.4	19780.18	6429.14	13351.04
A	HUNTINGTON	06/07 06/07		0400/150-3-111	13892.52	7510.69	6381.83
A	HUNTINGTON			0400/174-1-11.3	15462.92	11279.91	4183.01

A	HUNTINGTON	06/07		0400/189-3-67	24459.04	7838.80	6620.24
A	ISLIP	06/07		0500/289-4-67	10751.59	2857.17	7894.42

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

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro Res. No. 1133-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 84 -2007, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND
 CHARGEBACKS ON CORRECTION OR
 ERRORS/COUNTY TREASURER BY: COUNTY
 LEGISLATURE #259

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

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

Intro. Res. No. 1089-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 85 -2007, ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE NEW YORK STATE EDUCATION DEPARTMENT FOR A LIBERTY PARTNERSHIPS PROGRAM 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2006-2007 College Operating Budget provides \$101,518, including indirect costs, in anticipation of a Liberty Partnerships Program, funded by the New York State Education Department, for the period of July 1, 2006 through June 30, 2007; and

WHEREAS, the actual grant award includes an additional amount of \$10,152, bringing the total amount of the grant award to \$111,670, including indirect costs; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant amendment to the 2006-2007 College Budget on December 14, 2006 by Resolution No. 2006; and

WHEREAS, the College anticipates spending the \$10,152, including indirect costs, in accordance with the terms of said grant award before June 30, 2007; now, therefore be it

1st RESOLVED, that said 2006-2007 College Operating Budget be amended to reflect the increase in the grant award, from the New York State Education Department, for a Liberty Partnerships Program, in the amount of \$10,152, including \$1,106 in indirect costs, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: Liberty Partnerships: 818-GRT-3210-07	\$10,152

APPROPRIATIONS:	AMOUNT
Liberty Partnerships: 818-GRT-GC03-07	\$9,046

Suffolk County Community College
Liberty Partnerships Program
818-GRT-GC03-07

1000-Personal Services	\$5,022
1130-Temporary Salaries	\$2,318
1170-Part-time Instructors – Evening	\$2,140
1570-Full-time Overload-Evening	564

3000-Supplies & Materials	\$2,731
3010-Office Supplies	\$1,364
3500-Other: Unclassified	\$1,367

4300- Travel	\$633
4340-Travel: Other	\$633
4700-Miscellaneous	\$660
4700-Special Services	\$660

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1071-2007
 Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 86 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SAN REMO RIVIERA-SCHMIDT REVOCABLE TRUST PROPERTY, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the San Remo Riviera-Schmidt Revocable Trust Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.09± 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 January 17, 2007 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 January 23, 2007 of said recommendations; and

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

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

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

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

and 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: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1072-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 87 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE GREENS CREEK ADDITION – DUTCHMAN MOORING LLC PROPERTY, TOWN OF ISLIP

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 Greens Creek Addition – Dutchman Mooring LLC Property, Town of Islip”, pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±16.6 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 January 17, 2007 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 January 23, 2007 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 Greens Creek Addition – Dutchman Mooring LLC Property, Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1073-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 88 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SEATUCK CREEK WATERSHED ADDITION – GRAUSSO PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Seatuck Creek Watershed Addition – Grausso Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±10.5 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 January 17, 2007 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 January 23, 2007 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 Seatuck Creek Watershed Addition – Grausso Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and 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: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1074-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 89 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SAW MILL CREEK ADDITION – PATTERSON 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 Saw Mill Creek Addition – Patterson Property, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±2.5 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 January 17, 2007 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 January 23, 2007 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 Saw Mill Creek Addition – Patterson Property, Town of Riverhead 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: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1075-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 90 -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 – MCLAUGHLIN 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 – McLaughlin Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±0.443 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 January 17, 2007 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 January 23, 2007 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 – McLaughlin 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: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1104-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

RESOLUTION NO. 91 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES ADDITION – BURR PROPERTY, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Emerald Estates Addition – Burr Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of ±2.36 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 January 17, 2007 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 January 23, 2007 of said recommendations; and

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

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

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

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

and be it further

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

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

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1097-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 92 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY MENTAL HYGIENE SERVICES, FOR THE PROVISION OF COST OF LIVING ADJUSTMENTS (COLA) AND EXPANSION OF SERVICES FOR PEDERSON KRAG CENTER AND FEDERATION OF ORGANIZATIONS

WHEREAS, the New York State Office of Mental Health has awarded additional funding for a cost of living increase (2.8%) to the Department of Health Services, Community Mental Hygiene Services for Provider agencies for the period 1/1/07-12/31/07; and

WHEREAS, this COLA is effective January 1, 2007; and was calculated on the approved eligible State Aid by provider and was added to each eligible provider's funded program; and

WHEREAS, in addition to the COLA increase, the New York State Office of Mental Health 2007 State Aid letter allocated \$349,288 in 100% additional State Aid for the Pederson Krag Center School Based Mental Health Services Program; and

WHEREAS, in addition to the COLA increase, the New York State Office of Mental Health 2007 State Aid letter allocated \$82,750 in Offsite Service funding for Federation of Organizations for services provided to clients placed in crisis residences in Suffolk County; 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 they hereby are authorized to accept and appropriate this 100% additional State Aid funding as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-HSV-3493 State Aid: Community Support Services	\$985,466

ORGANIZATIONS:

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
Community Support Services
001-HSV-4330

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2007 Adopted</u>	<u>2007 Modified Adopted</u>	<u>+ Change</u>
ADJ1	CLUBHOUSE MED TRAINING	72,199	74,221	2,022
ADK1	CLUBHOUSE	679,461	698,318	18,857
ADK2	CLUBHOUSE DROP-IN	21,296	22,089	793
ADL1	CLUBHOUSE PSYC	327,786	336,964	9,178
AGP1	FAMILY SERVICE LEAGUE	75,832	78,655	2,823
AGZ1	FAMILY SERVICE LEAGUE CAPT	31,223	32,166	943
AGZ3	FAMILY SERVICE LEAGUE - CLUBHOUSE	27,388	28,155	767
AHH1	FAMILY SVC LG PARENT TO PARENT	84,086	87,505	3,419
AHH2	FAMILY SVC LEAGUE - COORD CHLD SVS	33,194	34,430	1,236
AHL1	FED ASSOC CONSUMER ENTRP SYSTEM	178,212	183,202	4,990
AHM1	FEDERATION OF ORGANIZATON	437,733	450,005	12,272
AHN1	FEDERATION MULTI CULTURAL CONF.	7,929	8,223	294
AHO1	FEDRATION - HOMELESS MENTALLY ILL	347,770	359,989	12,219
AHP2	FEDERATION OF ORGANIZATION	1,608,720	1,661,543	52,823
AIM1	HALI PSYCHOSOCIAL	377,568	389,027	11,459
AIN1	HALI ADVOCACY	183,459	190,276	6,817
AJS1	FEGS OF L.I. PSYCHOSOCIAL	129,091	133,518	4,427
ALC1	MARYHAVEN	658,280	676,711	18,431
ALG3	MEN HLTH ASSOC-C&Y YOUTH CONF TRNG	35,493	36,815	1,322
ALG4	MENTAL HLTH ASSOC ANTI-STIGMA	5,070	5,259	189
ALG5	MENTAL HEALTH ASSOC.	23,053	23,700	647
ANL2	PEDERSON KRAG SUPP CASE MGMT	305,216	313,772	8,556
APK1	SAYVILLE PROJ SUPP CASE MGMT	305,216	313,772	8,556
APK2	SAYVILLE PROJECT - DROP-IN	42,592	44,177	1,585
AQA1	SKILLS SPECIAL EMPLOYMENT	42,189	66,019	23,830
AQA2	SKILLS UNLIMITED	315,198	322,995	7,797
ASR1	SUNY SAYVILLE PROJECT	283,765	291,710	7,945
CAB1	FEGS - CSS	28,732	29,812	1,080
CAD1	FAMILY SVC LG THERAPEUTIC REC	73,042	76,038	2,996

DDD1	MENTAL HEALTH ASSOCIATION	76,183	79,019	2,836
GBD1	FEDERATION - REP PAYEE	118,255	121,566	3,311
GBE2	F.E.G.S. - DROP-IN	85,185	88,357	3,172
GBF1	MENTAL HLTH ASSOC - ADVOCACY	81,127	84,147	3,020
GBF2	MENTAL HLTH ASSOC - ELEC EMPOWER	30,423	31,555	1,132
GBG1	FEDERATION - ADVOCACY	166,463	172,660	6,197
GBG2	FEDERATION - RESPITE	31,022	32,176	1,154
GBG3	FEDERATION - DROP-IN	106,480	110,444	3,964
GBQ1	ADELANTE - DROP IN	62,655	64,242	1,587
GCY1	FED OF ORG. RESPITE HOUSING	36,665	38,030	1,365
GFK1	CLUBHOUSE ASST COMP EMP	179,872	184,908	5,036
GGF1	PEDERSON KRAG - MICA/TFIP	427,251	443,502	16,251
GGG1	PEDERSON KRAG - FAM SUPP & RESPITE	225,310	234,366	9,056
GGH1	PEDERSON KRAG- C & Y TRAINING	10,788	11,178	390
GGP1	FECS PSYCH REHAB SPEC EMP	34,378	35,344	966
GGQ1	ADELANTE PSYCH REHAB SPEC EMP	50,000	51,400	1,400
GGR1	F.R.E.E. PSYCH REHAB SPEC EMP	150,000	154,200	4,200
GJP1	FEDERATION SERVICE ENRICHED SRO	593,328	693,503	100,175
GKQ1	FECS OF LI - TRANS/MED MGT	447,052	459,579	12,527
GKR1	LONG ISLAND FAMILIES TOGETHER	35,051	36,165	1,114
GKU1	PEDERSON-KRAG CLINIC (AOT)	13,338	14,326	988
GKX1	FECS OF LI - DSS PROJECT	38,822	41,214	2,392
GNR1	FED OF ORG SUPP CASE MGMT	686,736	705,987	19,251
GNS1	CLUBHOUSE OF SUFFOLK SUPP CASE MGT	305,216	313,772	8,556
GNT1	ADELANTE PSYCHOSOCIAL CLUB	48,719	50,083	1,364
GPA1	FEDERATION PEER BRIDGER	162,254	168,294	6,040
GPB1	PHOENIX HOUSE RESIDENTIAL PROGRAM	104,545	107,472	2,927
GPC1	HALI PEER ADVOCACY	163,724	170,876	7,152
GPD1	FECS OF LI PRE-ARREST FORENSIC PROG.	43,270	45,452	2,182
GPE1	FED PRE-ARREST FORENSIC PROG.	106,604	110,559	3,955
GPF1	HALI PRE-ARREST FORENSIC	106,604	110,559	3,955
GPH1	CLUBHOUSE SUFFOLK SUPPORTED ED	61,800	63,530	1,730
GPJ1	FSL CHILDRENS SUPPORTIVE CASE MGMT	256,860	267,680	10,820
GPM1	PEDERSON KRAG SPOA	125,055	154,723	29,668
GSJ1	MARYHAVEN CSS TRANSPORTATION	808,622	838,726	30,104
GST1	PEDERSON KRAG SCHOOL SUPPORT	107,944	460,258	352,314
GSV1	FEDERATION SINGLE POINT OF ENTRY	391,653	402,323	10,670
GTJ1	F.R.E.E. INTERGRATED EMPLOYMENT	27,600	33,110	5,510
GTL1	FEDERATION-CLIENT SERVICE DOLLAR PRG	54,156	55,672	1,516
GUR1	FED OF ORG TRANSPORTATION	270,534	280,606	10,072
GUS1	PEDERSON KRAG CASE MGT TRAI	10,452	10,748	296
GUT1	FAMILY SRVC LEAGUE SUPP CAS	534,127	549,101	14,974
GUU1	PEDERSEN KRAG C&F EMERGENCY	243,949	250,735	6,786
GYZ1	F.R.E.E. SPA	134,096	138,062	3,966
GZB1	FECS FAMILY SUPPORT	109,024	113,205	4,181
GZC1	FECS SUPP. CASE MGT.	381,520	392,215	10,695
GZD1	S.C.C. SPA HOUSING	14,550	15,219	669
GZG1	HALI CSS	16,859	17,331	472
GZI1	FEDERATION ADULT HOME CASE MGMT.	241,480	248,250	6,770
HAL1	H.A.L.I. - RESOURCE CENTER	25,352	26,296	944
HAL2	H.A.L.I. - DROP-IN	63,887	66,266	2,379

HAL3	H.A.L.I. - SELF DIRECTED REHAB	44,352	45,594	1,242
HEV1	FAMILY SERVICE LEAGUE-ADULT HOME	72,444	74,475	2,031
HEW1	CLUBHOUSE-ADULT HOME SCI	72,444	74,475	2,031
HSP1	PEDERSON-KRAG OISE	9,200	16,555	7,355
PKP1	PEDERSON KRAG - DROP-IN	63,887	66,270	2,383

and be it further

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

3rd **RESOLVED**, that 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

4th **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: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1095-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 93 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$24,480 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2007) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made \$24,480 in funds available to Suffolk County for the (GTSC FFY2007) Selective Traffic Enforcement Program (STEP) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program provides high visibility to reduce aggressive driving and speeding in an effort to save lives and reduce motor vehicle accidents; 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 included in the 2006 and 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 \$24,480.00 as follows:

REVENUES: AMOUNT

001-4392-Federal Aid: Sheriff – Traffic Safety Initiative \$24,480

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-4392

1000-Personal Services **\$12,480**
1120-Overtime Salaries \$12,480

2000-Equipment **\$12,000**
2260-Public Safety \$12,000

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 351 -2007,
AUTHORIZING CERTAIN TECHNICAL CORRECTION
TO ADOPTED RESOLUTION NO. 93-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 93 -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; 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 \$24,480.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	\$24,480

APPROPRIATION:

Suffolk County Sheriff’s Office
Sheriff Traffic Safety Initiative
[001-SHF-4392]
001-SHF-3114

<u>1000-Personal Services</u>	<u>\$12,480</u>
1120-Overtime Salaries	\$12,480

<u>2000-Equipment</u>	<u>\$12,000</u>
2260-Public Safety	\$12,000

[] 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

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1021-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/06/2007

**RESOLUTION NO. 94 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1153-2006**

WHEREAS, the 2007 Recommended Operating Budget abolished the vacant Deputy Chief Detective Investigator in the District Attorney's Office; and

WHEREAS, the operating budget omnibus resolution, Resolution No. 1153-2006, amended the 2007 Recommended Operating Budget by including \$103,665 in the adopted omni code D003 for the restoration of the abolished Deputy Chief Detective Investigator in the District Attorney's Office; and

WHEREAS, omni code note D003 contained in Resolution No. 1153-2006 clearly states that the Legislature is restoring the Deputy Chief Detective Investigator position in the District Attorney's Office; and

WHEREAS, the relevant budget staff line containing the title Deputy Chief Detective Investigator was inadvertently omitted from Resolution No. 1153-2006, page 24 of the Discretionary Schedule A; and

WHEREAS, County Executive Document No. 7 dated November 19, 2006 specifically states and approves all of the specific expenditure line items included in omni code D003 which pertains exclusively to the restoration of the Deputy Chief Detective Investigator; and

WHEREAS, the District Attorney is in the process of filling this position; now, therefore be it

1st RESOLVED, the County Executive's Budget Office is authorized to make the following technical correction to the 2007 Operating Budget;

FD	AGNY	ORG	Unit	Title	Gr	2007 Recommended	2007 Adopted
001	DIS	1165	400	DEP CHF DET	36	0 A(01)	1

				INVESTIGATOR			
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DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1024-2007
Introduced by the Presiding Officer

Laid on Table 2/6/2007

**RESOLUTION NO. 95 -2007, AMENDING ADOPTED
RESOLUTION NO. 9-2007**

WHEREAS, Resolution No. 9-2007 was adopted by the Suffolk County Legislature on January 2, 2007; and

WHEREAS, the address for the Smithtown Messenger was incorrect; now, therefore be it

1st RESOLVED, that, the 1st RESOLVED clause of Resolution No. 9-2007 is hereby amended to read as follows:

1st RESOLVED, pursuant to Section 214, Subsection 2 of the County Law of the State of New York, the SMITHTOWN MESSENGER, of [127 East Main Street, Smithtown, New York, 11787] 120 Lake Avenue South, Suite 22, Nesconset, NY 11767, a messenger paper fairly representing the principles of the Republican Party and having a regular and general circulation in the County of Suffolk, be and hereby is designated as one of the official newspapers for the publication of all laws, notices, and other matters required by law to be published for the County of Suffolk from the effective date of this Resolution through October 14, 2007, the eligibility for which shall be determined by the date that the request for the legal notice is formally and actually forwarded to the newspaper; and be it further

DATED: March 6, 2007

EFFECTIVE PURSUANT TO SECTION 214 OF THE NEW YORK COUNTY LAW

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

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

Laid on Table 2/6/2007

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

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

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 1434-2006

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

PARCEL: 1

FROM:	Block	15.00	TO:	Block	01.00
	Lot	002.000		Lot	015.002

PARCEL: 2

FROM:	Block	15.00	TO:	Block	01.00
	Lot	003.000		Lot	015.003

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1027-2007
Introduced by the Presiding Officer Lindsay

Laid on Table 2/7/2007

RESOLUTION NO. 97 –2007, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 76 to update the Suffolk County Administrative Code totaling \$6,117.67; 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 \$6,117.67 for the provisions of such pages is hereby approved.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1032-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

RESOLUTION NO. 98 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1486-2006 (CP 7427)

WHEREAS, the County Legislature has adopted Resolution No. 1486-2006, which appropriated \$550,000 for construction; and

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

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

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

Resolution No. 1486-2006

In the fifth RESOLVED paragraph change the Project No.

FROM:

Project No.
525-CAP-7427.311

TO:

Project No.
525-CAP-7427.310

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1035-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 99 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT HARRY JONES and SUSAN JONES, his wife (SCTM NO. 0200-768.00-02.00-039.000)

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 768.00, Block 02.00, Lot 039.000, 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, North by now or formerly Joan Stillufsen; East by now or formerly James Joseph Bissett Jr. and James Joseph Bissett III; South by Sylvan Drive; West by now or formerly Paula Gerson Kaye; 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; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, HARRY JONES has made application of said above described parcel and HARRY JONES has paid the application fee and \$345.96, 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 HARRY JONES and SUSAN JONES, his wife, 2 Harmony Street, Manorville, New York 11949, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1.

Legislator Romaine was not present.

Intro. Res. No. 1036-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 100 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOANNE R. PIZZO and LAWRENCE M. PIZZO, JR., her husband (SCTM NO. 0200-955.00-03.00-026.004)

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 955.00, Block 03.00, Lot 026.004, 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 4 on a certain map entitled "Map of Yale Court at East Patchogue," and filed in the Office of the Clerk of the County of Suffolk December 21, 1989 as Map No. 8870; 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; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOANNE R. PIZZO and LAWRENCE M. PIZZO, have made application of said above described parcel and JOANNE R. PIZZO and LAWRENCE M. PIZZO, have paid the application fee and \$10,328.51, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOANNE R. PIZZO and LAWRENCE M. PIZZO JR., her husband, 12 Cherwal Street, West Babylon, New York 11704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1037-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 101 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT FIRST BELL HARBOR DEVELOPMENT, INC. (SCTM NO. 0200-978.10-02.00-013.000)

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 978.10, Block 02.00, Lot 013.000, and acquired by tax deed on June 20, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 21, 2005, in Liber 12393, at Page 740, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and described as Lot Nos. 11, 12, 13, 14 & 15 in Block No. 624 on a certain map filed in the Suffolk County Clerk's Office, at Riverhead, New York, on 07/30/1890 filed as Map No. 173 known and designated and entitled as "Map No. 8: Map of Property of the New York and Brooklyn Suburban Investment Company of New York, location, Bellport, Long Island"; and

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

Deed on June 20, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 21, 2005 in Liber 12393 at Page 740; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, REVEREND WILLIAM E. FIELDS has made application of said above described parcel and REVEREND WILLIAM E. FIELDS has paid the application fee and \$29,802.82, 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 FIRST BELL HARBOR DEVELOPMENT, INC., 120 Beaver Dam Road, Brookhaven, New York 11719, to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1038-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 102 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY

**TAX ACT LOIS M. ROSENBLATT, Public Administrator of the
Estate of Lucille Lake (SCTM NO. 0300-041.00-02.00-030.000)**

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

District 0300, Section 041.00, Block 02.00, Lot 030.000, and acquired by tax deed on June 1, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 3, 2004, in Liber 12323, at Page 070, and otherwise known as and by Town of East Hampton, comprising Lots Numbers 33 & 34 in Block "A" as shown and designated on a certain map entitled "Subdivision Map of Cape Gardiner, situate Fireplace, Town of East Hampton, County of Suffolk, State of New York, surveyed July 23, 1935 by Wallace Halsey, Inc.", and filed in the Office of the Clerk of the County of Suffolk on August 22, 1935 as Map No. 1192; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 1, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 3, 2004 in Liber 12323 at Page 070; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, LOIS M. ROSENBLATT, Public Administrator of the Estate of Lucille Lake, has made application of said above described parcel and LOIS M. ROSENBLATT, Public Administrator of the Estate of Lucille Lake, has paid the application fee and \$6,022.58, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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 LOIS M. ROSENBLATT, Public Administrator of the Estate of Lucille Lake, 88-11 Sutphin Boulevard, Room 61, Jamaica, New York 11435, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1039-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 103 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JASON KIRCHNER and LISA KIRCHNER (SCTM NO. 0500-046.00-01.00-106.000)

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 046.00, Block 01.00, Lot 106.000, 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, known and designated as "Map of Lake Hills Acreage, Unit E" part of lots 6 and 7 and filed in the Suffolk County Clerk's Office on July 15, 1943 as Map No. 1389; 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; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, LISA KIRCHNER has made application of said above described parcel and LISA KIRCHNER has paid the application fee and \$17,133.65, 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 JASON KIRCHNER and LISA KIRCHNER, 4237 Express Drive North, Ronkonkoma, New York 11779, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1040-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 104 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 2003 HEYWARD STREET CORP. (SCTM NO. 0500-074.00-01.00-028.000)

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 074.00, Block 01.00, Lot 028.000, and acquired by tax

deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, Map of Brentwood Park Improvement Co., Lots No. 9 and 10, Block No. 95, Map No. 45, filed in the Office of the Clerk of Suffolk County on February 5, 1889; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SZESENG CHENG, as President, has made application of said above described parcel and SZESENG CHENG, as President, has paid the application fee and \$7,502.24, 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 2003 HEYWARD STREET CORP., 333 Vernon Street, Dix Hills, New York 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1041-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 105 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 2003 HEYWARD STREET CORP. (SCTM NO. 0500-074.00-01.00-029.000)

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 074.00, Block 01.00, Lot 029.000, and acquired by tax deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, known and designated as Lots 11 and 12 in Block 95, Map 45, Brentwood Park Improvement Co., as per map filed in the Office of the Clerk of Suffolk County on February 5, 1889; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, SZESENG CHENG, as President, has made application of said above described parcel and SZESENG CHENG, as President, has paid the application fee and \$3,784.50, 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 2003 HEYWARD STREET CORP., 333 Vernon Street, Dix Hills, New York 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1042-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/6/2007

RESOLUTION NO. 106 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT GEORGE E. LORD (SCTM NO. 0500-140.00-02.00-040.001)

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 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 140.00, Block 02.00, Lot 040.001, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, "Map of Columbus Park Sec 3" filed in the Office of the Clerk of the County of Suffolk on March 19, 1918 as Map No. 248, known and designated as P/O Lot 218; 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 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567.

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, GEORGE E. LORD has made application of said above described parcel and GEORGE E. LORD has paid the application fee and \$10,426.98, 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 GEORGE E. LORD, 217 Branch Avenue, Central Islip, New York 11722, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1043-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 107 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MARSHA GREENMAN and JACQUELINE FORTE-McGOWAN, Trustees Under

Agreement dated June 18, 1989 for the Benefit of Matthew Alan Forte (SCTM NO. 0600-014.00-01.00-054.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600, Section 014.00, Block 01.00, Lot 054.000, and acquired by tax deed on May 23, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 31, 2006, in Liber 12452, at Page 684, and otherwise known as and by Town of Riverhead, County of Suffolk and State of New York, known and designated on a certain map entitled, "Map of Section One, Reeves Park Beach Co., Inc. Town of Riverhead, Suffolk County, New York", and filed in the Office of the Clerk of the County of Suffolk on May 10, 1941 as Map No. 1329, as and by the Lots 77 to 79 inclusive in Block 2; excepting therefrom, so much of said Lot 79 in Block 2 as lies within the bounds of Sea Breeze Drive as shown on "Map Section 2, Reeves Park Beach Co. Inc." filed in the Office of the Clerk of the County of Suffolk on June 22, 1954 as Map No. 2223; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 23, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 31, 2006 in Liber 12452 at Page 684; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JACQUELINE FORTE-McGOWAN, as Trustee, has made application of said above described parcel and JACQUELINE FORTE-McGOWAN, as Trustee, has paid the application fee and \$4,285.68, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MARSHA GREENMAN and JACQUELINE FORTE-McGOWAN, Trustees Under Agreement dated June 18, 1989 for the Benefit of Matthew Alan Forte, 964 Lakewood Farmingdale Road, Howell, New Jersey

07731, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1044-2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. 108 -2007, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY
TAX ACT CUSTOM DESIGNER HOMES OF LONG ISLAND
(SCTM NO. 0900-129.00-02.00-036.012)**

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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 129.00, Block 02.00, Lot 036.012, and acquired by tax deed on July 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006, in Liber 12464, at Page 302, and otherwise known as and by Town of Southampton, known and designated as Lot Number 12 on a certain map entitled, "Map of Southampton Country Club Estates", filed in the Office of the Clerk of the County of Suffolk on November 29, 1982 as Map No. 7137; 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 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at Page 302; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOHN CHIARELLI, as President, has made application of said above described parcel and JOHN CHIARELLI, as President, has paid the application fee and \$5,665.02, 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 CUSTOM DESIGNER HOMES OF LONG ISLAND, c/o Fredrick P. Stern & Associates, P.C., 54 W. Main Street, East Islip, New York 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Deputy Presiding Officer Vilorio-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Romaine was not present.

Intro. Res. No. 1045-2007
2/6/2007

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 109 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PEDRO DIAZ (SCTM NO. 0900-139.00-02.00-031.003)

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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 139.00, Block 02.00, Lot 031.003, and acquired by tax deed on July 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006, in Liber 12464, at Page 302, and otherwise known as and by Town of Southampton, North by land now or formerly of Moseley, LJ; East by land now or formerly of Smokes; South by land now or formerly of Jasey, MW; West by land now or formerly of Gilbert D.; 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 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at Page 302; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, PEDRO DIAZ has made application of said above described parcel and PEDRO DIAZ has paid the application fee and \$756.00, 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 PEDRO DIAZ, 1235 Factory Avenue, Mattituck, New York 11952, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: March 9, 2007

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

Intro. Res. No. 1046-2007
2/6/2007

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 110 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESSY HOSSEINIPOUR (SCTM NO. 0900-232.00-03.00-010.000)

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

District 0900, Section 232.00, Block 03.00, Lot 010.000, and acquired by tax deed on July 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006, in Liber 12464, at Page 302, and otherwise known as and by Town of Southampton, English Manor Knolls Map 1703 Lot 30; 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 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at Page 302; and

WHEREAS, in accordance with Suffolk County Local Law No. 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, ESSY HOSSEINIPOUR has made application of said above described parcel and ESSY HOSSEINIPOUR has paid the application fee and \$11,003.56, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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 ESSY HOSSEINIPOUR, 89 Mill River Road, Upper Brookville, New York 11771, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1053 -2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 111 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO THE 2007 ADOPTED
OPERATING BUDGET FOR CERTAIN CONTRACT AGENCIES**

WHEREAS, Resolution No. 1153-2006 adopted the 2007 Operating Budget; and

WHEREAS, the 2007 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the County Legislature desires to make technical corrections to the 2007 Adopted Operating Budget: now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2007 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	FRE	3400	HMM1	4980	Greater Sayville Community Ambulance	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	FRE	3400	HMM1	4980	Community Ambulance Co., Inc.	+\$5,000

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4100	HVE1	4980	St. John's Episcopal Church	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	PKS	7510	HVE1	4980	St. John's Episcopal Church	+\$5,000

and be it further

2nd RESOLVED, that the monies appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agencies.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1069-2007
 Introduced by Legislator Caracappa

Laid on Table 2/6/2007

**RESOLUTION NO. 112 -2007, AUTHORIZING CERTAIN
 TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.**

1153-2006, TO PROVIDE FUNDING FOR THE SACHEM YOUTH ADVISORY GROUP

WHEREAS, Adopted Resolution No. 1153-2006, provided \$5,000 for the contracted agency Sachem Youth Athletic Group; and

WHEREAS, Resolution No. 1153-2006 when adopted contained a technical error; and

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

1ST RESOLVED, that the 2007 Adopted Operating Budget be and it hereby is corrected as follows;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	HJK1	7320	4980	SACHEM YOUTH ATHLETIC GROUP	- \$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	EXE	GQC1	7320	4980	SACHEM YOUTH ADVISORY GROUP	+ \$5,000

and be it further

2ND RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agency.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1084-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 113 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1027-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1027-2006; 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. 1027-2006

In the second RESOLVED clause:

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the State University of New York at Stony Brook and to execute an agreement with the New York State Department of Environmental Conservation (NYS DEC) for this grant program; and be it further

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

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1141-2007

Laid on Table 2/6/2007

Introduced by Legislators Caracappa and Viloría-Fisher

**RESOLUTION NO. 114 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.**

1153-2006 TO PROVIDE FUNDING FOR THE MIDDLE COUNTRY LIBRARY FOUNDATION

WHEREAS, Adopted Resolution No. 1153-2006, provided \$12,000 for the contracted agency Middle Country Library Documentary; and

WHEREAS, Resolution No. 1153-2006 when adopted contained a technical error; and

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

1st RESOLVED, that the 2007 Adopted Operating Budget be and it hereby is corrected as follows;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>Activity</u>	<u>Unit</u>	<u>OBJ</u>	<u>Activity Name</u>	<u>AMOUNT</u>
001	ECD	XXXX	6410	4980	Middle Country Library Documentary	-\$12,000

TO:

<u>FD</u>	<u>AGY</u>	<u>Activity</u>	<u>Unit</u>	<u>OBJ</u>	<u>Activity Name</u>	<u>AMOUNT</u>
001	ECD	XXXX	6410	4980	Middle Country Library Foundation	+\$12,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign activity codes for new contract agencies; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agency.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 14-4.

Legislators Caracappa, Losquadro, Alden and Kennedy voted no.

Intro. Res. No. 1973-2006

Laid on Table 8/8/2006

Introduced by Presiding Officer pursuant to Rule 3F13 of the Suffolk County Legislature

RESOLUTION NO. 115 -2007, AUTHORIZATION OF ALTERATION OF RATES FOR FIRE ISLAND FERRIES, INCORPORATED

WHEREAS, Fire Island Ferries Incorporated has applied to the Suffolk County Legislature, by a Petition dated and verified 2007, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131-g of The Highway Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County; and

WHEREAS, the office of Legislative Budget Review has submitted its recommendations on said application to this Legislature as a whole; now, therefore be it

1st RESOLVED, that the Petition of Fire Island Ferries, Inc. dated and verified , 2007, for rates are hereby approved as follows:

REGULAR SCHEDULED SERVICE BETWEEN BAY SHORE, TOWN OF ISLIP, COUNTY OF SUFFOLK AND STATE OF NEW YORK ACROSS THE GREAT SOUTH BAY AND THE FIRE ISLAND COMMUNITIES OF KISMET, FAIR HARBOR, DUNEWOOD, ATLANTIQUE, SEAVIEW AND OCEAN BAY PARK WITH INTERMITTENT STOPS BETWEEN SAID COMMUNITIES AND THE INCORPORATED VILLAGES OF OCEAN BEACH AND SALTAIRE, AND LATERAL SERVICE ALONG FIRE ISLAND BEACH BETWEEN:

**KISMET
ATLANTIQUE
OCEAN BAY PARK
VILLAGE OF SALTAIRE**

**FAIR HARBOR
SEAVIEW
DUNEWOOD
VILLAGE OF OCEAN BEACH**

AND FOR ITS LATERAL SERVICE ALONG FIRE ISLAND BEACH BETWEEN:

**KISMET
VILLAGE OF SALTAIRE
DUNEWOOD
VILLAGE OF OCEAN BEACH**

**OCEAN BAY PARK
FAIR HARBOR
ATLANTIQUE
SEAVIEW**

	<u>Current Rate:</u>	<u>Proposed Rate:</u>
Adult One-Way	\$7.25	\$8.00
Adult Round Trip	\$14.00	\$15.00
Adult Multiple trip tickets of not less than 20, nor more than 40 trips, shall be 75% of the Adult One-Way Fare.	\$217.50	\$233.00

Senior Citizens displaying Suffolk County Senior Citizens' cards and Handicapped Persons displaying a Suffolk County Handicapped card	\$5.75	\$6.00
Children between the ages of two (2) twelve (12) and dogs One-Way shall be one-half of the Adult One-Way fare.	\$3.50	\$4.00
Children Round-trip tickets shall be	\$6.50	\$7.00
Infants (under 2 years old) - No charge		
Children multiple trip tickets of not less than 20 nor more than 40 trips shall be 35% of the Adult One-Way fare. No charge for infants (under 2 years old).	\$101.50	\$109.00
A special One-Way Adult fare from Fire Island departing at or later then 1:00 AM.	\$14.00	\$15.00
Restricted Fire Island workers book for Monday through Saturday only (departing at approximately 7:00 AM to Fire Island and 4:30 PM to Bay Shore). Restricted to purchase at the Bay Shore main office only. Sold in books of forty only. Restricted exclusively for workers traveling to their principal place of employment on Fire Island.	\$182.00	\$195.00

Dunewood Property Owners Association may purchase 200 Adult 40 trip books prior to March 15 at a rate not to exceed 67% of the Adult One-Way fare.

The Incorporated Village of Ocean Beach, for a single bulk purchase of not less than 750 and not more than 2,100 Adult 40 trip ticket books, which bulk purchase must be authorized by the Suffolk County Legislature, between January 2 and April 15 annually, during the lease term by the Village or an agent designated by the Village, to be sold at a reduced rate in accordance with the lease agreement that is effective the 1st day of January 2001 by and between the Incorporated Village of Ocean Beach and Fire Island Ferries, Incorporated. Additionally, the cost of each book shall increase 3% per year for each of the years 2005 through 2010, subject to the approval of the Suffolk County Legislature, as follows:

2007- \$158.45
2008- \$163.20
2009- \$168.09
2010- \$173.18

Payment for the single bulk purchase shall be made as follows: 80% due March 31 annually; 20% due as of April 15th annually.

The Village of Saltaire between January 2 and March 31 annually during the term hereof, the Village may make a single bulk purchase of not less than 800 nor more than 1200 adult 40 trip books of tickets, at Village's option at per-trip rate not to exceed 60% of the Adult One Way fare.

LATERAL SERVICE ALONG FIRE ISLAND BEACH

Adult One-Way maximum fare between any two (2) points not to exceed 150% of the Adult One-Way fare.

Child One-Way maximum fare between any two (2) points not to exceed 75% of Adult One-Way fare.

Group and charter discounts and other multiple trip rates not to exceed the Adult One-Way rate per trip, at the discretion of the Petitioner; and

FREIGHT TARIFF

ITEM	Current		Proposed
AMUSEMENTS:			
Bowling game	\$16.05	*	\$17.70
Cigarette machine	\$9.65	*	\$10.65
Foosball game	\$12.85	*	\$14.15
Juke box	\$12.85	*	\$14.15
Pin-ball machine	\$16.05	*	\$17.70
Video game	\$13.95	*	\$15.35
Pool table	\$21.40	*	\$23.55
APPLIANCES:			
Dishwasher	\$8.00		\$8.80
Dishwasher front panel	\$1.35		\$1.50
Dryer	\$8.00		\$8.80
Freezer, residential	\$19.70		\$21.70
Freezer, comm'l.	\$32.90	*	\$36.20
Microwave oven	\$4.30	*	\$4.75
Range	\$11.75	*	\$12.95
Range top	\$3.20		\$3.55
Refrigerator	\$19.25	*	\$21.20
Refrigerator, comm'l.	\$31.35	*	\$34.50
Soda machine	\$24.65		\$27.15
Stove: coal, Franklin, etc	\$10.70	*	\$11.80
Trash compactor	\$6.60		\$7.30
Walk-in box	\$78.75	*	\$86.65
Washer	\$11.75	*	\$12.95
BULK SHIPMENTS-liq,oil (price includes return)			
55-gallon drum containing kero, sand, gravel, grease	\$8.00		\$8.80
Gasoline tank, 6-gallon & lower (rd-trip)	\$3.25	*	\$3.60
Gas cylinder, lg. (Chlorine,CO2)	\$5.05		\$5.60
Gas cylinder, small (CO2,propane)	\$3.75		\$4.15
Propane cylinder, 100# (rd-trip)	\$5.90		\$6.50
Acid drums	\$3.75		\$4.15

FURNITURE:

Beds & Bedding:

Bed end	\$1.35		\$1.50
Bed frame	\$1.60	*	\$1.80
Bed, folding	\$3.20	*	\$3.55

Mattress or box spring:

Single	\$3.20		\$3.55
Double	\$4.80		\$5.30
Queen	\$6.40		\$7.05
King	\$8.60		\$9.50

Chair, folding	\$1.35	*	\$1.50
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Chair	\$1.35	*	\$1.50
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Chaise, aluminum	\$2.70	*	\$3.00
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Chaise, folding	\$1.35		\$1.50
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Chaise, redwood	\$4.60	*	\$5.10
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Cabinets, kitchen, per foot

Lower units	\$3.40	*	\$3.75
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Upper units	\$2.50	*	\$2.75
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Dresser	\$2.62	*	\$2.90
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Hi-riser	\$10.70	*	\$11.80
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Hutch	\$8.00	*	\$8.80
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Lamp, floor style	\$2.00	*	\$2.20
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Lamp, table style	\$1.35	*	\$1.50
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Love seat	\$4.60	*	\$5.10
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Piano	\$26.75	*	\$29.45
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Play pen	\$1.60	*	\$1.80
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Recliner	\$4.60	*	\$5.10
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Rocker	\$1.90	*	\$2.10
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Rug or padding, roll	\$2.45	*	\$2.70
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Sofa	\$4.60	*	\$5.10
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Sofa, convertible	\$26.75	*	\$29.45
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Table, cocktail	\$1.70	*	\$1.90
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Table, dining	\$4.00	*	\$4.40
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Table, end	\$1.35	*	\$1.50
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Table, picnic	\$4.60	*	\$5.10
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TV set, cabinet	\$5.50	*	\$6.05
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TV set, console	\$8.00	*	\$8.80
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TV set, portable	\$4.00	*	\$4.40
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Stereo component, per piece	\$2.15	*	\$2.40
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GARDEN SUPPLIES

Bush	\$1.35	*	\$1.50
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Chain saw	\$2.15		\$2.40
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Fertilizer:

25# bag	\$0.90		\$1.00
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40-50# bag	\$0.95		\$1.05
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75-80# bag	\$1.35		\$1.50
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100# bag	\$1.60		\$1.80
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Flat of plants or flowers	\$1.35		\$1.50
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Hand tool	\$1.10	*	\$1.25
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Hay, bale	\$1.70		\$1.90
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Mower	\$3.75	*	\$4.15
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Peat moss, 2 c.f. bale	\$1.35		\$1.50
Peat moss, 4 c.f. bale	\$1.60		\$1.80
Peat moss, 6 c.f. bale	\$2.15		\$2.40
Pine bark (chips), bag	\$1.35		\$1.50
Plant, single small container	\$0.96		\$1.10
Roto-tiller	\$4.00	*	\$4.40
Sprayer	\$4.00	*	\$4.40
Table saw	\$8.00	*	\$8.80
Tree	\$2.60	*	\$2.90

GROCERIES - Bulk, rest.

Cans, case of	\$0.70		\$0.80
Bottles, case of	\$0.80		\$0.90
Beer, deposit case w/return	\$1.35		\$1.50
Beer Ball w/return	\$3.75		\$4.15
Keg beer w/return	\$5.35		\$5.90
Bread or cake, box or bag	\$0.80		\$0.90
Cigs, case of cigarettes	\$1.60		\$1.80
Cones, carton	\$0.80		\$0.90
Cookies, carton	\$1.60		\$1.80
Dairy products, per piece	\$0.65		\$0.75
Deli products, per piece,	\$0.65		\$0.75
Eggs, case	\$1.60		\$1.80
Box fish	\$2.70		\$3.00
Fish, carton, bag or bush	\$1.60		\$1.80
Frozen food, per carton,	\$0.50		\$0.55
Groceries, per carton, bulk	\$0.70		\$0.80
Groceries, individual car	\$1.90	*	\$2.10
IC, ctn ice cream	\$2.70		\$3.00
Ice cream, small carton	\$2.05		\$2.30
Liquor, case	\$2.15		\$2.40

Meat, large carton, crate	\$1.60		\$1.80
Meat, small carton	\$1.10		\$1.25
Milk, case w/ return	\$0.80		\$0.90
Papers, mags	\$0.80		\$0.90

Pickle barrel w/return	\$4.60		\$5.10
Soda, case of cans	\$0.70		\$0.80
Soda, case of bottles	\$0.80		\$0.90
Soda, deposit case w/return	\$1.35		\$1.50
Soda syrup, 4-gal. carton	\$1.35		\$1.50
Cyl syrup	\$3.75		\$4.15
Supplies, general, per ctn	\$1.35		\$1.50
Vegetables & produce, ctn	\$0.80		\$0.90
Water, 5-gal. bottle water	\$3.20		\$3.55

HARDWARE

Hardware, package or cart	\$0.95		\$1.05
Paint, case	\$1.35		\$1.50
Paint, gallon can	\$1.35		\$1.50
Paint, 5-gallon pail	\$3.20		\$3.55

LUMBER & BUILDING SUPPLIES

Asphalt tub	\$3.20	\$3.55
Bricks, 1-100, per piece	\$0.18	\$0.20
Bricks, 100-999, per 100	\$5.35	\$5.90
Bricks, per 1000 bulk	\$34.25	\$37.70
Cement, bag	\$1.60	\$1.80
Cement block, 8" std. or	\$0.45	\$0.50
Cement block, 12' std.	\$0.65	\$0.75
Cement covers, 5' x 2'	\$12.30	\$13.55
Cement covers, 2' round	\$6.15	\$6.80
Cement mixer	\$8.00	* \$8.80
Cement tub	\$1.35	\$1.50
Clay (tennis court), bag	\$1.10	\$1.25
DOORS:		
Combo & exterior	\$5.35	\$5.90
Interior & louvre	\$3.20	\$3.55
Jalousie, w/ glass	\$5.35	\$5.90
Pre-hung & shower	\$5.35	\$5.90
Sliding glass set	\$10.70	* \$11.80
Door frame, set	\$8.90	\$9.80
Door jambs, set	\$0.80	\$0.90
Flagstone, per piece, bulk	\$0.65	\$0.75
Felt, roll	\$0.90	\$1.00
Fiberglass panel, 2' x 8'	\$0.70	\$0.80
Flue pipe, 8" x8", piece	\$0.80	\$0.90
Flue pipe, 12', piece	\$1.25	\$1.40
Formica, 4' x 8' or roll	\$2.80	\$3.10
Glass, minimum per piece	\$3.20	* \$3.55
Gravel, bag	\$0.80	\$0.90
Homosote, 4' x 8' sheet	\$0.90	\$1.00
Insulation, bundle	\$1.60	\$1.80
Insulation, single roll	\$1.35	\$1.50
Ladder, step	\$2.70	* \$3.00
Ladder, 20' extension	\$4.30	* \$4.75
Ladder, 40' extension	\$7.00	* \$7.70
Lath, 2' x 8' wire	\$0.70	\$0.80
Leader or gutter, 10' piece	\$0.80	\$0.90
Leader or gutter, 20' piece	\$1.90	\$2.10
LOCUST POSTS, per foot:		
3" to 6" diameter	\$0.25	\$0.30
8" diameter	\$0.30	\$0.35
12" diameter	\$0.45	\$0.50
LUMBER, per 1000 bd. ft.	\$42.20	\$46.45
LUMBER, CCA, per 1000 bd.ft.	\$59.30	\$65.25
LUMBER, lengths over 16',add	\$8.05	\$8.90
LUMBER, minimum order	\$1.65	\$1.85
Masonite, 4' x 8' panel	\$1.00	\$1.10
Molding, bundle, per foot	\$0.30	\$0.35
Nails, 50# box	\$1.60	\$1.80
Plywood, 4' x 8' sheet	\$0.90	\$1.00
Plywood, 4' x 9' sheet	\$1.25	\$1.40
Plywood, 4' x 10' sheet	\$1.35	\$1.50
POLES, CCA;		

6" x 8'	\$3.20		\$3.55
6" x 20'	\$5.90		\$6.50
6" x 25'	\$7.50		\$8.25
8" x 20'	\$8.30		\$9.15
8" x 25'	\$10.70		\$11.80
10" x 20'	\$12.30		\$13.55
over 20', add per foot	\$1.10		\$1.25
R.R. ties, creosote	\$3.50		\$3.85
Landscape ties, CCA	\$2.40		\$2.65
Roof deck, 2' x 8' panel	\$0.90		\$1.00
Roofing, roll or split sheet	\$1.10		\$1.25
Scaffold, w/return	\$8.05	*	\$8.90
Screens	\$1.35	*	\$1.50
Sheetrock, 4' x 8' sheet	\$1.10		\$1.25
Sheetrock, 4' x 10' sheet	\$1.35		\$1.50
Sheetrock, 4' x 12' sheet	\$1.60		\$1.80
Shingles, all types, per	\$1.35		\$1.50
Siding break w/return	\$7.70		\$8.50
Skylight	\$3.20	*	\$3.55
Slate, per piece, bulk	\$0.80		\$0.90
Siding, bundle	\$1.35	*	\$1.50
Snow fence, 50' roll	\$2.70		\$3.00
Snow fence posts, bdl. of	\$1.60		\$1.80
Split rail fence, per piece	\$0.80		\$0.90
Stockade fence, 6' x 8' s	\$3.75	*	\$4.15
Stockade fence post, each	\$0.65		\$0.75
Styrofoam, 2' x 8' sheet	\$0.45		\$0.50
Tile, ceiling, box	\$1.35		\$1.50
Tile, floor, box	\$1.60		\$1.80
Tile, ceramic, box	\$1.60		\$1.80
WINDOWS:			
Single unit	\$3.20	*	\$3.55
Mullion	\$5.35	*	\$5.90
Triple or picture	\$10.70	*	\$11.80
Bay or bow	\$16.05	*	\$17.70
Wonderboard, 2' x 4' piece	\$2.70		\$3.00

MISCELLANEOUS:

Air conditioner	\$2.70	*	\$3.00
Battery, std. size	\$1.90		\$2.10
Bicycle, small	\$2.15		\$2.40
Bicycle, medium	\$3.20		\$3.55
Bicycle, large	\$4.30		\$4.75
Bicycle, carton, bulk	\$2.95		\$3.25
Boats, per foot	\$2.15	*	\$2.40
Boat trailer	\$12.85	*	\$14.15
Cash register	\$3.75	*	\$4.15
CARTON, minimum	\$1.35		\$1.50
Coal, per bag	\$1.35		\$1.50
Copy machine	\$6.40	*	\$7.05
Dry cleaning, box or bund	\$1.35		\$1.50
Film case w/return	\$2.70	*	\$3.00

Fire extinguisher	\$1.60	*	\$1.80
Garbage can, empty	\$1.35		\$1.50
Laundry, bag or bundle, w/return	\$2.70		\$3.00
Laundry hamper w/return	\$6.40		\$7.05
Motor, outboard	\$12.30	*	\$13.55
Phone booth	\$42.80		\$47.10
Scooter	\$2.15		\$2.40
Sunfish sailboat	\$27.85		\$30.65
Surfboard	\$3.20	*	\$3.55
Tar kettle w/ return	\$32.10		\$35.35
Tricycle, small	\$1.35		\$1.50
Wagon	\$2.15		\$2.40
Wagon, carton, bulk	\$1.35		\$1.50
Windsurfer	\$13.90	*	\$15.30
Firewood, face cord	\$80.25		\$88.30

PLUMBING SUPPLIES:

Basin	\$1.35		\$1.50
Boiler	\$15.80	*	\$17.40
Cast iron fittings	\$1.10	*	\$1.25
Closet set	\$4.30		\$4.75
Fire hydrant	\$17.15		\$18.90
PIPE:			
C.I. 6' length	\$1.35		\$1.50
C.I. 8' length	\$1.65		\$1.85
C.I. 10' length	\$2.05		\$2.30
Copper, bdl. 10' length	\$2.70	*	\$3.00
Copper, DWV, 20' length	\$0.80	*	\$0.90
PVC or vinyl, 10' length	\$0.55		\$0.65
PVC or vinyl, 20' length	\$1.10		\$1.25
PVC, 4" & 6", 20' length	\$2.15	*	\$2.40
Steel, B.I. or galv. p	\$1.40		\$1.55
Transite, 4' x 10'	\$1.65		\$1.85
Transite, 6" x 10'	\$2.05		\$2.30
Vinyl, coil	\$1.60		\$1.80
Shower base	\$4.60		\$5.10
Shower door	\$4.00		\$4.40
Shower unit, fiberglass	\$19.25	*	\$21.20
Tank, steel or fbgl. 275	\$21.40		\$23.55
Tank, steel or fbgl. 550	\$37.45		\$41.20
Tub, C.I.	\$16.05	*	\$17.70
Tub, fbgl	\$8.05		\$8.90
Tub, steel	\$9.10		\$10.05
Tub, complete fbgl. unit	\$26.75		\$29.45
Water heater, 5-10 gallon	\$1.90		\$2.10
Water heater, per 10 gals	\$1.60		\$1.80
Well pump, residential	\$4.00	*	\$4.40

VEHICLES:

In operating condition:			
Cushman-type scooter	\$32.10	*	\$35.35
Golf cart	\$21.40	*	\$23.55
Payload, small Bobcat	\$53.50	*	\$58.85

Pick-up truck	\$80.25	*	\$88.30
Truck	\$80.25	*	\$88.30
Vehicles not in operating condition, add to price	\$21.40		\$23.55
Golf Cart - not running - additional	\$10.70		\$11.80

BULK DELIVERY – Large Vehicle, Heavy Equipment, Bulk Lumber Bulk Masonry, Pre-Fabs, Etc.

Price includes vessel & 2 man crew for a maximum of 8 hours - including loading time, sailing time and unloading time and return trip w/ any unloading time.

	\$856.00		\$941.60
Same as above but including crane operation	\$950.00		\$1,045.00
Second round trip within 8 hour period additional	\$160.50		\$176.55
Overtime after 8 hour period, per hour or any part thereof	\$160.50		\$176.55
Each additional crewman needed for loading or unloading	\$160.50		\$176.55
Forklift and operator - 1st hour	\$160.50		\$176.55
Each additional hour or any part	\$80.25		\$88.30
Round trip for large construction vehicle - drive-on drive-off	\$428.00		\$470.80

ADDITIONAL CHARGES

* This symbol denotes minimum price for standard sized unit
Price may be higher depending on size and/or weight

Items not listed on this table will be charged for at the rate of:

\$3.50 per hundredweight, or
\$1.75 per cubic foot, whichever is greater

Minimum charge per individual shipment \$1.50 \$1.50

All freight shipped on vessels other than regularly scheduled freight boats will be charged at double the rates shown in the Freight Tariff Schedule.

A service fee of \$2.50 or 1 ½ % of the account balance, which ever is greater, will be charged monthly on all accounts where charges remain unpaid 30 days from the date of billing.

LIMITATION OF LIABILITY

All items of personal baggage, freight and express matter which are permitted to be carried aboard passenger ferries are carried at the sole risk of the passenger.

Liability on the part of Fire Island Ferries, Inc. shall be limited to \$50.00 maximum per shipment for items shipped aboard regularly scheduled freight ferries.

DATED: March 6, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 23, 2007

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

Intro. Res. No. 2585-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 116 -2007, AUTHORIZING THE
EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE
HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 -
SOUTHWEST WITH SOMERSET WOODS, LLC (BA-1459)**

WHEREAS, Somerset Woods, LLC is located outside the boundary of Suffolk
County Sewer District No. 3 - Southwest; and

WHEREAS, Somerset Woods, LLC has petitioned and requested the
Administrative Head of the District for permission to connect into the sanitary sewers of the
Sewer District No. 3; 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 a daily flow of 61,275 gallons, for a total connection fee of \$919,125.00; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 2297-2006
Introduced by Presiding Officer Lindsay

Laid on Table 11/21/2006

RESOLUTION NO. 117 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (ROBBINS PROPERTY) TOWN OF BROOKHAVEN

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 650.00 Block 03.00 Lot p/o 001.000	5.2	Farmbrook Enterprizes 3605 Merrick Road Seaford, New York 11783

Part of property located on the southeast corner of Portion Road and Holbrook Road in Ronkonkoma

and be it further

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

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1138-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 118 -2007, APPROPRIATING FUNDS
IN THE 2007 CAPITAL BUDGET AND PROGRAM IN
CONNECTION WITH IMPROVEMENTS TO BOARD OF
ELECTIONS (CP 1459)**

WHEREAS, the front of the building at the Board of Elections facility in Yaphank is in desperate need of renovation; and

WHEREAS, the front mechanical systems, in their entirety, are near the end of their useful lives; and

WHEREAS, there are sufficient funds scheduled in the 2007 Capital Budget and Program for this capital project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$120,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the proceeds of \$120,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1459.110	20	Improvements to Board of Elections	\$120,000

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1138A-2007

BOND RESOLUTION NO. 119 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$120,000 BONDS

**TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS
TO THE BOARD OF ELECTIONS FACILITY (CP 1459.110)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$120,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for improvements to the Board of Elections facility, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$120,000. The plan of financing includes the issuance of \$120,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law of the Law, is five (5) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of

the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1139-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 120 -2007, AMENDING THE 2007
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING**

**FUNDS IN CONNECTION WITH MODIFICATIONS TO
WAREHOUSE AT THE BOARD OF ELECTIONS (CP 1461)**

WHEREAS, the Commissioner of Public Works has requested funds for modifications to the warehouse at the Board of Elections; and

WHEREAS, the modifications to a warehouse at the Board of Elections are necessary to accommodate the electronic distribution system, insulation and HVAC improvements to operate and house the electronic voting systems and meet the needs for data storage; and

WHEREAS, the funding for warehouse modifications and planning will be required upon the selection of an electronic voting system in order to implement the necessary modifications in a timely manner for upcoming elections; and

WHEREAS, the 2007 Capital Budget did not include funding for these necessary modifications to a warehouse at the Board of Elections; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$924,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2007 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic & Public Safety & Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$1,984,000	\$2,908,000 B	\$1,984,000
TOTAL	\$1,984,000	\$2,908,000	\$1,984,000

Project Number: 1461

Project Title: Modification to Warehouse at the Board of Elections

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning	\$84,000	\$0	\$84,000
3. Construction	\$840,000	\$0	\$840,000
TOTAL	\$924,000	\$0	\$924,000

and be it further

3rd RESOLVED, that the proceeds of \$924,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1461.110	20	Planning for Modifications to Warehouse at Board of Elections	\$84,000
525-CAP-1461.310	20	Modifications to Warehouse at Board of Elections	\$840,000

and be it further

4th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: March 6, 2007

****VETOED BY COUNTY EXECUTIVE ON MARCH 21, 2007****

****VETO OVERRIDE ADOPTED ON MARCH 28, 2007****

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

Intro. Res. No. 1139A-2007

BOND RESOLUTION NO. 121 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$924,000 BONDS TO FINANCE THE COST OF MODIFICATIONS TO THE

**WAREHOUSE AT THE BOARD OF ELECTIONS (CP 1461.110
and .310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$924,000 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 modifications to the warehouse at the Board of Elections, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$924,000. The plan of financing includes the issuance of \$924,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$84,000 for planning and \$840,000 for construction) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) of the Law of the Law, is ten (10) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: March 6, 2007

****VETOED BY COUNTY EXECUTIVE ON MARCH 21, 2007****

****VETO OVERRIDE ADOPTED ON MARCH 28, 2007****

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

Intro. Res. No. 2586-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 122 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH THE PROVIDENCE PROJECT (IS-1331)

WHEREAS, the Providence Project is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, the Providence Project has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; 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 a daily flow of 36,720 gallons, for a total connection fee of \$550,800.00; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 2589-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 123 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH HUB PROPERTIES (HU-1554)

WHEREAS, HUB Properties is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, HUB Properties has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; 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 a daily flow of 20,000 gallons, for a total connection fee of \$300,000.00; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 2590-2006
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 12/19/2006

RESOLUTION NO. 124 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 -

**SOUTHWEST WITH 245 OLD COUNTRY ROAD BUILDING
(HU-1551)**

WHEREAS, 245 Old Country Road Building is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, 245 Old Country Road Building has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; 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 a daily flow of 7,730 gallons, for a total connection fee of \$115,950.00 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 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. 2591-2006

Laid on Table 12/19/2006

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

RESOLUTION NO. 125 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 11 - SELDEN WITH 34 MYRTLE LANE (BR-1562)

WHEREAS, 34 Myrtle Lane is located outside the boundary of Suffolk County Sewer District No. 11 - Selden; and

WHEREAS, 34 Myrtle Lane has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 11; 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 a daily flow of 300 gallons, for a total connection fee of \$4,500.00 and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 11 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. 11 - Selden 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 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. 1083-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 126 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST WITH RUBIES OFFICE BLDG (HU-1497)

WHEREAS, Rubies Office Bldg. is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Rubies Office Bldg. has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; 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 a daily flow of 12,000 gallons, for a total connection fee of \$180,000.00; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

**RESOLUTION NO. 127 -2007, AMENDING THE 2007
OPERATING BUDGET AND TRANSFERRING FUNDS FOR
MORICHES COMMUNITY CENTER, INC.**

WHEREAS, the 2007 Operating Budget does not include sufficient funds to provide youth with necessary services and opportunities for a more wholesome lifestyle; and

WHEREAS, the contracted agency Moriches Community Center, Inc. can furnish these services to Suffolk County Youth; and

WHEREAS, the 2007 Operating Budget contains funds for this contracted agency in the Department of Economic Development; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$2,000 to fund a youth program for Moriches Community Center; and

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

RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HOE1	4980	Moriches Community Center, Inc.	-\$2,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	Moriches Community Center, Inc.	+\$2,000

and be it further

RESOLVED, that the County Executive's Budget Office is authorized to assign a pseudo code for the Moriches Community Center, Inc.; and be it further

RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for the benefit of Suffolk County Youth and the sole purpose of funding Moriches Community Center, Inc.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1047-2007
Introduced by Legislators Eddington and Browning

Laid on Table 2/6/2007

**RESOLUTION NO. 128 -2007, AMENDING THE 2007
OPERATING BUDGET AND TRANSFERRING FUNDS FOR
SUSTAINABLE LONG ISLAND**

WHEREAS, the 2007 Operating Budget includes \$5,000 for a visioning project for North Bellport; and

WHEREAS, the contracted agency Sustainable Long Island can provide these services for the North Bellport area; and

WHEREAS, the 2007 Operating Budget contains funds for the Town of Brookhaven (North Bellport Visioning) in the Department of Economic Development appropriation; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$5,000 to fund the North Bellport visioning process for Sustainable Long Island; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HUB1	4980	Town of Brookhaven (North Bellport Visioning)	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HTS1	4980	Sustainable Long Island	+\$5,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the contracted agency Sustainable Long Island.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1054-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 129 -2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING COMMUNITY SUPPORT INITIATIVE FUNDS FROM MISCELLANEOUS TO THE LEGISLATURE TO PROMOTE ACCOUNTABILITY AND EFFICIENCIES FOR COMMUNITY BASED QUALITY-OF-LIFE PROGRAMS

WHEREAS, funds were included in a Legislative Contingency Account in the 2007 Operating Budget (001-MSC-1994-4981) to supplement County services and fund community based initiatives; and

WHEREAS, these funds are used to support not-for-profit agencies for services including, but not limited to, supplementation of County services for: veterans programs, senior citizen and youth programs, food pantry services and outreach, other comparable health and safety programs and for economic development and revitalization; and

WHEREAS, the Legislature has implemented administrative procedures which will streamline accountability and expedite the service delivery of community support initiatives; and

WHEREAS, it is necessary to transfer funds designated in the Miscellaneous appropriation, in the 2007 Operating Budget, to the Legislature; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget and transfer \$595,000 to the Legislature, Community Support Initiative Programs; and

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

1st RESOLVED, that the 2007 Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	MSC	1994	0000	4981	Legislative Contracts	-\$595,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	LEG	1012	0000	4981	Community Support Initiatives	+\$595,000

DATED: March 6, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 23, 2007

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

Intro. Res. No. 1055-2007

Laid on Table 2/6/2007

Introduced by Legislators Losquadro and Romaine

RESOLUTION NO. 130 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE RETREAT, INC.

WHEREAS, the 2007 Operating Budget provided \$10,000 in additional domestic violence services funding for The Retreat, Inc., a domestic violence agency serving the five East End towns, with \$5,000 included in the Department of Social Service’s Domestic Violence

Liaison contract with The Retreat under pseudo code GEJ1, and \$5,000 included in the Department of Probation's Stop Violence Against Women Program contract with The Retreat under pseudo code GDF1; and

WHEREAS, it would be most beneficial to the agency and the clients they serve to have the \$10,000 in additional funding intended for The Retreat, Inc. consolidated into their Non-Residential Domestic Violence Contract in the Department of Social Services under pseudo code ASX1; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	PRO	3178	GDF1	4980	The Retreat	-\$5,000
001	DSS	6015	GEJ1	4980	The Retreat Inc.	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6017	ASX1	4980	The Retreat, Inc.	+\$10,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding The Retreat, Inc.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1065-2007
Introduced by Legislator Stern

Laid on Table 2/6/2007

**RESOLUTION NO. 131 -2007, AMENDING THE 2007
OPERATING BUDGET AND TRANSFERRING FUNDS FOR
CONSTANTINO BRUMIDI LODGE 2211 – ORDER SONS OF
ITALY IN AMERICA**

WHEREAS, the 2007 Operating Budget includes funds in Veterans Services for Constantino Brumidi Lodge 2211 – Order Sons of Italy in America; and

WHEREAS, the funds are for Constantino Brumidi Lodge 2211 – Order Sons of Italy in America to install a chair-stair lift to provide handicapped individuals access to all community based activities on all floors of the lodge's multi-floor facility; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget by transferring funds to Handicapped Services for the installation of a chair-stair lift at the Constantino Brumidi Lodge 2211 – Order Sons of Italy in America; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	6510	XXXX	4980	Sons of Italy – Brumidi Lodge	-\$3,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	XXXX	4980	Constantino Brumidi Lodge 2211 – Order Sons of Italy in America	+\$3,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign a pseudo code for the Constantino Brumidi Lodge 2211 – Order Sons of Italy in America; and be it further

3th RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Constantino Brumidi Lodge 2211 – Order Sons of Italy in America.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1068-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

RESOLUTION NO. 132 –2007, AMENDING THE 2007 OPERATING BUDGET AND THE 2006-2007 SUFFOLK COMMUNITY COLLEGE OPERATING BUDGET IN CONNECTION WITH TRANSFERRING FUNDS FOR THE WELFARE TO WORK MENTORING EDUCATION PROGRAM

WHEREAS, the 2007 Operating Budget includes \$29,500 in the Labor Department to administer the Welfare to Work Mentoring Education Program, a pilot intervention strategy program proposed by the Welfare to Work Educational and Training Committee to the Welfare to Work Commission for the purpose of reducing the education and training dropout rate; and

WHEREAS, the Welfare to Work Mentoring Education Program will be administered by Suffolk Community College (SCC) and not the Labor Department; and

WHEREAS, to support the original intent of the funding and enable SCC to proceed with the implementation of this program it is necessary to amend the Adopted 2007 Operating Budget and the Adopted 2006-2007 Suffolk Community College Operating Budget and transfer the funds from the Labor Department to SCC; and

WHEREAS, it is the desire of the Legislature to amend the Adopted 2007 Operating Budget and the Adopted 2006-2007 SCCC Operating Budget to transfer \$29,500 to SCC to fund the Welfare to Work Mentoring Education Program; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations;

abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	LAB	6370	HWE1	4980	Catholic Charities	-\$29,500

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
001	IFT	E818	9600	Transfer to Fund 818 SCC	+\$29,500

and be it further

2nd RESOLVED, that the 2006-2007 SCC Operating Budget is hereby amended as follows;

APPROPRIATIONS:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
818	SCC	2210	1160	Part -Time Instructors, Day	+\$29,500

REVENUES:

<u>FD</u>	<u>AGY</u>	<u>REVENUE</u>	<u>REV. CODE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
818	SCC	R001	2812	Transfer from the General Fund	+\$29,500

and be it further

3rd RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the funds and authorizations; and be it further

4th RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Welfare to Work Mentoring Education Program.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1129-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 133 –2007, DELEGATING AUTHORITY
TO REFUND CERTAIN ERRONEOUS TAX PAYMENTS TO THE
SUFFOLK COUNTY TREASURER**

WHEREAS, Section 556, NEW YORK REAL PROPERTY TAX LAW has been amended to permit the Suffolk County Legislature to delegate its authority to refund erroneous tax payments of TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS or less; now, therefore be it

1st RESOLVED, that this Legislature hereby delegates to the Suffolk County Treasurer the authority to grant real property tax refunds of TWO THOUSAND FIVE HUNDRED (\$2500.00) DOLLARS or less to property owners in the County of Suffolk upon receipt of written reports of investigation and recommendation by the County Director of Real Property Tax Service Agency; and be it further

2nd RESOLVED, that if the County Treasurer denies the refund, in whole or in part, the County Treasurer shall transmit to the Suffolk County Legislature together with copies of the application and the reasons for denial of the refund; and be it further

3rd RESOLVED, that the County Treasurer shall submit a report of the refunds processed to the Suffolk County Legislature on or before the fifteenth (15) day of each month for the actions taken during the preceding month amount of the refund; and be it further

4th RESOLVED, that this resolution shall only be in effect through December 31st of 2007.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1135-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 134 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS IN CONNECTION WITH CONTRACT AGENCIES IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the 2007 Adopted Operating Budget includes funding for contracted agencies in the Department of Social Services; and

WHEREAS, it is necessary to transfer the funding for various contract agencies within the divisions of Social Services or to other County departments to reflect the correct appropriation and ensure the appropriate administrative oversight of the contracts in accordance with the nature of the services being provided by the agencies that have been funded; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide funding for contracted agencies in the appropriate offices, divisions and departments; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6004	HVQ1	4980	FSL – Suicide Victims Family Counseling	\$45,000
001	DSS	6004	HVU1	4980	FSL – Middle Country Library Social Worker	\$5,000
001	DSS	6004	GZM1	4980	FSL – South Shore Family Center	\$40,000
001	DSS	6004	HMA1	4980	FSL – Huntington Interfaith Homeless Initiative	\$10,000
001	DSS	6004	HVZ1	4980	Human Resources Program of Southampton	\$2,000
001	DSS	6015	HQH1	4980	St. Patrick Hospitality Center	\$2,500
001	DSS	6004	HVT1	4980	ASK US Child Care	\$5,000
001	DSS	6004	HVP1	4980	Southampton Cultural Center	\$2,000
001	DSS	6004	HWD1	4980	Communitarian Services Urgents Secours	\$1,000
001	DSS	6004	HVV1	4980	Parent-Child Home Program/Eastern Suffolk BOCES	\$5,000
001	DSS	6004	HVR1	4980	St. Margaret’s of Scotland Outreach	\$10,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	HSV	4320	HVQ1	4980	FSL – Suicide Prevention and Response Program	\$45,000
001	DSS	6010	HVU1	4980	FSL – Middle Country Library Social Worker	\$5,000
001	DSS	6010	GZM1	4980	FSL – South Shore Family Center	\$40,000
001	DSS	6008	HMA1	4980	FSL – Huntington Interfaith Homeless Initiative	\$10,000
001	DSS	6008	HVZ1	4980	Human Resources of the Hamptons	\$2,000
001	DSS	6004	XXXX	4980	St. Patrick Hospitality Center	\$2,500
001	EXE	7320	HVT1	4980	ASK US Child Care	\$5,000
001	ECD	6410	HVP1	4980	Southampton Cultural Center	\$2,000
001	ECD	6410	HAB1	4980	Copiague Beautification Society	\$1,000
001	DSS	6008	HVV1	4980	Mobile Outreach Parent-Child Home Program/Eastern Suffolk BOCES	\$5,000
001	EXE	8050	HVR1	4980	St. Margaret’s of Scotland Outreach	\$10,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign a pseudo code for the food pantry/soup kitchen operated by St. Patrick Hospitality Center; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the aforementioned contract agencies.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 19, 2007

Intro. Res. No. 1288-2007
Introduced by Presiding Officer Lindsay

Laid on Table 3/20/2007

**RESOLUTION NO. 349 –2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
134-2007**

WHEREAS, Resolution No. 134-2007 when adopted contained technical errors;
and

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

RESOLVED, that Resolution No. 134-2007 and it hereby is corrected as follows:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	6008	HVZ1	4980	Human Resources of the Hamptons	\$2,000

TO:

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	6008	GZN1	4980	Heart of the Hamptons, Ltd.	\$2,000

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1136-2007
Introduced by Legislator Browning

Laid on Table 2/6/2007

RESOLUTION NO. 135 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDING FOR THE CONTRACTED AGENCY WILLIAM FLOYD COMMUNITY SUMMIT

WHEREAS, the 2007 Operating Budget does not include sufficient funds to provide youth with necessary services and opportunities for a more wholesome lifestyle; and

WHEREAS, the contracted agency William Floyd Community Summit can furnish these services to Suffolk County Youth; and

WHEREAS, the 2007 Operating Budget contains funds for this contracted agency in the Department of Economic Development and Workforce Housing; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$2,000 to fund a youth program for William Floyd Community Summit; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	GXX1	4980	William Floyd Community Summit	-\$2,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GXX1	4980	William Floyd Community Summit	+\$2,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the William Floyd Community Summit.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1070-2007
Introduced by Legislator Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 136 -2007, AMENDING THE 2007
OPERATING BUDGET AND TRANSFERRING FUNDS FOR**

HEALTH AND HUMAN SERVICE AGENCIES, PUBLIC SAFETY AGENCIES, CULTURAL ACTIVITIES, AND FOR SENIOR AND YOUTH PROGRAMS

WHEREAS, it is necessary and desirable to reorder certain County priorities in the 2007 Operating Budget to enhance the efficient delivery of services to the residents of Suffolk County in a cost effective manner; and

WHEREAS, this resolution provides funding for community based agencies for underserved populations that were inadequately provided for in the Adopted 2007 Operating Budget; and

WHEREAS, these community based agencies include economic development initiatives, youth programs, volunteer fire and ambulance departments, food pantries, chambers of commerce, senior programs, historical societies and environmental programs; and

WHEREAS, there are surplus funds available in the Department of Public Works rental account; and

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

1st **RESOLVED**, that the 2007 County Operating Budget is hereby amended as per "APPENDIX A" and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer these funds and authorizations; and be it further

2nd **RESOLVED**, that the County Executive's Budget Office is authorized to assign activity codes for new contract agencies; and be it further

3rd **RESOLVED**, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the contract agencies in "APPENDIX A".

DATED: March 20, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 23, 2007

APPENDIX A

TO:

FD	AGNY	UNIT	ACT	OBJ	UNIT NAME	ACTIVITY NAME	Amount
001	ECD	6410	GZV1	4980	Economic Development Admin	Bay Shore Beautification Society	\$2,000
001	ECD	6410	GZJ1	4980	Economic Development Admin	Bay Shore Chamber Of Commerce	\$10,000
001	PKS	7510	HKS1	4980	Parks: Historic Services	BAY SHORE HISTORICAL SOCIETY	\$3,000
001	EXE	7320	HKU1	4980	Youth Bureau/Office For Child	BAY SHORE/BRIGHTWATERS LITTLE LEAGUE	\$1,000
001	HSV	4320	HLE1	4980	Hs: Mental Health Pgms	CATHOLIC CHARITIES-BAY SHORE OUTREACH	\$3,000
001	EXE	7320	HLQ1	4980	Youth Bureau/Office For Child	CCE-PECONIC DUNES CAMP	\$30,000
001	FRE	3400	HLH1	4980	Fire, Rescue & Emergency Svc	CENTER MORICHES FIRE DEPARTMENT	\$2,500
001	ECD	6410	HLK1	4980	Economic Development Admin	Chamber of Commerce of the Moriches	\$5,000
001	DSS	6004	HLL1	4980	Soc Svc: Commodities Dist	COMMUNITY ACTION OF SOUTHOLD TOWN (CAST)	\$3,500
001	FRE	3400	XXXX	4980	Fire, Rescue & Emergency Svc	East Islip Fire Department	\$1,000
001	PKS	7510	XXXX	4980	Parks: Historic Services	East Islip Historical Society	\$1,000
001	EXE	7320	HLV1	4980	Youth Bureau/Office For Child	EAST ISLIP SOCCER CLUB	\$4,000
001	EXE	7320	HLW1	4980	Youth Bureau/Office For Child	EAST ISLIP YOUTH FOOTBALL LEAGUE	\$1,500
001	EXE	7320	XXXX	4980	Youth Bureau/Office For Child	Eastport South Manor Sports Association (ESMSA)	\$2,000
001	FRE	3400	XXXX	4980	Fire, Rescue & Emergency Svc	Exchange Ambulance of Islip	\$1,000
001	EXE	7320	HMF1	4980	Youth Bureau/Office For Child	FOR THE KIDS FOUNDATION OF EAST ISLIP	\$5,000
001	FRE	3400	XXXX	4980	Fire, Rescue & Emergency Svc	Great River Fire Department	\$1,000
001	ECD	6410	XXXX	4980	Economic Development Admin	Grumman Memorial Park/ East End Aircraft	\$5,000
001	EXE	7320	GQB1	4980	Youth Bureau/Office For Child	Hauppauge Educational Foundation	\$15,000
001	PKS	7510	HMW1	4980	Parks: Historic Services	HISTORICAL SOCIETY OF ISLIP HAMLET	\$1,000

001	EXE	7320	HND1	4980	Youth Bureau/Office For Child	ISLIP BUCCANEER YOUTH FOOTBALL	\$3,000
001	EXE	7320	HTB1	4980	Youth Bureau/Office For Child	Islip Children's Endowment Fund	\$17,000
001	FRE	3400	XXXX	4980	Fire, Rescue & Emergency Svc	Islip Fire Department	\$1,000
001	FRE	3400	XXXX	4980	Fire, Rescue & Emergency Svc	Islip Terrace Fire Department	\$1,000
001	ECD	6410	XXXX	4980	Economic Development Admin	Keep Islip Clean	\$2,000
001	EXE	6773	GJX1	4980	Senior Support Programs	LI Senior Games Inc.	\$1,000
001	EXE	7320	HNN1	4980	Youth Bureau/Office For Child	LITTLE LEAGUE OF THE ISLIP	\$2,500
001	ECD	6410	XXXX	4980	Economic Development Admin	Manorville Chamber of Commerce	\$2,000
001	ECD	6410	HNW1	4980	Economic Development Admin	MATTITUCK CHAMBER OF COMMERCE	\$2,500
001	ECD	6410	HHJ1	4980	Economic Development Admin	Nesconset Chamber Of Commerce	\$5,000
001	EVE	8210	XXXX	4980	Div Of Water Quality Improvmt	North Fork Environmental Council (NFEC)	\$3,000
001	EXE	7320	HGA1	4980	Youth Bureau/Office For Child	Northeast Youth Sports Assoc.	\$50,000
001	ECD	6410	XXXX	4980	Economic Development Admin	Oysterponds Community Activities for Poquatuck Hall	\$2,500
001	MSC	6332	0000	4770	Special Services	Peconic Community Council	\$2,000
001	ECD	6410	HOY1	4980	Economic Development Admin	RIVERHEAD CHAMBER OF COMMERCE	\$5,000
001	PKS	7110	HEL1	4980	Parks, Rec & Conservation	Riverhead Found. or Marine Res	\$2,000
001	EXE	6773	HPQ1	4980	Senior Support Programs	SHELTER ISLAND SENIOR CITIZENS	\$2,500
001	EXE	6773	XXXX	4980	Senior Support Programs	Shelter Island Senior Nutrition Program	\$3,000
001	HSV	4010	XXXX	4980	Hs: Public Health	Smithtown Animal Shelter – Vet Visits	\$1,000
001	EXE	7320	XXXX	4980	Youth Bureau/Office For Child	Smithtown Gospel Tabernacle Youth	\$1,500
001	EXE	7320	XXXX	4980	Youth Bureau/Office For Child	St. Mary's Youth Group (East Islip)	\$1,000
001	DSS	6004	HQG1	4980	Soc Svc: Commodities Dist	ST.MARY'S OUTREACH (EAST ISLIP)	\$3,000
001	ECD	6410	XXXX	4980	Economic Development	The North Fork Chamber of Commerce	\$5,000

					Admin		
001	ECD	6410	XXXX	4980	Economic Development Admin	Wading River Chamber of Commerce	\$2,500
TOTAL							\$218,500

FROM:

FD	AGNY	UNIT	ACT	OBJ	UNIT NAME	ACTIVITY NAME	Amount
001	DPW	1363	0000	4410	Rent: Offices & Buildings	Non-Contract Agency	\$218,500

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

Intro. Res. No. 1102-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 137 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE CONTRACTED AGENCY BOY SCOUTS OF AMERICA

WHEREAS, the 2007 Operating Budget does not include sufficient funds to provide youth with necessary services and opportunities for a more wholesome lifestyle; and

WHEREAS, the contracted agency Boy Scouts of America can provide these services to Suffolk County Youth; and

WHEREAS, the 2007 Operating Budget contains funds for this contracted agency in the Department of Public Works; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$42,000 to fund youth programs for the Boy Scouts of America; and

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

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DPW	1493	HUV1	4980	Boy Scouts of America	-\$42,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	HUV1	4980	Boy Scouts of America	+\$42,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Boy Scouts of America.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 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. 2596-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 138 -2007, ADOPTING LOCAL LAW NO. 5 -2007, A LOCAL LAW TO INCREASE FINES FOR VIOLATIONS OF THE SUFFOLK COUNTY CONSUMER PROTECTION LAW

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 19, 2006, a proposed local law entitled, "**A LOCAL LAW TO INCREASE FINES FOR VIOLATIONS OF THE SUFFOLK COUNTY CONSUMER PROTECTION LAW,**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 5 –2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO INCREASE FINES FOR VIOLATIONS OF THE SUFFOLK COUNTY CONSUMER PROTECTION LAW

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 it has enacted laws to protect the residents and consumers of the County of Suffolk from improper business practices, but that such laws are, at times, violated by businesses regulated by Suffolk County.

This Legislature further finds and determines that these laws authorize the imposition of fines to serve as a deterrent to their violation, and that these laws have benefited the Suffolk County consumer.

This Legislature also finds that these laws will continue to have a deterrent effect and can benefit consumers further if the amount of the fines that may be levied are increased.

Therefore, the purpose of this law is to bolster existing consumer protections by increasing the amount of fines that may be imposed for offenses of the Consumer Protection Law.

Section 2. Amendment.

Chapter 249 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 249
CONSUMER PROTECTION

* * * *

§ 249-4. Penalty for offenses; injunctive relief.

- A. A violation of any provision of this chapter or of any rule or regulation promulgated hereunder shall be punishable, upon proof thereof, by the payment of a civil penalty [in the sum of not more than \$500 for each such violation] not to exceed \$750 for a first violation and \$1,500 for any subsequent violation, to be recovered in a civil action.

* * * *

Section 3. Applicability.

This law shall apply to all violations 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 language
__ Underlining denotes addition of new language

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 29, 2007

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

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

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 139 -2007, ADOPTING LOCAL LAW
NO. 6 -2007, A LOCAL LAW TO STRENGTHEN AND IMPROVE
ENFORCEMENT OF OCCUPATIONAL LICENSE LAWS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 19, 2006, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN AND IMPROVE ENFORCEMENT OF OCCUPATIONAL LICENSE LAWS**," and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 6 –2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO STRENGTHEN AND IMPROVE ENFORCEMENT
OF OCCUPATIONAL LICENSE LAWS**

**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 Suffolk County Code contains various provisions that require licensing of certain occupations and regulate those licensed occupations.

This Legislature further finds that subsequent to the enactment of the licensing provisions of the County Code, the State of New York has taken responsibility for the licensing of certain occupations, such as the licensing of security or fire alarm systems; therefore, the County Code should be amended to remove certain of its licensing requirements.

This Legislature also finds and determines that Suffolk County's occupational licensing laws need to be updated to keep current with changes in New York State Law, the organization of Suffolk County government and to provide Suffolk County residents with the best possible protection against unscrupulous acts by members of licensed occupations.

Therefore, the purpose of this law is to strengthen Suffolk County's occupational licensing laws to protect the residents of Suffolk County.

Section 2. Amendments.

I.) Section 275 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 275

ELECTRICIANS AND PLUMBERS

* * * *

§ 275-15. Fines; suspension or revocation of licenses.

The Director shall have the power to impose a fine not to exceed \$750 for a first violation and \$1,500 for any subsequent violation upon a licensee or to suspend or revoke a license or to deny an application for the renewal of a license for any one or more of the following causes:

* * * *

C. Violation of any provision of this [article] chapter, [any other appropriate article of this chapter] Chapter 249 of this Code, or any rule or regulation promulgated thereunder.

[D. Violation of any provision of § 275-3B(3), 345-17E, 345-28C, 345-36E, or 345-48C of the Suffolk County Code. The Director shall have the power to impose a fine not to exceed.]

II.) Section 345 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 345 LICENSED OCCUPATIONS

ARTICLE I Provisions Applicable to All Licenses

* * * *

§ 345-2. Definitions.

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

BUSINESS - Includes occupation, profession, trade, craft or any other calling for hire.

CONSUMER - An individual who buys or leases or agrees to buy or lease consumer goods or services or credit, including a co guarantor or surety.

CONSUMER GOODS, SERVICES, CREDIT AND DEBTS - Those which are primarily for personal, household or family purposes.

CONTRACT - An oral or written agreement contained in one or more documents for the performance of work and includes all labor, goods and services.

DECEPTIVE TRADE PRACTICES - Any false, falsely disparaging or misleading oral or written statement, visual description, or other representation of any kind, which has the capacity, tendency or effect of deceiving or misleading consumers or the consuming public and is made in connection with a contract, preparation of or performance of a work estimate or invoice, in the extension of consumer

credit, or in the collection of consumer debts. "Deceptive trade practices" include but are not limited to:

- A.) Representations that:
 - (a) Goods or services have sponsorship, approval, accessories, characteristics, uses, benefits, or quantities that they do not have.
 - (b) The seller has a sponsorship, approval, status, affiliation, or connection that he/she does not have.
 - (c) Goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, or secondhand.
 - (d) Goods or services are of a particular standard, quality, grade, style, or model, if they are of another.
- B.) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact.
- C.) Failure to state a material fact if such failure deceived or tends to deceive.
- D.) Disparaging the goods, services or business of another by false or misleading representations of material facts.
- E.) Offering goods or services without intent to sell them.
- F.) Offering goods or services without intent to supply reasonably expectable public demand, unless the offer disclosed the limitation.
- G.) Making false or misleading representations of fact concerning the reason for, existence of or amounts of price reductions, or the price in comparison to prices of competitors or one's own price at a past or future time.
- H.) Falsely stating that a consumer transaction involves consumer rights, remedies or obligations.
- I.) Falsely stating that services, replacements or repairs are needed.
- J.) Falsely stating the reasons for offering or supplying goods or services at sale or discount prices.
- K.) The failure by any person engaged in the delivery, pickup, inspection or repair of consumer goods and/or services in the home to keep an appointment to perform the delivery of consumer goods and/or services on the day agreed upon with the consumer unless the consumer has received written or verbal notice of delay or cancellation before the end of the preceding business day. This provision shall not apply to the sale or delivery of utility services, home-improvement contractors working under

a contract, requests by consumers for same-day emergency service, cancellations of appointments by the consumer, delays caused by the consumer or failures to keep an appointment caused by strike or natural disaster. If unexpected circumstances, such as a mechanical breakdown, preclude notification by the end of the preceding business day, then no violation shall occur if actual notice is given to the consumer as soon as practicably possible.

* * * *

UNCONSCIONABLE TRADE PRACTICE - Any act or practice which unfairly takes advantage of the lack of knowledge, ability, experience, or capacity of the consumer or which results in a gross disparity between the value received by a consumer and the price paid by the consumer. "Unconscionable trade practice" shall include any acts or practices which unfairly take advantage of a sudden disaster, such as hurricanes, tornadoes, flooding, blizzards, explosions, airplane crashes, earthquakes, nuclear war, radiological emergencies, war, civil unrest or disobedience or acts of God and comparable acts which result in gross disparity between the value received by a consumer and the price ordinarily paid by the consumer in the absence of one (1) of these above occurrences. The existence of such a disaster shall be established, for the purposes of this chapter, by a written declaration by either the County Executive or a majority of the entire membership of the County Legislature. The Director shall initiate investigation of such unconscionable trade practices immediately after any one (1) of the natural disasters or other acts of God described above.

§ 345-9. Fines; suspension or revocation of licenses.

- A. The Director shall have the power to impose a fine not to exceed \$750 for a first violation and \$1,500 for any subsequent violation upon a licensee or to suspend or revoke a license or to deny an application for the renewal of a license for any one or more of the following causes:

* * * *

- (4) Violation of any provision of §§ 275-3B(3), 345-17[E]E, 345-28C, 345-36E, or 345-48C of the Suffolk County Code.
- (5) Engaging in prohibited acts as defined in § 345-10 of this article.

* * * *

§ 345-10. Prohibited acts.

The following acts are prohibited:

* * * *

- C. [The making of any substantial misrepresentation in the solicitation or procurement of a contract or the making of any false promise likely to influence, persuade or induce.] Engaging in deceptive or unconscionable trade practices in the solicitation or procurement of a contract, or in the preparation of or performance of a work estimate or invoice, or in the collection of debts incurred for consumer goods and services.

* * * *

- I. Willful failure to comply with any lawful order, demand or requirement made by the Director or the Office or the local authorities having jurisdiction over the work being performed.

§ 345-11. Powers of the Director.

- A. In addition to the powers and duties elsewhere prescribed in this chapter, the Director shall have the power to:

* * * *

- (4) Require any applicant for a home improvement contractor license or a home appliance repair contractor license, or any such licensee, as evidence of financial responsibility, to post a surety bond, in an amount to be set by the Director, [if required,] but in no event to exceed \$100,000 and/or to furnish certificates of public liability and property damage insurance in the amount of [~~\$100,000 per person, \$300,000 per occurrence, bodily injury, and \$50,000 each occurrence and aggregate, property damage.~~] \$500,000 per occurrence combined single limit.

* * * *

**ARTICLE II
Home Improvement Contractors**

§ 345-16. Definitions.

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

* * * *

HOME IMPROVEMENT CONTRACTING -- Excluding work in the electrical and plumbing fields as defined by § 275-2 of the Suffolk County Code, any repair, remodeling, alteration, conversion, modernization, improvement or addition to residential property, and includes but is not limited to [~~alarm systems;~~] painting of residential structures; carpentry; fencing; driveways; exterminating; flooring; ductwork for heating, ventilation and air-conditioning systems; masonry; roofing; siding; swimming pools; and waterproofing, as well as other improvements to structures or upon land which is part of residential property, including landscaping and arboriculture, which [is] as used herein shall mean tree

sprayers, tree pruners, tree stump removers and all other tree services; but shall not include the construction of a new home or work done by a contractor in compliance with a guaranty of completion on new residential property or the sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation of or application of the goods or improvements to residences owned by or controlled by any government subdivision.

* * * *

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), (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. 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 language
- Underlining denotes addition of new language

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 29, 2007

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

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

Intro. Res. No. 2597-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 139 -2007, ADOPTING LOCAL LAW
NO. 6 -2007, A LOCAL LAW TO STRENGTHEN AND IMPROVE
ENFORCEMENT OF OCCUPATIONAL LICENSE LAWS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 19, 2006, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN AND IMPROVE ENFORCEMENT OF OCCUPATIONAL LICENSE LAWS**," and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 6 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO STRENGTHEN AND IMPROVE ENFORCEMENT
OF OCCUPATIONAL LICENSE LAWS**

**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 Suffolk County Code contains various provisions that require licensing of certain occupations and regulate those licensed occupations.

This Legislature further finds that subsequent to the enactment of the licensing provisions of the County Code, the State of New York has taken responsibility for the licensing of certain occupations, such as the licensing of security or fire alarm systems; therefore, the County Code should be amended to remove certain of its licensing requirements.

This Legislature also finds and determines that Suffolk County's occupational licensing laws need to be updated to keep current with changes in New York State Law, the organization of Suffolk County government and to provide Suffolk County residents with the best possible protection against unscrupulous acts by members of licensed occupations.

Therefore, the purpose of this law is to strengthen Suffolk County's occupational licensing laws to protect the residents of Suffolk County.

Section 2. Amendments.

I.) Section 275 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 275
ELECTRICIANS AND PLUMBERS**

* * * *

§ 275-15. Fines; suspension or revocation of licenses.

The Director shall have the power to impose a fine not to exceed \$750 for a first violation and \$1,500 for any subsequent violation upon a licensee or to suspend or revoke a license or to deny an application for the renewal of a license for any one or more of the following causes:

* * * *

C. Violation of any provision of this [article] chapter, [any other appropriate article of this chapter] Chapter 249 of this Code, or any rule or regulation promulgated thereunder.

[D. Violation of any provision of § 275-3B(3), 345-17E, 345-28C, 345-36E, or 345-48C of the Suffolk County Code. The Director shall have the power to impose a fine not to exceed.]

II.) Section 345 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**Chapter 345
LICENSED OCCUPATIONS**

**ARTICLE I
Provisions Applicable to All Licenses**

* * * *

§ 345-2. Definitions.

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

BUSINESS - Includes occupation, profession, trade, craft or any other calling for hire.

CONSUMER - An individual who buys or leases or agrees to buy or lease consumer goods or services or credit, including a co-guarantor or surety.

CONSUMER GOODS, SERVICES, CREDIT AND DEBTS - Those which are primarily for personal, household or family purposes.

CONTRACT - An oral or written agreement contained in one or more documents for the performance of work and includes all labor, goods and services.

DECEPTIVE TRADE PRACTICES - Any false, falsely disparaging or misleading oral or written statement, visual description, or other representation of any kind, which has the capacity, tendency or effect of deceiving or misleading consumers or the consuming public and is made in connection with a contract, preparation of or performance of a work estimate or invoice, in the extension of consumer credit, or in the collection of consumer debts. "Deceptive trade practices" include but are not limited to:

A.) Representations that:

(a) Goods or services have sponsorship, approval, accessories, characteristics, uses, benefits, or quantities that they do not have.

(b) The seller has a sponsorship, approval, status, affiliation, or connection that he/she does not have.

(c) Goods are original or new if they are deteriorated, altered, reconditioned, reclaimed, or secondhand.

(d) Goods or services are of a particular standard, quality, grade, style, or model, if they are of another.

B.) The use, in any oral or written representation, of exaggeration, innuendo or ambiguity as to a material fact.

C.) Failure to state a material fact if such failure deceived or tends to deceive.

D.) Disparaging the goods, services or business of another by false or misleading representations of material facts.

E.) Offering goods or services without intent to sell them.

F.) Offering goods or services without intent to supply reasonably expectable public demand, unless the offer disclosed the limitation.

G.) Making false or misleading representations of fact concerning the reason for, existence of or amounts of price reductions, or the price in comparison to prices of competitors or one's own price at a past or future time.

- H.) Falsely stating that a consumer transaction involves consumer rights, remedies or obligations.
- I.) Falsely stating that services, replacements or repairs are needed.
- J.) Falsely stating the reasons for offering or supplying goods or services at sale or discount prices.
- K.) The failure by any person engaged in the delivery, pickup, inspection or repair of consumer goods and/or services in the home to keep an appointment to perform the delivery of consumer goods and/or services on the day agreed upon with the consumer unless the consumer has received written or verbal notice of delay or cancellation before the end of the preceding business day. This provision shall not apply to the sale or delivery of utility services, home-improvement contractors working under a contract, requests by consumers for same-day emergency service, cancellations of appointments by the consumer, delays caused by the consumer or failures to keep an appointment caused by strike or natural disaster. If unexpected circumstances, such as a mechanical breakdown, preclude notification by the end of the preceding business day, then no violation shall occur if actual notice is given to the consumer as soon as practicably possible.

* * * *

UNCONSCIONABLE TRADE PRACTICE - Any act or practice which unfairly takes advantage of the lack of knowledge, ability, experience, or capacity of the consumer or which results in a gross disparity between the value received by a consumer and the price paid by the consumer. "Unconscionable trade practice" shall include any acts or practices which unfairly take advantage of a sudden disaster, such as hurricanes, tornadoes, flooding, blizzards, explosions, airplane crashes, earthquakes, nuclear war, radiological emergencies, war, civil unrest or disobedience or acts of God and comparable acts which result in gross disparity between the value received by a consumer and the price ordinarily paid by the consumer in the absence of one (1) of these above occurrences. The existence of such a disaster shall be established, for the purposes of this chapter, by a written declaration by either the County Executive or a majority of the entire membership of the County Legislature. The Director shall initiate investigation of such unconscionable trade practices immediately after any one (1) of the natural disasters or other acts of God described above.

§ 345-9. Fines; suspension or revocation of licenses.

- A. The Director shall have the power to impose a fine not to exceed \$750 for a first violation and \$1,500 for any subsequent violation upon a licensee or to suspend or revoke a license or to deny an application for the renewal of a license for any one or more of the following causes:

* * * *

- (4) Violation of any provision of §§ 275-3B(3), 345-17[E]F, 345-28C, 345-36E, or 345-48C of the Suffolk County Code.
- (5) Engaging in prohibited acts as defined in § 345-10 of this article.

* * * *

§ 345-10. Prohibited acts.

The following acts are prohibited:

* * * *

- C. [The making of any substantial misrepresentation in the solicitation or procurement of a contract or the making of any false promise likely to influence, persuade or induce.] Engaging in deceptive or unconscionable trade practices in the solicitation or procurement of a contract, or in the preparation of or performance of a work estimate or invoice, or in the collection of debts incurred for consumer goods and services.

* * * *

- I. Willful failure to comply with any lawful order, demand or requirement made by the Director or the Office or the local authorities having jurisdiction over the work being performed.

§ 345-11. Powers of the Director.

- A. In addition to the powers and duties elsewhere prescribed in this chapter, the Director shall have the power to:

* * * *

- (4) Require any applicant for a home improvement contractor license or a home appliance repair contractor license, or any such licensee, as evidence of financial responsibility, to post a surety bond, in an amount to be set by the Director, [if required,] but in no event to exceed \$100,000 and/or to furnish certificates of public liability and property damage insurance in the amount of [\$100,000 per person, \$300,000 per occurrence, bodily injury, and \$50,000 each occurrence and aggregate, property damage.] \$500,000 per occurrence combined single limit.

* * * *

ARTICLE II
Home Improvement Contractors

§ 345-16. Definitions.

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

* * * *

HOME IMPROVEMENT CONTRACTING -- Excluding work in the electrical and plumbing fields as defined by § 275-2 of the Suffolk County Code, any repair, remodeling, alteration, conversion, modernization, improvement or addition to residential property, and includes but is not limited to [alarm systems;] painting of residential structures; carpentry; fencing; driveways; exterminating; flooring; ductwork for heating, ventilation and air-conditioning systems; masonry; roofing; siding; swimming pools; and waterproofing, as well as other improvements to structures or upon land which is part of residential property, including landscaping and arboriculture, which [is] as used herein shall mean tree sprayers, tree pruners, tree stump removers and all other tree services; but shall not include the construction of a new home or work done by a contractor in compliance with a guaranty of completion on new residential property or the sale of goods by a seller who neither arranges to perform nor performs, directly or indirectly, any work or labor in connection with the installation of or application of the goods or improvements to residences owned by or controlled by any government subdivision.

* * * *

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), (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. 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 language
__ Underlining denotes addition of new language

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 29, 2007

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

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

Intro. Res. No. 1025-2007
Introduced by Legislator D’Amaro

Laid on Table 2/6/2007

**RESOLUTION NO. 140 -2007, TO AMEND ADOPTED
RESOLUTION NO. 522-2006, TO EXTEND THE DEADLINE FOR
THE “SCHOOL DISTRICT EXPENSES AND EFFICIENCY”
COMMISSION**

WHEREAS, Resolution No. 522-2006 established a “Commission to Evaluate School District Expenses and Efficiency” to analyze school district spending in Suffolk County, study cost cutting ideas, and to offer recommendations that will increase school district efficiency and reduce school district spending; and

WHEREAS, this Commission will require additional time in order to complete its work; now, therefore be it

1st RESOLVED, that the 14th RESOLVED clause of Resolution No. 522-2006 is hereby amended to read as follows:

* * * *

14th RESOLVED, that the Commission shall expire, and the terms of office of its members terminate, as of ~~[March 1, 2007]~~September 1, 2007 at which time the Commission shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

* * * *

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 522-2006 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) 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1052-2007 Laid on Table 2/6/2007
Introduced by Legislators Schneiderman, Caracappa, Alden, Romaine, Losquadro, Cooper Eddington, Horsley, Mystal, and Viloría-Fisher

RESOLUTION NO. 141 –2007, ESTABLISHING A TUITION ASSISTANCE PROGRAM IN SUFFOLK COUNTY COMMUNITY COLLEGE FOR CHILDREN AND SPOUSES OF FALLEN SOLDIERS

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

WHEREAS, Suffolk County citizens who serve in our Country's Armed Forces and put their lives on the line while on active duty in a time of war should be recognized for their contributions to this Country; and

WHEREAS, the County of Suffolk and its residents owe a debt of gratitude to those men and women who often find themselves in dangerous and hazardous circumstances and give their lives for their Country, making the ultimate sacrifice in the service of others; and

WHEREAS, the County of Suffolk can begin to repay that debt by creating a scholarship program at Suffolk County Community College for the children and spouses of these fallen heroes; now, therefore be it

1st RESOLVED, that Suffolk County Community College is hereby authorized to develop guidelines and eligibility criteria, and to issue rules and regulations that may be considered necessary to develop and implement a tuition assistance program for children and spouses of members of the armed forces killed in a combat zone while in actual service of the Federal government, and who's home of record at the time of death was in Suffolk County; and be it further

2nd RESOLVED, that Suffolk County Community College is hereby directed to implement and provide financial assistance for eligible applicants through the Tuition Assistance Program for Children and Spouses of Fallen Soldiers effective September 1, 2007; and be it further

3rd RESOLVED, that Suffolk County Community College is hereby directed to provide a minimum of \$25,000 in the 2007/2008 Suffolk County Community College Operating Budget to provide financial aid for eligible applicants through this newly created tuition assistance program; and be it further

4th RESOLVED, that no eligible applicant will be denied tuition assistance under the Tuition Assistance Program for Children and Spouses of Fallen Soldiers during the 2007/2008 academic year.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

RESOLUTION NO. 142 -2007, ACCEPTING AN APPROPRIATING A GRANT AWARD AMENDMENT FROM THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR STATE BANK OF LONG ISLAND 92% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2006-2007 College Operating Budget provides \$30,000, including indirect costs, in anticipation of a State University of New York Community College Workforce Development Training Grant for State Bank of Long Island, for the period of September 1, 2006 through August 24, 2007; and

WHEREAS, the 2006-2007 College Operating Budget also provides \$3,450 in company matching funds from the State Bank of Long Island, for the operation of the Community College Workforce Development Training Grants Program; and

WHEREAS, the actual State University of New York award included an additional amount of \$4,932, including indirect costs, for a total of \$34,932; and

WHEREAS, the company matching funds from the State Bank of Long Island, was increased in the amount of \$431, for a total of \$3,881; and

WHEREAS, the program total will increase by \$5,363, including indirect costs, bringing the total program amount to \$38,813; and

WHEREAS, the program will provide funds for training in communication and PC skills for employees of State Bank of Long Island; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant amendment and increase in company matching funds on January 18, 2007 by Resolution No. 2007.03; and

WHEREAS, the College anticipates spending the \$5,363, including indirect costs, in accordance with the terms of said grant award before August 24, 2007; now, therefore be it

1st RESOLVED, that said grant award increase from the State University of New York, for a Community College Workforce Development Training Grants Program for State Bank of Long Island, in the amount of \$4,932, including \$45 in indirect costs, be accepted; and be it further

2nd RESOLVED, that said increase in company cash matching funds, in the amount of \$431, provided by State Bank of Long Island, be accepted for the operation of the Community College Workforce Development Training Grants Program for State Bank of Long Island; and be it further

3rd **RESOLVED**, that said program total increase, in the amount of \$5,363, including \$45 in indirect costs, be appropriated for the operation of the project as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
State Aid: WDT: State Bank of Long Island: 818-GRT-3285-07	\$ 4,932
Private Aid: WDT-State Bank of Long Island: 818-GRT-2559-07	\$ 431
<u>APPROPRIATIONS:</u>	<u>AMOUNT</u>
WDT: State Bank of Long Island: 818-GRT-GT37-07	\$ 5,318

Suffolk County Community College
Workforce Development Training: State Bank of Long Island
818-GRT-GT37-07

<u>1000-Personal Services</u>	<u>\$4,913</u>
1160-Part-time Instructors-Day	4,913
<u>8000-Employee Benefits</u>	<u>\$ 405</u>
8330-Social Security	376
8350-Unemployment Insurance	29

DATED: March 6, 2007

APPROVED BY:

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

Date: March 9, 2007

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

Intro. Res. No. 1090-2007 Laid on Table 2/6/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 143 -2007, AUTHORIZING AN AMENDMENT TO THE SUB-LEASE FOR HANGAR SPACE LOCATED AT FRANCIS S. GABRESKI AIRPORT, WESTHAMPTON BEACH, NEW YORK FOR USE BY THE POLICE DEPARTMENT AVIATION DIVISION

WHEREAS, pursuant to the Sublease Agreement between the County of Suffolk and Sea Empty Equipment, Inc. (the "Landlord"), dated May 24, 2001, as extended by Letter Agreement dated January 9, 2006, the County of Suffolk leases a portion of Hangar 101, for use by the Suffolk County Police Department – Aviation Division (the "Police Department"); and

WHEREAS, it is the desire of the Landlord, Sea Empty Equipment, Inc. and the Police Department to amend the lease to provide that the utility costs, fees, and charges related to gas delivery for purposes of providing heat to the hangar be paid by the Suffolk County Police Department; and

WHEREAS, the Space Management Steering Committee recommended the approval of the amendment on November 9, 2006; and

WHEREAS, sufficient funds have been provided for the payment of such utility costs; 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 Sublease Letter Agreement in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Mr. Charles Tutt
c/o Sea Empty Equipment, Inc.
Hangar 101 North Perimeter Road
Westhampton Beach, NY 11978

November 6, 2006, 2006

Re: County of Suffolk Sub-lease of Hangar Space

Sublease between Sea Empty Equipment, Inc. and County of Suffolk

Premises: A Portion of Hangar 101 at North Perimeter Road,
Westhampton Beach, NY

Dear Mr. Tutt:

This letter serves to confirm the further agreement between the County of Suffolk ("County") and Sea Empty Equipment, Inc., to amend the above referenced Sublease Agreement, dated May 6, 2002 ("Sub-Lease"), as modified by letter agreement dated January 9, 2006 ("Letter Agreement"), for a portion of Hangar 101, located at North Perimeter Road, Westhampton Beach, NY, and by letter agreement dated April 26, 2006. In consideration of the mutual covenants contained herein and other valuable consideration, the Lease is hereby amended as follows:

- (i) Commencing November 15, 2006, or sooner if the Suffolk County Police Department is able to contract with the utility prior to that date, all costs, fees, and charges related to gas delivery for purposes of providing heat to the hangar, together with any taxes thereon, shall be a County charge and shall be paid by the Suffolk County Police Department directly to the applicable utility company.
- (ii) All terms and conditions of the Sub-lease and subsequent Letter Agreements, not superseded by the terms of this Letter Agreement, shall remain in full force and effect, and fully binding upon the County and Sea Empty Equipment, Inc.

In the event the foregoing accurately sets forth the terms of our understanding, please counter-sign the enclosed seven (7) sets of this letter, and have the same notarized before a Notary Public. Kindly return six (6) executed originals to this office, retaining one original for your files. A fully executed original will be forwarded once all signatures have been obtained.

Thank you for your cooperation on this matter. Should you have any further questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

Basia Deren Braddish
Assistant County Attorney

cc: Lt. Scharf, Suffolk County Police Department
Kathy Moller, Suffolk County, Department of Public Works

APPROVED AND AGREED:

COUNTY OF SUFFOLK
Sublessee

SEA EMPTY EQUIPMENT, INC.
Sublessor

By: _____
Paul Sabatino II
Chief Deputy County Executive

By: _____
Charles Tutt
Title: Property Manager

Date: _____

Date: _____

SUFFOLK COUNTY POLICE DEPARTMENT

By: _____

the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

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

Intro. Res. No. 1115-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 144 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH IMPROVEMENTS TO COLLEGE
ENTRANCES (CP 2192)**

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

WHEREAS, sufficient funds have been included in the 2007 Capital Budget and Program to cover the County’s cost of the project under CP 2192; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$415,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction, repaving of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 63 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of \$415,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2192.310 (Fund 001-Debt Service)	Improvements to College Entrances – Construction	30	\$415,000

and be it further

4th **RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>JC</u>	<u>Amount</u>
525-CAP-2192.310 (Fund 001-Debt Service)	Improvements to College Entrances –Construction	30	\$415,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1115A-2007

BOND RESOLUTION NO. 145 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$415,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO COLLEGE ENTRANCES (CP 2192.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$415,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to college entrances, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$892,000. The plan of financing includes (a) the issuance of \$31,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 679-2005, (b) the expenditure of \$31,000 State Aid funds appropriated pursuant to Bond Resolution No. 680-2005, (c) the issuance of \$415,000 bonds or bond anticipation notes authorized pursuant to this resolution, (d) the expenditure of \$415,000 State Aid funds to be appropriated, and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years, computed from November 1, 2005, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 679-2005.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance

of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1116-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 146 -2007, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS/REPLACEMENTS TO ROOFS AT VARIOUS BUILDINGS – COLLEGE WIDE (CP 2137)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

WHEREAS, sufficient funds have been included in the 2007 Capital Budget and Program to cover the County’s cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$125,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 63 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2137.110 (Fund 001-Debt Service)	Planning for Improvements/Replacements to Roofs at Various Buildings	30	\$11,667
525-CAP-2137.313 (Fund 001-Debt Service)	Construction of Improvements/Replacements to Roofs at Various Buildings	30	\$113,333

and be it further

4th RESOLVED, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2137.110	Planning for Improvements/Replacements to	30	\$11,667

Roofs at Various Buildings

525-CAP-2137.313 Construction of Improvements/Replacements to 30 \$113,333
Roofs at Various Buildings

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1116A-2007

BOND RESOLUTION NO. 147 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$125,000 BONDS
TO FINANCE A PART OF THE COST OF ROOF
IMPROVEMENTS/REPLACEMENTS AT VARIOUS BUILDINGS
AT SUFFOLK COUNTY COMMUNITY COLLEGE (CP 2137.110
and .313)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$125,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of roof improvements/replacements at various buildings at Suffolk County Community College, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000. The plan of financing includes (a) the expenditure of \$125,000 State Aid funds heretofore appropriated pursuant to Resolution No. 200-2004 (\$11,667 for planning and \$113,333 for construction), (b) the issuance of \$125,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 199-2004 (\$11,667 for planning and \$113,333 for construction), (c) the expenditure of \$250,000 State Aid funds heretofore appropriated pursuant to Resolution No. 534-2005 (\$23,333 for planning and \$226,667 for construction), (d) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 533-2005 (\$23,333 for planning and \$226,667 for construction), (e) the expenditure of \$250,000

State Aid funds appropriated pursuant to Bond Resolution No. 92-2006 (\$23,333 for planning and \$226,667 for construction), (f) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 270-2006 (\$23,333 for planning and \$226,667 for construction), (g) the issuance of the \$125,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$11,667 for planning and \$113,333 for construction), (h) the expenditure of an additional \$125,000 State Aid funds to be appropriated (\$11,667 for planning and \$113,333 for construction), and (i) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a) (2) of the Law, is fifteen (15) years, computed from May 1, 2004, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 199-2004.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1117-2007
Introduced by the Presiding Officer, on request of the County Executive

Laid on Table 2/6/2007

**RESOLUTION NO. 148 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH SITE PAVING – COLLEGE WIDE (CP
2134)**

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

WHEREAS, sufficient funds have been included in the 2007 Capital Budget and Program to cover the County’s cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$355,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction, repaving of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 63 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of \$355,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2134.110 (Fund 001-Debt Service)	Planning for Site Paving – College Wide	30	\$23,500
525-CAP-2134.410 (Fund 001-Debt Service)	Construction for Site Paving – College Wide	30	\$331,500

and be it further

4th **RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	JC	Amount
525-CAP-2134.110	Planning for Site Paving – College Wide	30	\$23,500
525-CAP-2134.410	Construction for Site Paving – College Wide	30	\$331,500

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1117A-2007

BOND RESOLUTION NO. 149 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$355,000 BONDS TO FINANCE A PART OF THE COST SITE PAVING AT SUFFOLK COUNTY COMMUNITY COLLEGE (CP 2134.110 and .410)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$355,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of site paving at Suffolk County Community College, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,420,000. The plan of financing includes (a) the issuance of \$355,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 89-2006 (\$23,500 for planning and \$331,500 for site improvements), (b) the expenditure of \$355,000 State Aid funds appropriated pursuant to Resolution No. 90-2006 (\$23,500 for planning and \$331,500 for site improvements), (c) the issuance of \$355,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$23,500 for planning and \$331,500 for site improvements), (d) the

expenditure of \$355,000 State Aid funds to be appropriated (\$23,500 for planning and \$331,500 for site improvements), and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (f) of the Law, is ten (10) years.

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1118-2007 Laid on Table 2/6/2007
Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. 150 -2007, APPROPRIATING FUNDS IN CONNECTION WITH FIRE SPRINKLER SYSTEMS AND WATER DISTRIBUTION INFRASTRUCTURE IMPROVEMENTS – AMMERMAN CAMPUS (CP 2129)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Master Plan Update – Phase I estimated at \$65,274,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$32,547,000; and

WHEREAS, sufficient funds have been included in the 2007 Capital Budget and Program to cover the County’s cost of the project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the power to make such a determination has been granted under the Plan C Agreement between the College and the County; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$36,552 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 70 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the proceeds of \$36,552 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2129.310 (Fund 001-Debt Service)	Construction of Fire Sprinkler Infrastructure	30	\$36,552

and be it further

4th **RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2129.310	Construction of Fire Sprinkler Infrastructure	30	\$36,552

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1118A-2007

BOND RESOLUTION NO. 151 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$36,552 BONDS TO
FINANCE A PART OF THE COST OF THE INSTALLATION OF
FIRE SPRINKLER INFRASTRUCTURE AT SUFFOLK COUNTY
COMMUNITY COLLEGE (AMMERMAN CAMPUS) (CP
2129.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$36,552 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the installation of fire sprinkler infrastructure at Suffolk County Community College (Ammerman Campus), as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,068,526. The plan of financing includes (a) the issuance of \$225,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 531-2005 (\$25,000 for planning and \$200,000 for construction), (b) the expenditure of \$225,000 in State Aid funds appropriated pursuant to Resolution No. 532-2005 (\$25,000 for planning and \$200,000 for construction), (c) the issuance of \$272,711 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 87-2006, (d) the expenditure of \$272,711 in State Aid appropriated pursuant to Resolution No. 88-2006, (e) the issuance of \$36,552 bonds or bond anticipation notes authorized pursuant to this resolution, (f) the expenditure of \$36,552 State Aid funds to be appropriated and (g) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 531-2005.

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

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

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to

publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1028-2007
Introduced by Legislator Cooper

Laid on Table 2/6/2007

**RESOLUTION NO. 152 -2007, APPOINTING MEMBER TO
THE SUFFOLK COUNTY WATER AUTHORITY (MICHAEL J.
DEERING)**

WHEREAS, Resolution No. 156-2003 reappointed Melvin Fritz as a member of the Suffolk County Water Authority for a term of office to expire on March 24, 2008; and

WHEREAS, Melvin Fritz has tendered his resignation as a member of the Suffolk County Water Authority effective January 4, 2007; now, therefore be it

1st RESOLVED, that **Michael J. Deering**, of Smithtown, New York, is hereby appointed as a member of the Suffolk County Water Authority to fill the unexpired term of Melvin Fritz with said term of office to expire March 24, 2008, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; 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: March 6, 2007

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

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

Intro. Res. No. 1077-2007
Introduced by Legislator Horsley

Laid on Table 2/6/2007

RESOLUTION NO. 153 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CARLL'S RIVER HEADWATERS PROPERTY) TOWN OF BABYLON (SCTM NO. 0100-017.00-02.00-009.000 and 010.000)

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 017.00 Block 02.00 Lot 009.000	.28	Napoli Construction 14 Coolidge Place Deer Park, NY 11729
No. 2	District 0100 Section 017.00 Block 02.00 Lot 010.000	.05	Napoli Construction 14 Coolidge Place Deer Park, NY 11729

TOTAL ACREAGE

±.33

and be it further

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

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

*** PRIMARY CRITERIA**

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

- B. Size or Shape (30 Points)**
 - 15 – Over 50 acres
 - 5 – Between 20 – 50 acres
 - 10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)
- C. Proximity or Contiguity to Other Public Open Space (20 Points)**
 - 10 – Abutting or adjacent to County land
 - 5 – Abutting or adjacent to other protected land
 - 5 – Strategic parcel associated with further compatible acquisition
- D. Greenbelts, Trails, and Public Access (10 Points)**
 - 5 – Trail link or public access to shore or water body
 - 5 – Greenbelt link or buffer

SECONDARY CRITERIA

- E. Development Pressure (15 Points)**
 - 10 – Preliminary development plans filed, and zoning in place
 - 5 – Municipal zoning action pending (rezoning)
- F. Stewardship (5 Points)**
 - 5 – Adopt a park or intermunicipal agreement

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

EXHIBIT “A”

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

Intro. Res. No. 1078-2007
 Introduced by Legislator Horsley

Laid on Table 2/6/2007

RESOLUTION NO. 154 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (WATSON AVENUE WETLANDS PROPERTY) TOWN OF BABYLON (SCTM NO. 0100-211.00-04.00-015.000)

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

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 211.00 Block 04.00 Lot 015.000	.21	William R. and David R. Josiah 145 Cadman Avenue West Babylon, NY 11704

and be it further

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

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

*** PRIMARY CRITERIA**

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

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

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

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

SECONDARY CRITERIA

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

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

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

EXHIBIT “A”

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 14-0-4-0. Legislators Romaine, Alden, Barraga and Kennedy abstained.

**RESOLUTION NO. 155 -2007, TO APPOINT MEMBER OF
COUNTY PLANNING COMMISSION (TOM McADAM)**

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

WHEREAS, Frank Cichanowicz, a member of the County Planning Commission representing the Town of Southold, has died, leaving an opening on the Planning Commission; and

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

WHEREAS, Steve Levy, the County Executive of Suffolk has appointed **Tom McAdam**, currently residing at 800 Crown Land Lane, P.O. Box 528, Cutchogue, New York 11935-0528, as a member of the County Planning Commission; now, therefore be it

1st RESOLVED, that **Tom McAdam**, currently residing at 800 Crown Land Lane, P.O. Box 528, Cutchogue, New York 11935-0528, is hereby appointed as a member of the Suffolk County Planning Commission to represent the Town of Southold for the unexpired balance of the four- (4) -year term, said term to expire December 31, 2008.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Thomas J. McAdam
800 Crown Land Lane
Cutchogue, New York 11935
H-631-734-5922 Cell-631-431-4431
e-mail-Thomas-McAdam@prudentialelliman.com

Professional Experience

Prudential Douglas Elliman Real Estate
53345 Main Road – P.O. Box 1145
Southold, New York 11971

Licensed Real Estate Sales Person

2002 to Present

Allan M. Schneider Assoc. Real Estate
Main Road
Cutchogue, New York 11971

Licensed Real Estate Sales Person

2001-2002

County of Suffolk, New York
Office of the County Executive-Budget Office
Deputy Budget Director-Assistant Budget Director

1972-1997

- Assisted in the Development of the Annual Operating Budget
- Prepared the annual Capital Budget & Program
- Budget Office Advisor for the following
 - Public Works, Parks & Planning Depts.
 - Sewer district construction projects
 - Environmental and parkland acquisition programs
 - Acquisition of Farmland Development Rights
 - Risk Management Program
 - County Legislature
 - Debt Service
 - Refinancing/Refunding debt issues
 - Independent Certified Public Accountants

County of Suffolk, New York
Office of the County Comptroller
Auditor:

1968-1972

Thomas J. McAdam
800 Crown Land Lane
Cutchogue, New York 11935
H-631-734-5922 Cell-631-431-4431
e-mail-Thomas-McAdam@prudentialelliman.com

Education

MPA Degree, 1978
Long Island University –C.W.Post, Brookville, NY

BBA Degree Accounting, 1971
Adelphi University, Garden City, NY

AAS Degree Accounting, 1968
Suffolk Community College, Selden, NY

Volunteer Ad Hoc Activity

Chairman: Town of Southold Land Preservation Finance Committee 2004
Chairman: Town of Southold Cutchogue Hamlet Planning Committee (HALO) 2005

Other

Continuing education in the field of real estate sales and marketing

Professional Memberships & Licenses

Long Island Board of Realtors – Multiple Listing Service
National Association of Realtors
New York State Association of Realtors
New York State Licensed Real Estate Sales Person
New York State Notary Public

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

Intro. Res. No. 1106-2007 Laid on Table 2/6/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

**RESOLUTION NO. 156
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ESTATE OF WEISZ PROPERTY -
AMSTERDAM BEACH ADDITION II (TOWN OF EAST
HAMPTON) - (SCTM NO. 0300-032.00-06.00-010.000 &
011.000)**

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 Town of East Hampton ("Town") has approved Resolution No. 2006-1399 on October 19, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

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 Nine Million Dollars (\$9,000,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Four Million Five Hundred Thousand Dollars (\$4,500,000.00), for a Fifty percent (50%) undivided interest; and the Town's share, totaling Four Million Five Hundred Thousand Dollars (\$4,500,000.00), 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>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0300 Section 032.00 Block 06.00 Lot 010.000	26.0±	Stanley Weisz, as Executor of the Estate of Phyllis Weisz, assignee of the winning bid made by Stanley Weisz PC Retirement Plan in the foreclosure action against

No. 2	District	0300	Ocean Front Estates at Montauk, Inc.
	Section	032.00	195 Smithtown Blvd.- Suite 4
	Block	06.00	Nesconset, NY 11757
	Lot	011.000	

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 County's purchase price of Four Million Five Hundred Thousand Dollars (\$4,500,000.00), of which the County's share of Fifty percent (50%) is Four Million Five Hundred Thousand Dollars (\$4,500,000.00), 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	\$4,500,000.00*

*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	\$4,500,000.00*

*subject to a final survey

and be it further

5th **RESOLVED**, that the \$4,500,000.00 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	\$4,500,000.00*

*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 \$4,500,000.00, 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 title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, each owning an undivided 50% interest; and be it further

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;

and be it further

11th **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

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

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

14th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

15th **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 proposed acquisition and preservation of the site would

have; and be it further

16th **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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1107-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 157 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – FOR THE DUTCHMAN MOORING LLC PROPERTY – GREENS CREEK ADDITION (TOWN OF ISLIP – SCTM NO. 0500-407.00-05.00-025.008 & 025.013 p/o)

WHEREAS, Local Law No. 34-2004, a “Charter Law Adding Article XXXVI to the Suffolk County Charter to Provide a Suffolk County Save Open Space (SOS), Farmland

Preservation, and Hamlet Parks Fund and Permitting the Transfer of Development Rights” was approved by the electorate on November 2, 2004; and

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

WHEREAS, Resolution No. 91-2003, authorized planning steps for the acquisition of the subject property; and

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

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Two Million Seven Hundred Thousand Dollars (\$2,700,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 407.00 Block 05.00 Lot 025.008	16.6±	Dutchman Mooring LLC c/o Vincent Trapani, Managing Member 1560 Fifth Avenue Bayshore, NY 11706
No. 2	District 0500 Section 407.00 Block 05.00 Lot 025.013 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Two Million Seven Hundred Thousand Dollars (\$2,700,000.00), 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 \$2,700,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, Three (3) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1108-2007 Laid on Table 2/6/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 158 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT FOR THE GRAUSSO PROPERTY – SEATUCK CREEK WATERSHED (TOWN OF SOUTHAMPTON – SCTM NO. 0900-300.00-02.00-006.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase

price of Seven Hundred Eighty Seven Thousand Five Hundred Dollars (\$787,500.00±), at \$75,000.00 per acre for 10.5± acres, subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

	SUFFOLK COUNTY			REPUTED OWNER
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District	0900	10.5±	Frank Grausso, Jr.
	Section	300.00		124 Greenlawn Road
	Block	02.00		Huntington, NY 11743
	Lot	006.000		

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 C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Seven Hundred Eighty Seven Thousand Five Hundred Dollars (\$787,500.00±), 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 \$787,500.00± subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-

2004, One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Legislator Romaine made motion for the following resolution, seconded by

Legislator Schneiderman. The resolution was passed 18-0.

Intro. Res. No. 1109-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 159 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE PATTERSON PROPERTY- SAW MILL CREEK (TOWN OF RIVERHEAD – SCTM NO. 0600-106.00-04.00-001.001 p/o)

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

WHEREAS, Resolution No. 689-2006 appropriated \$8,283,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Three Hundred Forty Three Thousand Five Hundred Seventy Five Dollars (\$343,575.00±), at \$135,000.00 per acre for 2.545± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>REPUTED OWNER ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0600	2.545±	Stephen J. Patterson, III	
	Section 106.00		3 Waterview Court	
	Block 04.00		Riverhead, NY 11901	
	Lot 001.001 p/o			

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section

C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Three Hundred Forty Three Thousand Five Hundred Seventy Five Dollars (\$343,575.00±), 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 \$343,575.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.215, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1110-2007

Laid on Table 2/6/2007

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

RESOLUTION NO.

160 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MCLAUGHLIN PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-983.40-05.00-059.000)

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 Twenty Five Thousand Dollars (\$125,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.40 Block 05.00 Lot 059.000	.443± acres	J. Stewart McLaughlin 315 Lakeview Avenue West Brightwaters, NY 11718

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 Twenty Five Thousand Dollars (\$125,000.00), 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	\$125,000.00*

*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	\$125,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$125,000.00 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	\$125,000.00*

*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 \$125,000.00, 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:

- 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
 - 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1111-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 161 -2007, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY**

**MULTIFACETED LAND PRESERVATION PROGRAM –
 OPEN SPACE PRESERVATION PROGRAM - FOR THE
 BURR PROPERTY - EMERALD ESTATES TOWN
 OF HUNTINGTON -
 (SCTM NO. 0400-168.00-02.00-086.000)**

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

WHEREAS, Resolution No. 689-2006 appropriated \$8,283,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0400	2.36±	Carll S. Burr, Jr., Inc.
	Section 168.00		64 Mariners Lane
	Block 02.00		Northport, NY 11768
	Lot 086.000		

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 C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Five Hundred Seventy Thousand Dollars (\$570,000.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$570,000.00, subject to a final survey, from previously appropriated funds in Capital

Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1112-2007

Laid on Table 2/6/2007

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

RESOLUTION NO.

162

2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE FULD, THE BROOKDALE HOSPITAL MEDICAL CENTER AND BUZEN PROPERTY – PINE BARRENS CORE (TOWN OF SOUTHAMPTON – SCTM NO. 0900-171.00-01.00-021.000)

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. 264-2002, authorized planning steps for the acquisition of said property; and

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below 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 Forty Five Thousand Four Hundred Dollars (\$145,400.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 171.00 Block 01.00 Lot 021.000	2.8±	Margo Fuld – 50% undivided interest 239 Central Park West – Apt. 10D New York, NY 10024

The Brookdale Hospital Medical Center
40% undivided interest
Linden Blvd at Brookdale Plaza
Brooklyn, NY 11211
Sandy Buzen as surviving Tenant
by the Entirety of Arthur Buzen, deceased
10% undivided interest
320 East Shore Road
Great Neck, NY 11023

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 Forty Five Thousand Four Hundred Dollars (\$145,400.00), 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	\$145,400.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$145,400.00*

*subject to a final survey

and be it further

5th **RESOLVED**, that the \$145,400.00 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	\$145,400.00*

*subject to a final survey

and be it further

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

7th **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$145,400.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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
- 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1113-2007

Laid on Table 2/6/2007

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

RESOLUTION NO.

163

2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – FARMLAND COMPONENT FOR THE MANOR LANE VINEYARDS LLC PROPERTY (SCTM NO. 0600-048.00-03.00-009.005 p/o F/K/A 0600-048.00-03.00-009.001) - TOWN OF RIVERHEAD)

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

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

WHEREAS, Resolution No. 284-2003, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of Eight Hundred Seventy One Thousand Five Hundred Dollars (\$871,500.00±), at \$83,000.00 per acre, for 10.5± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0600	10.5±	Manor Lane Vineyards LLC
	Section	048.00		215-48 Jamaica Avenue
	Block	03.00		Queens Village, NY 11428
	Lot	009.005 p/o		Signing: Hal R. Ginsburg, Member

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER, for the purchase price of Eight Hundred Seventy One Thousand Five Hundred Dollars (\$871,500.00±), at \$83,000.00 per acre for 10.5± acres, subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$871,500.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Funds, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1132-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 164 -2007, ACCEPTING A DONATION OF REAL PROPERTY FOR OPEN SPACE PURPOSES - A SCDHS BOARD OF REVIEW TRANSFER OF DEVELOPMENT RIGHTS (FILE NO. S02-03-0128)

WHEREAS, a variance is being required from the Suffolk County Department of Health Services Board of Review in connection with an application as described in a Report of Findings and Recommendations regarding the applicant, Ray Hartman, (File No. S02-03-0128); and

WHEREAS, the Board of Review, under Section 760-607 (A)(1) and (B)(1) of the SUFFOLK COUNTY SANITARY CODE, granted the request for a variance on April 8, 2004 and May 26, 2006, subject to the applicant's obtaining, and transferring to the County of Suffolk development rights or credits for the excess density required and a transfer of property with covenants to the County of Suffolk to sterilize the transferred property so as to protect surface and groundwater quality by establishing limits on population density; and

WHEREAS, the Board of Review specifically imposed as a condition of its variance approval that the owner place a covenant upon the receiving parcel(s), known as S.C.T.M. No. District 0200, Section 750.00 Block 05.00 Lot 044.001, Lot 044.002, Lot 044.003 and Lot 044.004, more particularly described on Schedule "A" attached hereto and made a part hereof, and on the transfer parcel(s) known as S.C.T.M. No. District 0200 Section 931.00 Block 04.00 Lot 048.000, more particularly described on Schedule "B" attached hereto and made a part hereof and whereby the parcel(s) described in Schedule "B" shall be sterilized by the property owner and transferred to the County of Suffolk for open space purposes in exchange for the transfer of its Development Density Rights to the property described in Schedule "A"; and

WHEREAS, the Suffolk County Department of Planning has recommended this proposed transfer in a Memorandum to the County Department of Health Services, Division of Environmental Quality, dated April 4, 2005, as provided in Schedule "C"; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby accepts the donation and transfer of the property described in Schedule "B", subject to it being sterilized by the owner for open space purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions imposed by the applicant, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

2nd RESOLVED, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy is hereby authorized, empowered, and directed, pursuant to Section C42-2(3)(d) of the Suffolk County Charter, to execute such documents as are necessary to acquire said parcel(s) as described in Schedule "B"; and be it further

3rd RESOLVED, that the Assessor of the Town of Brookhaven, and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of

Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law pursuant to Section 406(1) of the NEW YORK REAL PROPERTY TAX LAW; and be it further

4th RESOLVED, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy shall transfer jurisdiction of said land as described in Schedule "B", to the Suffolk County Department of Parks, Recreation, and Conservation for passive recreational purposes in the Beaverdam Creek Headwaters area; 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 an unlisted action which 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 Section 617.7(c) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) which sets forth thresholds for determining significant effect on the environment;
2. The property will be open space under the jurisdiction of the Suffolk County Department of Parks, Recreation, and Conservation; and
3. The site will only be used for passive recreational purposes,

and be it further

6th RESOLVED, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with CEQ: and be it further

7th RESOLVED, that in accordance with 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Schedule "A"

SCTM No.: District 0200, Section 750.00 Block 05.00 Lot 044.001
District 0200, Section 750.00 Block 05.00 Lot 044.002
District 0200, Section 750.00 Block 05.00 Lot 044.003
District 0200, Section 750.00 Block 05.00 Lot 044.004

Schedule "B"

SCTM No. : District 0200 Section 931.00 Block 04.00 Lot 048.000

Schedule "C"

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

Intro. Res. No. 1157-2007
Introduced by Legislator Horsley

Laid on Table 2/6/2007

RESOLUTION NO. 165 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (MARINE INC. PROPERTY) TOWN OF BABYLON

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

WHEREAS, the Town of Babylon has indicated its willingness to assume the costs of developing the property described herein into a park for the use and enjoyment of Suffolk County residents; and

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

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

Program for acquisitions to be consummated in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 189.00 Block 02.00 Lot 010.000	±1.4	R.P.M. Marine, Inc. 711 Montauk Highway Lindenhurst, NY 11757

and be it further

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

3rd RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1076-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 166 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (SOUTH SEAS HOLDING CORP. PROPERTY) TOWN OF ISLIP (SCTM NO. 0500-357.00-03.00-p/o 023.000)

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, there are sufficient revenues to fund land acquisition in Capital Project No. 8706.210, Project Name: Hamlet Greens, Hamlet Parks or Pocket Parks; 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. 8706.210, 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 Hamlet Greens, Hamlet Parks, or Pocket Parks purposes;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0500 Section 357.00 Block 03.00 Lot p/o 023.000	±1	South Seas Holding Corp. 259 S. Ocean Avenue Bayport, NY 11705

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)(2)(5) and (6) of the SUFFOLK COUNTY CHARTER in connection with the Hamlet Greens, Hamlet Parks or Pocket Parks acquisitions; and be it further

3rd 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

4th 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

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) 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 12-0-0-6. Legislators Montano, Horsley, Mystal, Stern, D'Amaro and Cooper were not present.

Intro. Res. No. 1017-2007
2/6/2007

Laid on Table

Introduced by Legislator Romaine

RESOLUTION NO. 167 –2007, AUTHORIZING SECOND PUBLIC HEARING ON HEALTH CARE DELIVERY SYSTEM IN SUFFOLK COUNTY BY THE DEPARTMENT OF HEALTH SERVICES

WHEREAS, Resolution No. 669-1999, as amended by Resolution No. 1142-1999, directed the Commissioner of the Department of Health Services to conduct a public hearing in March or April of each year, for the purpose of eliciting input from the residents of Suffolk County to guide the County in allocating its health care resources; and

WHEREAS, holding two (2) public hearings on an annual basis, with one (1) hearing conducted in Hauppauge and one (1) hearing conducted in Riverhead, would generate more public input which would, in turn, provide stronger guidance to the County of Suffolk in formulating health care policy; now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 669-1999 (as amended by Resolution No. 1142-1999) is hereby amended to read as follows:

RESOLVED, that the Commissioner of the County Department of Health Services is hereby authorized, empowered and directed pursuant to Section 9-3 of the SUFFOLK COUNTY CHARTER AND SECTION 3-10(A) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to conduct [an annual] public hearings [within the County of Suffolk]in Hauppauge and Riverhead in March or April and September or October of each year [subsequent to the effective date of this resolution] for the purpose of eliciting input from the residents of Suffolk County to determine the quality of Suffolk County's health care delivery system and how it services their needs, including, but not limited to, the following:

* * * *

and be it further

2nd **RESOLVED**, that the 2nd RESOLVED clause of Resolution No. 669-1999 is hereby amended to read as follows:

RESOLVED, that the Commissioner shall issue a written report each year, no later than 45 days after [such hearing,]the second public hearing is conducted, outlining the findings of such hearings to ascertain whether or not Suffolk County has committed sufficient resources in the right areas for health care through its programs and policies in Suffolk County and to guide the County in allocating its scarce resources on a priority basis in ways that would help promote and preserve the health of individuals in Suffolk County; and be it further

and be it further

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 13-0-0-5. Legislators Montano, Mystal, Stern, D'Amario and Cooper were not present.

Intro. Res. No. 1085-2007

Laid on Table 2/6/2006

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

RESOLUTION NO. 168 -2007, APPROVING THE REAPPOINTMENT OF EDWARD J. AHEARN TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD-GROUP D

WHEREAS, the term of office of Disabilities Advisory Board member Edward J. Ahearn, now, therefore be it

RESOLVED, that the reappointment of Edward J. Ahern of 486B Boxwood Drive, East Yaphank, New York 11949, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2008, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3(4) of the SUFFOLK COUNTY CODE.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 16-0-0-2. Legislators Mystal and Stern were not present.

Intro. Res. No 1086-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 169 -2007, APPROVING THE REAPPOINTMENT OF ROY PROBEYAHN TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD-GROUP D

WHEREAS, the term of office of Disabilities Advisory Board member Roy Probeyahn, now, therefore be it

RESOLVED, that the reappointment of Roy Probeyahn, of 12 Par Drive, South Manor, New York 11949, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2008, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3(4) of the SUFFOLK COUNTY CODE.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Legislator Kennedy made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 15-0-0-3. Legislators Montano, Mystal and Stern were not present.

Intro. Res. No. 1087-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 170 -2007, APPROVING THE REAPPOINTMENT OF MITCHEL SHAPIRO TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD-GROUP D

WHEREAS, the term of office of Disabilities Advisory Board member Mitchel Shapiro has expired, now, therefore be it

RESOLVED, that the reappointment of Mitchel Shapiro, of 2 Clearbrook Dr., Smithtown, NY 11787, to the Disabilities Advisory Board – Group D, for a term of office expiring December 31, 2008, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3(4) of the SUFFOLK COUNTY CODE.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-0-0-3. Legislators Montano, Mystal and Stern were not present.

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

RESOLUTION NO. 171 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE FORENSIC SCIENCES MEDICAL AND LEGAL INVESTIGATIVE CONSOLIDATED LABORATORY (CP 1109)

WHEREAS, the Acting Commissioner of Health Services has requested funds for the Forensic Sciences Medical and Legal Investigative Consolidated Laboratory; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 1109; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$75,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 488-2004 classified the action contemplated by this as a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5 (c), (2) and (25) as this action concerns the replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in kind as well as equipment purchase and installation; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-seven (47), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$75,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1109.313	20	Forensic Sciences Medical and Legal Investigative Consolidated Laboratory	\$75,000

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-0-0-3. Deputy Presiding Officer Viloria-Fisher and Legislators Montano and Mystal were not present.

Intro. Res. No. 1124A-2007

BOND RESOLUTION NO. 172 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$75,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO THE FORENSIC SCIENCES MEDICAL AND LEGAL CONSOLIDATED LABORATORY (CP 1109.313)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$75,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to the forensic sciences medical and legal consolidated laboratory, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$495,134. The plan of financing includes (a) the issuance of \$420,134 bonds or bond anticipation notes (\$400,134 for construction and \$20,000 for site improvements) heretofore authorized for planning pursuant to Bond Resolution No. 495-2004, (b) the issuance of \$75,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 495-2004.

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1146-2007

Laid on Table 2/6/2007

Introduced by Legislators Stern and Presiding Officer Lindsay

RESOLUTION NO. 173 –2007, DECLARING THE MONTH OF OCTOBER AS “EMBRACING OUR DIFFERENCES MONTH”

WHEREAS, the Suffolk Center on the Holocaust, Diversity & Human Understanding, (CHDHU) a not-for-profit organization, has offered to coordinate a major public exhibit and associated programs, together to be known as “Embracing our Differences – Long Island”; and

WHEREAS, this activity has been modeled after similar programs held in cities throughout the world; and

WHEREAS, the “Embracing Our Differences” activities will endeavor to affirm and reinforce values that reject bigotry and prejudice and support the values of peaceful co-existence and respect for human dignity; and

WHEREAS, CHDHU will partner with cultural, governmental, media, educational, religious and business organizations throughout Long Island in furtherance of bringing about a board-based, intensive dialogue on acceptance of, and respect for, differences, and the recognition of commonalities, leading to peaceful co-existence in our community; and

WHEREAS, the Suffolk County Legislature seeks to encourage this endeavor, recognizing that the greatest legacy we can leave the next generation will be respect for human dignity; now, therefore be it

1st RESOLVED, that the month of October this year and every year thereafter is hereby designated “**Embracing Our Differences Month**” within the County of Suffolk for the purpose of recognizing the value of human dignity; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby endorses the “**Embracing Our Differences**” exhibit to be held in Heckscher Park in Huntington and supports the efforts of the Suffolk Center on the Holocaust, Diversity & Human Understanding to build a better community; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-0-0-1. Deputy Presiding Officer Viloria-Fisher was not present.

Intro. Res. No. 1147-2007
Introduced by Legislators Cooper and Stern

Laid on Table 2/6/2007

RESOLUTION NO. 174 –2007, DECLARING THE SECOND WEEK OF MARCH AS “TRAUMATIC BRAIN INJURY AWARENESS WEEK”

WHEREAS, an estimated 1.4 million Americans sustain a traumatic brain injury (TBI) each year; and

WHEREAS, these injuries most often occur due to a fall, motor vehicle accidents and being struck by persons or against objects; and

WHEREAS, TBI's can also be caused by flying debris, being trampled, or blast waves from an explosion, such as the World Trade Center attack or the Oklahoma City bombing; and

WHEREAS, the signs and symptoms of a TBI can be subtle; symptoms of a TBI often do not appear until days following the injury or may even be missed as the person may look healthy; and

WHEREAS, diagnosing a person with TBI can be challenging because many of the symptoms are similar to other medical conditions and the severity of the symptoms may change over time; and

WHEREAS, TBI's can range in severity from mild, characterized by a brief change in mental status or consciousness, to severe, characterized by an extended period of unconsciousness or amnesia following the injury; and

WHEREAS, the treatment of TBI varies from person to person depending on the severity of the injury to the brain; and

WHEREAS, anyone with a history of head trauma, suffering from confusion, disorientation, amnesia of events around the time of the injury or loss of consciousness should seek immediate medical attention; and

WHEREAS, the Suffolk County Legislature wishes to make its residents aware of Traumatic Brain Injury and how important it is recognize the symptoms and to receive prompt medical attention; now, therefore be it

1st RESOLVED, that the second week of March this year and every year thereafter is hereby designated as "**Traumatic Brain Injury Awareness Week**" within the County of Suffolk for the purpose of making its residents aware of the importance of recognizing the signs and symptoms of brain injuries; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1033-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

RESOLUTION NO. 175 –2007, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE (ASSISTANT

ECONOMIST) IN THE LEGISLATURE, BUDGET REVIEW OFFICE

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of the proposed new title; and

WHEREAS, on the basis of this review they have determined that a new title of Assistant Economist be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Legislature, Budget Review Office to cover the cost; now, therefore be it

1st RESOLVED, that the Suffolk County Classification and Salary Plan be amended as follows:

ADDITION TO THE CLASSIFICATION AND SALARY PLAN

<u>Spec. No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
0708	C	Assistant Economist	21	02

AMENDMENT TO OPERATING BUDGET
ADDITION

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
01-1025-0300-0016	0708	C	Assistant Economist	21	02

DELETION

<u>Position No.</u>	<u>Spec No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>
01-1025-0300-0014	0710	C	Principal Economist	30	02

and be it further

2nd RESOLVED, that the provisions included within this resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

RESOLUTION NO. 176 -2007, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM (SCTM NO. 0500-356.00-02.00-p/o 009.000)

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired by the County through the use of Capital Bond proceeds (CP 8704 and/or CP 7177); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Town of Islip have identified a site known as Suffolk County Tax Map No. 0500-356.00-02.00-009.000, which would be appropriate for development as workforce housing; and

WHEREAS, the Town of Islip has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; 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 constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that this Legislature hereby finds that the parcel known as 0500-356.00-02.00-009.000 meets the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements for the parcel listed herein below:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 356.00 Block 02.00 Lot p/o 009.000	±3.0	Sayville Jewish Community Center 225 Greeley Avenue Sayville, NY 11782

and be it further

4th RESOLVED, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title search and to utilize such valid appraisals for the subject parcels as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

5th RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

7th RESOLVED, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement between the County of Suffolk and the Town of Islip, shall be appropriated to future and subsequent Workforce Housing Program projects.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1029-2007
Introduced by Legislator Stern

Laid on Table 2/6/2007

**RESOLUTION NO. 177-2007, DESIGNATING APRIL 29TH
AS CRAIG LUDIN DAY IN SUFFOLK COUNTY**

WHEREAS, Craig Ludin of Dix Hills, along with seven-time Olympic gold medalist Mark Spitz and legendary broadcaster Howard Cosell, will be inducted into the National Jewish Sports Hall of Fame on April 29, 2007; and

WHEREAS, Craig Ludin was the first person with Down's Syndrome to enter Half Hollow Hills School District and graduate; and

WHEREAS, Craig has won more than 50 gold medals, 30 silver medals and 10 bronze medals in the Special Olympics in various swimming events; and

WHEREAS, aside from his athletic achievements, Craig is an accomplished public speaker as a world messenger for the Special Olympics, speaking to groups about how Special Olympics has helped prepare him for real life, as a team player with a positive self-image and a good attitude; and

WHEREAS, the County of Suffolk wishes to honor the many accomplishments of Special Olympian, Craig Ludin, on his induction into the National Jewish Sports Hall of Fame; now, therefore be it

1st RESOLVED, that April 29, 2007 is hereby designated as “**Craig Ludin Day**” in Suffolk County in recognition of his induction into the National Jewish Sports Hall of Fame, which honors Jewish athletes, coaches, executives and others who have distinguished themselves in the world of sports; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1049-2007

Laid on Table 2/6/2007

Introduced by Legislators Cooper and Nowick

RESOLUTION NO. 178 -2007, AUTHORIZING USE OF MAKAMAH PRESERVE IN NORTHPORT BY NORTHPORT ROAD RUNNERS CLUB

WHEREAS, the Northport Road Runners Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

WHEREAS, the Northport Road Runners Club would like to use the County-owned Makamah Preserve to sponsor a 8K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

WHEREAS, the race would be held on April 14, 2007 at the Makamah Preserve in Northport; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 (\$250.00) Dollars, payment of which shall be guaranteed by the Northport Road Runners Club; and

WHEREAS, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Fifty and 00/100 (\$250.00) Dollars, for the purpose of a 8K race on April 14, 2007, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Road Runners Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Road Runners Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Road Runners Club at Makamah Preserve in Northport by the Northport Road Runners Club; and be it further

3rd RESOLVED, that the Northport Road Runners Club shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1122 -2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 179 -2007, APPROPRIATING FUNDS IN
CONNECTION WITH IMPROVEMENTS TO HISTORIC SITES AND
BUILDINGS – TIMBER POINT GOLF COURSE CLUBHOUSE (CP 7510)**

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

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7510; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$995,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$995,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
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525-CAP-7510.330 (Fund 001-Debt Service)	26	Improvements to Historic Sites and Buildings – Timber Point Golf Course Clubhouse	\$995,000
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DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1122A-2007

BOND RESOLUTION NO. 180 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$995,000 BONDS
TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO
HISTORIC SITES AND BUILDINGS - TIMBER POINT GOLF
COURSE CLUBHOUSE (CP 7510.330)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$995,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to historic sites and buildings - Timber Point Golf Course Clubhouse, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,540,000. The plan of financing includes (a) the issuance of \$70,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 937-2001, (b) the issuance of \$1,100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1256-2002, (c) the issuance of \$375,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 864-2006, (d) the issuance of \$995,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1123 -2007

Laid on Table 2/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 181 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE REMOVAL OF TOXIC MATERIALS IN COUNTY PARKS (CP 7185)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested construction funds for the removal of toxic materials in County parks; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7185; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, removal of all toxic materials discovered in County parks will be in accordance with all Federal and OSHA standards; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that the Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617.5 (c):

- (1) maintenance or repair involving no substantial changes in an existing structure or facility; and
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part; and
- (3) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may effect the environment; and therefore SEQRA is complete; and be it further

3rd RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7185.312 (Fund 001-Debt Service)	26	Removal of Toxic Materials in County Parks	\$200,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

BOND RESOLUTION NO. 182 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF THE REMOVAL OF TOXIC MATERIALS IN COUNTY PARKS (CP 7185.312)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the removal of toxic material in County parks, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1137-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

RESOLUTION NO. 183 –2007, APPROPRIATING FUNDS IN THE 2007 CAPITAL BUDGET AND PROGRAM IN CONNECTION WITH RENOVATIONS TO THE HISTORIC GATE HOUSE IN BROOKSIDE COUNTY PARK IN SAYVILLE (CP 7510)

WHEREAS, in 1999 the County acquired the historic Gate House in Brookside County Park which was built in 1897 with a rear addition built circa 1950; and

WHEREAS, this 6 acre “water park” was the former estate of the prominent Sayville architect Isaac H. Green; and

WHEREAS, the Gate House is a functional museum occupied by the Great South Bay Audubon Society (G.S.B.A.), which conducts year-round guided nature walks for the public; and

WHEREAS, construction funds are needed in connection with renovations to the Historic Gate House porch; and

WHEREAS, there are sufficient funds scheduled in the 2007 Capital Budget and Program for this capital project as Capital Program and Capital Budget Amending Resolution No. 461-2006 added \$50,000 for construction in 2007 for renovations to this Brookside County Park Historic House in Sayville; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8, Resolution No. 485-2004 determined that the Proposed Historic Restoration, Preservation and Stabilization of Historic Buildings and Structures within Suffolk County Parks constitutes a Type II action pursuant to the provisions of Title 6 NYCRR Part 617.5 (c), (1) and (2) and Chapter 279 of the Suffolk County Code, since it involves maintenance of and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 59 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7510.336	26	Historic Restoration and Preservation Fund	\$50,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1137A-2007

BOND RESOLUTION NO. 184 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE THE COST OF RENOVATIONS TO THE HISTORIC GATE HOUSE IN BROOKSIDE COUNTY PARK IN SAYVILLE (CP 7510.336)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of renovations to the Historic Gate House in Brookside County Park in Sayville, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000. The plan of financing includes the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of

taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (3) of the Law of the Law, is ten (10) years.

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

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1140-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

RESOLUTION NO. 185 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SPILLWAYS AT BROOKSIDE COUNTY PARK, TOWN OF ISLIP (CP 7099)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for the reconstruction of spillways at Brookside County Park, Town of Islip; and

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project Number 7099; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$80,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being lead agency under the State Environmental Quality Review Act (SEQRA) Environmental Conservation Law, Article 8, hereby

finds and determines that this law constitutes a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c), (7), as recommended by the Council on Environmental Quality (CEQ) at its September 20, 2006 meeting which Adopted Resolution No. 83-2006, because it 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 the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty four (64), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2007 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$1,904,000	\$1,984,000 B	\$1,904,000 B
TOTAL	\$1,904,000	\$1,984,000	\$1,904,000

Project Number: 7099

Project Title: Reconstruction of Spillways in County Parks

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$495,000	\$140,000 B	\$220,000 B
TOTAL	\$495,000	\$140,000	\$220,000

and be it further

4th RESOLVED, that the proceeds of \$80,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7099.311	26	Reconstruction of Spillways in County Parks	\$80,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1140A-2007

BOND RESOLUTION NO. 186 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$80,000 BONDS TO FINANCE THE COST OF THE RECONSTRUCTION OF SPILLWAYS AT BROOKSIDE COUNTY PARK, TOWN OF ISLIP (CP 7099.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$80,000 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 reconstruction of spillways at Brookside County Park, Town of Islip, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$80,000. The plan of financing includes the issuance of \$80,000 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. 19 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to

publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1094-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 187 -2007, ACCEPTING A DONATION
OF VEHICLES TO THE SUFFOLK COUNTY POLICE
DEPARTMENT**

WHEREAS, SUFFOLK TRANSPORTATION SERVICES, INC., 10 Moffitt Boulevard, Bay Shore, New York 11706 has expressed a desire to donate two school buses to the Suffolk County Police Department; and

WHEREAS, the Suffolk County Police Department has expressed interest in the utilization of these vehicles for the purpose of law enforcement; now, therefore be it

1st RESOLVED, that the donation of the following vehicles be accepted for use by the Suffolk County Police Department:

<u>Year</u>	<u>Make</u>	<u>Value</u>	<u>Vehicle ID Number</u>
1993	Ford	\$7,500.00	1FDXJ75C7PVA12940
1993	Ford	\$7,500.00	1FDXJ75C3PVA12952

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1096-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 188 -2007, ACCEPTING THE DONATION OF AN ALL TERRAIN VEHICLE TO THE SUFFOLK COUNTY SHERIFF'S OFFICE

WHEREAS, the Quogue Village Police Department has expressed a desire to donate a 2006 Suzuki LT-R450K6 to the Suffolk County Sheriff's Office, which was impounded by the Quogue Village Police Department, who now maintains ownership of said all terrain vehicle; and

WHEREAS, the donation of this all terrain vehicle will facilitate the Sheriff's Office participation in the Pine Barrens Task Force by adding an additional all terrain vehicle available for Pine Barrens patrol; and

WHEREAS, the Suffolk County Sheriff's Office has expressed interest in accepting this all terrain vehicle for patrol purposes; now, therefore be it

1st RESOLVED, that the donation of the following vehicle, with a value of approximately \$5000, is hereby accepted by the Suffolk County Sheriff's Office:

<u>Year</u>	<u>Make/Model</u>	<u>Vehicle Identification Number</u>
2006	Suzuki/LT-R450K6	JSAAL41A762107208

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1101-2007

Laid on Table 2/6/2007

Introduced by Legislators Nowick, Alden, Losquadro and Mystal

RESOLUTION NO. 189 –2007, ESTABLISHING A PUBLIC EDUCATION CAMPAIGN TO ENCOURAGE RESIDENTS TO REGISTER FOR AMBER ALERTS

WHEREAS, AMBER alerts are used to publicize child abductions through various means of communication; and

WHEREAS, the AMBER Alert Program has helped reunite more than 260 children with their families; and

WHEREAS, since the first three hours of the abduction of a child is the most critical in recovery efforts; spreading information about the abducted child is crucial; and

WHEREAS, reaching as many people as possible with the pertinent information about the abducted child could possibly aid in a safe recovery of that child; and

WHEREAS, currently, 12 states are debuting technology that will extend AMBER alerts to cell phones, email, handheld computers, and other hand-held devices; and

WHEREAS, the County of Suffolk wishes to provide a free service to our residents who would like to receive AMBER alert notifications directly to their cell phones, emails, computers or other hand-held devices; now, therefore be it

1st RESOLVED, that pursuant to the provisions of Section C20-2(C) and Section C13-1 of the SUFFOLK COUNTY CODE, the Department of Information of Technology, in cooperation with the Suffolk County Police Department, is hereby authorized, empowered and directed to establish a link on the County Website as well as the Police Department's Website that will direct residents to a site where they can register to receive AMBER Alert notifications on their cell phone or other electronic device of their choice; and be it further

2nd RESOLVED, that the Division of Information Services, within the Department of Information Technology, shall promote public awareness of the methods of receiving AMBER Alerts by distributing bulletins to all the libraries within the Suffolk County Cooperative Library System, town offices, civic associations, all county departments and legislative offices; 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro Res. No. 1105-2007

Laid on Table 2/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 190 -2007, APPROVING THE RE-
APPOINTMENT OF MARSHAL SCHWARTZ TO THE SUFFOLK
COUNTY CITIZEN CORPS COUNCIL**

WHEREAS, Resolution No. 1283-2004 authorized the creation of the Suffolk County Citizen Corps Council to develop and coordinate volunteer programs to assist in emergency response activities; and

WHEREAS, pursuant to Resolution No. 1283-2004 the Suffolk County Executive has re-appointed Marshal Schwartz, residing at 9 Jupiter Road, Rocky Point, New York 11778, as a member of the Suffolk County Citizen Corps Council; now, therefore be it

1st RESOLVED, that the re-appointment of Marshal Schwartz, currently residing at 9 Jupiter Road, Rocky Point, New York 11778, as a member of the Suffolk County Citizen Corps Council is hereby approved, said re-appointment effective July 1, 2006; and be it further

2nd RESOLVED, that the term of this re-appointment shall be three years, consistent with the provisions of Resolution No. 1283-2004.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1125-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 191 -2007, APPROPRIATING FUNDS

IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT (CP 3135)

WHEREAS, the Police Commissioner has requested funds for the purchase of a replacement two-car carrier; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said vehicle under Capital Project No. 3135; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2007 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$78,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5(c)(25) and (27), in that the resolution concerns purchase of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of \$78,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3135.522 (Fund 115-Debt Service)	28	Purchase of Heavy Duty Vehicle (Two-Car Carrier)	\$78,000

and be it further

4th RESOLVED, as per Resolution No. 321-2003, the purchase of this vehicle is a replacement vehicle and shall not increase the County fleet, and is hereby approved by this legislature.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1125A-2007

BOND RESOLUTION NO. 192 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$78,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF A HEAVY DUTY VEHICLE FOR THE POLICE DEPARTMENT (CP 3135.522)

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 \$78,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of a heavy duty vehicle for the Police Department, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$78,000. The plan of financing includes the issuance of \$78,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 29 of the Law of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

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

Intro. Res. No. 1126-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 193 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH THE PURCHASE OF REPLACEMENT
HARDWARE - FINGERPRINT IDENTIFICATION SYSTEM
(CP 3508)**

WHEREAS, the Police Commissioner has requested funds for the purchase of replacement hardware for the Live Scan Fingerprint Identification System; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said equipment under Capital Project No. 3508; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$375,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of \$375,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3508.510 (Fund 001-Debt Service)	28	Replacement Hardware-Fingerprint Identification System	\$375,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1126A-2007

BOND RESOLUTION NO. 194 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$375,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF A REPLACEMENT FINGERPRINT IDENTIFICATION SYSTEM (CP 3508.510)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$375,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of a replacement fingerprint identification system, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$375,000. The plan of financing includes the issuance of \$375,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1127-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 195 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH THE PURCHASE OF DIGITAL
PHOTOGRAPHY EQUIPMENT (CP 3504)**

WHEREAS, the Police Commissioner has requested funds for the purchase of digital photography equipment to convert photographic images from film to digital, enabling electronic printing, storage and transmission of image files; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said equipment under Capital Project No. 3504; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$240,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Env. Con. Law Art. 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Title 6 of the New York Code of

Rules and Regulations (“NYCRR”) Section 617.5(c) (20), (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of \$240,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>PROJECT NO.</u>	<u>JC</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
525-CAP-3504.511 (Fund 001-Debt Service)	28	Purchase of Digital Photography Equipment	\$240,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1127A-2007

BOND RESOLUTION NO. 196 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$240,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF DIGITAL PHOTOGRAPHY EQUIPMENT (CP 3504.511)

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

Section 1. The County of Suffolk, New York (herein called the “County”), is hereby authorized to issue bonds in the principal amount of \$240,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the “Law”), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of digital photography equipment, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$240,000. The plan of financing includes the issuance of \$240,000 bonds or bond

anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law 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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 2139-2006
Introduced by Legislators Cooper and D’Amaro

Laid on Table 9/19/2006

RESOLUTION NO. 197 –2007, TO DEDICATE CORNER OF PULASKI ROAD AND NEW YORK AVENUE IN HUNTINGTON AS THE “CARMEN RAMOS CALIXTO-LAAS CORNER”

WHEREAS, Carmen Ramos Calixto-Laas was a very well-known, active and gracious volunteer at Saint Hugh’s Church in Huntington Station; and

WHEREAS, as an Eucharistic Minister for the Church and founder of the Hispanic Community at St. Hugh’s, Carmen assisted residents in need to find housing, food and other services; and

WHEREAS, Carmen’s everyday routine included picking up litter on her way to church, and planting and tending to the flowers on the corner of Pulaski Road and Route 110, New York Avenue; and

WHEREAS, Carmen considered this corner to be the heart of Huntington Station and took great pride in making it a beautiful spot for all to enjoy; and

WHEREAS, Carmen gave her time generously to many people and organizations without seeking anything in return; and

WHEREAS, while on a recent humanitarian mission in Uganda, Carmen passed away; and

WHEREAS, this Legislature wishes to show its respect and admiration for the sacrifices and generosity of Carmen Ramos Calixto-Laas by officially dedicating the southeast corner of Pulaski Road and Route 110/New York Avenue in her honor; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to provide and install appropriate signs and to take such other actions as shall be necessary to dedicate the corner of Pulaski Road and Route 110/New York Avenue in Huntington Station as the "Carmen Ramos Calixto-Laas Corner"; 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: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 2171-2006

Laid on Table 9/19/2006

Introduced by Legislators Romaine, Stern, Losquadro and Schneiderman

RESOLUTION NO. 198 -2007, ADOPTING LOCAL LAW NO. 7 -2007, A LOCAL LAW TO ESTABLISH A SAFE AND SUSTAINABLE PROCUREMENT POLICY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on September 19, 2006, a proposed local law entitled, **“A LOCAL LAW TO ESTABLISH A SAFE AND SUSTAINABLE PROCUREMENT POLICY”** now, therefore, be it

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

LOCAL LAW NO. 7 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ESTABLISH A SAFE AND SUSTAINABLE
PROCUREMENT POLICY**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the manufacture of certain commodities and technologies, as well the provision of services, may have an adverse impact on public health and the environment.

This Legislature also finds and determines that including public health and environmental considerations in County purchasing decisions can help to ensure a higher quality of life for present and future generations.

This Legislature further finds and determines that the protection of public health and the environment in County purchasing decisions is consistent with the traditional considerations of lowest price, best value, quality, cost and efficiency.

Therefore, the purpose of this law is to establish a safe and sustainable procurement policy for Suffolk County in order to promote increased public health for Suffolk residents and employees.

Section 2. Definitions.

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

A.) **“COMPARABLE OFFER”** – shall mean the cost to provide a comparable commodity, service and/or technology that does not meet the criteria established by this law.

B.) **“PRIORITY TOXIC SUBSTANCES OF CONCERN”** - shall include any substance known to be or reasonably anticipated to be a human carcinogen; any substance known to be or reasonably anticipated to be a risk to human reproduction; any substance known to be or reasonably anticipated to be an endocrine disruptor; and/or any substance regulated as a radioactive substance.

C.) **“PROHIBITIVE COST”** - shall mean a cost of 15% or more than a comparable commodity, service and/or technology that does not meet the criteria established by this law.

D.) **“TARGET COMMODITIES, SERVICES AND/OR TECHNOLOGIES”** – shall mean broad categories of commodities, services and/or technologies routinely procured by the County of Suffolk which may have an adverse impact on public health or the environment and

for which more safe and/or sustainable commodities, services or technologies should be identified and substituted. For the purposes of this paragraph, target commodities, services and/or technologies shall be limited to automotive fleet maintenance products and services; paper products; landscaping products and services; and paint and coating products and services.

Section 3. Safe and Sustainable Procurement Policy.

- A.) Minimum specifications for safety and sustainability.
 - 1.) Consistent with determinations of need, all County departments shall procure target commodities, services and technologies that meet or exceed the following minimum specifications:
 - a.) Avoidance of priority toxic substances of concern. No target commodity, service or technology shall contain, use, or cause the release of a priority toxic substance of concern as defined in Section 2 of this law unless no commodity, service or technology meeting such specification is available in the form, function and utility consistent with a department's needs;
 - b.) Recycled content. All paper products for which the United States Environmental Protection Agency has developed recycled content recommendations pursuant to Section 6002 of the Resource Conservation and Recovery Act shall be required to meet or exceed the minimum recovered material and post-consumer material content percentages recommended in the most recent Recovered Materials Advisory Notice issued for such commodity in the federal register; provided, however, that xerographic copy paper shall contain no less than thirty (30) percent post-consumer recycled content. Such minimum percentages shall be met unless costs or other public health or environmental considerations are determined to be more important; and
 - 2.) All Requests for Proposals ("RFPs"), Requests for Qualifications ("RFQs"), and/or Requests for Expressions of Interest ("RFEIs") to which this law applies, shall contain a request for an offer that meets the minimum specifications developed pursuant to paragraph A of this section as well as a comparable offer as defined in paragraph A of Section 2 herein.
- B.)
 - 1.) Nothing in this Section shall be construed as prohibiting a County department from procuring a target commodity, service or technology in the form, function and utility required by such department, or as requiring a County department to procure a target commodity, service or technology that does not perform adequately for its intended use or purpose; excludes adequate competition; or is only available at a prohibitive cost or within an unreasonably long period of time.
 - 2.) In the event that a department receives no offers that meet the specifications developed pursuant to paragraph A of this Section, or only

receives offers meeting such specifications at a prohibitive cost, such department may relet the contract without such specifications and award a contract in accordance with other applicable statutes; provided, however, that such department shall document the reasons why such procurement does not meet the minimum specifications for safety and sustainability.

Section 4. Target Commodities, Services and/or Technologies.

- A.) The County of Suffolk (“County”) shall identify target commodities, services and/or technologies routinely purchased by the County of Suffolk.
- B.) Following identification, the County shall create an approved safe and sustainable alternatives list for each target commodity, service and/or technology that is consistent with the safe and sustainable policy established by Section 3 of this law. Approved alternative lists shall be reviewed and revised bi-annually, and the public shall be provided opportunity for review and comment.
- C.) When procuring a target commodity, service and/or technology for which an approved safe and sustainable alternatives list has been created, County departments shall procure such target commodity, service and/or technology from such list.

Section 5. Waiver.

- A.) A waiver from the provisions of this law may be granted by the Director of the Division of Purchasing (“Director”) when no target commodity, service and/or technology on such approved alternative list meets a County department’s performance standards. In order to obtain a waiver, the County department requesting the waiver must show that it has:
 - 1.) thoroughly tested each commodity or technology, or thoroughly investigated each service, on the approved alternatives list and none meet the agency’s performance standards, including, but not limited to, prohibitive costs or timing needs; and
 - 2.) disclosed the use and intensity for use for the commodity, service or technology and developed a reasonable plan to minimize the use of the selected commodity, service or technology and/ or protect employees and the public from exposure.
- B.) An emergency waiver from the provisions of this law may be granted by the Director when the purchase of a target commodity, service or technology is necessary to respond to an emergency which endangers public health or safety, provided, however, that upon the granting of an emergency waiver, such County department shall within two business days file a written report with the Director containing the following information:
 - 1.) a description of the emergency that prevented compliance with this law;
 - 2.) the name of the commodity or technology, or a description of the service, its use and intensity of use;

- 3.) a description of the steps being taken to safeguard public health and safety during the emergency; and
 - 4.) an explanation of how such an emergency can be avoided in the future.
- C.) Any waiver granted pursuant to this Section shall remain in effect until an alternative for such target commodity, service or technology is approved, or until an emergency has ended; but in no event shall a waiver remain in effect for a period longer than two years from the date of issuance by the Director. Said waivers may be renewed by the Director provided that all relevant criteria are met with respect to each waiver.

Section 6. Exemption.

The provisions of this law shall not apply, and no waiver shall be necessary, for commodities, services or technologies utilized for bona fide scientific experiments or for public health testing conducted by the County of Suffolk, or for commodities, services or technologies utilized for law enforcement or crime scene investigation purposes, or for commodities, services or technologies utilized by the County Medical Examiner, or for commodities subject to Chapter 380 of the SUFFOLK COUNTY CODE.

Section 7. Rules and Regulations.

The Suffolk County Department of Environment and Energy shall promulgate such rules and regulations as deemed necessary and appropriate for the implementation and enforcement of any provision of this law.

Section 8. Applicability.

This law shall apply to all operating budget requests by County departments and/or agencies for target commodities, services and/or technologies on or after June 30, 2008, for inclusion in the County Operating Budget of 2009, and all subsequent years.

Section 9. 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 10. Reverse Pre-emption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The

County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted of the purposes of triggering the provision of this section.

Section 11. SEQRA Determination.

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

Section 12. Effective Date.

This law shall not take effect until at least forty-five (45) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within forty-five (45) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 24(2) (b) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 29, 2007

After a public hearing duly held on March 27, 2007
Filed with the Secretary of State on April 23, 2007

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

Intro. Res. No. 1023-2007
Introduced by Presiding Officer Lindsay

Laid on Table 2/6/2007

**RESOLUTION NO. 199 –2007, REAPPOINTING MEMBER TO
THE SUFFOLK COUNTY TRAFFIC SAFETY BOARD (WILLIAM
A. DEVORE)**

WHEREAS, the term of office of William A. DeVore as a member of the Suffolk County Traffic Safety Board appointed by Resolution No. 597-2005 expired on December 31, 2006; and

WHEREAS, it is the desire of the Suffolk County Legislature to reappoint William A. DeVore as a member of the Suffolk County Traffic Safety Board; now, therefore be it

1st RESOLVED, that William A. DeVore 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: March 6, 2007

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

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

Intro. Res. No. 1034-2007

Laid on Table 2/6/2007

Introduced by Legislator Caracappa

RESOLUTION NO. 200 -2007, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF NOISE ABATEMENT STRUCTURES ON CR 83 NORTH OCEAN AVENUE (CP 5556)

WHEREAS, Capital Project 5556, Construction of Noise Abatement Structures on CR 83 North Ocean Avenue, is scheduled to commence in 2007 with the acquisition of land; and

WHEREAS, this capital project consists of land acquisition and construction of a noise abatement barrier on CR 83 North Ocean Avenue in the Town of Brookhaven; and

WHEREAS, this project's justification and benefits are intended to have a positive impact on neighboring residents of CR 83 North Ocean Avenue, from Granny Road to Bicycle Path by lowering motor vehicle traffic decibel levels; and

WHEREAS, the funding for the study of this phase of the project was provided for under Capital Project 5546.110; and

WHEREAS, there are sufficient funds scheduled in the 2007 Capital Budget and Program for the 2007 land acquisition phase of this capital project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 52 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5556.210	50	Construction of Noise Abatement Structures on CR 83 North Ocean Avenue	\$50,000

and be it further

3rd **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED: March 6, 2007

****VETOED BY COUNTY EXECUTIVE ON MARCH 20, 2007****

****VETO OVERRIDE ADOPTED ON MARCH 20, 2007****

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

Intro. Res. No. 1034A-2007

BOND RESOLUTION NO. 201 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE A PART OF THE COST OF CONSTRUCTION OF NOISE ABATEMENT STRUCTURES ON CR 83, NORTH OCEAN AVENUE (CP 5556.210)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of construction of noise abatement structures on CR 83, North Ocean Avenue, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$450,000. The plan of financing includes (a) the transfer of \$400,000 from the General Fund pursuant to Resolution No. 1054-2003 under CP 5546.110 (for planning) (b) the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to this resolution (for ancillary costs relating to land acquisition), and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 35 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: March 6, 2007

****VETOED BY COUNTY EXECUTIVE ON MARCH 20, 2007****

****VETO OVERRIDE ADOPTED ON MARCH 20, 2007****

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

Intro. Res. No. 1082-2007

Laid on Table 2/6/2007

Introduced by Legislator Kennedy

RESOLUTION NO. 202 –2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AT RAYNOR BEACH COUNTY PARK (CP 7175)

WHEREAS, the sidewalks around Raynor Beach County Park, along Ronkonkoma Avenue are in need of extension and replacement; and

WHEREAS, the Department of Public Works estimates that this project will cost \$100,000 for construction; and

WHEREAS, the Town of Brookhaven will match the County's funding in the amount of \$50,000; and

WHEREAS, the 2007 Adopted Capital Budget and Program does not include sufficient funds to cover the extension of the sidewalks and under the Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (20) (21) and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2007 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$2,950,000	\$3,000,000 B	\$2,950,000 B
TOTAL	\$2,950,000	\$3,000,000	\$2,950,000

Project Number: 7175
 Project Title: Improvements to Raynor Beach County Park

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$2,857,500	\$0	\$50,000 B
		\$0	\$50,000 O
TOTAL	\$3,107,500	\$0	\$100,000

and be it further

4th RESOLVED, that the proceeds of \$50,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7175.314	Improvements to Raynor Beach County Park	\$50,000

and be it further

5th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

6th RESOLVED, that the Department of Public works is hereby authorized, empowered and directed, pursuant to Section C8-2W of the SUFFOLK COUNTY CHARTER to enter into any and all agreements necessary with the Town of Brookhaven in order to effectuate the terms of this Resolution; and be it further

7th RESOLVED, that there shall be no expenditure of County funds on this project unless and until the Town of Brookhaven has agreed by Town Board resolution to provide \$50,000 or its equivalent in verifiable in-kind services for this project.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: March 19, 2007

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

BOND RESOLUTION NO. 203 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS AT RAYNOR BEACH COUNTY PARK (CP 7175.314)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to Raynor Beach County Park, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000. The plan of financing includes the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 19 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date March 19, 2007

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

Intro. Res. No. 1119-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 205 –2007, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY C – 141, RIVERHEAD (CP 3014)

WHEREAS, the Sheriff of Suffolk County has requested additional funds for numerous improvements to the County Correctional Facility C – 141, Riverhead including, but not limited to, locating and repairing roof and plumbing leaks to include the 4th floor slab extension leakage repairs, reconfiguring a second pod housing areas for direct supervision of inmates which will require the relocation of control panels already scheduled to be replaced and up-graded; replacing 24 air handlers and cleaning all related duct work, replacing the perimeter heating system and controls, replacing the main electrical switch and automatic transfer switch with bypass type; modifying the parking lot, providing a sanitary connection for the existing security booth at the Facility's front entrance; and

WHEREAS, the Riverhead Correctional Facility continues to deteriorate at an alarming rate and requires immediate repairs to keep the facility operational and habitable; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the Planning and Construction costs of said request under Capital Program Number 3014; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,140,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8, CEQ Resolution No. 06-2004 classified the action contemplated by this as a Type II, pursuant to the provisions of Title 6 NYCCR, Part 617.5 (1), (2) and (21), as the project involves planning as well as replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in-kind; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$1,140,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3014.316 (Fund 001-Debt Service)	18	Improvements to the County Correctional Facility C-141 Riverhead	\$1,000,000
525-CAP-3014.410 (Fund 001-Debt Service)	18	Site Improvements to the County Correctional Facility C-141 Riverhead	\$65,000
525-CAP-3014.512 (Fund 001-Debt Service)	18	Furniture and Equipment For Improvements to the County Correctional Facility C-141-Riverhead	\$75,000

DATED: March 6, 2007

APPROVED BY:

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

Date: March 19, 2007

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

Intro. Res. No. 1119A-2007

BOND RESOLUTION NO. 206 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,140,000 BONDS TO FINANCE A PART OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY C-141 IN RIVERHEAD (CP 3014.316, .410 and .512)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,140,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of construction of improvements to the County Correctional Facility C-

141 in Riverhead, including site improvements and furniture and equipment, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,640,000. The plan of financing includes (a) the issuance of \$1,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 792-2005 (\$80,000 for planning and \$920,000 for construction), (b) the issuance of \$1,500,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 334-2006 (\$100,000 for planning and \$1,400,000 for construction), (c) the issuance of \$1,140,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$1,000,000 for construction, \$65,000 for site improvements and \$75,000 for furniture and equipment) and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years, computed from November 1, 2006, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 792-2005.

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

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

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

credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1121-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 207 -2007, AMENDING THE 2007
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH INTERCHANGE
IMPROVEMENTS FOR CR 111, PORT JEFFERSON-**

WESTHAMPTON ROAD, AT THE LIE SERVICE ROADS, TOWN OF BROOKHAVEN (CAPITAL PROGRAM NUMBER 5123)

WHEREAS, the interchange of CR 111 is an urban principal arterial highway which extends from the NYS 27 South Service Road northerly to the LIE; and

WHEREAS, traffic volume has steadily grown to the point that the CR 111, LIE Interchange fails during the peak hours of volume during the recreation season for the south fork of Long Island; and

WHEREAS, on January 10, 2007, County Executive Steve Levy announced plans for a project that will provide for interim capacity and safety improvements at this interchange by realigning the roadway, modifications to lane use, construction of new traffic signals, modifications to signage, pavement markings and miscellaneous traffic control facilities; and

WHEREAS, that the construction of new traffic signals can be accomplished utilizing existing appropriations; and

WHEREAS, County Executive Steve Levy appropriated \$200,000 in 2006 for a Traffic Safety Study on CR 111 from the LIE to Chapman Avenue; and

WHEREAS, the Suffolk County Department of Public Works is progressing with a contract for engineering services for long-term improvements for this corridor; and

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Interchange Improvements for CR 111, Port Jefferson-Westhampton Road; and

WHEREAS, there are no funds in the 2007 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2006 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$550,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution Nos. 1171 of 1995 and 1175 of 1995 classified the action contemplated by this as a Type II Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No. 1755
 Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	<u>\$2,450,000</u>	<u>\$3,000,000B</u>	<u>\$2,450,000B</u>
TOTAL	\$2,450,000	\$3,000,000	\$2,450,000

Project No.: 5123
 Project Title: Interchange Improvements for CR 111 at the LIE Service Roads, Town of Brookhaven

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	<u>\$550,000</u>	<u>\$ 0</u>	<u>\$550,000</u>
TOTAL	\$900,000	\$ 0	\$550,000

and be it further

5th RESOLVED, that the proceeds of \$550,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5123.310 (Fund 001-Debt Service)	50	Interchange Improvements for CR 111, Port Jefferson-Westhampton Road at the LIE Service Roads, Town of Brookhaven	\$550,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1121A-2007

BOND RESOLUTION NO. 208 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$550,000 BONDS
TO FINANCE A PART OF THE COST OF INTERCHANGE
IMPROVEMENTS FOR CR 111, PORT JEFFERSON-
WESTHAMPTON ROAD, AT THE LONG ISLAND
EXPRESSWAY SERVICE ROADS, TOWN OF BROOKHAVEN
(CP 5123.310)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$550,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of interchange improvements for CR 111, Port Jefferson-Westhampton Road, at the Long Island Expressway service roads, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$750,000. The plan of financing includes (a) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized for planning pursuant to Bond Resolution No. 603-2006, (b) the issuance of \$550,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from November 1, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 603-2006.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution 603-2006 is hereby amended and restated to be fifteen (15) years, computed from November 1, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 603-2006.

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

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

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

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1128-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 209 -2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR A SAFETY AND SECURITY IMPROVEMENTS PROGRAM FOR SANITARY FACILITIES IN SUFFOLK COUNTY SEWER DISTRICTS (CP 8103)

WHEREAS, the sanitary facilities under the ownership and operation of Suffolk County have increased over the past thirty-five years to twenty-two treatment plants and nearly ninety pumping stations; and

WHEREAS, there exists a need to insure that safety and security system measures are appropriate and current; and

WHEREAS, the Administrative Head of the Sewer Districts has requested that funds be appropriated to cover design and installation costs associated with the Safety and Security Improvements; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, it is proposed that the Assessment Stabilization Reserve fund the districts the sum of \$540,000 for the purpose of implementing this project for the benefit of all the sewer districts, excluding SD 3 - Southwest, that has a program underway; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Resolution No. 638-2006 classified the action contemplated by the proposed Safety and Security Improvements for Suffolk County Sewer District a Type II action pursuant to the provisions of Environmental Conservation Law Article 8, Title 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53), is eligible for approval with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the Assessment Stabilization Reserve Fund shall fund the Sewer Districts the sum of \$540,000 for the purpose of implementing this project for the benefit of all the sewer districts; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized and directed to transfer funds and accept proceeds as follows:

Interfunds

APPROPRIATIONS:

	<u>AMOUNT</u>
404-IFT-E527 - Transfer to Fund 527 (Funds included in 2007 Adopted Operating Budget)	\$540,000

REVENUES:

527-IFT-R404 - Transfer from Fund 404	\$540,000
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and be it further

5th RESOLVED, that funds in the amount of \$540,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8103.111	Planning for Sewer Districts Safety and Security Program	\$40,000
527-CAP-8103.311	Construction of Sewer District Safety and Security Program	\$500,000

and be it further

6th RESOLVED, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the installation of the Safety and Security Program.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1151-2007
Introduced by Legislator Browning

Laid on Table 2/6/2007

RESOLUTION NO. 210 -2007, AUTHORIZING TRANSFER OF TEN (10) SURPLUS COUNTY COMPUTERS TO TOWN OF BROOKHAVEN ST. MICHAEL'S RECREATION CENTER

WHEREAS, the Departments of Health Services and Probation have submitted to the Department of Public Works a list of surplus reconditioned computers and monitors which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, various not-for-profit and public service organizations in Suffolk County have requested the donation of computers from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st RESOLVED, that the Department of Health Services is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:

Town of Brookhaven Recreation Division
St. Michael's Recreation Center
Wilson Avenue
Gordon Heights, NY 11763

Contact: Mr. Kurt Leuffen
Telephone: 631-451-6134

SERVICE TAG NO.

Dell Tower – CMNB301
Dell Tower – 44LL401
Dell Tower – D2LL401
Dell Tower – 9S46601
Dell Tower – 53LL401
Dell Tower – 9RXZ401
Dell Tower – DW0Q501
Dell Tower – 18KT201
Dell Tower – 8S46601
Dell Tower – BSXV501

and be it further

2nd RESOLVED, that the Probation Department is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:

Town of Brookhaven Recreation Center
St. Michael's Recreation Center
Wilson Avenue
Gordon Heights, NY 11763

Contact: Mr. Kurt Leuffen
Telephone: 631-451-6134

SERIAL NO.

Dell – MY-08G167-47603-274-BPYX
Dell – MY-08G167-47603-274-BPYQ
Dell – MY-08G167-47603-274-BPYR
Dell – MY-08G167-47603-274-BQO1
Dell – MY-08G167-47603-274-BPZH
Dell – MY-08G167-47603-274-BPYF
Dell – MY-08G167-47603-274-BPZ7
Dell – MY-08G167-47603-274-BPYS
Dell – MY-08G167-47603-274-BPY7
Dell – CN-04D025-47606-2741-DVF5

and be it further

3rd RESOLVED, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed non-profit for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

4th RESOLVED, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1159-2007

Laid on Table 2/6/2007

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

RESOLUTION NO. 211 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH TRAFFIC SIGNAL IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5054)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Traffic Signal Improvements on Various County Roads; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request; and

WHEREAS, pursuant to Resolution No. 675-2006, the application of the 5-25-5 Law has been waived during fiscal year 2007, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

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

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1175 of 1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No: 5054
 Project Title: Appropriating Funds in Connection with Traffic Signal Improvements on Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Modified 2007 Capital Budget & Program</u>
3. Furniture & Equipment	<u>\$ 6,320,000</u>	<u>\$ 1,000,000G</u>	<u>\$ 1,000,000B</u>
TOTAL	<u>\$ 6,950,000</u>	<u>\$ 1,200,000</u>	<u>\$ 1,200,000</u>

and be it further

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5054.575 (Fund 001-Debt Service)	50	Traffic Signal Improvements on Various County Roads	\$1,000,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1159A-2007

BOND RESOLUTION NO. 212 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE THE COST OF TRAFFIC SIGNAL IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5054.575)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of traffic signal improvements on various County roads, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 72 (a) of the Law, is twenty (20) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County

without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1058-2007
2/6/2007

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 213 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 CONCEPCION MARTINEZ (SCTM NO. 0500-163.00-05.00-014.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 163.00 Block 05.00 Lot 014.001 and acquired by Tax Deed on December 14, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 21, 2000 in Liber 12092 at Page 201 and described as follows, Town of Islip, Northerly 25' of Lot #2847 Section 3 Map of Columbus Park Map #243; and

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

WHEREAS, Concepcion Martinez, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,000.00, which property is surplus to the needs of the County of Suffolk; and

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

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

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

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

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Concepcion Martinez, 43 Acorn Avenue, Central Islip, N.Y. 11722.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1060-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 214 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976**

**TIMOTHY SCANLON AND LORRAINE AUER, AS JOINT
TENANTS WITH RIGHTS OF SURVIVORSHIP (SCTM NO. 0500-
319.00-01.00-005.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 319.00 Block 01.00 Lot 005.000 and acquired by Tax Deed on November 18, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 9, 2003 in Liber 12288 at Page 737 and described as follows, Town of Islip, Lots #1107 & #1108 on Map of Orowoc Park Map #400 as filed in the Office of the Clerk of Suffolk County on March 7, 1906; and

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

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

WHEREAS, the real property above described has been appraised at \$9,500.00, which property is surplus to the needs of the County of Suffolk; and

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

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

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

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

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

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Timothy Scanlon and Lorraine Auer, 87 Herbert Street, Islip, NY 11751.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1062-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 215 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 THOMAS A. BRENNAN AND DIANE E.
BRENNAN, HIS WIFE (SCTM NO. 0103-009.00-04.00-006.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Lindenhurst, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0103 Section 009.00 Block 04.00 Lot 006.000 and acquired by Tax Deed on March 24, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 25, 2003 in Liber 12242 at Page 399 and described as follows, Incorporated Village of Lindenhurst, Town of Babylon, “Map of Welwood Sheet 3 (City of Breslau)” Map No: 155 Block No. 2 Lot No. 1, filed in the Office of the Clerk of Suffolk County on November 20, 1879; and

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

WHEREAS, Thomas A. and Diane E. Brennan, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,000.00, which property is surplus to the needs of the County of Suffolk; and

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

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

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

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

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Thomas A. and Diane E. Brennan, 185 S. 9th Street, Lindenhurst, NY 11757.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1063-2007

Laid on Table 2/6/2007

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

**RESOLUTION NO. 216 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
ELAINE LOMBARDO AND JOSEPH L. ANDIA AND SUSAN
ANDIA, HIS WIFE, ALL AS JOINT TENANTS WITH RIGHT OF
SURVIVORSHIP (SCTM NO. 0500-322.00-01.00-009.008)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 322.00 Block 01.00 Lot 009.008 and acquired by Tax Deed on November 18, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 9, 2003 in Liber 12288 at Page 737 and described as follows, Town of Islip, known and designated as part of Lot 774 and part of Lot 775 as shown on certain map entitled “Amended Map of Fairview Park, Section “C”” and filed in the Suffolk County Clerk’s Office on December 3, 1935 as Map No. 1198; and

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

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

WHEREAS, the real property above described has been appraised at \$4,000.00, which property is surplus to the needs of the County of Suffolk; and

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

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

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

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

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Elaine Lombardo, Joseph Andia and Susan Andia, 53A Beecher Avenue, East Islip, NY 11730.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

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

Intro. Res. No. 1092-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/6/2007

**RESOLUTION NO. 217 -2007, AUTHORIZING AN
EXTENSION OF A LEASE OF PREMISES LOCATED AT 95
EXECUTIVE DRIVE, EDGEWOOD NEW YORK, FOR USE
BY THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, the County of Suffolk Department of Social Services is presently occupying premises located at 95 Executive Drive, Edgewater, Hauppauge, NY, pursuant to a lease that expired on March 20, 2006, and desires to extend such lease while it continues to search for a new site; and

WHEREAS, the Landlord, Heartland Boys II, L.P. has agreed to extend the lease term for a period of ten years, through March 20, 2016, and giving the County the option to terminate the lease at any time during the lease term upon notice; and

WHEREAS, the Landlord has requested an increase in the annual rent for the period commencing March 21, 2006 through March 20, 2007 to \$342,000, which rent shall on each anniversary date thereafter, increase by three percent (3%) over the annual rent in the preceding year; and

WHEREAS, the Space Management Steering Committee recommended the approval of the Lease extension on January 26, 2006; and

WHEREAS, sufficient funds have been provided for the current 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.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 13, 2007

December 11, 2006

Heartland Boys II L.P.
1 Executive Drive
Edgewood, New York 11717

Re: 95 Executive Drive, Edgewood, New York
Our Lease File R-0934

Gentlemen:

This letter serves to confirm the agreement between Heartland Boys II, L.P., as "Landlord" and the County of Suffolk, as "Tenant," to extend the Lease Agreement, dated August 15, 1997 ("Lease"), between the parties, for the premises located at 95 Executive Drive, Edgewood, New York, which lease expired March 20, 2006. In consideration of the mutual covenants contained herein and other valuable consideration, the Lease is hereby amended as follows, effective March 20, 2006:

Term: the Lease term is hereby extended ten (10) years, from March 21, 2006 through and until March 20, 2016; from and after March 20, 2006, paragraph V of the Lease is deleted in its entirety, it being understood that Tenant shall not have any renewal rights.

Rent: "Annual Base Rent" for the Premises shall be \$19.00 per square foot, as of March 21, 2006 for the period March 21, 2006 through March 20, 2007, which Annual Base Rent shall be payable in equal monthly installments in advance on the first day of each calendar month during the term. Annual Base Rent includes Common Area Maintenance Charges ("CAM Charges"). Throughout the extension of the term Tenant shall continue to pay all increases in real estate taxes above \$1.35 per foot, or \$24,300.00 per year (\$1.35 x 18,000sf).

Tenant acknowledges and agrees that since March 20, 2006 Tenant has been paying rent at the old rate of \$20,655.42 per month and that the rent from March 20, 2006 is actually \$28,500.00 per month. Tenant agrees to pay Landlord, in one lump sum, promptly after execution of this Lease Amendment, the total amount of rent due for the period from March 20, 2006 through the date of payment based upon the difference between the actual rent due of \$28,500 per month and the old rate of \$20,655.42, multiplied by the number of months from March 20, 2006 wherein the old rate was paid.

For the purposes of this Letter Agreement, "CAM Charges" means those costs and expenses incurred by Landlord for operating, maintaining, and repairing the areas of the building and land provided for the common use or benefit of Tenant, Landlord, the other tenants of the buildings, and members of the general public, such as sidewalks, parking areas, and other similar facilities of the building and land.

Escalation: Commencing on March 21, 2007, and on each anniversary date thereafter, Annual Base Rent shall increase by three percent (3%) over the Annual Base Rent in the preceding year. Annual Base Rent for the Premises shall be as follows:

Year 1	\$342,000.00	Year 6	\$396,470.00
Year 2	\$352,260.00	Year 7	\$408,365.00
Year 3	\$363,830.00	Year 8	\$420,615.00
Year 4	\$373,715.00	Year 9	\$433,235.00
Year 5	\$384,925.00	Year 10	\$446,230.00

Renovations: Tenant acknowledges that Landlord has not offered to do, and has no obligation to do any work or make any repairs, alterations, modifications, improvements, changes or additions in connection with this Lease Amendment except as follows:

1. paint the existing toilet stalls in the client bathrooms;
2. replace three (3) damaged floor tiles in the lobby; and
3. re-stripe the parking lot.

Cancellation: At Tenant's option, the term set forth in this letter agreement may be terminated by Tenant on the last day of any month, without cause, by providing Landlord one hundred and eighty (180) days advance, written notice of the intent to exercise this option. Tenant shall continue to pay all rent and additional rent due under the Lease, and comply with all terms of the Lease, through the date of termination.

No Broker: Tenant warrants and represents to Landlord that there was no broker instrumental in bringing about or consummating this Lease Amendment.

Conflict: If any terms of this Letter Agreement are in conflict with the Lease, the terms of this Amendment shall control;

Survival: All other provisions of the Lease, as modified by this Letter Agreement, shall remain in full force and effect;

In the event the foregoing accurately sets forth the terms of our understanding, please counter-sign the enclosed seven (7) sets of this letter, and have the same notarized before a Notary Public. Kindly return six (6) executed originals to this office in the envelope provided, retaining one original for your files.

Thank you for your cooperation on this matter. Should you have any further questions or comments regarding this matter, please do not hesitate to contact me.

Very truly yours,

BASIA DEREN BRADDISH
Assistant County Attorney

APPROVED AND AGREED:

**COUNTY OF SUFFOLK
TENANT**

**HEARTLAND BOYS II L.P.
LANDLORD**

By: _____

By: _____

Name: PAUL SABATINO II
Title: Chief Deputy County Executive
Date:

Name: GERALD WOLKOFF
Title: President
Date:

APPROVED AS TO LEGALITY:
CHRISTINE MALAFI
Suffolk County Attorney

By: _____

Basia Deren Braddish
Assistant County Attorney
Date:

ACKNOWLEDGEMENT

STATE OF NEW YORK}

SS:

COUNTY OF SUFFOLK}

On the ____ day of _____ in the year 2006 before me, the undersigned, personally appeared *Gerald Wolkoff*, personally known to me or provided to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

ACKNOWLEDGEMENT

STATE OF NEW YORK}
COUNTY OF SUFFOLK}

SS:

On the ____ day of _____ in the year 2006 before me, the undersigned, personally appeared *Paul Sabatino II, Chief Deputy County Executive*, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

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

Intro. Res. No. 1142-2007
Introduced by Legislator Cooper

Laid on Table 2/6/2007

RESOLUTION NO. 218-2007, AUTHORIZING CONVEYANCE OF PARCEL TO THE TOWN OF HUNTINGTON (SECTION 72-h, GENERAL MUNICIPAL LAW)

WHEREAS, the County of Suffolk is the owner of a parcel of vacant land; and

WHEREAS, the County of Suffolk has declared this parcel to be surplus County property; and

WHEREAS, the Town of Huntington has requested that this property, located between New York Avenue and New Street, be obtained from the County of Suffolk for the purpose of accomplishing a downtown improvement project; now, therefore be it

1st **RESOLVED**, that the Director of the County Division of Real Estate, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 16-4(E) of the SUFFOLK COUNTY CHARTER, to execute and deliver a quitclaim deed to the Town of Huntington in consideration for the sum of Ten Dollars (\$10.00) for said property, more particularly described and designated as Suffolk County Tax Map No. District 0400, Section 072.00, Block 04.00, Lot 093.000, pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Huntington to accomplish a downtown improvement project; and be it further

2nd **RESOLVED**, that said quitclaim deed issued by the Director of the County Division of Real Estate, his or her deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the above-described property is not used for the above-described public governmental purposes within three (3) years after delivery of the Deed of transfer to the grantee; or in the event that the Town of Huntington attempts to sell, transfer, or otherwise dispose of or does, in fact, sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes subsequent to delivery of said deed to the Town of Huntington or in the event that the Town of Huntington 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 in the event that the Town violates Resolution No. 256-1998, whichever occurs first; 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/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: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 13, 2007

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

Intro. Res. No. 1145-2007
Introduced by Legislator Romaine

Laid on Table 2/6/2007

**RESOLUTION NO. 219 –2007, RESTRICTING THE
TAKING OF CERTAIN LANDS FOR NON-PAYMENT OF
REAL PROPERTY TAXES**

WHEREAS, the County of Suffolk routinely takes title to real property on the basis of non-payment of real property taxes, pursuant to the SUFFOLK COUNTY TAX ACT; and

WHEREAS, during this process, roadways, sumps, and other lands may be taken by the County of Suffolk, but do not, or cannot serve as a public benefit to the people of Suffolk County; and

WHEREAS, the County Executive has issued Executive Order No. 33-2006, which established a procedure for the taking of roadways and highways on the basis on non-payment of real property taxes, which would only allow such taking it were determined to be in the public interest; and

WHEREAS, the County Legislature wishes to expand on the policy established by Executive Order No. 33-2006; now, therefore be it

1st RESOLVED, that prior to taking title to real property in the name of the County of Suffolk, on the basis of non-payment of real estate taxes under the pertinent provisions of the SUFFOLK COUNTY TAX ACT, a field inspection of each such parcel shall first be completed by the Division of Real Property Acquisition and Management; and be it further

2nd RESOLVED, that in the event that it is determined by such field inspection that the County of Suffolk would be taking title by operation of law to a road or highway, sump or recharge basin, the benefits and consequences of issuing a tax deed for such real property shall be reviewed by the County Department of Public Works which Department shall issue a written recommendation to the Commissioner of the County Department of Environment and Energy, to the Director of Division of Real Property Acquisition and Management, to the Clerk of the County Legislature and to the County Executive; and be it further

3rd RESOLVED, that no such tax deed shall be issued by the County of Suffolk for such road or highway unless it would be in the best interests of the County of Suffolk to take such title, as determined by duly enacted Resolution of the County of Suffolk; 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.

March 6, 2007DATED:

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2007

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

Intro. Res. No. 1160-2007
Introduced by Legislator Montano

Laid on Table 2/6/2007

**RESOLUTION NO. 220 –2007, TO EXPEDITE ACQUISITION
AND REDEVELOPMENT OF LIBERTY PLATING PROPERTY**

WHEREAS, the Liberty Plating site located at 550 Suffolk Avenue, Brentwood, New York 11717, Suffolk County Tax Map No. 0500-136.00-03.00-009.000, (“Liberty Plating Site”), is an environmentally contaminated site which has been vacant for more than ten (10) years; and

WHEREAS, the County of Suffolk has a right to acquire title to this property pursuant to the Suffolk County Tax Act but has not done so to this point in time, in part, because State and federal funds have been expended to remediate this property and the federal and state governments have imposed large liens on the property; and

WHEREAS, the contamination of the Liberty Plating site has been largely remediated; and

WHEREAS, the community of Brentwood would realize enormous benefits if this property were successfully redeveloped; and

WHEREAS, the Town of Islip has expressed an interest in utilizing the Liberty Plating site for municipal purposes; and

WHEREAS, Resolution No. 456-2005 directed the Department of Economic Development and Workforce Housing, in coordination with the Department of Health Services and the Division of Real Property Acquisition, to take specific actions that would allow the County to exercise its taking rights to the Liberty Plating site and thereafter transfer the property to the Town of Islip; and

WHEREAS, the County’s acquisition of the Liberty Plating site has not yet occurred; now, therefore be it

1st RESOLVED, that the Commissioners of the Departments of Economic Development and Workforce Housing, Health Services and Environment and Energy, and the Director of the Division of Real Property Acquisition, are directed to take the steps enumerated in Resolution No. 456-2005, including but not limited to, completing the site investigation at the Liberty Plating site and, after completing this analysis, exercising the County’s normal rights in

taking title to such property under the Suffolk County Tax Act, subject to discontinuance or compromise of any liens or rights to property held by third parties; and be it further

2nd **RESOLVED**, that the Suffolk County Attorney is hereby authorized, empowered and directed to assist the Department of Economic Development and Workforce Housing in implementing Resolution No. 456-2005; and be it further

3rd **RESOLVED**, that the Suffolk County Attorney is hereby authorized, empowered and directed to initiate discussions with the United States Environmental Protection Agency and the New York State Department of Environmental Conservation regarding a compromise of their lien on the subject property and the steps that may be taken to protect the County of Suffolk from potential exposure for damages caused by contamination at this site; and be it further

4th **RESOLVED**, that the Commissioner of the Department of Economic Development and Workforce Housing and the Suffolk County Attorney are hereby directed to provide all members of the Suffolk County Legislature with a written report, within sixty (60) days of the effective date of this Resolution, describing the actions they have taken to implement the terms of this Resolution, Resolution No. 456-2005; 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)(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: March 6, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 21, 2007

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

Intro. Res. No. 1161-2007
Introduced by Legislator Montano

Laid on Table 2/6/2007

**RESOLUTION NO. 221 –2007, TO EXPEDITE ACQUISITION
AND REDEVELOPMENT OF MACKENZIE CHEMICAL WORKS
PROPERTY**

WHEREAS, the Mackenzie Chemical Works site located at 1 Cordello Avenue, Central Islip, New York 11722, Suffolk County Tax Map No. 0500-120.00-03.00-093.003

("MacKenzie Chemical Works Site"), is an environmentally contaminated site which has been vacant for almost twenty (20) years; and

WHEREAS, the County of Suffolk has a right to acquire title to this property pursuant to the Suffolk County Tax Act but has not done so to this point in time, in part, because State and federal funds have been expended to remediate this property and the federal and state governments have imposed large liens on the property; and

WHEREAS, the contamination at the MacKenzie Chemical Works site has been largely remediated; and

WHEREAS, the community of Central Islip would realize enormous benefits if this property were successfully redeveloped; and

WHEREAS, the Town of Islip owns an adjacent property and has expressed an interest in utilizing the Mackenzie Chemical Works site for municipal purposes; and

WHEREAS, Resolution No. 953-2005 directed the Department of Economic Development and Workforce Housing, in coordination with the Department of Health Services and the Division of Real Property Acquisition, to take specific actions that would allow the County to exercise its taking rights to Mackenzie Chemical Works site and thereafter make a transfer of the property to the Town of Islip; and

WHEREAS, the County's acquisition of the Mackenzie Chemical Works site has not yet occurred; now, therefore be it

1st RESOLVED, that the Commissioners of the Departments of Economic Development and Workforce Housing, Health Services and Environment and Energy, and the Director of the Division of Real Property Acquisition, are directed to take the steps enumerated in Resolution No. 953-2005, including but not limited to, completing the site investigation at the Mackenzie Chemical Works site and, after completing this analysis, exercising the County's normal rights in taking title to such property under the Suffolk County Tax Act, subject to discontinuance or compromise of any liens or rights to property held by third parties; and be it further

2nd RESOLVED, that the Suffolk County Attorney is hereby authorized, empowered and directed to assist the Department of Economic Development and Workforce Housing in implementing Resolution No. 953-2005; and be it further

3rd RESOLVED, that the Suffolk County Attorney is hereby authorized, empowered and directed to initiate discussions with the United States Environmental Protection Agency and the New York State Department of Environmental Conservation regarding a compromise of their lien on the subject property and the steps that may be taken to protect the County of Suffolk from potential exposure for damages caused by contamination at this site; and be it further

4th RESOLVED, that the Commissioner of the Department of Economic Development and Workforce Housing and the Suffolk County Attorney are hereby directed to provide all members of the Suffolk County Legislature with a written report, within sixty (60) days of the effective date of this Resolution, describing the actions they have taken to implement the terms of this Resolution, and Resolution No. 953-2005; 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)(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: March 6, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 21, 2007

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

Intro. Res. No. 1220-2007
Introduced by the Presiding Officer

Laid on Table 3/6/2007

RESOLUTION NO. 224 -2007, AMENDING RESOLUTION 1318-2006 (THE IMPLEMENTING OF TAXES FOR THE YEAR 2006-2007 (DISCRETIONARY) FOR THE TOWN OF BROOKHAVEN (TOWN PORTION OF TAX LEVY ONLY))

BE IT RESOLVED, that the taxes for the year 2006-2007 be levied as amended against the taxable property in the Town of Brookhaven to revise the amount which was incorrectly reported to the Legislature as follows in Exhibit A, to wit:

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 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. 1221-2007
Introduced by the Presiding Officer

Laid on Table 3/6/2007

RESOLUTION NO. 225 -2007, AMENDING RESOLUTION 1317-2006 (THE LEVYING OF UNPAID WATER RENTS FOR 2007 (FOR BROOKHAVEN TOWN))

BE IT RESOLVED, that the unpaid water rents for the year 2006-2007 be levied as amended against the taxable property in the Town of Brookhaven which was incorrectly reported to the Legislature as follows, to wit:

Babylon	6,860.92
Brookhaven	2,739.86
Huntington	327,346.64
Riverhead	113,470.88
Smithtown	156,365.74
Southampton	169,994.85

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Exhibit A

TOWN OF BROOKHAVEN		
School Districts		\$ 908,228,012.63
STAR Exemption		(125,448,445.13)
Library District		2,896,948.00
Highway (Town Wide)		13,577,745.00
Highway (Town Outside Village)		44,016,418.00
Fire Districts		70,846,738.59
Fire Protection Districts		456,084.00
Water Districts		390,000.00
Lighting Districts		8,486,479.00
Sewer Districts (Town Only)		113,450.00
Refuse and Garbage Districts		44,275,322.30
Ambulance Districts		7,493,013.00
Park Districts		45,868.00
Dock Districts		287,567.00
Unpaid Water Rents		2,739.86
Demolition Unsafe Structures		27,677.04
Erosion Control Districts		1,375,680.00
Clean-Up of Premises		149,744.67
\$100M Bond Act of 2004		5,000,000.00
Real Property Tax Law - Article 7		5,007,142.00
General (Town Wide)		21,275,000.00
General (Town Outside Village)		5,677,692.00
TOTAL TOWN PURPOSES	\$	1,014,180,875.96
County Tax - General	\$	40,681,080.00
2005 Actual Surplus – County Tax General		(34,342,145.00)
2006 Estimated Deficit – County Tax General		6,357,235.00
County Tax – Suffolk Community College		1,130,058.00
District Superintendent of Schools		3,949.00
Sub Total	\$	13,830,177.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		12,914.64
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		9,275.69
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		4,104.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		52,619.56
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,157.45
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		2,565.34
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		30,792.92
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		23,052.61
Total	\$	13,975,659.21
Less Credits		(15,023.86)
Total Payable to County Treasurer for County General	\$	13,960,635.35
County Police District		151,076,044.00
2005 Actual Deficit - Police District		8,143,754.00
2006 Estimated Surplus - Police District		(12,775,614.00)
District Court District		2,371,130.00
2005 Actual Deficit - District Court District		426,528.00
2006 Estimated Surplus - District Court District		(227,128)
(Continued)		

TOWN OF BROOKHAVEN (Continued)		
County Sewer District No 1, Port Jefferson		1,403,040.00
County Sewer District No. 7 – Medford		1,238,538.00
County Sewer District No. 8 – Strathmore Ridge		97,717.00
County Sewer District No. 9 – College Park		84,282.00
County Sewer District No. 10 – Stony Brook		945,950.00
County Sewer District No. 10, Construction Cost Only		411.00
County Sewer District No. 11, Selden, Zone A		453,060.00
County Sewer District No. 11, Selden, Zone B		1,408,561.00
County Sewer District No. 11, Zone B, Construction Cost Only		1,924.00
County Sewer District No. 12 – Birchwood/Holbrook		132,018.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		199,500.85
Erroneous Assessments & Tax Refunds - Community College		12,217.04
Erroneous Assessments & Tax Refunds - Town Only		7,851,670.58
Erroneous Assessments & Tax Refunds - Police District		1,928,162.67
Erroneous Assessments & Tax Refunds - District Court District		32,163.52
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		257.17
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		111.18
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		329.76
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		78.05
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		536.24
Erroneous Assessments & Tax Refunds - S.D. #11B (T30)		11.74
Erroneous Assessments & Tax Refunds - S.D. #12 (T34)		11.91
Total Adjustments Mandated by Law for		
Town of Brookhaven - \$ 10,025,050.71		
TOTAL COUNTY PURPOSES	\$	178,765,901.06
TOTAL AMOUNT OF LEVY	\$	1,192,946,777.02

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 1222-2007
 Introduced by the Presiding Officer

Laid on Table 3/6/2007

RESOLUTION NO. 226 -2007, AUTHORIZING AMENDED TAX WARRANT FOR RESOLUTION 1320-2006 (FOR THE TOWN OF BROOKHAVEN) TO BE SIGNED BY THE PRESIDING OFFICER AND THE CLERK OF THE COUNTY LEGISLATURE

RESOLVED, that the taxes and levies as extended on the 2006-2007 tax and assessment rolls for the Town of Brookhaven are hereby amended to correct the amount reported and the same hereby are ratified and confirmed in the revised amounts set forth in the Exhibit A attached hereto and made a part hereof; and be it further

RESOLVED, that the amended tax warrant for the Town of Brookhaven for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Brookhaven under the seal of the County, and signed by the Presiding Officer and Clerk of the County Legislature.

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Exhibit "A"

TOWN OF BROOKHAVEN		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	\$	782,787,370.74
STAR Exemption		
Library District		2,896,948.00
Highway (Town Wide)		13,577,745.00
Highway (Town Outside Village)		44,016,418.00
Fire Districts		70,849,485.77
Fire Protection Districts		456,084.00
Water Districts		390,000.00
Lighting Districts		8,486,479.00
Sewer Districts (Town Only)		113,450.00
Refuse and Garbage Districts		44,275,322.30
Ambulance Districts		7,493,013.00
Park Districts		45,868.00
Dock Districts		287,567.00
Unpaid Water Rents		2,739.86
Demolition Unsafe Structures		27,677.04
Erosion Control Districts		1,375,680.00
\$100M Bond Act of 2004		5,000,000.00
Clean-Up of Premises		149,744.67
Real Property Tax Law - Article 7		5,007,142.00
General (Town Wide)		21,275,000.00
General (Town Outside Village)		5,677,692.00
TOTAL PAYABLE TO SUPERVISOR	\$	1,014,191,426.38
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	\$	40,681,080.00
2005 Actual Surplus - County Tax General		(34,342,145.00)
2006 Estimated Deficit - County Tax General		6,357,235.00
County Tax - Suffolk Community College		1,130,058.00
District Superintendent of Schools		3,949.00
Sub Total	\$	13,830,177.00
Relevy of Prior Years Unpaid Taxes		
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		12,914.64
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		9,275.69
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		4,104.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		52,619.56
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,157.45
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		2,565.34
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		30,792.92
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		23,052.61
Total	\$	13,975,659.21
Less Credits		(15,023.86)
Total Payable to County Treasurer for County General	\$	13,960,635.35
(Continued)		

TOWN OF BROOKHAVEN (Continued)		
County Police District		151,076,044.00
2005 Actual Deficit - Police District		8,143,754.00
2006 Estimated Surplus - Police District		(12,775,614.00)
District Court District		2,371,130.00
2005 Actual Deficit - District Court District		426,528.00
2006 Estimated Surplus - District Court District		(227,128.00)
County Sewer District No. 1 - Discretionary		1,403,040.00
County Sewer District No. 7 - Discretionary		1,238,538.00
County Sewer District No. 8 - Discretionary		97,717.00
County Sewer District No. 9 - Discretionary		84,282.00
County Sewer District No. 10 - Discretionary		945,950.00
County Sewer District No. 10 - Construction Only		411.00
County Sewer District No. 11, Zone A - Discretionary		453,060.00
County Sewer District No. 11, Zone B - Discretionary		1,408,561.00
County Sewer District No. 11, Zone B, Construction Only		1,924.00
County Sewer District No. 12 - Discretionary		132,018.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		199,500.85
Erroneous Assessments & Tax Refunds - Community College		12,217.04
Erroneous Assessments & Tax Refunds - Town Only		7,851,670.58
Erroneous Assessments & Tax Refunds - Police District		1,928,162.67
Erroneous Assessments & Tax Refunds - District Court District		32,163.52
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		257.17
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		111.18
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		329.76
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		78.05
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		536.24
Erroneous Assessments & Tax Refunds - S.D. #11B (T30)		11.74
Erroneous Assessments & Tax Refunds - S.D. #12 (T34)		11.91
Total Adjustments Mandated by Law for		
Town of Brookhaven - \$ 10,025,050.71		
Excess Due to Tax Extension		27,686.06
TOTAL PAYABLE TO COUNTY TREASURER	\$	178,793,587.12
TOTAL AMOUNT OF WARRANT	\$	1,192,985,013.50

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

Intro. Res. No. 1223-2007
Introduced by the Presiding Officer

Laid on Table 3/6/2007

RESOLUTION NO. 227 -2007, AMENDING RESOLUTION 1319-2006 (THE IMPLEMENTING OF TAXES FOR THE YEAR 2006-2007 (MANDATED) FOR THE TOWN OF BROOKHAVEN (TOWN PORTION OF TAX LEVY ONLY))

BE IT RESOLVED, that the taxes for the year 2006-2007 be levied as amended against the taxable property in the Town of Brookhaven to revise the amount which was incorrectly reported to the Legislature as follows in Exhibit A, to wit:

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Exhibit A

TOWN OF BROOKHAVEN		
School Districts		\$ 908,228,012.63
STAR Exemption		(125,448,445.13)
Library District		2,896,948.00
Highway (Town Wide)		13,577,745.00
Highway (Town Outside Village)		44,016,418.00
Fire Districts		70,846,738.59
Fire Protection Districts		456,084.00
Water Districts		390,000.00
Lighting Districts		8,486,479.00
Sewer Districts (Town Only)		113,450.00
Refuse and Garbage Districts		44,275,322.30
Ambulance Districts		7,493,013.00
Park Districts		45,868.00
Dock Districts		287,567.00
Unpaid Water Rents		2,739.86
Demolition Unsafe Structures		27,677.04
Erosion Control Districts		1,375,680.00
Clean-Up of Premises		149,744.67
\$100M Bond Act of 2004		5,000,000.00
Real Property Tax Law - Article 7		5,007,142.00
General (Town Wide)		21,275,000.00
General (Town Outside Village)		5,677,692.00
TOTAL TOWN PURPOSES	\$	1,014,180,875.96
County Tax - General	\$	40,681,080.00
2005 Actual Surplus – County Tax General		(34,342,145.00)
2006 Estimated Deficit – County Tax General		6,357,235.00
County Tax – Suffolk Community College		1,130,058.00
District Superintendent of Schools		3,949.00
Sub Total	\$	13,830,177.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		12,914.64
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		9,275.69
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		4,104.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		52,619.56
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,157.45
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		2,565.34
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		30,792.92
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		23,052.61
Total	\$	13,975,659.21
Less Credits		(15,023.86)
Total Payable to County Treasurer for County General	\$	13,960,635.35
County Police District		151,076,044.00
2005 Actual Deficit - Police District		8,143,754.00
2006 Estimated Surplus - Police District		(12,775,614.00)
District Court District		2,371,130.00
2005 Actual Deficit - District Court District		426,528.00
2006 Estimated Surplus - District Court District		(227,128)
(Continued)		

TOWN OF BROOKHAVEN (Continued)		
County Sewer District No 1, Port Jefferson		1,403,040.00
County Sewer District No. 7 – Medford		1,238,538.00
County Sewer District No. 8 – Strathmore Ridge		97,717.00
County Sewer District No. 9 – College Park		84,282.00
County Sewer District No. 10 – Stony Brook		945,950.00
County Sewer District No. 10, Construction Cost Only		411.00
County Sewer District No. 11, Selden, Zone A		453,060.00
County Sewer District No. 11, Selden, Zone B		1,408,561.00
County Sewer District No. 11, Zone B, Construction Cost Only		1,924.00
County Sewer District No. 12 – Birchwood/Holbrook		132,018.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		199,500.85
Erroneous Assessments & Tax Refunds - Community College		12,217.04
Erroneous Assessments & Tax Refunds - Town Only		7,851,670.58
Erroneous Assessments & Tax Refunds - Police District		1,928,162.67
Erroneous Assessments & Tax Refunds - District Court District		32,163.52
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		257.17
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		111.18
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		329.76
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		78.05
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		536.24
Erroneous Assessments & Tax Refunds - S.D. #11B (T30)		11.74
Erroneous Assessments & Tax Refunds - S.D. #12 (T34)		11.91
Total Adjustments Mandated by Law for		
Town of Brookhaven - \$ 10,025,050.71		
TOTAL COUNTY PURPOSES	\$	178,765,901.06
TOTAL AMOUNT OF LEVY	\$	1,192,946,777.02

Intro Res. No.1251-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 228 –2007, DELETING CERTAIN PREVIOUSLY APPROVED MAPS REGARDING THE ACQUISITION OF LANDS PURSUANT TO THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR IMPROVEMENTS TO C.R. 80, MONTAUK HIGHWAY, BETWEEN NYS RTE. 112 AND CR 101, SILLS ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (CP 5534)

WHEREAS, the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on March 9, 2004 and the recommendations contained therein were duly adopted and approved by this Legislature in Adopted Resolution Number 431-2004; and

WHEREAS, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS TO C.R. 80, MONTAUK HIGHWAY, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on March 9, 2004, pursuant to Adopted Resolution No. 1216-2002, were duly adopted and approved by this Legislature in Adopted Resolution Number 431-2004; and

WHEREAS, on July 2, 2002, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 666-2002 and SEQRA is complete; and

WHEREAS, after further engineering review, the Commissioner of the Department of Public Works has determined that the number and scope of land acquisitions previously anticipated as necessary for the completion of this project can be scaled back while maintaining the proper flow of vehicular traffic without negatively impacting the safety of pedestrians, bicyclists and motorists, thereby reducing taxpayer expense for the acquisition of necessary parcels; now, therefore be it

1st RESOLVED, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS TO C.R. 80, MONTAUK HIGHWAY, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on March 9, 2004, pursuant to Adopted Resolution No. 1216-2002, are hereby modified as follows:

Maps Numbers 18, 19, 31, 34, 35, 43, 44, 46, and 47, are hereby deleted from said project and shall not be acquired by the County of Suffolk.

Maps Numbers 1, 2, 3, 4, 5, 6, 7, 8, 26, 27, 28, 29, 30, 32, 33, and 40 shall remain a part of said project and shall be acquired by the County of Suffolk;

and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA) Env. Con. Law Art. 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5(c) (20) and (27) in that the Resolution concerns routine or continuing agency administration, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the

Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, her Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 7, 2007

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

Intro Res. No.1252-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 229 –2007, DELETING CERTAIN PREVIOUSLY APPROVED MAPS REGARDING THE ACQUISITION OF LANDS PURSUANT TO THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR

IMPROVEMENTS TO C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (CP 5534 PHASE II)

WHEREAS, the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on December 17, 2004 and the recommendations contained therein were duly adopted and approved by this Legislature in Adopted Resolution Number 314-2005; and

WHEREAS, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS TO C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on December 17, 2004, pursuant to Adopted Resolution No. 914-2004, were duly adopted and approved by this Legislature in Adopted Resolution Number 315-2005; and

WHEREAS, on July 2, 2002, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 666-2002 and SEQRA is complete; and

WHEREAS, after further engineering review, the Commissioner of the Department of Public Works has determined that the number and scope of land acquisitions previously anticipated as necessary for the completion of this project can be scaled back while maintaining the proper flow of vehicular traffic without negatively impacting the safety of pedestrians, bicyclists and motorists, thereby reducing taxpayer expense for the acquisition of necessary parcels; now, therefore be it

1st RESOLVED, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 80, MONTAUK HIGHWAY, VICINITY OF NYS RT. 112 TO VICINITY OF C.R. 101, SILLS ROAD, PHASE II AT TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on December 17, 2004, pursuant to Adopted Resolution No. 315-2005, are hereby modified as follows:

Maps Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 (except for Map 14, Parcel C), 15, 16, 17, 18, 19, 20, and 21, are hereby deleted from said project and shall not be acquired by the County of Suffolk,

Map Number 14, Parcel C shall remain a part of said project and shall be acquired by the County of Suffolk;

and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA) Env. Con. Law Art. 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5(c) (20) and (27) in that the Resolution concerns routine or continuing agency administration, not including new programs or major reordering of priorities that may affect the environment, and adoption of a local legislative decision in

connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, her Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: March 6, 2007

APPROVED BY:

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

Date: March 7, 2007

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 230 -2007, RE-APPROPRIATING \$1.1 MILLION DOLLARS OF EPIC REIMBURSEMENT FUNDING FROM 2006 ADOPTED OPERATING BUDGET INTO THE 2007 ADOPTED OPERATING BUDGET

WHEREAS, Resolution No. 956-2001 and Resolution No. 923-2001 established a program to reimburse Suffolk County Senior Citizens enrolled in the New York State Elderly Pharmaceutical Insurance Coverage (EPIC) Program for 100% of their fees and 25% of their co-payments; and

WHEREAS, the 2006 Adopted Operating Budget included 3.6 Million Dollars to fund the reimbursement program; and

WHEREAS, the Office for the Aging was unable to process 2006 claims from July 28, 2006 to December 31, 2006 due to New York State EPIC Computer Program issues that did not allow them to send statements to EPIC enrollees that are necessary for reimbursement; and

WHEREAS, the Office for the Aging has projected that 1.1 Million Dollars is needed to pay 2006 claims projected that will be received in 2007; now, therefore be it

1st RESOLVED, that 1.1 Million Dollars be re-appropriated from the 2006 Adopted Operating Budget to the 2007 Adopted Operating Budget to provide reimbursement for 2006 EPIC costs to Suffolk County Senior Citizens in need of relief from the high cost of prescription drugs; and

2nd RESOLVED, that the County Comptroller is hereby authorized to re-appropriate the following funds:

ORGANIZATIONS:

County Executive
Human Services: Office for the Aging
001-EXE-6802

<u>EPIC Reimbursement</u>	2006	2006	2006
4631 EPIC Reimbursement	<u>CURRENT</u>	<u>MODIFIED</u>	<u>CHANGE</u>
	\$3,600,000	\$2,500,000	(1,100,000)
	2007	2007	2007
	<u>CURRENT</u>	<u>MODIFIED</u>	<u>CHANGE</u>
	\$3,600,000	\$4,700,000	1,100,000

DATED: March 6, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 12, 2007

Legislator Eddington made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2.

Intro. Res. No. 1254-2007

Laid on Table 3/6/2007

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. 231 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR ST. CHRISTOPHER-OTILIE (SCO) FAMILY OF SERVICES

WHEREAS, the State has provided additional 100% Federal and State Aid to St. Christopher-Ottillie (SCO) Family of Services for the operation of a new community residence to provide services to women and children; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded a 2.8% Cost of Living Increase (COLA) to certain chemical dependence programs, effective January 1, 2007; and

WHEREAS, this unallocated 100% additional Federal and State Aid is not currently included in the 2007 Adopted Operating Budget; now, therefore be it

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

REVENUES

001-HSV-4491 Federal Aid: Alcoholism	\$15,949
001-HSV-3486 State Aid: Narcotics Addition Control	\$232,600

ORGANIZATIONS

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

2007

WHEREAS, although the region's highway infrastructure is overburdened, the public transportation sector remains largely underdeveloped, and new public transit systems may represent the best alternative to the growing traffic congestion problem in the region; and

WHEREAS, a new governmental framework is necessary to coordinate the different layers of government that private sector groups and community organizations must participate in the creation of a successful public transit system for the Peconic Bay region; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to create the Peconic Bay Regional Transportation Council as outlined in Senate Bill No. S.1235 and Assembly Bill A.1735, which would establish a transportation action plan for the Peconic Bay region; 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: March 6, 2007

s:\memres\hr-peconic-bay-transportation-07

ADJOURNED 8:19PM
TIM LAUBE, CLERK OF THE LEGISLATURE