

**SEVENTH DAY**  
**REGULAR MEETING**  
**April 24, 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 9:36 a. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher, Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Barraga, Kennedy, Nowick, Horsley, Stern, D’Amaro and Cooper.

Legislator Alden arrived at 9:38 a.m.  
Legislator Mystal arrived at 9:39 a.m.  
Legislator Caracappa arrived at 9:48 a.m.

Pledge of Allegiance.

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Statements and Presentations  
Public Portion

***[THE MEETING WAS RECESSED AT 12:30 P.M. AND RESUMED AT 2:31 P.M.]***

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

Legislator Eddington arrived at 2:34 p.m.  
Legislator Losquadro arrived at 2:38 p.m.  
Legislator Romaine arrived at 2:46 p.m.  
Legislator Kennedy arrived at 2:56 p.m.  
Legislator Caracappa arrived at 2:57 p.m.

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

Intro. Res. No. 1263-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 327 -2007, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS  
ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY  
LEGISLATURE (CONTROL # 766-2007)**

**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 chargeback, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 766-2007

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)

Control #766-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
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A	BABYLON	06/07		0103/17-2-12.6	21804.77	15400.69	6404.08
A	EAST HAMPTON	06/07		0300/157-3-1.3	4213.70	424.36	3789.36
A	HUNTINGTON	06/07		0400/203-1-135	13834.12	6626.36	7207.76
A	ISLIP	06/07		0500/128-3-22	7314.33	4078.80	3235.53
A	ISLIP	06/07		0500/314-2-4.2	8628.83	1398.61	7230.22
A	ISLIP	06/07		0500/343-3-27	171105.13	164799.27	6305.86
A	RIVERHEAD	06/07		0600/86-3-2.10	18813.49	15250.14	3563.35
A	SMITHTOWN	06/07		0800/19-6-17	4454.56	1376.22	3078.34
A	SMITHTOWN	06/07		0800/60-4-12	9788.62	3943.44	5845.18
A	SMITHTOWN	06/07		0800/61-3-28	7659.68	4295.55	3364.13
A	SMITHTOWN	06/07		0800/71-1-17	9366.98	3737.95	5629.03
A	SMITHTOWN	06/07		0800/135-1-24	8637.50	3352.42	5285.08
A	SMITHTOWN	06/07		0800/181-1-1.35	3962.36	3.65	3958.71
C	SOUTHOLD	06/07		1000/75-6-9.7	4182.51	377.31	3805.20

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro Res. No. 1281-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 328 -2007, TO READJUST,  
COMPROMISE, AND GRANT REFUNDS AND  
CHARGEBACKS ON CORRECTION OR  
ERRORS/COUNTY TREASURER BY: COUNTY  
LEGISLATURE #266



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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
<b>BABYLON:</b>				
<b>0100-099.00-01.00-014.000</b>	<b>2004/05</b>	<b>\$17,215.54</b>	<b>\$0.00</b>	<b>\$17,215.54</b>

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1283-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 330 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #768-2007)**

**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 chargeback, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 768-2007

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)

CONTROL# 768-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	06/07		0200/165.1-1-110	11661.80	8805.32	2856.48
A	BROOKHAVEN	06/07		0200/471-6-17	5663.88	2770.88	2893.00
A	BROOKHAVEN	06/07		0200/763-3-26	3363.31	247.82	2563.27

A	BROOKHAVEN	06/07		0200/838-1-19	6929.58	2097.70	4831.88
A	BROOKHAVEN	06/07		0208/21-1-10	4658.91	2103.54	2555.37
C	HUNTINGTON	05/06		0400/78-4-23	8282.62	1271.37	7011.25
A	ISLIP	06/07		0500/142-1-88	13574.52	7447.70	6126.82
A	ISLIP	06/07		0500/163-4-24	9784.79	4545.33	5239.46
A	ISLIP	06/07		0500/345-1-83.1	549337.94	513199.53	36138.41
A	ISLIP	06/07		0500/391-2-50	10198.37	4238.14	5960.23
A	ISLIP	06/07		0501/5-2-72.4	17554.18	14280.36	3273.82
C	RIVERHEAD	06/07		0600/130-2-1	11338.08	8101.75	3236.33
C	SMITHTOWN	06/07		0800/178-2-43	7042.12	2759.36	4462.76
C	SOUTHOLD	06/07		1000/88-2-1	7128.12	4252.18	2875.94

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1284-2007

Laid on Table 3/20/2006

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 331 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS COUNTY LEGISLATURE (CONTROL # 767-2007)**

**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 chargeback, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 767-2007

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)

CONTROL# 767-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BABYLON	06/07		0100/123-1-20.1	8811.71	0	8811.71
A	BABYLON	06/07		0100/133-2-32	9157.53	4895.47	4262.06
A	BABYLON	06/07		0100/141-3-32.2	4294.53	1244.70	3049.83
A	BABYLON	06/07		0100/141-4-34	7102.82	2741.20	4361.62
A	BABYLON	06/07		0100/143-2-0	7201.92	2812.63	4389.29

A	BABYLON	06/07	0100/157-2-16.6	86772.77	66924.31	19848.46
A	BABYLON	06/07	0100/162-4-6	7233.83	3335.37	3898.46
A	BABYLON	06/07	0101/7-7-3	13731.64	9426.17	4305.47
A	BABYLON	06/07	0103/3-3-70	4229.95	1100.28	3129.67
A	BROOKHAVEN	06/07	0200/78-6-19	6213.81	2009.88	4203.93
A	BROOKHAVEN	06/07	0200/180-1-65	5452.02	2520.10	2931.92
A	BROOKHAVEN	06/07	0200/331-2-21	6200.06	2055.55	4144.51
A	BROOKHAVEN	06/07	0200/540-1-3.4	9487.70	3450.14	6037.56
A	BROOKHAVEN	06/07	0200/974.6-4-43	5389.68	2827.43	2562.25
A	BROOKHAVEN	06/07	0208/7-2-14.2	5009.09	2405.39	2603.70

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1295-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 332 -2007, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**



4980-Contracted Agencies TOWN OF SOUTHOLD 352-9237	136,000
4980-Contracted Agencies VILLAGE OF BELLPORT 352-9238	17,000
4980-Contracted Agencies VILLAGE OF LAKE GROVE 352-9239	54,000
4980-Contracted Agencies VILLAGE OF PATCHOGUE 352-9240	231,000
4980-Contracted Agencies VILLAGE OF SOUTHAMPTON 352-9243	24,000
4980-Contracted Agencies VILLAGE OF WESTHAMPTON BEACH 352-9244	13,000

INTERFUND TRANSFER  
TRANSFER TO FUND 351  
IFT-9600

352-IFT-E351 Transfer to Fund 351 Comm Dev Admin \$401,183

and be it further

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD11.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1296-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 333 -2007, ACCEPTING AND  
APPROPRIATING A 100% REIMBURSED GRANT FROM THE  
U.S. DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT FOR A HOME INVESTMENT  
PARTNERSHIPS PROGRAM AND AUTHORIZING THE  
COUNTY EXECUTIVE TO EXECUTE AGREEMENTS**

**WHEREAS**, the Suffolk County Department of Economic Development/Community Development Division has submitted an application for a HOME Investment Partnership Program Grant for Federal Fiscal Year 2007 under Title II of the National Affordable Housing Act of 1990 (P.L. 101-625); and

**WHEREAS**, the County has been awarded a HOME Investment Partnership Program  
FY 2007 grant in the amount of \$2,235,102; and

**WHEREAS**, the County has also been awarded a FY 2007 American Dream Down  
payment Initiative grant in the amount of \$36,168 as part of the HOME Investment Partnership  
Program; and

**WHEREAS**, \$268,510 of said funds are to be used for operational costs; and

**WHEREAS**, these funds have been included in the 2007 Adopted Operating  
Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the County  
Executive or his designee to accept the HOME Investment Partnerships grant and to contract with  
HUD, cooperating municipalities, non-profit and for-profit organizations for the expenditure of  
these funds; and be it further

**2<sup>nd</sup> RESOLVED**, that \$268,510 of these funds be used to reimburse budgeted  
County expenses and that the County Comptroller and County Treasurer be and they hereby are  
authorized to accept and appropriate the following funds:

<u>REVENUES:</u>	<u>AMOUNT</u>
353-4911 Federal Aid: Community Development	\$2,271,270

ORGANIZATIONS:

	Economic Development Home Investment Partnerships 353-CDV-8775	
<u>Contracted Services</u>		<u>\$2,002,760</u>
4980-Contracted Agencies		\$2,002,760

	Interfund Transfer Transfer To Fund 351 IFT-9600	
353-IFT-E351	Transfer to Fund 351 Comm Dev Admin	<u>\$268,510</u>

and be it further

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial  
Management System (IFMS) is CD12.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro Res. No. 1297-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 334 -2007, ACCEPTING AND APPROPRIATING A 100% REIMBURSED GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR AN EMERGENCY SHELTER GRANTS PROGRAM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT**

**WHEREAS**, the Suffolk County Community Development Office has been awarded an Emergency Shelter Grant for fiscal year 2007 under Title IV of the Stewart B. McKinney Homeless Assistance Act, Subpart B, P.O. 100-77; and

**WHEREAS**, the County has been awarded an Emergency Shelter Grant in the amount of \$164,359; and

**WHEREAS**, \$8,215 of said funds are to be used for operational costs; and

**WHEREAS**, these funds have been included in the 2007 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Legislature hereby authorizes the County Executive or his designee to accept the Emergency Shelter Grant and to contract with the cooperating non-profit organizations for the expenditure of these funds; and be it further

**2<sup>nd</sup> RESOLVED**, that \$8,215 of these funds be used to reimburse budgeted County expenses and that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate the following funds.

REVENUES:

AMOUNT

354-4910 Federal Aid: Community Development

\$164,359

ORGANIZATIONS:

Economic Development  
Emergency Shelter Grants Program  
354-CDV-8790

Contracted Services \$156,144  
4980-Contracted Agencies \$156,144

Interfund Transfer  
Transfer To Fund 351  
IFT-9600

354-IFT-E351 Transfer to Fund 351 Comm Dev Admin \$ 8,215

and be it further

**3<sup>rd</sup> RESOLVED**, that the reporting category for the County Integrated Financial Management System (IFMS) is CD10.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1309-2007 Laid on Table 3/20/2007  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 335 -2007, ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE NEW YORK STATE EDUCATION DEPARTMENT FOR A COLLEGIATE SCIENCE AND TECHNOLOGY ENTRY PROGRAM 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the 2006-2007 College Operating Budget provides \$86,237, including indirect costs, for a Collegiate Science and Technology Entry Program (CSTEP), funded by the New York State Education Department, for the period of July 1, 2006 through June 30, 2007; and

**WHEREAS**, the grant award has been increased by an additional amount of \$7,362, bringing the total amount of the grant award to \$93,599, 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 March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the \$7,362, including indirect costs, in accordance with the terms of said grant award before June 30, 2007; now, therefore be it

**1<sup>st</sup> 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 Collegiate Science and Technology Entry Program (CSTEP), in the amount of \$7,362, including \$545 in indirect costs, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: Collegiate Science and Technology Entry Program (CSTEP) 818-GRT-3260-07	\$7,362

APPROPRIATIONS:	AMOUNT
Collegiate Science and Technology Entry Program (CSTEP) 818-GRT-GC56-07	\$6,817

Suffolk County Community College  
Collegiate Science and Technology Entry Program (CSTEP)  
818-GRT-GC56-07

1000-Personal Services	\$2,000
1130-Temporary Salaries	1,000
1170-Part-time Instructors – Evening	1,000
3000-Supplies & Materials	\$1,559
3500-Other: Unclassified	1,559
4500-Contracted Services	\$3,000
4560-Fees for Services, Non-employees	3,000
8000-Employee Benefits	\$258
8160-TIAA-CREF Retirement	93
8330-Social Security	153
8350-Unemployment Insurance	12

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1310-2007 Laid on Table 3/20/2007  
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 336 -2007, ACCEPTING AND APPROPRIATING A GRANT AWARD FOR A HEALTH WORKFORCE RETRAINING INITIATIVE GRANT PROGRAM FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, Suffolk County Community College has received a grant award from the New York State Department of Health, in the amount of up to \$235,832, for a three-year Health Workforce Retraining Initiative Grant Program, entitled “Nurse Informatics and Leadership Education (NILE)”, for the period of April 1, 2007 through March 31, 2010; and

**WHEREAS**, funding for the initial period of April 1, 2007 through March 31, 2008 has been approved for \$69,628; and

**WHEREAS**, the grant provides for project implementation and health informatics training (HIT) to encourage nursing students to pursue advanced degrees in nursing and/or careers as nursing faculty; and

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

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant award on March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the \$69,628 for the initial period, in accordance with the terms of said grant award by March 31, 2008; now, therefore be it

**1<sup>st</sup> RESOLVED**, that said grant award, in the amount of up to \$235,832, for a three-year Health Workforce Retraining Initiative Grant Program, entitled “Nurse Informatics and Leadership Education (NILE)” be accepted; and be it further

**2<sup>nd</sup> RESOLVED**, that funding for the initial period of said grant in the amount of \$69,628 be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: NILE Program (Nurse Informatics & Leadership Education): 818-GRT-3293-07	\$ 69,628

APPROPRIATIONS:	AMOUNT
NILE Program (Nurse Informatics & Leadership Education): 818-GRT-GC58-07	\$ 69,628
Suffolk County Community College Nurse Informatics and Leadership Education (NILE) 818-GRT-GC58-07	
1000-Personal Services	\$ 34,173
1160-Part-Time Instructor – Day	7,146
1560-Full-Time Overload – Day	27,027
2000-Equipment	\$ 15,000
2440-Instructional Equipment	15,000
3000-Supplies & Materials	\$ 15,000
3170-Instructional Software	15,000
8000-Employee Benefits	\$ 5,455
8160-TIAA-CREF Retirement	2,840
8330-Social Security	2,615

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Re. No. 1312 -2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 337 -2007, ACCEPTING AND APPROPRIATING A GRANT AWARD AMENDMENT FROM THE NEW YORK STATE EDUCATION DEPARTMENT FOR A SCIENCE AND TECHNOLOGY ENTRY PROGRAM 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the 2006-2007 College Operating Budget provides \$182,676, including indirect costs, for a Science and Technology Entry Program (STEP), funded by the New York State Education Department, for the period of July 1, 2006 through June 30, 2007; and

**WHEREAS**, the grant award has been increased by an additional amount of \$17,767, bringing the total amount of the grant award to \$200,443, 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 March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the \$17,767, including indirect costs, in accordance with the terms of said grant award before June 30, 2007; now, therefore be it

**1<sup>st</sup> 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 Science and Technology Entry Program (STEP), in the amount of \$17,767, including \$1,168 in indirect costs, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: Science and Technology Entry Program (STEP) 818-GRT-3205-07	\$17,767

APPROPRIATIONS:	AMOUNT
Science and Technology Entry Program (STEP) 818-GRT-GC06-07	\$16,599

Suffolk County Community College  
Science and Technology Entry Program (STEP)  
818-GRT-GC06-07

1000-Personal Services	\$4,000
1130-Temporary Salaries	2,000
1170-Part-Time Instructors – Evening	2,000
3000-Supplies & Materials	\$11,985
3100-Instructional Supplies	4,492
3500-Other: Unclassified	7,493
8000-Employee Benefits	\$614
8160-TIAA-CREF Retirement	284
8330-Social Security	306
8350-Unemployment Insurance	24

DATED: April 24, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: April 26, 2007

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

Intro. Res. No. 1313-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 338 -2007, ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE SUFFOLK COMMUNITY COLLEGE FOUNDATION, INC. FOR A RAYTHEON/GENERAL MOTORS SERVICE TECHNICAL COLLEGE TRAINING PROGRAM 100% REIMBURSED BY PRIVATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the Suffolk Community College Foundation, Inc. has accepted a grant award from Raytheon Professional Services L.L.C. for a 2007 calendar year Raytheon/General Motors Service Technical College Training Program, for the period of January 1, 2007 through December 31, 2007; and

**WHEREAS**, the Foundation has awarded the College the sum of \$186,080 for the period of January 1, 2007 through December 31, 2007, to reimburse the College for the salaries and fringe benefit costs of the faculty necessary to conduct the training program for said performance period; and

**WHEREAS**, the 2006-2007 College Operating Budget provides \$178,709 for the salary and associated fringe benefit costs of the faculty of the Raytheon/General Motors Service Technical College Training Program for the period of January 1, 2007 through December 31, 2007; and

**WHEREAS**, it is necessary to amend the 2006-2007 College Budget to provide for an additional \$7,371, bringing the total amount of the award to \$186,080, for the period of January 1, 2007 through December 31, 2007; and

**WHEREAS**, the program will provide the required training needed to meet General Motors standards on a yearly basis; and

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

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant award from the Suffolk Community College Foundation, Inc., in the amount of \$186,080, on March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the increase reflected in the grant award in the amount of \$7,371, in accordance with the terms of said grant before December 31, 2007; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that said grant award, in the amount of \$186,080, from the Suffolk Community College Foundation, Inc., for a Raytheon/General Motors Service Technical College Training Program be accepted; and be it further

**2<sup>nd</sup>** **RESOLVED**, that said 2006-2007 College Operating Budget be amended in the amount of \$7,371, and said amount be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
Private Aid: Raytheon/GM: 818-GRT-2497-07	\$7,371

APPROPRIATIONS:	AMOUNT
Raytheon/GM: 818-GRT-GA24-07	\$7,371

Suffolk County Community College  
Raytheon/General Motors Service Technical College Training Program  
818-GRT-GA24-07

1000-Personal Services	\$6,847
1100-Permanent Salaries	6,847

8000-Employee Benefits	\$524
8330-Social Security	524

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro Res. No. 1317-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 339 -2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET AND ACCEPTING AND APPROPRIATING A TOTAL OF 100% FEDERAL AND STATE AID SPECIFICALLY RELATED TO THE DEPARTMENT OF SOCIAL SERVICES MEDICAID COMPLIANCE FUND**

**WHEREAS**, the Medicaid Program in New York State is a complex Program involving the overall administration by the New York State Department of Health which delegates the determination of eligibility of said program to the local Department of Social Service districts in accordance with State and Federal Laws; and

**WHEREAS**, it is the responsibility of the New York State Department of Health, in accordance with State Law to be the single State agency to ensure overall Medicaid compliance; and

**WHEREAS**, New York State Department of Health has also authorized 100% reimbursement for those positions contained herein to facilitate such adherence to State deadlines and to avoid possible financial penalties by New York State; and

**WHEREAS**, the 2007 Adopted Budget does not include this 100% reimbursement nor the appropriations for the additional positions contained herein for the Medicaid Compliance Fund; and

**WHEREAS**, it is in the best interest of Suffolk County to accept these funds in a newly created Fund, entitled "**Medicaid Compliance Fund**"; and

**WHEREAS**, it is in the best interest of Suffolk County to appropriate these funds and create the corresponding positions within this new Fund, to properly track and record the 100% Federal and State Aid designated specifically for the **Medicaid Compliance Fund**; and

**WHEREAS**, based on the current Federal and State Aid funding mechanism, there will be sufficient 100% revenue to cover the full cost of the positions, fringe benefits, and other ancillary costs contained herein; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller is hereby authorized, empowered and directed to create a new fund entitled Medicaid Compliance Fund 3XX, and that the County Treasurer is hereby authorized and directed to accept this designated Federal and State Aid into the newly established fund as follows:

REVENUES:	
3XX-DSS-4610 FEDERAL AID:Administration	\$2,116,480
3XX-DSS-3610-STATE AID: Administration	\$1,058,240
	\$1,058,240

and be it further

**2<sup>nd</sup> RESOLVED**, that total funds in the amount of \$2,116,480 be and are hereby appropriated as follows:

ORGANIZATIONS:	<u>\$2,116,480</u>
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Department of Social Services  
Medicaid Compliance Fund  
3XX-DSS -6XXX

**1000 – Personal Services**

**\$1,273,975**

**1100 – Permanent Salaries**

**1,191,975**

**1200 – Overtime**

**82,000**

**2000 - Equipment**

**\$169,950**

**2010 – Furniture and Furnishings**

**120,000**

**2020 – Office Machines**

**47,450**

**2090 – Telephone Equipment**

**2,500**

**3000 – Supplies**

**\$20,650**

**3010 – Office Supplies**

**5,000**

**3160 – Computer Software**

**10,150**

**3650 – Repair: Buildings**

**5,500**

**4000 – Travel**

**\$6,000**

**4320 – Meals**

**2,000**

**4330 – Travel: Contract**

**4,000**

**Social Security  
3XX-EMP-9030**

**8000 – Employee Benefits**

**\$97,459**

**8330 – Social Security**

**97,459**

**Unemployment Insurance  
3XX-EMP-9055**

**8000 – Employee Benefits**

<b>8350 – Unemployment Insurance</b>	<u><b>\$3,693</b></u>
	<b>3,693</b>
<b>Welfare Fund Contribution 3XX-EMP-9080</b>	
<u><b>8000 – Employee Benefits</b></u>	<u><b>\$27,177</b></u>
<b>8380 – Benefit Fund Contribution</b>	<b>27,177</b>
<b>Retirement 3XX-EMP-9010</b>	
<u><b>8000 – Employee Benefits</b></u>	<u><b>\$122,556</b></u>
<b>8280 – State Retirement</b>	<b>122,556</b>
<b>Interfund Transfers Transfer to Fund 38 (Self Insurance: Workers Compensation) 3XX-IFT-E038</b>	
<u><b>9000 – Interfund Transfers</b></u>	
<u><b>\$28,607</b></u>	
<b>9600 – Transfer to Funds</b>	<b>28,607</b>
<b>Interfund Transfers Transfer to Fund 39 (Health Insurance) 3XX-IFT-E039</b>	
<u><b>9000 – Interfund Transfers</b></u>	
<u><b>\$366,413</b></u>	
<b>9600 – Transfer to Funds</b>	<b>366,413</b>

and be it further

3<sup>rd</sup> RESOLVED,

that the following interfund revenues be accepted and appropriated as follows:

REVENUES:

038-IFT-R3XX

Transfer from Fund

3XX  
\$28,607  
039-IFT-R3XX  
3XX

\$366,413

Transfer from Fund

ORGANIZATIONS:

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

**8000 - Employee Benefits**

**\$28,607**

8300 – Workers' Compensation

28,607

**Employee Benefits  
Health Insurance  
039-EMP-9060**

**8000 - Employee Benefits**

**\$366,413**

8360 – Health Insurance

366,413

**and be it further**

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

**Social Services  
Medicaid Compliance Fund**

3XX-DSS-6XXX

<u>SPEC #</u>	<u>POSITION TITLE</u>	<u>J/C</u>	<u>GRADE</u>	<u># CREATED</u>
3081	Social Services Examiner I		C 16	25
3091	Social Services Examiner I (SS) C		16	5
3082	Social Services Examiner II		C 19	9
3083	Social Services Examiner III		C 23	5
0021	Clerk/Typist		C 9	4
3080	Community Service Worker		C 12	1
0766	Office Systems Analyst I		C 19	1

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1321-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 340 -2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET TO TRANSFER 100% STATE AID ADULT HOME CASE MANAGEMENT FUNDS FROM FEDERATION OF ORGANIZATIONS TO SAYVILLE PROJECT**

**WHEREAS**, the New York State Office of Mental Health (NYSOMH) Commission on Quality of Care for the Mentally Disabled restructured the delivery of mental health services to the vulnerable and seriously persistently mentally ill residents in impacted adult homes in 2004; and

**WHEREAS**, the Department of Health Services, Division of Community Mental Hygiene Services has identified a need for case management services for clients residing in adult homes within Sayville Project's catchment area; and

**WHEREAS**, Sayville Project is a long standing provider of case management services in Suffolk County; and

**WHEREAS**, the Division requests to transfer a portion of funds allocated to Federation of Organizations Adult Home Case Management to Sayville Project Adult Home Case Management; and

**WHEREAS**, the amount to be transferred is \$49,650; and

**WHEREAS**, the New York State Office of Mental Health has approved the transfer of these 100% State Aid funds; and

**WHEREAS**, the transfer of funds from Federation of Organizations to Sayville Project is not currently reflected in the 2007 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the 2007 Suffolk County Operating Budget be and hereby is amended and the County Comptroller be and is hereby authorized to transfer funds as follows:

ORGANIZATIONS:

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

2007

2007

<u>XORG</u>	<u>OBJECT NAME</u>	<u>Adopted</u>	<u>Mod Adopted</u>	<u>Change</u>
GZ11	Federation Adult Home Case Mgt.	\$241,480	\$191,830	-\$49,650
HYP1	Sayville Project Adult Home Case Mgt.	\$0	\$49,650	+\$49,650

and be it further

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

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1322-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 341 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (OASAS) TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF COMMUNITY MENTAL HYGIENE SERVICES FOR VARIOUS CONTRACT AGENCIES**

**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 and prevention programs, effective January 1, 2007; and

**WHEREAS**, the 100% additional Federal and State Aid to various contract agencies is for the conversion of non-medically supervised treatment programs to medically supervised treatment programs; and

**WHEREAS**, the State has provided additional one-time only 100% State Aid to various contract agencies to upgrade reporting technology, conduct need assessments and surveys for prevention programs; and

**WHEREAS**, this unallocated 100% additional Federal and State Aid is not currently included in the 2007 Adopted Operating Budget; now, therefore be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
4491 Federal Aid: Alcoholism	\$127,237
3486 State Aid: Narcotics Addition Control	\$143,473

ORGANIZATIONS:

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

<u>XORG</u>	<u>Object Name</u>	2007 <u>Adopted</u>	2007 <u>Modified</u>	<u>+Change</u>
AUG1	TOWN OF HUNTINGTON/STARSHINE	\$616,560	\$630,092	\$13,532
ATC1	TOWN OF BABYLON	\$334,234	\$411,863	\$77,629
AVH1	TOWN OF SMITHTOWN/HORIZONS	\$607,997	\$657,521	\$49,524
ABZ1	BRENTWOOD UFSD	\$162,222	\$166,671	\$4,449
AFM2	DRUG ABUSE PREVENTION COUNCIL	\$4,806	\$4,938	\$132
AED1	CONNETQUOT CSD	\$62,713	\$64,433	\$1,720
AIJ1	GREATER HAMPTONS INTERFAITH	\$382,655	\$388,590	\$5,935
ABN1	BOCES II	\$1,106,415	\$1,139,671	\$33,256
ACN4	CATHOLIC CHAR-TALBOT HOUSE	\$1,479,014	\$1,516,206	\$37,192
AET2	CATHOLIC CHAR-ALCOHOL CLINIC	\$492,333	\$497,500	\$5,167
AJF1	ISLIP ACCESSO CLINIC	\$415,727	\$423,915	\$8,188
AUT1	TOWN OF ISLIP-ACCESS	\$383,872	\$391,076	\$7,204
AAA2	ACCESS - TOWN OF ISLIP	\$177,396	\$181,128	\$3,732
GGX1	THREE VILLAGE SCHOOLS	\$45,543	\$50,792	\$5,249
AIS2	HUGS INC.	\$60,812	\$61,228	\$416
ANL7	PEDERSON-KRAG - ALCOHOL CLINIC	\$803,702	\$811,748	\$8,046
AGW1	FAMILY SVC LEAGUE- ALCOHOL	\$452,959	\$460,015	\$7,056
AJR1	J. MATHER MEMORIAL HOSPITAL	\$208,498	\$210,781	\$2,283

and be it further

**2<sup>nd</sup> 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

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1299-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 342 -2007, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS AWARDED BY THE U.S. DEPARTMENT OF JUSTICE UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO THE SUFFOLK COUNTY PROBATION DEPARTMENT AND THE SHERIFF'S OFFICE**

**WHEREAS**, Suffolk County has received Federal Edward Byrne Memorial Justice Assistance Grant funds in the amount of \$145,702 from the U.S. Department of Justice; and

**WHEREAS**, the Probation Department has requested \$56,202 to provide training and education to criminal justice staff on working with offenders with mental illnesses through the implementation of the NYS Office Of Mental Health CONNECT Program for Promoting Wellness and Recovery to Persons with Mental Illness and Co-occurring substance abuse disorders; and

**WHEREAS**, the Probation Department has requested \$45,500 of said grant funding to reduce recidivism among inmates leaving the jail by providing stipends for the participation in the Eastern Suffolk BOCES Re-Rout "Out of Jail" program at Suffolk Community College. The stipends will help to increase the offender's commitment to participate in the post incarceration community education program; and

**WHEREAS**, the Sheriff's Office has requested \$44,000 of said grant funding to purchase hardware and software to improve and update their data management system and to implement inmate Video Conferencing between the Jail and courts to reduce current transportation costs and increase inmates ability to conference with their attorneys; and

**WHEREAS**, said funds have not been included in the 2007 Operating Budget; and

**WHEREAS**, the grant award period is October 1, 2006 through September 30, 2009; and

**WHEREAS**, on, June 14<sup>th</sup> 2006 the County's Criminal Justice Coordinating Council held the required public hearing on all funding requests under said grant and after such hearing it was the unanimous recommendation of the Council to approve all such funding requests; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Executive is authorized to execute any Agreement with the U.S. Department of Justice, as necessary, to secure said grant funds; and be it further

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

**3<sup>rd</sup> 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 \$145,702 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4320 - Federal Aid: Crime Control	\$145,702

APPROPRIATIONS:

Suffolk County Criminal Justice Coordinating Council  
001-PRO-6126

<u>Supplies, Materials and Other Expense</u>	<u>\$6,202</u>
3100 Instructional Supplies	\$6,202

<u>Contractual Expenses</u>	<u>\$95,500</u>
4560 Fees for Services: Non-Employee	\$95,500

Suffolk County Sheriff's Office  
Jail Data Management System Improvement  
001-SHF-3159

<u>2000 Equipment</u>	<u>\$30,835</u>
2020 Office Machines	\$30,835

<u>3000 Supplies, Materials, Other</u>	<u>\$13,165</u>
3500 Other Unclassified Supplies	\$13,165

and be it further

**4<sup>th</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Intro. Res. No. 1636-2007  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/26/2007

**RESOLUTION NO. 718 -2007, AUTHORIZING CERTAIN  
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.  
342-2007**

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 342-2007; and

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

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

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

**Resolution No. 342-2007**

In the 3<sup>rd</sup> RESOLVED paragraphs change the number under the **APPROPRIATIONS**: from:

**FROM:**

001-PRO-6126

**TO:**

001-PRO-3197

DATED: August 7, 2007

APPROVED BY:

Paul Sabatino II  
Chief Deputy County Executive of Suffolk County

Date: August 9, 2007

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

Intro. Res. No. 1273-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 343 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT FRANKLYN A. FARRIS as Public Administrator for the Estate of John Ondris (SCTM NO. 0103-021.00-03.00-051.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of 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 021.00, Block 03.00, Lot 051.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Incorporated Village of Lindenhurst, Town of Babylon, Filed Map 180 Block 71 Lots 19 to 20 Inc.; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006 in Liber 12457 at Page 34.

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

**WHEREAS**, JOSEPH F. ONDRIS, as a Potential Heir, has made application of said above described parcel and JOSEPH F. ONDRIS, as a Potential Heir, has paid the application fee and \$4,420.98, 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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to FRANKLYN A. FARRIS, as Public Administrator for the Estate of John Ondris, Suffolk County, 300 Center Drive, Riverhead,

New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1274-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 344 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT VERONICA BOTTS (SCTM NO. 0200-952.00-03.00-010.000)**

**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 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 952.00, Block 03.00, Lot 010.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, County of Suffolk, State of New York, known and designated as part of lot 1 and all of lots 2 and 3 on a certain map entitled, "Map of Canaan Lake Beach" and filed in the Office of the Clerk of the County of Suffolk on June 20, 1935 as Map No. 1182; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

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

**WHEREAS**, VERONICA M. BOTTS SHABER a/k/a VERONICA M. BOTTS a/k/a VERONICA BOTTS has made application of said above described parcel and VERONICA M. BOTTS SHABER a/k/a VERONICA M. BOTTS a/k/a VERONICA BOTTS has paid the application fee and \$12,937.59, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to VERONICA BOTTS, 215 Southern Blvd., East Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1275-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 345 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT 130 SUFFOLK AVENUE CORPORATION (SCTM NO. 0500-119.00-01.00-082.000)**

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

}}

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 119.00, Block 01.00, Lot 082.000, and acquired by tax deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006, in Liber 12459, at Page 600, and otherwise known as and by Town of Islip, known and designated on a certain map entitled, "Map of Motor Parkway Acreage", located at Brentwood, Town of Islip, Suffolk County, New York, comprising 327 lots and 2013 Acreage Plots, developed by Cadman H. Frederick, 258 Broadway, New York City, surveyed December, 1928, by George H. Walbridge Co., and filed in the Office of the Clerk of Suffolk County, April 20, 1929, as Map Number 1020 and as and by Lot Numbers 4,5, and 6; 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.

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

**WHEREAS**, EDGAR BONILLA, as President, has made application of said above described parcel and EDGAR BONILLA, as President, has paid the application fee and \$62,323.47, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1276-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 346 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOHN LEHMANN a/k/a JOHN E. LEHMANN (SCTM NO. 0900-279.00-03.00-009.000)**

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

**ALL**, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 279.00, Block 03.00, Lot 009.000, 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, the Village of Westhampton, County of Suffolk, and State of New York as follows: Lots No. 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, Block Six (6) on a certain map entitled "Section Two of Westhampton Beach Park" filed in the Office of the County Clerk of Suffolk County on the Twenty Third day of December, 1908 under the number "538" being a portion of the lands represented by a certain map entitled "Map of Westhampton Beach Park, as surveyed by J.S. Maynor" filed with the County Clerk of the said Suffolk County on the first day of April, 1908 under the number "364"; 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.

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

**WHEREAS**, JOHN E. LEHMANN a/k/a JOHN LEHMANN has made application of said above described parcel and JOHN E. LEHMANN a/k/a JOHN LEHMANN has paid the application fee and \$215.02, 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, 2007; now, therefore be it

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

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOHN LEHMANN a/k/a JOHN E. LEHMANN, 342 Madeira Circle, Tierra Verde, Florida 33715, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No.1286-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 347 2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DANIEL AYROVAINEN and STACIE AYROVAINEN, husband and wife (SCTM NO. 0200-277.00-01.00-021.002)**

**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 277.00, Block 01.00, Lot 021.002, 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, N x S Gate Unv Pk S4; E x S Gate Unv Pk S4; S x S Gate Unv Pk S4; W x Bnghm & Anot - 130; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

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

**WHEREAS**, DANIEL AYROVAINEN and STACIE AYROVAINEN have made application of said above described parcel and DANIEL AYROVAINEN and STACIE AYROVAINEN have paid the application fee and \$889.96, 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, 2007; and

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

**2<sup>nd</sup> RESOLVED**, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DANIEL AYROVAINEN and STACIE AYROVAINEN, husband and wife, 8 Graduate Court, East Setauket, New York 11733, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1287-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 348 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ANDRE J. SZNICAR and MARIA SZNICAR, his wife, as Tenants by the Entirety with the Rights of Survivorship (SCTM NO. 0200-586.00-03.00-041.000)**

**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 586.00, Block 03.00, Lot 041.000, 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, known and designated as Plot # 200 on a certain map entitled Map of Shirley, Long Island, Unit "K" made by Peter J. Van Weele, Licensed Surveyor, Islip, Long Island, New York dated November 6, 1952, and filed in the Office of the Clerk of the County of Suffolk on December 22, 1952, as Map No. 1998; and

**FURTHER**, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006 in Liber 12465 at Page 374.

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

**WHEREAS**, ANDRE SZNICAR a/k/a ANDRE J. SZNICAR a/k/a ANDREJ SZNICAR and MARIA SZNICAR has made application of said above described parcel and ANDRE SZNICAR a/k/a ANDRE J. SZNICAR a/k/a ANDREJ SZNICAR has paid the application fee and \$629.82, 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, 2007; now, therefore be it

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

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

hereby is authorized to execute and acknowledge a Quitclaim Deed to ANDRE J. SZNICAR and MARIA SZNICAR, his wife, as Tenants by the Entirety with the Rights of Survivorship, 151-11 18<sup>th</sup> Avenue, Whitestone, New York 11357-3101, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1288-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer Lindsay

**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	<b>GZN1</b>	4980	<b>Heart of the Hamptons, Ltd.</b>	\$2,000

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

Intro. Res. No. 1517-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 598 -2007, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
349-2007

**WHEREAS**, the County Legislature has adopted and the County Executive has signed Resolution No. 349-2007; 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 correction:

**Resolution No. 349-2007**

In the **FROM** paragraph change the X-Org from:

**FROM:**  
X-Org  
6008

**TO:**  
X-Org  
6004

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

**RESOLUTION NO. 350 -2007, AUTHORIZING CERTAIN  
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.  
1153-2006**

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

**WHEREAS**, the 2007 Operating Budget when adopted contained a technical error relative to a certain contract agency; and

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

**1<sup>st</sup> RESOLVED**, that Resolution No. 1153-2006 be and it hereby is corrected as follows:

**APPROPRIATIONS:**

**FROM:**

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>R-Org</u>	<u>OBJ</u>	<u>ORG Name</u>	<u>AMOUNT</u>
001	DSS	6004	HHN1	4980	St. Patrick Parish Ministry Outreach	- \$6,000

**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	<b>6015</b>	<b>HQH1</b>	4980	<b>St. Patrick's Family Outreach</b>	+ \$6,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the monies appropriated pursuant to this resolution shall be used exclusively for the sole purpose of funding the aforementioned contract agency.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

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

**1<sup>st</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical correction; and be it further

**2<sup>nd</sup> 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

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

<b><u>2000-Equipment</u></b>	<b><u>\$12,000</u></b>
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

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

Intro. Res. No. 1319-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

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

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

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

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

**1<sup>st</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 31-2007**

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

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4392-Federal Aid: Sheriff – Traffic Safety Initiative	\$7,500

**APPROPRIATION:**

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

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1320-2007 Laid on Table 3/20/2007  
Introduced by Presiding Officer, on request of the County Executive

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

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

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

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

**1<sup>st</sup> RESOLVED**, that the Clerk of the Legislature shall make the following technical correction:

**Resolution No. 30-2007**

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

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

APPROPRIATION:

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

**1000-Personal Services**

1120-Overtime Salaries

**\$5,200**

**\$5,200**

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1202-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 354 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND ACCEPTING FEDERAL AID AND TRANSFERRING OPERATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE PEDESTRIAN ENHANCEMENT TRAFFIC SIGNAL IMPROVEMENT PROGRAM (CP 5406)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with Pedestrian Enhancement Traffic Signal Improvement Program; and

**WHEREAS**, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.71, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) percent County funds; and

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

**WHEREAS**, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5406 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 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**, there are available general operating funds to support the appropriation of the County share for participation in this project within the 2007 Capital Budget and Program; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

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

**4<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Rent: Offices & Buildings Department of Public Works 001-DPW-1363-4410	Interfund Transfer Transfer to General Capital Reserve Fund 001-IFT-E401-9600	\$6,000

and be it further

**5<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the General Capital Reserve Fund (Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>R001</i>	<i>E401</i>	<i>Transfer from General Fund</i>	<i>\$6,000</i>

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
<b>IFT</b>	<b>401</b>	<b>E525</b>	<b>9600</b>	<b>Transfer to Capital Fund</b>	<b>\$6,000</b>

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$6,000

and be it further

**7<sup>th</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5406  
 Project Title: Pedestrian Enhancement Traffic Signal Improvement Program

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget &amp; Program</u>	<u>Revised 2007 Capital Budget &amp; Program</u>
1. Planning, Design & Supervision	\$30,000	\$ 0	\$ 6,000G
		<u>\$ 0</u>	<u>\$24,000F</u>
TOTAL	\$30,000	\$ 0	\$30,000

and be it further

**8<sup>th</sup> RESOLVED**, that the proceeds of \$6,000 in General Capital Reserve Funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5406.110	50	Pedestrian Enhancement Traffic Signal Improvement Program	\$6,000

and be it further

**9<sup>th</sup> RESOLVED**, that Federal Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
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525-CAP-5406.110

50 Pedestrian Enhancement Traffic  
Signal Improvement Program

\$24,000

and be it further

**10<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$24,000; and be it further

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1203-2007

Laid on Table 3/6/2007

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

**RESOLUTION NO. 355 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND ACCEPTING FEDERAL AID AND TRANSFERRING OPERATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE PEDESTRIAN MOBILITY IMPROVEMENTS ON CR 97, NICOLLS ROAD, AT PURICK STREET, TOWN OF BROOKHAVEN (CP5407)**

**WHEREAS**, the Commissioner of Public Works has requested funds for (engineering/construction) in connection with Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street; and

**WHEREAS**, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.65, with a share allocation of eighty (80%) percent Federal funds and twenty (20%) percent County funds; and

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

**WHEREAS**, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5407 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State aid; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 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**, there are available general operating funds to support the appropriation of the County share for participation in this project within the 2007 Capital Budget and Program; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

**3<sup>rd</sup> RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street; and be it further

**4<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Rent: Offices & Buildings Department of Public Works 001-DPW-1363-4410	Interfund Transfer Transfer to General Capital Reserve Fund 001-IFT-E401-9600	\$ 3,000

and be it further

**5<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the General Capital Reserve Fund

(Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>R001</i>	<i>E401</i>	<i>Transfer from General Fund</i>	<i>\$3,000</i>

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>E525</i>	<i>9600</i>	<i>Transfer to Capital Fund</i>	<i>\$3,000</i>

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$3,000

and be it further

**7<sup>th</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5407  
 Project Title: Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street, Town of Brookhaven

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget &amp; Program</u>	<u>Revised 2007 Capital Budget &amp; Program</u>
1. Planning, Design & Supervision	\$15,000	\$ 0 <u>\$ 0</u>	\$ 3,000 G <u>\$12,000F</u>
TOTAL	\$15,000	\$ 0	\$15,000

**8<sup>th</sup> RESOLVED**, that the proceeds of \$15,000 in General Capital Reserve Funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5407.110	50	Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street	\$3,000

and be it further

**9<sup>th</sup> RESOLVED**, that Federal Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5407.110	50	Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street	\$12,000

and be it further

**10<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$12,000; and be it further

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

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

Intro. Res. No. 1204-2007

Laid on Table 3/6/2007

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

**RESOLUTION NO. 356 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND ACCEPTING FEDERAL AID AND TRANSFERRING OPERATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE INSTALLATION OF SIDEWALKS ON CR 58, OLD COUNTRY ROAD, FROM THE LONG ISLAND EXPRESSWAY TO CR 73, ROANOKE AVENUE, TOWN OF RIVERHEAD (CP 5408)**

**WHEREAS**, the Commissioner of Public Works has requested funds for engineering in connection with the Installation of Sidewalks on CR 58, Old Country Road, from the LIE to CR 73, Roanoke Avenue; and

**WHEREAS**, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.72, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

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

**WHEREAS**, there are sufficient funds within the 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**, there are available general operating funds to support the appropriation of the County share for participation in this project within the 2007 Capital Budget and Program; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary

planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

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

**4<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Rent: Offices & Buildings Department of Public Works 001-DPW-1363-4410	Interfund Transfer Transfer to General Capital Reserve Fund 001-IFT-E401-9600	\$ 9,600

and be it further

**5<sup>th</sup> RESOLVED**, that the Adopted 2007 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the General Capital Reserve Fund (Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>R001</i>	<i>E401</i>	<i>Transfer from General Fund</i>	<i>\$9,600</i>

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
<i>IFT</i>	<i>401</i>	<i>E525</i>	<i>9600</i>	<i>Transfer to Capital Fund</i>	<i>\$9,600</i>

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$9,600

and be it further

**7<sup>th</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5408  
Project Title: Installation of Sidewalks on CR 58, Old Country Road, from the LIE to CR 73, Roanoke Avenue

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget &amp; Program</u>	<u>Revised 2007 Capital Budget &amp; Program</u>
1. Planning, Design & Supervision	\$48,000	\$ 9,600B <u>\$ 38,400F</u>	\$ 9,600G <u>\$38,400F</u>
TOTAL	\$498,000	\$498,000	\$498,000

and be it further

**8<sup>th</sup> RESOLVED**, that the proceeds of \$9,600 in General Capital Reserve Funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5408.110	50	Installation of Sidewalks on CR 58, Old Country Road, from the LIE to CR 73, Roanoke Avenue	\$9,600

and be it further

**9<sup>th</sup> RESOLVED**, that Federal Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5408.110	50	Installation of Sidewalks on CR 58, Old Country Road, from the LIE to CR 73, Roanoke Avenue	\$38,400

**10<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$38,400; and be it further

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No 1257-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 357 –2007, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF THE CENTRAL PLAZA – AMMERMAN CAMPUS (CP 2187)**

**WHEREAS**, the President of Suffolk County Community College and the Board of Trustees have requested an additional \$750,000 for the completion of the Reconstruction of the Central Plaza; and

**WHEREAS**, Resolution No. 368-2003 appropriated \$2.7 million for the construction/reconstruction of the Central Plaza; and

**WHEREAS**, Resolution No. 1107-2005 amended Resolution No. 1202-1998 by transferring \$32,650 from planning to construction bringing the total available funding for construction in (CP 2187) to \$2,732,650; and

**WHEREAS**, the project was re-bid in July of 2005 with seventeen alternates; and

**WHEREAS**, the base bid for the project was \$2,689,000, not including the cost of the alternates which totaled approximately \$1,784,200; and

**WHEREAS**, ten out of the seventeen alternates were funded from either remaining funds in (CP 2187) or other related and/or adjacent capital projects; and

**WHEREAS**, these other related and/or adjacent capital projects were charged a total of \$670,808 including contingency, \$287,138 from Ammerman Site Improvements, \$220,815 from the Babylon Student Center, \$131,355 from the Smithtown Science Center, \$15,750 from

Electrical Distribution as well as \$15,750 from RPZ's without Legislative approval, thereby causing a shortfall in those accounts; and

**WHEREAS**, \$2,732,650 is appropriated for the construction of (CP 2187) plus the \$670,808 utilized from five other related College Capital Projects for a total available appropriation of \$3,403,458 in connection with the Reconstruction of the Central Plaza; and

**WHEREAS**, seven alternates were not included in the project, four of which the college now wish to include for an additional cost of \$750,000; and

**WHEREAS**, these alternates include stone facing, walls, stairs and facades, a drip irrigation system as well as fountain work with adjacent side work; and

**WHEREAS**, this brings the total cost of (CP 2187)–Reconstruction of the Central Plaza to \$4,153,458; and

**WHEREAS**, the additional \$750,000 required to restore these four alternates will be 100% County funded with no matching aid; 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 \$750,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> 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©(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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 62 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$750,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<b>Project Title</b>	<b>JC</b>	<b>Amount</b>
525-CAP-2187.310 (Fund 001-Debt Service)	Reconstruction of the Central Plaza- Ammerman Campus – Construction	30	\$750,000

and be it further

**4<sup>th</sup> RESOLVED**, that the College shall apply for the 50% State Match to offset the County cost required for the completion of this project.

DATED: April 24, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 11, 2007

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

Intro. Res. No. 1257A-2007

**BOND RESOLUTION NO. 358 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$750,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE CENTRAL PLAZA - AMMERMAN CAMPUS (2187.310)**

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 \$750,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the Central Plaza - 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 \$4,500,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1201-1998, as amended pursuant to Resolution No. 1107-2005, (b) the expenditure of \$150,000 in State Aid funds appropriated pursuant to Resolution No. 368-2003, as amended pursuant to Resolution No. 1107-2005, (c) the issuance of \$1,350,000 bonds or bond anticipation notes authorized pursuant to Resolution No. 367-2003, (d) the expenditure of \$1,350,000 in State Aid appropriated pursuant to Resolution No. 368-2003, (e) the issuance of \$750,000 bonds or bond anticipation notes authorized pursuant to

this resolution, (f) the expenditure of \$750,000 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) (1) of the Law, is twenty (20) years, computed from December 15, 2001, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 1201-1998.

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

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

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

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

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

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

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

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

DATED: April 24, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 11, 2007

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

Intro. Res. No. 1277-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 359 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION AND CONSTRUCTION OF FACILITIES AT GABRESKI AIRPORT (CP 5702)**

**WHEREAS**, the Commissioner of the Department of Economic Development and Workforce Housing has requested funds for the Renovation and Construction of Facilities at Francis S. Gabreski Airport – (CP 5702); and

**WHEREAS**, these funds will allow the Department to finish the demolition of the remaining former military facilities that lie within the boundaries of the Hampton Business and Technology Park as well as for the replacement of the walkways around the administration building; and

**WHEREAS**, the 2007 Adopted Capital Budget and Program includes funds to cover the full cost of said request under Capital Project 5702; and

**WHEREAS**, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established 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 \$192,500 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has made determinations through Resolution Nos. 1185-2002 and 16-2007, and the Legislature has no further responsibilities and SEQRA is complete; and be it further

**2<sup>nd</sup> 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$192,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
<b>525-CAP-5702.113</b>	<b><i>Renovation and Construction of Facilities At Francis S. Gabreski Airport</i></b>	<b>\$17,500</b>
525-CAP-5702.319	Renovation and Construction of Facilities at Francis S. Gabreski Airport	\$175,000

and be it further

**4<sup>th</sup> RESOLVED**, that the Department of Economic Development and Workforce Housing, and the Department of Public Works pursuant to Section C8-2 (X) and C35-2 (A) of the Suffolk County Charter, are hereby authorized, empowered and directed to take such action as may be necessary to complete this project.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

**BOND RESOLUTION NO. 360 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$192,500 BONDS TO FINANCE THE COST OF THE RENOVATION AND CONSTRUCTION OF FACILITIES AT GABRESKI AIRPORT (CP 5702.113 and .319)**

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 \$192,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the renovation and construction of facilities at Gabreski Airport, 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 \$192,500. The plan of financing includes the issuance of \$192,500 bonds or bond anticipation notes authorized pursuant to this resolution (\$17,500 for planning and \$175,000 for construction) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 14 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: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1307-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 361 -2007, AUTHORIZING CULTURAL AFFAIRS AGREEMENT FUNDING FOR 2007**

**WHEREAS**, the Adopted 2007 Operating Budget provides a total of \$668,878; \$212,000 from Fund 001-General Fund for the funding of various cultural programs and \$456,878 from Fund 192-Hotel/Motel Room Tax, for program support of non-profit museums and cultural organizations that promote tourism; and

**WHEREAS**, the Economic Development, Higher Education and Energy Committee met and reviewed the funding recommendations from the Cultural Affairs Citizens Advisory Board; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes an action, pursuant to 6 NYCRR; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Legislature hereby approves the allocation of funding in the amount of \$668,878 for the organizations as set forth in Exhibit "A", attached, in the "Recommended" column, such funding to be paid at the commencement of the pertinent contract; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Executive or his Deputy, or the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing or his or her designee, as the case may be, is hereby authorized to enter into agreements with the organizations as set forth in Exhibit "A" and in the amounts set forth therein.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 4, 2007

<b>GRANTEE LEGAL NAME FUND 001</b>	<b>2006 Funding</b>	<b>2007 Recommended Funding</b>	<b>Difference of 2006 to 2007</b>
American Concert Band Society	\$4,500	\$3,500	-\$1,000
Atlantic Wind Symphony, Inc.	\$7,000	\$7,250	\$250
Babylon Chorale, Inc.	\$5,000	\$5,000	\$0
Babylon Citizens' Council on the Arts	\$22,000	\$24,000	\$2,000
Bay Area Friends of the Fine Arts	\$2,000	\$2,000	\$0
Bridgehampton Historical Society	\$6,000	\$4,000	-\$2,000
Brookhaven Arts and Humanities Council, Inc.	\$7,000	\$7,500	\$500
Canta Libre, Inc.	\$4,000	\$4,250	\$250
Children's Museum of the East End	\$5,000	\$5,500	\$500
Folk Music Society of Huntington	\$1,000	\$1,500	\$500
Greater Port Jefferson Arts Council	\$22,000	\$24,000	\$2,000
Herstory Writers Workshop, Inc.	\$6,000	\$6,600	\$600
Huntington Choral Society, Inc.	\$2,500	\$2,500	\$0
Island Senior Citizens Orchestra, Inc.	\$2,500	\$2,750	\$250
Islip Arts Council, Inc.	\$27,000	\$29,000	\$2,000
Long Island Baroque Ensemble	\$5,000	\$5,500	\$500
Long Island Brass Guild, Inc.	\$1,550	\$1,720	\$170
Long Island Composers Alliance, Inc.	\$4,000	\$3,350	-\$650
Long Island Traditional Music Association, Inc.	\$2,000	\$2,200	\$200
New Century Singers	\$4,500	\$4,500	\$0
Northport Chorale and Community Band, Inc.	\$2,000	\$2,200	\$200
Peconic Chamber Orchestra	\$0	\$1,000	\$1,000
Ridotto Arts Organization, Inc.	\$4,000	\$4,400	\$400
Second Avenue Firehouse	\$0	\$2,000	\$2,000
Senior POPS Orchestra of Long Island	\$1,000	\$1,000	\$0
Suffolk County Senior Citizens' Chorus, Inc./Silver Chords	\$2,000	\$2,200	\$200
Theatre Three Productions, Inc.	\$20,000	\$22,000	\$2,000
Walt Whitman Birthplace Association	\$17,000	\$17,000	\$0
West Islip Symphony Orchestra, Inc.	\$2,500	\$2,745	\$245
YMCA of Long Island (d/b/a Boulton Center for the Performing Arts	\$4,813	\$5,000	\$187
<b>001-ECD-6410-4770 Sub - Total</b>	<b>\$189,050</b>	<b>\$206,165</b>	<b>\$17,115</b>
<b>001-ECD-6410-4560 Sub - Total</b>	<b>\$5,835</b>	<b>\$5,835</b>	<b>\$0</b>
<b>In The Morning Arts &amp; Cultural Radio Magazine</b>			

**TOTAL**

**\$212,000**

<b>GRANTEE LEGAL NAME FUND 192</b>	<b>2006 Funding</b>	<b>2007 Recommended Funding</b>	<b>Difference of 2006 to 2007</b>
<b>Arena Players Repertory Theatre of L.I., Inc.</b>	\$23,000	\$25,300	\$2,300
<b>Art League of Long Island</b>	\$5,000	\$5,500	\$500
<b>Bay Street Theatre Festival, Inc.</b>	\$20,000	\$22,000	\$2,000
<b>Bridgehampton Chamber Music Assoc., Inc.</b>	\$6,000	\$6,600	\$600
<b>Byrd Hoffman Water Mill Fndation</b>	\$9,200	\$9,500	\$300
<b>Cinema Arts Centre</b>	\$23,000	\$25,300	\$2,300
<b>Circle of Dance Repertory Co., Inc.</b>	\$3,500	\$2,000	-\$1,500
<b>East End Arts and Humanities Council, Inc.</b>	\$30,000	\$30,170	\$170
<b>Fire Island Golden Wagon Film Festival</b>	\$9,000	\$9,200	\$200
<b>Friends of the Bayshore/Brightwaters Library</b>	\$6,000	\$6,000	\$0
<b>Guild Hall of East Hampton, Inc.</b>	\$9,000	\$9,000	\$0
<b>Hallockville, Inc.</b>	\$15,536	\$17,090	\$1,554
<b>Hamptons International Film Festival</b>	\$15,000	\$13,000	-\$2,000
<b>Hamptons Shakespeare Festival, Inc.</b>	\$12,000	\$8,000	-\$4,000
<b>Heckscher Museum</b>	\$18,000	\$19,500	\$1,500
<b>Huntington Arts Council</b>	\$25,000	\$27,500	\$2,500
<b>Inter-Media Art Center, Inc.</b>	\$24,000	\$26,000	\$2,000
<b>Long Island Maritime Museum</b>	\$3,500	\$3,835	\$335
<b>Long Island Philharmonic, Inc.</b>	\$0	\$10,000	\$10,000
<b>Long Island Traditions, Inc.</b>	\$2,000	\$2,200	\$200
<b>LI Museum of American Art, History &amp; Carriages</b>	\$23,000	\$25,000	\$2,000
<b>Northport Historical Society</b>	\$0	\$2,000	\$2,000
<b>Opera of the Hamptons</b>	\$6,000	\$4,000	-\$2,000
<b>Parrish Art Museum</b>	\$10,000	\$10,000	\$0
<b>Patchogue Theater for the Performing Arts</b>	\$10,000	\$11,000	\$1,000
<b>Sag Harbor Whaling and Historical Museum</b>	\$4,000	\$4,400	\$400
<b>Smithtown Township Arts Council, Inc.</b>	\$20,500	\$21,745	\$1,245
<b>Society for the Preservation of L.I. Antiquities</b>	\$6,000	\$6,000	\$0
<b>Sol Y Sombra Spanish Dance Co., Inc.</b>	\$8,850	\$8,275	-\$575
<b>Sound Symphony, Inc.</b>	\$3,650	\$3,395	-\$255
<b>Southold Historical Society</b>	\$3,000	\$3,200	\$200
<b>Stony Brook Fndation, Inc. (Pollock-Krasner House)</b>	\$8,000	\$8,800	\$800
<b>SUNY Staller Center</b>	\$3,000	\$2,500	-\$500
<b>Westhampton Beach Historical Society</b>	\$0	\$1,825	\$1,825

<b>Westhampton Beach Performing Arts Center, Inc.</b>	\$23,000	\$25,300	\$2,300
<b>Whaling Museum Society, Inc.</b>	\$7,000	\$7,700	\$700
<b>East End Arts Council for "Winterfest" cultural tourism program</b>	\$18,521	\$16,000	-\$2,521
<b>Smithtown Township Arts Council for "Digital Long Island" cultural tourism program</b>	\$0	\$15,000	\$15,000
<b>Smithtown Township Arts Council for "ArtsWave" cultural tourism program</b>	\$0	\$3,043	\$3,043
<b>Total</b>	<b>\$394,736</b>	<b>\$456,878</b>	\$62,142

**Program Name:** Long Island Culture and Wine Winterfest

Description: The Long Island Wine Country Winter Festival is a unique collaborative cultural tourism program with wineries, B&Bs, hotels, restaurants, shops and cultural organizations participating to increase winter tourism on the East End of Long Island. This program was one of eight recipients of a New York State cultural tourism grant in 2005. The East End Arts Council is the lead agency for this program.

**Program Name:** Digital Long Island

Description: Digital Long Island is a new cultural tourism initiative for the North Shore of Suffolk County, with events to extend from Smithtown to Port Jefferson in November 2007. Artistic Director Laurence Gartel, a digital media art pioneer from Long Island, is working with the Smithtown Township Arts Council to develop three exhibitions of digital art and a digital media festival to showcase new media pieces. The Suffolk County Film Commission, North Shore Promotional Alliance, and Port Jefferson Arts Council are participating. Hewlett-Packard has signed on as a sponsor.

**Program Name:** ArtsWave

Description: The ArtsWave Festival initiative is designed to bring attention to the cultural assets located in Suffolk County downtowns. This funding will be used to support a student poster art exhibition featuring depictions of their favorite downtown business titled "This Store Has the Best...". The Smithtown Township Arts Council is the lead agency for this project.

**Program Name** In the Morning

Description: Bonnie Grice hosts a one-hour Arts and Culture Magazine each Tuesday through Friday morning on public radio WLIU FM. Long Island's only daily arts and culture magazine features interviews and reports from Long Island and Connecticut's artists, arts organizations, and arts and cultural leaders. The Office of Film and Cultural Affairs and Suffolk County cultural organizations are featured on the program.

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-0-1-0. Legislator Alden abstained.

Intro. Res. No. 1189-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 362 -2007, ADOPTING LOCAL LAW NO. 11 -2007, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE C&N PACKAGING INC., (SUFFOLK COUNTY TAX MAP NO. 0100-080.00-02.00-119.009)**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on March 6, 2007, a proposed local law entitled, “**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE C&N PACKAGING INC., (SUFFOLK COUNTY TAX MAP NO. 0100-080.00-02.00-119.009,)**” 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. 11 -2007, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE C&N PACKAGING INC., (SUFFOLK COUNTY TAX MAP NO. 0100-080.00-02.00-119.009)**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include C&N Packaging Inc. located at premises described as Suffolk County Tax Map No. 0100-080.00-02.00-119.009.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that C&N Packaging Inc., a full-service injection molding company, located at 105 Wyandanch Ave., Wyandanch NY 11798, meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Development Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Development Zone, to include the above location.

## **Section 2. Application.**

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

## **Section 3. Request for Consideration.**

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

## **Section 4. Designation of Revised Empire Zone Boundaries.**

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0100-080.00-02.00-119.009.

## **Section 5. Real Property Tax Exemption.**

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of ten (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

## **Section 6. Applicability.**

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

## **Section 7. Severability.**

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

**Section 8. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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 on non-applicability or non-significance in accordance with this law.

**Section 9. Effective Date.**

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 16, 2007

After a public hearing duly held on May 8, 2007  
Filed with the Secretary of State on June 11, 2007

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

Intro. Res. No. 1190-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive and Legislators D’Amaro, Stern, Cooper

**RESOLUTION NO. 363 -2007, ADOPTING LOCAL LAW NO. 12 -2007, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AIR TECHNIQUES, INC. (SUFFOLK COUNTY TAX MAP NO. 0400-255.00-01.00-002.005)**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on March 6, 2007, a proposed local law entitled, “**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AIR TECHNIQUES, INC. (SUFFOLK COUNTY TAX MAP NO. 0400-255.00-01.00-002.005,)**” 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. 12-2007, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE AIR TECHNIQUES, INC. (SUFFOLK COUNTY TAX MAP NO. 0400-255.00-01.00-002.005)**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Air Techniques, Inc., located at premises described as Suffolk County Tax Map No. 0400-255.00-01.00-002.005.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Air Techniques, a manufacturer and distributor of dental, medical, veterinary and non-destructive testing equipment, located at 1295 Walt Whitman Road, Melville, N.Y. 11747, meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Development Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Development Zone, to include the above location.

**Section 2. Application.**

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

**Section 3. Request for Consideration.**

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

**Section 4. Designation of Revised Empire Zone Boundaries.**

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0400-255.00-01.00-002.005.

**Section 5. Real Property Tax Exemption.**

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of ten (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

**Section 6. Applicability.**

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

**Section 7. Severability.**

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

**Section 8. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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 on non-applicability or non-significance in accordance with this law.

**Section 9. Effective Date.**

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 16, 2007

After a public hearing duly held on May 8, 2007  
Filed with the Secretary of State on June 11, 2007

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

Intro. Res. No. 1191-2007

Laid on Table 3/6/2007

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

**RESOLUTION NO. 364 -2007, ADOPTING LOCAL LAW NO. 10 -2007, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE CUSTOM WOODWORK LTD., (SUFFOLK COUNTY TAX MAP NO. 0600-124.00-02.00-024.000)**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on March 6, 2007, a proposed local law entitled, “**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE CUSTOM WOODWORK LTD., (SUFFOLK COUNTY TAX MAP NO. 0600-124.00-02.00-024.000,**)” 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. 10 -2007, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE  
BOUNDARIES TO INCLUDE CUSTOM WOODWORK LTD, (SUFFOLK COUNTY  
TAX MAP NO. 0600-124.00-02.00-024.000)**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Custom Woodwork Ltd. located at premises described as Suffolk County Tax Map No. 0600-124.00-02.00-024.000.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Custom Woodwork Ltd., a full-service designer and manufacturer flooring products, re-located to 713-817 Pulaski St., Riverhead, NY 11901, meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Development Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Development Zone, to include the above location.

**Section 2. Application.**

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

**Section 3. Request for Consideration.**

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

**Section 4. Designation of Revised Empire Zone Boundaries.**

The boundary of the Empire Zone, designated in Local Law 14-2003 and Local Law 15-2003, as adopted, shall be amended to include Suffolk County Tax Map No. 0600-124.00-02.00-024.000.

#### **Section 5. Real Property Tax Exemption.**

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of ten (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

#### **Section 6. Applicability.**

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

#### **Section 7. Severability.**

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

#### **Section 8. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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 on non-applicability or non-significance in accordance with this law.

#### **Section 9. Effective Date.**

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 16, 2007

After a public hearing duly held on May 8, 2007  
Filed with the Secretary of State on June 11, 2007

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

Intro. Res. No. 1308-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 365 -2007, ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR AN EDUCATIONAL OPPORTUNITY PROGRAM 84% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

**WHEREAS**, the 2006-2007 College Operating Budget provides \$117,452 for an Educational Opportunity Program (EOP) grant from the State University of New York, for the period of September 1, 2006 through August 31, 2007; and

**WHEREAS**, the grant award has been increased by an additional amount of \$33,423, to provide for an Early Start Fall Program, bringing the total amount of the grant award to \$150,875; and

**WHEREAS**, it is necessary to amend the College Budget in the amount of \$33,423 to provide for the increase in the grant award; and

**WHEREAS**, matching funds in the amount of \$29,258 are provided for in the College Operating Budget; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2006-2007 College Budget for the increase in the grant award in the amount of \$33,423 on March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the increase in the grant award in the amount of \$33,423 in accordance with the terms of said grant before August 31, 2007; now, therefore be it

1<sup>st</sup> **RESOLVED**, that said 2006-2007 College Budget be amended to reflect the increase in the grant award from the State University of New York, for an Educational Opportunity Program Grant in the amount of \$33,423, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: EOP: 818-GRT-3203-07	\$33,423

APPROPRIATIONS:	AMOUNT
EOP: 818-GRT-GC07-07	\$33,423

Suffolk County Community College  
Educational Opportunity Program (EOP)  
818-GRT-GC07-07

1000-Personal Services	\$ 30,876
1130-Temporary Salaries	9,263
1160-Part-time Instructors - Day	16,055
1180-Part-time Instructors - Summer	5,558
8000-Employee Benefits	\$ 2,547
8330-Social Security	2,362
8350-Unemployment Insurance	185

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1311-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 366 -2007, ACCEPTING AND  
APPROPRIATING A GRANT PROPOSAL TO THE NEW  
YORK STATE EDUCATION DEPARTMENT FOR A 2007  
TEACHERS SUMMER SCHOOL 74% REIMBURSED BY  
STATE FUNDS AT SUFFOLK COUNTY COMMUNITY  
COLLEGE**

**WHEREAS**, Suffolk County Community College has submitted a proposal to the New York State Education Department, in the amount of \$8,645, for a 2007 Teachers Summer School “Learning Mathematics Through Problem Solving”, for the period of February 1, 2007 through September 30, 2007; and

**WHEREAS**, the program provides for a Summer School to expose secondary teachers to a wide variety of topics in elementary mathematics exclusively through problem solving; and

**WHEREAS**, matching funds in the amount of \$3,099 to cover the cost of summer overload credit hours is provided for in the College Operating Budget; and

**WHEREAS**, the Board of Trustees of Suffolk County Community College accepted the grant proposal on March 22, 2007 by Resolution No. 2007. ; and

**WHEREAS**, the College anticipates spending the \$8,645 in accordance with the terms of said grant, if funded, before September 30, 2007; now, therefore be it

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

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

**3<sup>rd</sup>** **RESOLVED**, that said grant proposal to the New York State Education Department for a 2007 Teachers Summer School “Learning Mathematics Through Problem Solving”, in the amount of \$8,645, be accepted, and contingent upon the awarding of the grant, \$8,645, including \$114 in indirect costs, to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: Summer Classes: “Learning Mathematics Through Problem Solving”: 818-GRT-3292-07	\$8,645

APPROPRIATIONS:	AMOUNT
Summer Classes: “Learning Mathematics Through Problem Solving”: 818-GRT-GW07-07	\$8,531

Suffolk County Community College	
Summer Classes: “Learning Mathematics Through Problem Solving”	
818-GRT-GW07-07	
1000-Personal Services	\$340
1580-Full-Time Overload – Summer	340
3000-Supplies and Materials	\$1,875
3100-Instructional Supplies	1,875
4700-Miscellaneous	\$6,250
4770-Special Services	6,250

8000-Employee Benefits	\$66
8280-Employees' Retirement System	40
8330-Social Security	26

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1131-2007 Laid on Table 2/6/2007  
 Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 367 -2007, APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR RESTORATION OF WETLANDS (CP 8730)

**WHEREAS**, the Commissioner of Environment and Energy has requested funds in connection with the restoration of wetlands; and

**WHEREAS**, Suffolk County is committed to preserving and restoring its 17,000 acres of tidal wetlands, which have been dramatically altered by an extensive vector control grid ditch network which was substantially created in the 1930s; and

**WHEREAS**, the Suffolk County Vector Control and Wetlands Management Long-Term Plan (hereinafter "Long-Term Plan") developed strategies for addressing vector control and wetlands management, primarily with respect to the 4,000 acres of tidal wetlands of vector control concern; and

**WHEREAS**, the Long-Term plan acknowledged the need for a strategy to address the management needs of the County's 17,000 acres of tidal wetlands, not just the 4,000 acres of tidal wetlands of greatest concern to Vector Control; and

**WHEREAS**, the Legislature supports the Long-Term Plan's Wetlands Stewardship Committee approach, as a means of coordinating and overseeing future marsh management projects, as well as overseeing development of a Wetlands Stewardship Strategy to address the management needs of the County's 17,000 acres of tidal wetlands; and

**WHEREAS**, the Suffolk County Department of Environment and Energy will serve as Chair of the Wetlands Stewardship Committee, and will oversee the development of the

Wetlands Stewardship Strategy, in cooperation with the Departments of Public Works and Health Services; and

**WHEREAS**, Cornell Cooperative Extension of Suffolk County has developed a workplan, in cooperation with The Nature Conservancy, for the development of the Wetlands Stewardship Strategy; and

**WHEREAS**, this Wetlands Stewardship Strategy workplan has been reviewed by advisory committees to the Long-Term Plan, and has been deemed to be the most appropriate approach to preserving and restoring our wetlands; and

**WHEREAS**, contracted services are essential to conduct the intensive efforts called for in the Wetlands Stewardship Strategy workplan; and

**WHEREAS**, there are sufficient authorizations within the 2007 Capital Budget and Program to cover the cost of said request; 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 \$220,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$220,000 in Suffolk County Serial Bonds be and are hereby appropriated for wetlands planning activities, as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8730.110 (Fund 001-Debt Service)	Restoration of Wetlands	\$220,000

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: April 27, 2007

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

Intro. Res. No. 1131A-2007

**BOND RESOLUTION NO. 368 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$220,000 BONDS TO FINANCE THE COST OF PLANNING FOR THE RESTORATION OF WETLANDS (CP 8730.110)**

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 \$220,000 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 the restoration of wetlands, 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 \$220,000. The plan of financing includes the issuance of \$220,000 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. 242 of the Law of the State, 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 240.00 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 24. 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: April 24, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: April 27, 2007

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

Intro. Res. No. 1264-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 369 -2007, APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – FEBRUARY 2007**

**WHEREAS**, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," authorizes the use of 7.35 per cent of sales and compensating use tax proceeds generated each year for farmland development rights acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

**WHEREAS**, Resolution No. 751-1997 established the Land Preservation Partnership Program with Suffolk County Towns, subject to receipt by the County Executive of a Town Board resolution which represents that the property is eligible for acquisition under the County Drinking Water Protection Program, the Open Space Program, the Farmland Development Rights Program, watershed and/or estuary protection, or parklands; authorizes acquisition of fee title, or a lesser interest therein, to be held by the County of Suffolk; appropriates funds for the acquisition in the amount of fifty-percent (50%) of the total cost of acquisition, including, but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment and taxes prior to exemption; and

**WHEREAS**, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A"); 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. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

**WHEREAS**, Local Law No. 34-2004, approved by the electorate in 2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" which authorizes the acquisition of farmland development rights by making \$35 Million available for such acquisition under the Farmland component, as determined by a duly enacted resolution of the County of Suffolk; and

**WHEREAS**, the County's nationally acclaimed land preservation programs have received a jump start with the approval in 2004, 2005 and 2006 master lists of important and significant environmentally sensitive lands, farmland and recreationally important lands identified in Resolution No. 621-2004, Resolution No. 877-2005 and Resolution No. 47-2006, respectively, that it is now necessary to add additional parcels to the master list for acquisition of farmland development rights; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and be it further

**I.) NEW DRINKING WATER PROTECTION PROGRAM – FARMLAND DEVELOPMENT RIGHTS**

**2<sup>nd</sup>** **RESOLVED**, that the following parcel(s), in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is (are) hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Farmland Preservation Program authorized, empowered, and directed by Section 12-3 of the SUFFOLK COUNTY CHARTER and implemented under Article XII of the SUFFOLK COUNTY CHARTER:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

**4<sup>th</sup>** **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

**5<sup>th</sup>** **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

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

**7<sup>th</sup>** **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) 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

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

**II.) SUFFOLK COUNTY LAND PRESERVATION PARTNERSHIP PROGRAM -- FARMLAND DEVELOPMENT RIGHTS**

**9<sup>th</sup>** **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) and (E) 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 to acquire the farmland development rights for the parcels listed herein below, from the reputed owners, in addition to the parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, for inclusion in the Suffolk County Land Preservation Partnership Program, the funding for which shall be provided under Resolution Nos. 751-1997 and 1092-1997 as supplemented by subsequent appropriations:

<b>PARCEL:</b>	<b>SUFFOLK COUNTY TAX MAP NUMBER:</b>	<b>ACRES:</b>	<b>REPUTED OWNER AND ADDRESS:</b>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

**10<sup>th</sup>** **RESOLVED**, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

**11<sup>th</sup>** **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Resolution Nos. 751-1997 and 1092-1997; and be it further

**12<sup>th</sup>** **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works, 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

**13<sup>th</sup>** **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 Land Preservation Partnership Program; and be it further

**III.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS**

**14<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) 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. 7177, to acquire the farmland development rights of the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Preservation Program, together with those parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, to be consummated pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBITS "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

**15<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

**16<sup>th</sup>** **RESOLVED**, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of the 5th RESOLVED clause of Resolution No. 459-2001; and be it further

**17<sup>th</sup>** **RESOLVED**, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works 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

**IV.) SAVE OPEN SPACE (SOS) PROGRAM – FARMLAND DEVELOPMENT RIGHTS**

**18<sup>th</sup>** **RESOLVED**, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A(3) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local law No. 34-2005 for acquisition of farmland development rights:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District Section Block Lot		SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and be it further

**19<sup>th</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

**20<sup>th</sup>** **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel in accordance with Resolution No. 423-1988; and be it further

**21<sup>st</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10 (B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

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

**23<sup>rd</sup>** **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel 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

**24<sup>th</sup>** **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

**25<sup>th</sup>** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 01	District 0400 Section 087.00 Block 03.00 Lot 007.006	17.8	Amsler Family Partnership Pulaski Rd, P.O. Box 1300 Northport, N. Y. 11768
No. 02	District 0400 Section 087.00 Block 03.00 Lot 007.007	.17	Amsler Family Partnership Pulaski Rd, P.O. Box 1300 Northport, N.Y. 11768
No. 03	District 0400 Section 087.00 Block 03.00 Lot 007.008	.17	Amsler Family Partnership Pulaski Rd. P.O. Box 1300 Northport, N.Y. 11768

No. 04	District	0400	1.0	Amsler Family Partnership
	Section	087.00		Pulaski Rd. P.O. Box 1300
	Block	03.00		Northport, N.Y. 11768
	Lot	007.011		
No. 05	District	0400	3.6	Amsler Family Partnership
	Section	087.00		Pulaski Rd. P.O. Box 1300
	Block	03.00		Northport, N.Y. 11768
	Lot	007.012		
No. 06	District	0600	24.8	Andrews Family
	Section	058.00		362 Sound Avenue
	Block	02.00		Calverton, N.Y. 11933
	Lot	012.002		
No. 07	District	0600	33.8	Viscione & Partners
	Section	099.00		Naples Family Partnership
	Block	02.00		25 Vantage Court
	Lot	013.004		Port Jefferson, N.Y. 11777
No. 08	District	0600	187.5	Wulforst Family Farm
	Section	061.00		151 Sound Avenue
	Block	02.00		Calverton, N.Y. 11933
	Lot	017.002		

**APPENDIX A**

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No. 09	District	0600	26.4	Walter Zaweski
	Section	048.00		1796 Main Road
	Block	01.00		Jamesport, N.Y. 11947
	Lot	003.009		
No. 10	District	1000	11.3	Peconic Homes
	Section	121.00		Laurel, N.Y. 11948
	Block	03.00		
	Lot	007.004		

**TOTAL ACRES**  
**306.54**

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

Intro. Res. No. 1271-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 370 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE STEIN PROPERTY – DOXSEE’S CREEK ADDITION (TOWN OF ISLIP – SCTM NO. 0500-294.00-02.00-046.000)**

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

**WHEREAS**, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

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

**WHEREAS**, Resolution No. 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 had approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Ninety Thousand Dollars (\$190,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0500	2.5±	Diana M. Stein

Section 294.00  
Block 02.00  
Lot 046.000

256 Evergreen Avenue  
Central Islip, NY 11722

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Ninety Thousand Dollars (\$190,000.00), subject to a final survey; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$190,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDX2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

Intro. Res. No. 1272-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 371  
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE  
NEW SUFFOLK COUNTY DRINKING WATER PROTECTION  
PROGRAM – OPEN SPACE COMPONENT - FOR THE  
FROEHLICH PROPERTY – MASTIC/SHIRLEY  
CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM  
NO. 0200-983.50-02.00-039.000)**

**WHEREAS**, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” Section C12-2(A)(1)

authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

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

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Six Thousand Five Hundred Dollars (\$6,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>
No. 1	District 0200 Section 983.50 Block 02.00 Lot 039.000	.089±	Sharon Froehlich 416 Roslyn Avenue Carle Place, NY 11514

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to

Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Six Thousand Five Hundred Dollars (\$6,500.00), subject to a final survey; and be it further

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

**EXPENDITURES:**

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$6,500.00*

\*subject to a final survey

and be it further

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

**REVENUES:**

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$6,500.00*

\*subject to a final survey

and be it further

**5<sup>th</sup> RESOLVED**, that the \$6,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$6,500.00*

\*subject to a final survey

and be it further

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

**7<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$6,500.00, subject to a final survey, from the New Suffolk County

Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

and be it further

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

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

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

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

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

DATED: April 24, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: May 11, 2007

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

**Intro                      Res.                      No.                      1278-2007**  
**Laid on Table 3/20/2007**

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

**RESOLUTION NO. 372 -2007, DONATION AND DEDICATION OF CERTAIN LANDS NOW OWNED BY THE WESTMORELAND FARM, INC. TO THE COUNTY OF SUFFOLK (SCTM NO. 0700-017.00-02.00-016.000)**

**WHEREAS**, Westmoreland Farm, Inc., is the owner of an environmentally sensitive property with no site or building improvements thereon located in the Town of Shelter Island, County of Suffolk; and

**WHEREAS**, said property, totaling 5.95 acres, is currently in a natural state, consisting of freshwater wetland habitat; and

**WHEREAS**, this property was identified on Master List II – 2005, Resolution No. 877-2005, for County acquisition and the Suffolk County Department of Planning recommends that the County acquire this property for freshwater wetland protection purposes; and

**WHEREAS**, Westmoreland Farm, Inc., has offered to donate this property at no cost to the County of Suffolk for preservation purposes; and

**WHEREAS**, upon acceptance of this parcel from the donor, the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction to the Suffolk County Department of Parks, Recreation and Conservation for passive recreational purposes; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County of Suffolk hereby approves the donation of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, for an environmentally sensitive land acquisition, at no cost to the County; and hereby approves, if necessary, any possible closing cost expenses associated with this donation; which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<b><u>PARCEL:</u></b>	<b><u>SUFFOLK COUNTY TAX MAP NUMBER:</u></b>	<b><u>ACRES:</u></b>	<b><u>REPUTED OWNER AND ADDRESS:</u></b>	
<b>No. 1</b>	District 0700 Section 017.00 02.00 Lot 016.000	5.95±	Westmoreland Farm, Inc. 2001 Marcus Ave. Suite West 180 Lake Success, NY 11042	Block

and be it further

**2<sup>nd</sup> RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to accept this donation of parcel(s) listed herein above from the reputed owner, and to pay such additional expenses as may be necessary and appropriate to consummate such donation, 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, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program; and be it further

**3<sup>rd</sup> RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay such additional expenses as may be necessary and appropriate to consummate such donation, the funding for which shall be provided from previously appropriated funds in Capital Project 525-CAP-7177.215, the Suffolk County Multifaceted Land Preservation Program; and be it further

**4<sup>th</sup> RESOLVED**, that the Assessor of the Town of Shelter Island, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is hereby 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

**5<sup>th</sup> RESOLVED**, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction of said land to the Suffolk County Department of Parks, Recreation and Conservation for protection of environmentally sensitive lands/passive recreation purposes; and be it further

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

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

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

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

DATED: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

Intro. Res. No. 1291-2007

Laid on Table 3/20/2007

Introduced by Deputy Presiding Officer Viloría-Fisher

**RESOLUTION NO. 373 –2007, TO EXTEND THE DEADLINE OF THE HOMESTEAD A-SYST TASK FORCE**

**WHEREAS**, Resolution No. 544-2006 created the Homestead A-Syst Task Force to develop an informational program that will educate the citizens of Suffolk County as to the environmental and health risks associated with pesticides and fertilizers and describe steps that may be taken to minimize these risks; provide instruction in the proper use of pesticides and fertilizers; and describe alternatives to pesticides and fertilizers in maintaining lawns and gardens; and

**WHEREAS**, this Task Force will require additional time in order to complete its work and issue its report; now, therefore be it

**1st RESOLVED**, that the 4<sup>th</sup> RESOLVED clause of Resolution No. 544-2006 is hereby amended to read as follows:

**4th RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, to each member of the County Legislature and the County Executive no later than [one hundred eighty (180) days subsequent to the effective date of this Resolution] September 1, 2007 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

**2nd RESOLVED**, that all other terms and conditions of Resolution No. 544-2006 shall remain in full force and effect; and be it further

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

DATED: April 24, 2007

APPROVED BY:

/s/ Paul Sabatino II  
County Executive of Suffolk County

Date: May 11, 2007

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

Intro. Res. No. 1305-2007  
Introduced by Legislators Stern and Cooper

Laid on Table 3/20/2007

**RESOLUTION NO. 374 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND (JILL ESTATES PROPERTY) TOWN OF HUNTINGTON**

**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**, the Town of Huntington has committed to participate in the acquisition of the subject property; 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: 0400 Section 249.00 Block 04.00 Lot 019.000	8.5	D and S Realty Development LP 521 Route 111 Hauppauge, NY 11788
2	District: 0400 Section 263.00 Block 02.00 Lot 072.000	12.7	D and S Realty Development LP 521 Route 111 Hauppauge, NY 11788
TOTAL ACREAGE		±21.2	

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: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

Intro. Res. No. 1162-2007

Laid on Table 2/6/2007

Introduced by Legislators Kennedy and Losquadro

**RESOLUTION NO. 375 -2007, ESTABLISHING THE SUFFOLK COUNTY MULTI-LEVEL CPEP WORKING COMMITTEE TO ADDRESS SUFFOLK COUNTY'S EMERGENCY PSYCHIATRIC NEEDS**

**WHEREAS**, it is the primary responsibility of the Suffolk County Police Department to transport individuals who are characterized as an Emotionally Disturbed Person (EDP) in response to a request for assistance from Police District residents; and

**WHEREAS**, the ability of the medical staff at the Comprehensive Psychiatric Emergency Program (CPEP) located at the University Medical Center Emergency Room at Stony Brook remains constrained in their ability to quickly provide the necessary evaluation to determine the range and extent of underlying medical issues, compounded by an increasing presence of individuals under the influence of alcohol or other substances; and

**WHEREAS**, Suffolk County Police Officers must remain with an EDP until such time as that individual has been admitted to University Medical Center, or to another facility, leading to many hours away from primary policing duties within each of the Suffolk County Police Department's seven precincts; and

**WHEREAS**, a partial compilation of the number of EDP transports by Suffolk County Police Officers in 2006 exceeds 2,500; and

**WHEREAS**, a conservative estimate of the combined hours of Suffolk County Police personnel involvement in this process exceeds 20,000 hours on an annual basis; and

**WHEREAS**, finite resources require government agencies to approach problems with non-traditional solutions, while still maintaining the safety of Suffolk County Police Department Personnel, as well as the safety and dignity of EDPs; and

**WHEREAS**, various County and State agencies and community groups are involved in delivering the services provided by the CPEP Unit; now, therefore be it

**1st**           **RESOLVED**, that, there is hereby established a working group to be known as the Suffolk County Multi-Level CPEP Working Committee (Committee), which membership shall be made up as follows:

- 1.) The Chairman of the Suffolk County Legislature's Health and Human Services Committee, who shall serve as Chair;
- 2.) The Legislative sponsors of this Resolution, or their representatives;
- 3.) The Commissioner of the Suffolk County Department of Health, or designee;
- 4.) The Commissioner of the Suffolk County Department of Social Services, or designee;
- 5.) The Commissioner of Suffolk County Police Department, or designee;
- 6.) The Director of the Suffolk County Department of Probation, or designee;
- 7.) The Suffolk County Sheriff, or designee;
- 8.) The Regional Director of the NYS Office of Mental Health, or designee;
- 9.) The Chief Operating Officer of Stony Brook University Hospital, or designee;
- 10.) A Representative of the Nassau-Suffolk Hospital Council;
- 11.) A Representative of Suffolk County Town and Village Police Departments;
- 12.) A Representative of the Suffolk Community Council Mental Health Committee;
- 13.) A Representative of a community based Mental Health Agency to be appointed by the Presiding Officer of the Suffolk County Legislature; and
- 14.) A Representative from the Suffolk County Criminal Justice Coordinating Council's Mental Health Sub-Committee;

and be it further

**2nd**           **RESOLVED**, that said Committee shall meet no less than three times in the sixty day time period following the effective date of this resolution, for the purpose of developing a concise set of recommendations which will:

- A.) improve the process of transporting and evaluating Emotionally Disturbed Persons (EDP) transport and evaluation as identified in New York State Mental Health Law for the residents of Suffolk County;
- B.) streamline the transport function, including evaluation of the present method utilized by the Suffolk County Police Department; and
- C.) furnish additional recommendations concerning the adequate funding, staffing and operation of the Stony Brook CPEP;

and be it further

**3rd**           **RESOLVED**, that the members of said Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**4th**           **RESOLVED**, that the Committee shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Committee. Written notice of the time and place of

such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

**5th**           **RESOLVED**, that eight (8) members of the Committee shall constitute a quorum to transact the business of the Committee at both regular and special meetings; and be it further

**6th**           **RESOLVED**, that the Committee may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Committee with such endeavors, said total expenditures not to exceed Five Thousand Dollars (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

**7th**           **RESOLVED**, that clerical services involving the month-to-month operation of this Committee, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

**8th**           **RESOLVED**, that the Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

**9th**           **RESOLVED**, that the Committee may delegate to any member of the Committee the power and authority to conduct such hearings and meetings; and be it further

**10th**          **RESOLVED**, that the Committee shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

**11th**          **RESOLVED**, that the Committee is hereby authorized, empowered, and directed to hold at least four (4) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

**12th**          **RESOLVED**, that this special Committee shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

**13th**          **RESOLVED**, that the Committee shall expire, and the terms of office of its members terminate five (5) days after submission of its written report, at which time the Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**14th**          **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

**15th**          **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: April 24, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 14, 2007

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

Intro. Res. No. 1266-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick , Horsley, Mystal, Stern, D'Amaro, Cooper, Vilorio-Fisher, Lindsay

**RESOLUTION NO. 376 -2007, APPROPRIATING FUNDS FOR THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS FOR COUNTY FACILITIES (CP 3205)**

**WHEREAS**, the Suffolk County Automated External Defibrillator Placement Task Force completed a report in August of 2001, which recommended that Automated External Defibrillators (AED's) be placed in County buildings; and

**WHEREAS**, the availability of AED's in County facilities will allow trained staff to immediately begin to defibrillate persons experiencing cardiac arrest before trained EMS volunteers arrive on the scene; and

**WHEREAS**, timely intervention with an AED is critical to saving the lives of persons suffering from cardiac arrest; and

**WHEREAS**, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 3205; 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 \$45,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 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

**2<sup>nd</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 c (20), (21), (25) 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

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$45,000 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-3205.525 (Fund 001-Debt Service)	20	Purchase and Installation of Equipment for EMS/ALS	\$45,000

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1266A -2007

**BOND RESOLUTION NO. 377 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$45,000 BONDS TO**

**FINANCE THE COST OF THE PURCHASE OF AUTOMATED  
EXTERNAL DEFIBRILLATORS FOR COUNTY FACILITIES (CP  
3205.525)**

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 \$45,000 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 automated external defibrillators for County facilities, 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 \$45,000. The plan of financing includes the issuance of \$45,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law, 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: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1267-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 378 -2007, APPROPRIATING FUNDS FOR THE ADDITION TO THE MAXINE S. POSTAL, TRI-COMMUNITY HEALTH CENTER LOCATED IN AMITYVILLE (CP 4022)**

**WHEREAS**, the Acting Commissioner of Health Services has requested funds for the addition to the Maxine S. Postal, Tri-Community Health Center located in Amityville; and

**WHEREAS**, costs for the expansion and renovation project have increased due to the rising price of materials and construction; and

**WHEREAS**, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 4022; 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

**2<sup>nd</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8, SEQRA Resolution No. 798-02 determined the proposed planning and construction of an Addition to the Tri-Community Health Center, Town of Babylon, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(C) (2), (7), (21), (25), and (27) and Chapter 279 of the SUFFOLK COUNTY CODE, since it involves a municipal decision to rehabilitate or reconstruct a facility in kind, on the same site with the expansion of a non-residential facility involving less than 4,000 sq. ft. planning and equipment purchases; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$150,000 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-4022.313 (Fund 001-Debt Service)	20	Addition to Maxine S. Postal Tri-Community Health Center	\$150,000

DATED: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

Intro. Res. No. 1267-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 378 -2007, APPROPRIATING FUNDS FOR THE ADDITION TO THE MAXINE S. POSTAL, TRI-COMMUNITY HEALTH CENTER LOCATED IN AMITYVILLE (CP 4022)**

**WHEREAS**, the Acting Commissioner of Health Services has requested funds for the addition to the Maxine S. Postal, Tri-Community Health Center located in Amityville; and

**WHEREAS**, costs for the expansion and renovation project have increased due to the rising price of materials and construction; and

**WHEREAS**, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 4022; 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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

**2<sup>nd</sup> RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8, SEQRA Resolution No. 798-02 determined the proposed planning and construction of an Addition to the Tri-Community Health Center, Town of Babylon, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(C) (2), (7), (21), (25), and (27) and Chapter 279 of the SUFFOLK COUNTY CODE, since it involves a municipal decision to rehabilitate or reconstruct a facility in kind, on the same site with the expansion of a non-residential facility involving less than 4,000 sq. ft. planning and equipment purchases; and be it further

**3<sup>rd</sup> RESOLVED**, that the proceeds of \$150,000 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-4022.313 (Fund 001-Debt Service)	20	Addition to Maxine S. Postal Tri-Community Health Center	\$150,000

DATED: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

Intro. Res. No. 1267A-2007

**BOND RESOLUTION NO. 379 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE A PART OF THE COST OF CONSTRUCTION OF AN ADDITION TO THE MAXINE S. POSTAL, TRI-COMMUNITY HEALTH CENTER IN AMITYVILLE (CP 4022.313)**

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 \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of construction of an addition to the Maxine S. Postal, Tri-Community Health Center in Amityville, 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 \$2,342,500. The plan of financing includes (a) the issuance of \$220,500 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 943-2001, (b) the issuance of \$965,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 956-2002, (c) the issuance of \$750,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 415-2004, (d) the issuance of \$257,000 bonds or bond anticipation notes heretofore authorized pursuant to authorized pursuant to Bond Resolution No. 290-2006, (e) the issuance of \$150,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

of the Law, is fifteen (15) years, computed from May 1, 2002, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 943-2001.

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: April 24, 2007

APPROVED BY:

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

Date: May 11, 2007

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

**Intro. Res. No. 1300-2007**

**Laid on Table 3/20/2007**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 380 -2007, AUTHORIZING THE EXTENSION OF THE LEASE OF PREMISES LOCATED AT 45 WEST SUFFOLK AVENUE, CENTRAL ISLIP, NY FOR USE BY THE DEPARTMENT OF HEALTH SERVICES**

**WHEREAS**, the Department of Health Services has operated a health center at 45 West Suffolk Avenue, Central Islip pursuant to an agreement with Southside Hospital Inc.; and

**WHEREAS**, the County entered into an Assignment and Assumption of Lease and Lease Extension Agreement with the landlord G.L.G. Associates which expired on December 31, 2006; and

**WHEREAS**, although the County is in the process of issuing a request for proposals for such services, it is imperative to continue the operations at the present facility; and

**WHEREAS**, the landlord has expressed its willingness to facilitate the uninterrupted and continued operation of the health center at this location by agreeing to extend the lease through December 31, 2007, with an option to extend the lease for six additional months, through June 30, 2008; and

**WHEREAS**, sufficient funds are included in the 2007 Operating Budget for lease payments to be made in connection with the premises; now, therefore be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that 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

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a one year Lease Extension, with an option to extend for six month in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed; and be it further

**3<sup>rd</sup> RESOLVED**, monthly rent for the Premises shall be \$13,771.70, as of January 1, 2007. In the event that the County shall exercise the option to extend the leases for six additional months, monthly rent for the premises, commencing January 1, 2008, shall be \$14,184.85.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1280-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 381 –2007, TRANSFERRING AND APPROPRIATING LIVING WAGE CONTINGENCY FUNDS TO THE FEDERATION OF ORGANIZATIONS FOR THE NYS MENTALLY DISABLED, INC., RESPITE FEE SUBSIDY**

**WHEREAS**, a contingency fund was established in the 2007 Suffolk County Operating Budget for the express purpose of implementing the Living Wage Law, Local Law No. 12-2001; and

**WHEREAS**, Local Law No. 12-2001, the Living Wage Law, ensures that employees of County contractors and subcontractors and beneficiaries of tax, loan, grant and other subsidy assistance provided by the County earn an hourly wage that is sufficient for a family of four to live at or above the federal poverty level; and

**WHEREAS**, the Federation of Organizations for the NYS Mentally Disabled, Inc., provides support and assistance to caregivers of frail elderly family members through the Respite Fee Subsidy contract with the Suffolk County Office for the Aging; and

**WHEREAS**, additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the Suffolk County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

<b>FROM:</b>	<b><u>CHANGE</u></b>
001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund	(\$28,140)

<b>TO:</b>	<b><u>ADOPTED</u></b>	<b><u>MODIFIED</u></b>	<b><u>CHANGE</u></b>
001-EXE-GFC2-4980 Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program	\$30,697	\$58,837	\$28,140

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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**Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 11-7-0-0. Presiding Officer Lindsay, Deputy Presiding Officer Vloria-Fisher and Legislators Eddington, Montano, Barraga, Mystal and Cooper voted no.**

Intro. Res. No. 1259-2007  
Introduced by Legislator Romaine

Laid on Table 3/20/2007

**RESOLUTION NO. 382 –2007, TO WAIVE FEE FOR USE OF THE COUNTY SHOWMOBILE FOR THE SUFFOLK COUNTY VOLUNTEER FIREMEN’S ASSOCIATION ANNUAL PARADE**

**WHEREAS**, each year, the Suffolk County Volunteer Firemen’s Association conducts an annual parade which attracts a majority of the 110 Fire Departments in Suffolk County and showcases the commitment of the Volunteer Fire Service; and

**WHEREAS**, this year’s parade will be hosted by the Cutchogue Fire Department on Saturday, July 14, 2007; and

**WHEREAS**, this event is attended by thousands of Suffolk County residents who will come to downtown Cutchogue to enjoy the parade and promote the local economy by patronizing the restaurants and shops; and

**WHEREAS**, the County of Suffolk imposes a fee of Four Hundred and Fifty Dollars (\$450.00) for up to four (4) hours and an additional \$100.00 per hour thereafter for use of the Showmobile pursuant to Section 688-3 of the Suffolk County Code; and

**WHEREAS**, such fees imposed by Suffolk County to use the Showmobile will place an undue hardship on the Suffolk County Volunteer Firemen’s Association; now, therefore be it

**1st RESOLVED**, that the fee of \$450.00 imposed by Suffolk County pursuant to Section 688-3 of the Suffolk County Code is hereby waived for the Suffolk County Volunteer Firemen’s Association hosted by the Cutchogue Fire Department to be held on Saturday, July 14, 2007; 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: April 24, 2007

**\*\*VETOED BY COUNTY EXECUTIVE ON MAY 11, 2007\*\***  
**\*\*VETO SUSTAINED ON MAY 15, 2007\*\***

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

Intro. Res. No. 1265-2007  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/20/2007

**RESOLUTION NO. 383 -2007, APPROPRIATING FUNDS IN CONNECTION WITH PURCHASE AND INSTALLATION OF MOBILE DATA TERMINALS FOR PARK POLICE VEHICLES (CP 7136)**

**WHEREAS**, the Commissioner of Parks, Recreation and Conservation has requested funds to purchase 15 mobile data terminals and related accessories for installation in Park Police vehicles; and

**WHEREAS**, each such mobile data terminal is a computer-like unit that mounts in the patrol vehicle which enables a police officer to have almost instantaneous access to data and other law enforcement agencies; and

**WHEREAS**, other law enforcement agencies such as the County Police, Sheriff, and Local Police have such mobile data terminals as standard equipment; and

**WHEREAS**, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said purchase and installation under Capital Program Number 7136; 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 \$150,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby 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

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7136.510 (Fund 001 – Debt Service)	60	Mobile Data Terminals for Park Police Vehicles	\$150,000

and be it further

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1265A-2007

**BOND RESOLUTION NO. 384 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE AND INSTALLATION OF MOBILE DATA TERMINALS FOR PARK POLICE VEHICLES (CP 7136.510)**

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 \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the purchase and installation of mobile data terminals for park police vehicles, 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 \$300,000. The plan of financing includes (a) the expenditure of \$150,000 Capital Reserve funds appropriated pursuant to Resolution No. 786-2005, (b) the issuance of \$150,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

**Intro. Res. No. 1270-2007**

**Laid on Table 3/20/2007**

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

**RESOLUTION NO. 385 -2007, AUTHORIZING LICENSE AGREEMENT WITH ATLANTIS MARINE WORLD LLC**

**WHEREAS**, Atlantis Marine World, LLC, having its principal office in Riverhead, New York, desires to enter into a license agreement with the County to provide guided educational/environmental beach and tour boat excursions for public enjoyment on the U.S. Coast Guard certified vessel known as the "Atlantis Explorer"; and

**WHEREAS**, in order to implement these activities, Atlantis Marine World shall require non-exclusive access to the beach at Birch Creek in Hubbard County Park and the County-owned beach between Mill Creek and Hubbard Creek; and

**WHEREAS**, Atlantis Marine World is willing to provide discounted round-trip tickets to all Suffolk County Photo I.D. Green Key Cardholders interested in embarking on any of the regularly scheduled guided educational/environmental tour boat excursions; and

**WHEREAS**, Atlantis Marine World will also provide discounted admission to the Atlantis Marine World Aquarium to all Suffolk County Photo I.D. Green Key Cardholders; and

**WHEREAS**, the Department of Parks, Recreation and Conservation desires to enter into an agreement with Atlantis Marine World in order to implement these activities; now, therefore be it

**1<sup>st</sup> RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement with Atlantis Marine World, LLC for a**

**term of five (5) years, with an optional term of an additional five (5) years at the discretion of the Commissioner of Parks, Recreation and Conservation, for the non-exclusive use of the beach at Birch Creek in Hubbard County Park and the beach between Mill Creek and Hubbard Creek for the provision of guided educational/environmental beach tours only; and be it further**

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1279-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 386 -2007, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER**

**WHEREAS**, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 91 Maple Avenue, Smithtown, New York; and

**WHEREAS**, The Care Center would like to hold its Annual Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

**WHEREAS**, the Annual Walkathon Fundraiser is scheduled to be held on May 19, 2007; and

**WHEREAS**, Blydenburgh County Park will be used as the beginning and ending point of the walk route; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 19, 2007, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Care Center and the payment of One Hundred Twenty Five Dollars (\$125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by The Care Center.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1285-2007  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 3/20/2007

**RESOLUTION NO. 387 -2007, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY HABITAT FOR HUMANITY OF SUFFOLK FOR ITS ANNUAL WALK FUNDRAISER**

**WHEREAS**, the Habitat for Humanity of Suffolk would like to hold its Annual Walk Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

**WHEREAS**, the Annual Walk Fundraiser, is scheduled to be held on May 12, 2007; and

**WHEREAS**, Blydenburgh County Park will be used as the beginning and ending point of the walk route and the Parks Department's Showmobile will be used; and

**WHEREAS**, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Habitat for Humanity of Suffolk; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that the use of Blydenburgh County Park by the Habitat for Humanity of Suffolk for the purpose of hosting a fundraiser on Saturday, May 12, 2007, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Habitat for Humanity of Suffolk and the payment of the Eight Hundred Dollars (\$800.00) event and Showmobile fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

**3<sup>rd</sup> RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by the Habitat for Humanity of Suffolk.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1292-2007

Laid on Table 3/20/2007

Introduced by Legislators Romaine and Viloría-Fisher

**RESOLUTION NO. 388 –2007, DESIGNATING WEEK OF JUNE 29<sup>TH</sup> AS “CLEAN BEACHES WEEK” IN SUFFOLK COUNTY**

**WHEREAS**, beaches represent a critical part of our national heritage and a beautiful part of the American landscape; and

**WHEREAS**, Americans make over 2 billion annual trips to the ocean, gulf, and inland beaches and contribute significant resources to the local, state and national economies; and

**WHEREAS**, 75% of all recreational activity occurs within a half mile corridor around the shorelines of our beaches, rivers, and lakes; and

**WHEREAS**, communities and government have undertaken significant measures to keep beaches clean and healthy; and

**WHEREAS**, coastal tourism and healthy, fresh seafood fuels the economy, sustaining communities and supporting jobs along the coastal United States; and

**WHEREAS**, beaches are sensitive ecosystems, susceptible to degradation and alteration from pollution, sea level rise, natural forces, untreated sewage and improper use; and

**WHEREAS**, the Suffolk County Legislature wishes to make its residents aware that beaches are vital to our recreation and tourism industries, contribute to our economy and are an essential part of the American lifestyle; now, therefore be it

**1st RESOLVED**, that the week beginning June 29<sup>th</sup>, 2007 through July 5<sup>th</sup>, 2007 is hereby designated as “**CLEAN BEACHES WEEK**” within the County of Suffolk for the purpose of making its residents aware that our beaches contribute to our local economy as well as to our tourism industry; and be it further

**2nd RESOLVED**, that beginning in 2008 and each and every year thereafter, the seven-day period ending on July 5<sup>th</sup>, is hereby designated as “**CLEAN BEACHES WEEK**” in Suffolk County; 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: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1268-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 389 -2007, ACCEPTING AND APPROPRIATING 75% FEDERAL PASS THROUGH GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES IN THE AMOUNT OF \$177,812 TO ENHANCE THE WEB BASED IMPLEMENTATION OF PROBATION'S AUTOMATED CASELOAD EXPLORER SYSTEM AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS**

**WHEREAS**, the Suffolk County Department of Probation is in the process of migrating to a new web-based information management system; and

***WHEREAS, the New York State Division of Criminal Justice Services has made \$177,812 in Federal pass-through funds from the Edward Byrne Memorial Formula Grant***

***Program available to the Suffolk County Probation Department to enhance and improve the automated web-based Caseload Explorer software; and***

**WHEREAS**, these funds will be utilized to make software system modifications of the Caseload Explorer product to meet Suffolk County Probation's needs for document creation, information sharing, historical tracking, employment history retention and confidential case handling requirements; and

**WHEREAS**, Suffolk County Probation Department will assist New York State Division of Probation and Correctional Alternatives by utilizing a portion of these funds to provide a training to key personnel of other Probation Departments throughout New York State that are utilizing the Automon Caseload Explorer product; and

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

**WHEREAS**, a 25% match of \$59,271 is required and these funds have been included in the Probation Department's 2006 and 2007 Suffolk County Operating Budgets; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of \$177,812 as follows:

<b><u>REVENUES:</u></b>	<b><u>AMOUNT</u></b>
<b>001-3321: State Aid - Criminal Justice Services</b>	<b>\$177,812</b>

**APPROPRIATIONS:**

**Suffolk County Probation Department**

**Probation General Administration**

001-PRO-3140

<b><u>4000 Contracted Services</u></b>	<b><u>\$177,812</u></b>
4560-Fees-For-Services	\$177,812

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1314-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 390 -2007, APPROPRIATING FUNDS FOR THE EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013)**

**WHEREAS**, the Sheriff of Suffolk County has requested funds for the expansion of the Sheriff's Enforcement Division located in the Criminal Courts building in Riverhead; and

**WHEREAS**, there are sufficient funds within the 2007 Capital Budget and Program to cover the construction and equipment costs of said request under Capital Program Number 3013; 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**, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8, Resolution No. 253-2005 classified the action contemplated by this as a Type II, pursuant to the provisions of Title 6 NYCCR, Part 617.5 (c) (7) and (21), as this action involves the construction or expansion of an accessory non-residential facility involving less than 4,000 square feet; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,775,000 in Suffolk County Serial Bonds; now, therefore be it

**1<sup>st</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-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

**2<sup>nd</sup> RESOLVED**, that the proceeds of \$1,775,000 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-3013.310 (Fund 001-Debt Service)	18	Expansion of Sheriff's Enforcement Division at Criminal Courts Building	\$1,750,000
525-CAP-3013.510 (Fund 001-Debt Service)	18	Furniture and Equipment for the Expansion of Sheriff's Enforcement Division at Criminal Courts Building	\$25,000

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1314A-2007

**BOND RESOLUTION NO. 391 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,775,000 BONDS TO FINANCE A PART OF THE COST OF THE EXPANSION OF THE SHERIFF'S ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING (CP 3013.310 and .510)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,775,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the expansion of the Sheriff's Enforcement Division at the Criminal Court Building, 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 \$1,925,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1011-2005 (for planning), (b) the issuance of \$1,775,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$1,750,000 for construction and \$25,000 for furniture and equipment) and (c) the levy and collection of taxes on all the taxable real property in the County to pay the

principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) (2) of the Law of the Law, is fifteen (15) years.

(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 No. 1011-2005 is hereby amended and restated to be fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1316-2007 Laid on Table 3/20/2007  
Introduced by the Presiding Officer, on request of the County Executive and Legislators Losquadro, Nowick, Eddington, Browning, Cooper, Romaine, Schneiderman, Caracappa, Montano, Alden, Barraga, Kennedy, Horsley, Mystal, Stern, D'Amaro, Vilorio-Fisher, Lindsay

**RESOLUTION NO. 392 -2007, DONATING DECOMMISSIONED BODY ARMOR VESTS TO THE UNITED STATES DEPARTMENT OF DEFENSE TO PROTECT OUR CITIZEN-SOLDIERS**

**WHEREAS**, the County Police Department decommissions body armor which has exceeded manufacturer wear-out specifications; and

**WHEREAS**, vests no longer recommended for use as personal body armor still retain properties which make them suitable for use on vehicles as a protective measure against improvised explosive devices; and

**WHEREAS**, the lack of protection on our military vehicles is a problem that is well publicized in the media and was publicly recognized by the Secretary of Defense in 2004; and

**WHEREAS**, many Suffolk County employees are members of our nation's Reserve and National Guard Forces; and

**WHEREAS**, some are presently in harm's way, and many more are in units which could be called to support the war effort; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the decommissioned body armor vests may be donated to the United States Department of Defense as they become available as surplus property for use on vehicles as a protective measure against improvised explosive devices; and be it further

**2<sup>nd</sup> RESOLVED**, that the Suffolk County Police Department is hereby authorized, empowered, and directed to take such action as shall be necessary to effectuate this donation. This resolution shall take effect immediately.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1301-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 393  
-2007, TRANSFERRING ASSESSMENT STABILIZATION  
RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE  
2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL  
BUDGET AND PROGRAM, AND APPROPRIATING FUNDS  
FOR SUFFOLK COUNTY SEWER DISTRICT NO. 15 - NOB  
HILL (CP 8138)

**WHEREAS**, the Nob Hill Wastewater Treatment Plant has process tanks and infrastructure systems that require reconstruction and/or replacement; and

**WHEREAS**, previous funds were appropriated by Resolution Nos. 743-04, 590-06;  
and

**WHEREAS**, engineering evaluations and the bidding process have identified additional improvements needed to the process tanks, and

**WHEREAS**, it is proposed that the Assessment Stabilization Reserve Fund loan the district \$685,000 for the purpose of implementing the project; and

**WHEREAS**, the repayment amount and schedule of payback of said loan will be a payback period of twenty years; 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; now, therefore be it

**1<sup>st</sup> RESOLVED**, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8, Resolution No. 283-2001 determined that the proposed improvement project constitutes a Type II action, pursuant to Sections 617.5 (c) (20) and (27) of Volume 6 of the New York Code of Rules and Regulations; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-one (61), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that funds from the Assessment Stabilization Reserve Fund be appropriated in the sum of \$685,000 for the purpose of implementing the project; and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2007 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E527-Transfer to Fund 527	\$685,000
527-IFT-R404-Transfer from Fund 404	\$685,000

and be it further

**5<sup>th</sup> RESOLVED**, that the 2007 Capital Budget be and it hereby is amended as follows:

Program No.: 8138

Project Name: Improvements to Suffolk County Sewer District No. 15 - Nob Hill

Total Est'd	Adopted 2007 Capital Budget & Program	Revised 2007 Capital Budget &
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	<i>Cost</i>		<i>Program</i>
3. Construction	\$1,360,000	\$ 0	\$685,000-A
TOTAL	\$1,450,000	\$ 0	\$685,000

A - Assessment Stabilization Reserve Fund

and be it further

**6<sup>th</sup> RESOLVED**, that funds in the amount of \$685,000 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-8138.312	Construction Improvements to SD #15- Nob Hill	\$685,000

and be it further

**7<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers to and from the Capital Sewer fund required to finance this Capital Project; and be it further

**8<sup>th</sup> RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements at SD 15 - Nob Hill.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

**Intro. Res. No. 1302-2007**

**Laid on Table 3/20/2007**

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 394 -2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR THE PURCHASE OF SEWER FACILITY MAINTENANCE EQUIPMENT (CP 8164)**

**WHEREAS**, the sewerage facility infrastructure is increasing and regulations mandate increasing sewer attention necessitating an increase in the Sanitation Fleet; and

**WHEREAS**, the Commissioner of Public Works has requested funds for the purchase of equipment for sewer facility maintenance; and

**WHEREAS**, there are sufficient funds included within the 2007 Adopted Capital Budget to cover the cost of said sewer facility maintenance equipment; and

**WHEREAS**, the Commissioner of Public Works requests that these funds be appropriated for the purchase of sewer facility maintenance equipment; and

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

**WHEREAS**, 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; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of 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

**3<sup>rd</sup> RESOLVED**, that an increase in the Sanitation Fleet is hereby authorized for sewer maintenance activities; and be it further

**4<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

REVENUE:

<u>Fund /Agency/Source</u>	<u>Description</u>	<u>Activity</u>	<u>Amount</u>
525-IFT-R261	Transfer from Sewer Maintenance	D	\$750,000

and be it further

**5<sup>th</sup> RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2007 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E525-Transfer to Fund 525	\$250,000
525-IFT-R404-Transfer from Fund 404	\$250,000

and be it further

**6<sup>th</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Program No.: 8164

Project Name: Sewer Facility Maintenance Equipment for Various Sewer Districts

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget &amp; Program</u>	<u>Revised 2007 Capital Budget &amp; Program</u>
5. Furniture & Equipment	\$ 7,000,000	\$ 750,000-A	\$1,000,000-A
TOTAL	\$ 7,000,000	\$ 750,000	\$1,000,000

A - Assessment Stabilization Reserve Fund

and be it further

**7<sup>th</sup> RESOLVED**, that funds in the amount of \$750,000 from the Sewer Maintenance & Operation Fund and funds in the amount of \$250,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8164.526	Purchase Of Sewer Facility Maintenance Equipment	\$ 1,000,000

and be it further

**8<sup>th</sup> RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers to and from the Capital fund required to finance this Capital Project; and be it further

**9<sup>th</sup> RESOLVED**, that the purchase of maintenance vehicles is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

**Intro Res. No.1318-2007**

**Laid on Table 3/20/2007**

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

**RESOLUTION NO. 395 -2007, SUPPLEMENTING RESOLUTION NOS. 801-2006 AND 1059-2006 WHICH AUTHORIZED THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS AND PUBLIC HEARINGS FOR THE PLAZA THEATER (SCTM NO. 0200-977.50-04.00-038.000) BY THE ADDITION OF RELATED PROPERTY KNOWN AS (SCTM NOS. 0200-977.50-04.00-020.000, 028.000, 040.000, 041.000 AND 043.000)**

**WHEREAS**, Resolution Nos. 801-2006 and 1059-2006, authorized the commencement of eminent domain proceedings and public hearings to acquire the property known as the Plaza Theater located in the Hamlet of Patchogue, Town of Brookhaven, County of Suffolk (SCTM No. 0200-977.50-04.00-038.000) to alleviate Blight for Downtown Economic Development Revitalization; and

**WHEREAS**, there are other parcels related to the use of the Plaza Theater, known as SCTM Nos. 0200-977.50-04.00-020.000, 028.000, 040.000, 041.000 and 043.000, which should also be acquired to alleviate Blight for Downtown Economic Development Revitalization, including/and/or Public Parking in support thereof; now, therefore be it

**1<sup>st</sup> RESOLVED**, that Resolution Nos. 801-2006 and 1059-2006 are hereby supplemented by including these additional parcels related to the use of the Plaza Theater, known as SCTM Nos. 0200-977.50-04.00-020.000, 028.000, 040.000, 041.000 and 043.000 to be acquired to alleviate Blight for Downtown Economic Revitalization, including/and/or Public Parking in support thereof; and be it further

**2<sup>nd</sup> RESOLVED**, that Resolution Nos. 806-2006 and 1059-2006 are hereby reaverred, as supplemented by this resolution.

DATED: April 24, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: April 27, 2007

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**Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 11-0-7-0. Legislators Browning, Caracappa, Losquadro, Montano, Alden, Kennedy and Mystal abstained.**

Intro. Res. No. 2599-2006

Laid on Table 12/19/2006

Introduced by Presiding Officer, on request of the County Executive and Legislators Cooper, D'Amaro, Schneiderman

**RESOLUTION NO. 396 -2007, ADOPTING LOCAL LAW NO. 14 -2007, A CHARTER LAW TO ENSURE A NON-PARTISAN, FAIR AND OBJECTIVE PROCESS BY WHICH LEGISLATIVE DISTRICTS ARE REAPPORTIONED**

**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 CHARTER LAW TO ENSURE A NON-PARTISAN, FAIR AND OBJECTIVE PROCESS BY WHICH THE LEGISLATIVE DISTRICTS ARE REAPPORTIONED,**" 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. 14 -2007, SUFFOLK COUNTY, NEW YORK**

**A CHARTER LAW TO ENSURE A NON-PARTISAN, FAIR AND OBJECTIVE PROCESS BY WHICH THE LEGISLATIVE DISTRICTS ARE REAPPORTIONED**

**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 right to vote is sacred and that it is of utmost importance that a reapportionment plan provides for equal weight for all voters of Suffolk County.

This Legislature also finds and determines that the reapportionment process currently set forth in the Suffolk County Charter is often contentious, partisan, and prolonged and that any delays or partisan distortions of Legislative District boundaries caused thereby deprive the County voters of a very important right.

This Legislature further finds and determines that contests to elect County Legislators should be determined by an open and vigorous debate over issues and philosophy rather than by partisan gerrymandering of Legislative District lines.

The purpose of this law is to provide a revised process by which the reapportionment of legislative districts can be accomplished in a timely, non-partisan, objective, and fair manner through a non-partisan Reapportionment Commission and to ensure that the outcome of legislative elections is determined by a battle over competing ideas and competing philosophies instead of by the configuration of Legislative District geographical boundaries in competing reapportionment plans.

**Section 2. Amendment.**

- I. Section C2-3 of the Suffolk County Charter is hereby amended as follows

**ARTICLE II  
The County Legislature**

\*\*\*\*\*

**§ C2-3. Legislative districts.**

- A.) The County shall be divided into eighteen (18) County Legislative Districts, numbered from one (1) to eighteen (18) inclusive. One (1) County Legislator shall be elected from each County legislative district.
- B.) The County Legislative Districts currently in effect are continued, until changed pursuant to Subsections C and D of this section, and § 21-4(C) of the Suffolk County Charter.
- C.) 1.) [No later than six (6) months after the publication of the results of a regular federal census or any County-wide special population census which indicates that the districts do not contain substantially equal citizen population, but not more often than once in five (5) years, the County Legislature shall propose, by Charter law, appropriate revisions of the boundaries of the legislative districts so that they shall contain substantially equal citizen population.] No later than the 45<sup>th</sup> day after the certification and publication of the results of a regular federal census which indicates that the legislative districts do not contain substantially equal citizen population, but not more often than once every ten (10) years, the Reapportionment Commission, as established hereunder at Subsection E of this section, shall propose to the Suffolk County Legislature, by filing with the Clerk of the Legislature, appropriate revisions to the boundaries of the legislative districts so that they contain substantially equal citizen population. Such proposal shall be recommended by at least six affirmative votes of the entire membership of the Commission.
- a.) The proposal shall provide:
- (i) for substantially equal weight for all the voters in the allocation of representation in the Suffolk County Legislative body;
- (ii) that no town except a town having more than one hundred and ten per cent of a full ratio for each

representative, shall be divided in the formation of representation areas;

(iii) that there shall be substantially fair and effective representation for the people of Suffolk County as organized in political parties; and

(iv) that representation areas are to be of convenient and contiguous territory in as compact form as practicable.

2.) No legislative district shall deviate more than three (3) percent from the total population of Suffolk County divided by 18, as determined by the most recent census referred to herein above, except in those instances where a deviation of greater than three (3) percent is required to meet the standards of the Voting Rights Act. The members of the Reapportionment Commission shall be appointed as set forth at Subsection E of this section no later than the 31<sup>st</sup> day of December prior to the certification and publication of such census referred to herein above. Each of the two major parties in Suffolk County shall be entitled to four (4) members on the Reapportionment Commission. In any event, no more than four (4) members of the Reapportionment Commission shall be affiliated with any one political party. "Major Parties" shall mean the two parties receiving the highest number of votes in Suffolk County in the immediately preceding gubernatorial election.

D.) 1.) If appropriate revisions of the boundaries of legislative districts required by Subsection C of this section are not proposed [within six months after] by the 45<sup>th</sup> day after the certification [the publication] of the results of a regular federal census or any County-wide special population census which indicates that the districts do not contain substantially equal population [or if such proposed appropriate revisions of the boundaries of the legislative districts are not adopted], then the County Attorney is hereby directed to make application to a court of appropriate jurisdiction for the appointment of a Special Master to prepare a redistricting proposal for revisions to the boundaries of the legislative districts in Suffolk County so that they shall contain substantially equal citizen population.

2.) a.) The Legislature shall vote to approve the proposal of the Commission within sixty (60) days after its filing with the Clerk of the County Legislature.

b.) In the event that the County Legislature fails to take any action under paragraph (2)(a) herein above, then the proposal of the Commission shall be deemed not to have been approved.

3.) a.) In the event that the County Legislature fails to approve the proposal, the Commission shall file with the Clerk of the County Legislature, within thirty (30) days thereafter, a

revised proposal. The revised proposal shall be voted upon within forty-five (45) days after its filing with the Clerk of the County Legislature.

b.) In the event the Legislature fails to take any action under paragraph (3)(a) herein above, the revised proposal shall be deemed not to have been approved.

4.) a.) In the event the County Legislature fails to approve the revised proposal of the Commission by the 180th day after the certification and publication of the results of a regular federal census, then the County Attorney is hereby directed to make application to a court of appropriate jurisdiction for the appointment of a Special Master to prepare a redistricting proposal for revisions to the boundaries of the legislative districts in Suffolk County so that they shall contain substantially equal citizen population.

E.) 1.) The Reapportionment Commission shall consist of eight (8) voting members, each of whom shall be appointed as follows:

a.) two retired judges, to be appointed by the Majority Leader of the Suffolk County Legislature; and

b.) two retired judges, to be appointed by the Minority Leader of the Suffolk County Legislature; and

c.) one representative recommended by a publicly recognized organization committed to the principles of voters' rights and/or the advancement of public policy, to be appointed by the Majority Leader of the Suffolk County Legislature. "Publicly recognized organization committed to the principles of voters' rights and/or public policy" shall mean any group, organization, association, or other entity in existence for at least two (2) years prior to the formation of the Reapportionment Commission, and established for the purposes of advocating on behalf of voters' rights, and/or the advancement of public policy. Notwithstanding the foregoing, any political committee, as defined in Article 14 of NEW YORK ELECTION LAW, shall not be considered a publicly recognized organization committed to the principles of voters' rights and/or the advancement of public policy; and

d.) one representative recommended by a publicly recognized organization committed to the principles of voters' rights and/or the advancement of public policy as defined in subparagraph (2)(c) above, to be appointed by the Minority Leader of the Suffolk County Legislature; and

e.) one representative of a publicly recognized minority organization to be appointed by the Majority Leader of the Suffolk County Legislature. "Publicly Recognized Minority Organization" shall mean any group, organization, association, or other entity in existence for at least two (2) years prior to the formation of the Reapportionment Commission, and established for the purposes of advocating on behalf of any race, creed, color, sex, gender, or national origin that did not constitute fifty percent (50%) or more of the Suffolk County population as measured by the immediately preceding census. Notwithstanding the foregoing, any political committee, as defined in Article 14 of NEW YORK ELECTION LAW, shall not be considered a publicly recognized minority organization; and

f.) one representative of a publicly recognized minority organization, as defined in subparagraph 2(e) above, to be appointed by the Minority Leader of the Suffolk County Legislature.

2.) Reapportionment Commission members shall meet the following minimum qualifications:

a.) Appointees must be registered to vote in Suffolk County at the time of appointment and have not changed their party affiliation in the immediately preceding two (2) years; and

(i) Each appointee, upon his or her appointment, shall sign a written affidavit agreeing to not seek the elected office of a Suffolk County Legislator, or to serve in any political party office, above the office of committee person, representing any individuals residing within the boundaries of Suffolk County, whether by election, appointment, or otherwise, during his or her term on the Reapportionment Commission, and for five (5) years immediately thereafter; and

(ii) Each appointee, during his or her term of office, and for five (5) years thereafter, shall sign a written affidavit agreeing to not serve as a paid consultant to any candidate for the elected office of a Suffolk County Legislator.

3.) The following classes of individuals shall not be eligible to serve as members of the Reapportionment Commission:

a.) Individuals who currently serve or have served in the immediately preceding ten (10) years in any elected federal, state or local partisan office; or

- b.) Individuals who currently hold or have held any political party position or any political party officer, above the office of committee person, whether by election, appointment, or otherwise, during the immediately preceding five (5) years; or
  - c.) Individuals who have served as a paid consultant retained by any candidate for partisan office or political party in the immediately preceding ten (10) years; or
  - d.) Individuals who are the parent, child, sibling, or spouse of any member of the Suffolk County Legislature or any political party officer, above the office of committee person, shall not be eligible to serve on the Commission.
- 4.) The Reapportionment Commission shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, at which meeting a Chairperson shall be selected by a majority of the Reapportionment Commission.
  - 5.) The members of the Reapportionment Commission shall serve without compensation and shall serve a fixed term of office to begin on the 31<sup>st</sup> day of December prior to any census publication and to expire thirty (30) days after the adoption of a reapportionment plan as set forth in Subsection D of this section.
  - 6.) Five (5) members of the Reapportionment Commission shall constitute a quorum for the purposes of conducting the business of the Commission.
  - 7.) Six (6) affirmative votes of the Reapportionment Commission shall be required to adopt the report and plan or revised report and plan.
  - 8.) The Reapportionment Commission shall hold regular meetings, keep a record of all of its proceedings and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least five (5) members of the Reapportionment Commission. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting.
  - 9.) All clerical services involving the month-to-month operation of the Reapportionment Commission, as well as supplies and postage as necessary, shall be provided by the staff of the Clerk of the County Legislature. The Reapportionment Commission may request, receive, and utilize such facilities, resources, and data of any department, office, or agency of Suffolk County as it may reasonably request to properly carry out its powers and duties.

10.) The Reapportionment Commission shall conduct at least four (4) public hearings within the County of Suffolk for the purpose of obtaining necessary information or other data from the public. Two (2) hearings shall be held prior to the commission beginning work on the reapportionment plan, with one (1) hearing held in a County facility in Hauppauge and one (1) hearing held in a County facility in Riverhead. Two (2) hearings shall be held following the completion of the draft reapportionment plan, but prior to any vote by the Reapportionment Commission to adopt the final plan, with one (1) hearing held in a County facility in Hauppauge and one (1) hearing held in County facility in Riverhead. The time and place of each public hearing shall be published in the official County papers.

11.) The Reapportionment Commission shall expire, and the terms of its members terminate, thirty (30) days after a permanent plan is adopted under Subsection D of this section, at which time the Reapportionment Commission shall deposit all the records of the proceedings with the Clerk of the Legislature relating to such census.

12.) All vacancies in the membership of the Reapportionment Commission shall be filled in the manner provided for their original appointment.

F.) In the event that requirements set forth in C2-3 (E) are not fulfilled as required in C2-3 (C)(1), the County Attorney is hereby directed to make application to a court of competent jurisdiction for the appointment of a Special Master to fill the vacant appointments set forth in C2-3 (E).

G.) For the purposes of §C2-3(E)(1), and in the event that the Legislature contains an equal number of Legislators from each of the two major parties, the party that received the highest number of votes in Suffolk County in the immediately preceding gubernatorial election shall be deemed the majority party for the purposes of selecting the majority leader, and the party that received the second highest number of votes in Suffolk County in the immediately preceding gubernatorial election shall be deemed the minority party for the purposes of selecting the minority leader.

\* \* \* \* \*

II. Section C21-4 of the Suffolk County Charter is hereby amended as follows:

**ARTICLE XXI  
Elective Offices, Legislative Districts**

\* \* \* \* \*

**§ C21-4. Legislative Districts.**

\* \* \* \* \*

C.) § C21-4 (A) and (B) shall cease, terminate and become of no further legal force or effect upon the approval and filing with the Clerk of the Legislature

of a report and plan submitted by the Reapportionment Commission pursuant to § C2-3 of Article II of the Suffolk County Code.

\* \* \* \* \*

**Section 3. Applicability.**

This law shall apply to all actions related to the enactment of reapportionment plans for the Suffolk County Legislature 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 judgment or order shall be rendered.

**Section 5. SEQRA Determination.**

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

**Section 6. Effective Date.**

This law shall 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 §§ 10(1)(a)(13) and 24 of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the office of the Secretary of State.

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 17, 2007  
After a public hearing duly held on May 8, 2007  
Filed with the Secretary of State on June 11, 2007

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

Intro. Res. No. 1192-2007  
Introduced by Legislator Mystal

Laid on Table 3/6/2007

**RESOLUTION NO. 397 -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; and

**WHEREAS**, pursuant to Section 13 of a November 8, 2000 lease between the County and the North Amityville Community Economic Council (NACEC), NACEC, the lessee, is responsible for the costs incurred by the County in connection with any repairs or replacements that are necessary at 1 Commerce Boulevard, Amityville, New York, the leased premises (Premises) owned by the County of Suffolk; and

**WHEREAS**, the County has determined that a boiler needs to be replaced at the Premises, the cost of which is approximately \$11,000, which cost shall be borne by the Tenant; now, therefore be it

**1<sup>st</sup> 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	EXE	7320	AMJ1	4980	NACEC	-\$37,418

**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	AMJ1	4980	NACEC	+\$37,418

**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	7320	AMJ1	4980	NACEC	-\$11,000

**TO:**

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DPW	1494	3650	Repairs: Buildings	+11,000

and be it further

**2<sup>nd</sup> RESOLVED**, that the \$37,418 appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the aforementioned contract agency; and be it further

**3<sup>rd</sup> RESOLVED**, that the \$11,000 appropriated pursuant to this resolution is hereby retained by the County of Suffolk and appropriated and allocated for the payment of a replacement boiler at the Premises.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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**Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-0-1-0. Legislator Mystal abstained.**

Intro. Res. No. 1201-2007

Laid on Table 3/6/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 398 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2007 ADOPTED OPERATING BUDGET**

**WHEREAS**, the 2007 Operating Budget when adopted contained technical errors;  
and

**WHEREAS**, the County Executive desires technical corrections to the 2007 Operating Budget; now, therefore be it

**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	PRO	6123	HUA1	4980	Hope for Youth, Inc.	\$263,393

TO:

<u>FD</u>	<u>AGY</u>	<u>X-ORG</u>	<u>OBJ</u>	<u>AMOUNT</u>
001	PRO	6123	4980	\$263,393

DATED: April 24, 2007

APPROVED BY:

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

Date: April 27, 2007

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

Intro. Res. No. 1244-2007  
Introduced by Legislator Browning

Laid on Table 3/6/2007

**RESOLUTION NO. 399 –2007, AMENDING ADOPTED  
RESOLUTION NO. 377-2005**

**WHEREAS**, Resolution No. 377-2005, Sale of County-Owned Real Estate Pursuant to section 72-h of the General Municipal Law (Town of Brookhaven) (0200-981.90-02.00-039.000), was approved on May 25, 2005; and

**WHEREAS**, an amendment to Resolution No. 377-2005 is necessary to clarify that the Town of Brookhaven will transfer the property to the Mastic Beach Fire District; now, therefore be it

**1st RESOLVED**, that the 2nd RESOLVED Clause of Resolution No. 377-2005 is hereby amended to read as follows:

**RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for the Mastic Beach Fire [Departments'] District's use [in expansion of a garage]; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than for the Mastic Beach Fire

[Departments'] District's use [in expansion of a garage] or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for the Mastic Beach Fire [Departments'] District's use [in expansion of a garage]; and be it further

and be it further

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

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1290-2007  
Introduced by Legislator Schneiderman

Laid on Table 3/20/2007

**RESOLUTION NO. 400 –2007, TO AMEND RESOLUTION  
NO. 683- 2006**

**WHEREAS**, Resolution No. 683-2006 was adopted by this Legislature; and

**WHEREAS**, technical corrections are needed to this Resolution; now, therefore be it

**1st** **RESOLVED**, that the 12<sup>th</sup> and 13<sup>th</sup> RESOLVED Clauses of Resolution No. 683-2006 are hereby amended to read as follows:

**12th RESOLVED**, that [nine (9)] ten (10) members of the Commission shall constitute a quorum to transact the business of the Commission at both regular and special meetings; and be it further

**13th RESOLVED**, that clerical services involving the month-to-month operation of this Commission, as well as supplies and postage as necessary, will be provided by the staff of the [Department of Energy and Environment] Suffolk County Legislature; and be it further

and be it further

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

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

DATED: April 24, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 27, 2007

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

Intro. Res. No. 1245-2007  
Introduced by Presiding Officer Lindsay

Laid on Table 3/6/2007

**RESOLUTION NO. 401 -2007, ADOPTING LOCAL LAW NO. 13 -2007, A LOCAL LAW TO PROVIDE FURTHER GUIDELINES AND REQUIREMENTS FOR SUFFOLK COUNTY CONTRACT AGENCIES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on March 6, 2007, a proposed local law entitled, "**A LOCAL LAW TO PROVIDE FURTHER GUIDELINES AND REQUIREMENTS FOR SUFFOLK COUNTY CONTRACT AGENCIES**"; now, therefore be it

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

**LOCAL LAW NO. 13 -2007, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO PROVIDE FURTHER GUIDELINES AND REQUIREMENTS FOR SUFFOLK COUNTY CONTRACT AGENCIES**

**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 Suffolk County government is responsible for delivering basic services that meet the fundamental needs of its citizens.

This Legislature further finds that the County of Suffolk has historically utilized outside agencies to provide vital services to veterans, seniors, young people, handicapped citizens and other segments of the County's population and to implement programs that protect the health and welfare of the public at large.

This Legislature also finds that while the use of contract agencies has proven to be cost effective, the Suffolk County Legislature has enacted legislation to increase oversight and accountability, including Local Law No. 9-2001 which requires expenditure disclosure by contract agencies. More recently, Resolution No. 1153-2006 established an Ad Hoc Contract Agency Oversight Committee in the County Legislature to identify potential duplication of services and promote accountability and efficiency among contract agencies.

This Legislature further finds and determines that additional measures are necessary to ensure that the process of funding and selecting contracts agencies is transparent and the performance of these agencies is efficient and cost effective.

Therefore, the purpose of this local law is to provide further guidelines for contract agency funding in order to maximize efficiency and transparency.

**Section 2. Definitions.**

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

"ADMINISTRATIVE EXPENSES" – expenses incurred in the general direction of an enterprise as a whole, as contrasted with expenses of a more specific programmatic function. This term shall include salaries of top officers and associated general office expenses, but shall not include the costs of administering a corps of volunteers; administering federal, state or other pass through funds; disseminating educational materials for a public purpose; or administering the collection and distribution of food to the needy.

“CONTRACT” – Any agreement, upon sufficient consideration, with the County of Suffolk, or any divisions, departments, agencies or entities thereof.

“CONTRACT AGENCY” – Any not-for-profit corporation or entity which the County of Suffolk contracts with to render human services directly to the residents of Suffolk County including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans’ affairs, handicapped programs, public safety, youth, aging/senior citizens’ programs, minority affairs, women’s affairs, labor/employment services, and education.

**Section 3. Requirements.**

- A. All County contracts with contract agencies shall be for an amount of at least \$5000.00. This requirement shall not apply to contracts funded through sub-object 4981 of the County Operating Budget and administered by the Suffolk County Legislature.
- B. No contract agency contract shall be processed or executed by the County of Suffolk, unless the name of the contract agency to receive funding is identified in a line item in the Suffolk County Operating Budget or in a Resolution or Procedural Motion of the Suffolk County Legislature, unless the contracted services are acquired as a result of a request for proposals (RFP) pursuant to Chapter 708 of the Suffolk County Code.
- C. No contract agency, determined by the County Department of Audit and Control, pursuant to Section 4-35 of the Suffolk County Charter, to have incurred total administrative expenses greater than 20% of reported total agency program expenses in a fiscal year, shall be eligible for funding by the County of Suffolk from County funds, in any subsequent fiscal year, unless such funding is approved by a separate, stand alone resolution or procedural motion of the Suffolk County Legislature. Such a resolution will require a two-thirds vote of the full membership of the Legislature for approval. In the event a contract agency reduces such administrative expenses to 20% or less of reported agency program expenditures, as determined by the Department of Audit and Control, then such contract agency shall become eligible again for funding by the County of Suffolk.
- D. All contracts with contract agencies shall clearly set forth that the approval of such contract shall not be construed as an obligation by the County to renew or extend such contract or funding in the future.

**Section 4. Comptroller Authorized to Withhold Monies.**

The Suffolk County Comptroller is hereby authorized and empowered to withhold monies appropriated for a contract agency that has failed to comply with the provisions of Section 4-35 (A) of the SUFFOLK COUNTY CHARTER regarding annual financial compensation disclosure of employees, or any other County law that is applicable to the contract agency.

**Section 5. Applicability.**

This law shall apply to all contract agency funding occurring on or after January 1, 2008.

**Section 6. 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 7. 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 8. Effective Date.**

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 17, 2007  
After a public hearing duly held on May 8, 2007  
Filed with the Secretary of State on June 11, 2007

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**Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-1-0-1.**

Intro. Res. No. 1323-2007

Laid on Table 3/20/2007

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

**RESOLUTION NO. 402 -2007, MODIFYING COUNTY POLICY IN CONNECTION WITH MEDICAL PROVIDERS AT SUFFOLK COUNTY CORRECTIONAL FACILITIES TO CONFORM TO SOUND PRACTICES AND PRUDENT FISCAL POLICY**

**WHEREAS**, Resolution No. 717-2006 established County policy “that when a non-emergency medical examination is being conducted on a person incarcerated at any of the Suffolk County Correctional Facilities, there shall be an additional person of the same sex as the inmate present in the room at the time of the examination”; and

**WHEREAS**, there is a desire to clarify the intent of Resolution No. 717-2006 regarding the circumstances under which non-emergency medical examinations are to occur in County Correctional Facilities; now, therefore be it

**1st RESOLVED**, that the first RESOLVED clause of Resolution No. 717-2006 is hereby amended to read as follows:

**“1st RESOLVED**, that it shall be the policy of the County of Suffolk that when a non-emergency medical examination is being conducted on a person incarcerated at any of the Suffolk County Correctional Facilities, and when the medical practitioner and the person incarcerated are of the opposite sex:

- 1.) in those instances in which a medical examination does not involve areas of the body deemed to be of a personal nature such as genital examination, rectal examination, any gynecological or prenatal examination, and/or a breast examination (female), there shall be an additional medical person [of the same sex as the inmate] present in the room at the time of the examination, unless the person incarcerated waives such presence in writing after being advised and informed that such a waiver is purely optional; or
- 2.) in those instances in which a medical examination involves areas of the body deemed to be of a personal nature such as genital examination, rectal examination, any gynecological or prenatal examination, and/or a breast examination (female), there shall be an additional medical person of the same sex as the person incarcerated present in the room at the time of the examination;

and be it further”

**2nd** **RESOLVED**, that the 3rd WHEREAS clause of Resolution No. 717-2006, “Establishing County Policy in Connection with Conducting Medical Examinations at the Suffolk County Correctional Facility”, is hereby repealed, effective immediately; and be it further

**3rd** **RESOLVED**, that all other terms and conditions of Resolution No. 717-2006 shall be applicable and remain in full force and effect; and be it further

**4th** **RESOLVED**, that the following positions be and they hereby are created in the Department of Health Services 2007 Adopted Operating Budget as follows:

Department of Health Services (HSV)  
 Division of Patient Care Services  
 Jail Medical Program  
 001-HSV-4109

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grad</u>	<u>No. Created</u>
4109-3104-0121	2606	Medical Assistant	C	09	1
4109-3104-0122	2606	Medical Assistant	C	09	1
4109-3104-0123	2606	Medical Assistant	C	09	1
4109-3104-0124	2606	Medical Assistant	C	09	1

and be it further

**5th** **RESOLVED**, that the 2007 Adopted Operating Budget is hereby amended as follows and that the County Comptroller and the Country Treasurer be and hereby are authorized to transfer the following funds:

**FROM:**

Appropriation

DSS: Medicaid Cap

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>Object</u>	<u>Amount</u>
001	DSS	6103	4610	-\$67,040

**TO:**

Appropriation

Health: Jail Medical

<u>FD</u>	<u>AGY</u>	<u>X-Org</u>	<u>Object</u>	<u>Amount</u>
001	HSV	4109	1100	+\$67,040

and be it further

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

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

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1326-2007

Laid on Table 4/24/2007

Introduced by Legislators Romaine and Schneiderman

**RESOLUTION NO. 403 –2007, DESIGNATING MAY AS “LYME DISEASE AWARENESS MONTH” IN SUFFOLK COUNTY**

**WHEREAS**, Lyme disease is a serious tick-borne illness which is endemic throughout Suffolk County and all of New York State; and

**WHEREAS**, Lyme disease is caused by the bite of an infected deer tick; and

**WHEREAS**, these ticks become active once the weather stays above freezing; and

**WHEREAS**, in tick prone areas, any contact with vegetation, even playing in the yard, can result in exposure to ticks; and

**WHEREAS**, Lyme disease can have serious complications if not identified and treated early; one of the most noticeable signs is a rash resembling a bull's-eye or solid patch, which can, but not always, develop between 3 and 30 days after being bitten; and

**WHEREAS**, other symptoms of Lyme disease may include fever, fatigue, headache, stiff neck, muscle aches and joint pain; and

**WHEREAS**, this health problem is nationally recognized; striking people of all ages, making the need for research and public information with regard to its origin, prevention, treatment and control a priority for medical professionals; now, therefore be it

**1st RESOLVED**, that beginning in 2007 and continuing every year thereafter, the month of May shall be designated as “**Lyme Disease Awareness Month**” in Suffolk County; 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: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: May 2, 2007

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

Intro. Res. No. 1371-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive and Legislators Mystal, Cooper, Romaine, D’Amaro, Vilorio-Fisher

**RESOLUTION NO. 404 -2007, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC., KID’S PLACE EARLY CHILDHOOD DAY SCHOOL, LAZY COW INC. DBA KIDDIE CARE EARLY LEARNING CTR., RAINBOW CHIMES, INC., AND WYANDANCH DAY CARE CENTER, INC., DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES**

**WHEREAS**, a new Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

**WHEREAS**, Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc., Kid's Place Early Childhood Day School, Lazy Cow Inc. dba Kiddie Care Early Learning Ctr., Rainbow Chimes, Inc., and Wyandanch Day Care Center, Inc., day care providers, have submitted an Application for Hardship Assistance and other prescribed forms to document the need for financial assistance; and

**WHEREAS**, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy; and

**WHEREAS**, the centers provide a needed service to the community; and

**WHEREAS**, the Department of Social Services seeks to continue its contractual relationship with the day care providers to enable families that are eligible for Social Service Programs to maintain their relationship with these resources; and

**WHEREAS**, based on a financial review, the Department of Social Services recommended and the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$426,385.00 be awarded for the period January 1, 2007 to December 31, 2007; and

**WHEREAS**, it is in the best interest of the County to provide the funding to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters (\$64,765.00), The Community Programs Center of Long Island, Inc. (\$157,695.00), Kid's Place Early Childhood Day School (\$50,527.00), Lazy Cow Inc. dba Kiddie Care Early Learning Ctr. (\$63,703.00), Rainbow Chimes, Inc. (\$65,948.00) and Wyandanch Day Care Center, Inc. (\$23,747.00) in the amount up to a maximum of \$426,385.00; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$426,385.00

TO:

001-DSS-6015-4770 Client Benefits Special Services \$426,385.00

and be it further

**2<sup>nd</sup> RESOLVED**, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc.,

Kid's Place Early Childhood Day School, Lazy Cow Inc. dba Kiddie Care Early Learning Ctr., Rainbow Chimes, Inc., and Wyandanch Day Care Center, Inc.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: April 27, 2007

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

Intro. Res. No. 1404-2007  
Introduced by the Presiding Officer

Laid on Table 4/24/2007

**RESOLUTION NO. 405 -2007, AMENDING RESOLUTION NO. 1318-2006 (THE IMPLEMENTING OF TAXES FOR THE YEAR 2006-2007 (DISCRETIONARY) FOR THE TOWN OF SMITHTOWN (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 Smithtown to revise the amount which was incorrectly reported to the Legislature as follows in Exhibit A, to wit:

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Exhibit A

<b>TOWN OF SMITHTOWN</b>		
School Districts	\$	268,510,796.37
Highway (Town Wide)		6,251,500.00
Highway (Town Outside Village)		16,845,000.00
Fire Districts		12,682,707.00
Hauppauge Hydrant		43,000.00
Water Districts		48,800.00
Lighting Districts - Street		1,158,000.00
Lighting Districts - Arterial		1,123,000.00
Refuse Pick Up and Disposal		11,054,975.00
Ambulance Districts		1,036,000.00
Unpaid Water Rents		156,365.74
Unpaid Refuse and Garbage		186,695.18
Omitted Assessments		0.00
Special Assessments		0.00
Library (Town Wide)		9,970,278.00
General (Town Wide)		20,800,000.00
General (Town Outside Village)		3,348,000.00
<b>TOTAL TOWN PURPOSES</b>	<b>\$</b>	<b>353,215,117.29</b>
County Tax - General	\$	13,453,188.00
2005 Actual Surplus - County Tax General		(12,891,956.00)
2006 Estimated Deficit - County Tax General		2,176,580.00
County Tax - Suffolk Community College		373,709.00
District Superintendent of Schools		1,497.00
Sub Total	\$	3,113,018.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #6		1,221.95
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		763.48
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		3,799.53
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		81,178.76
Relevy of Unpaid Sewer Rents and Charges, Dist. #22		18,237.10
Relevy of Unpaid Sewer Rents and Charges, Dist. #28		4,210.18
Total	\$	3,222,429.00
Less Credits		(876.98)
<b>Total Payable to County Treasurer for County General Purposes</b>	<b>\$</b>	<b>3,221,552.02</b>
County Police District		47,273,215.00
2005 Actual Deficit - Police District		2,900,415.00
2006 Estimated Surplus - Police District		(4,142,329.00)
District Court District		784,130.00
2005 Actual Deficit - District Court District		160,117.00
2006 Estimated Surplus - District Court District		(77,764.00)
County Sewer Dist. No. 6 - ( Kings Park) Discretionary		16,578.00
(Continued)		

**TOWN OF SMITHTOWN (Continued)**

Adjustments Mandated by Law	
Erroneous Assessments & Tax Refunds-County	74,627.49
Erroneous Assessments & Tax Refunds-Suffolk Community College	4,184.72
Erroneous Assessments & Tax Refunds-Town Only	2,866,014.69
Erroneous Assessments & Tax Refunds-Police District	626,342.24
Erroneous Assessments & Tax Refunds-District Court District	11,173.53
Total Adjustments Mandated by Law for Town of Smithtown - \$ 3,582,342.67	
<b>TOTAL COUNTY PURPOSES</b>	<b>\$ 53,718,256.69</b>
<b>TOTAL AMOUNT OF LEVY</b>	<b>\$ 406,933,373.98</b>

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

Intro. Res. No. 1405-2007  
Introduced by the Presiding Officer

Laid on Table 4/24/2007

**RESOLUTION NO. 406 -2007, AMENDING RESOLUTION NO. 1319-2006 (THE IMPLEMENTING OF TAXES FOR THE YEAR 2006-2007 (MANDATED) FOR THE TOWN OF SMITHTOWN (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 Smithtown to revise the amount which was incorrectly reported to the Legislature as follows in Exhibit A, to wit:

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Exhibit A

**TOWN OF SMITHTOWN**

School Districts	\$ 268,510,796.37
Highway (Town Wide)	6,251,500.00
Highway (Town Outside Village)	16,845,000.00
Fire Districts	12,682,707.00
Hauppauge Hydrant	43,000.00
Water Districts	48,800.00
Lighting Districts - Street	1,158,000.00
Lighting Districts - Arterial	1,123,000.00
Refuse Pick Up and Disposal	11,054,975.00
Ambulance Districts	1,036,000.00
Unpaid Water Rents	156,365.74
Unpaid Refuse and Garbage	186,695.18
Omitted Assessments	0.00
Special Assessments	0.00
Library (Town Wide)	9,970,278.00
General (Town Wide)	20,800,000.00
General (Town Outside Village)	3,348,000.00

**TOTAL TOWN PURPOSES \$ 353,215,117.29**

County Tax - General	\$ 13,453,188.00
2005 Actual Surplus - County Tax General	(12,891,956.00)
2006 Estimated Deficit - County Tax General	2,176,580.00
County Tax - Suffolk Community College	373,709.00
District Superintendent of Schools	1,497.00
Sub Total	\$ 3,113,018.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #6	1,221.95
Relevy of Unpaid Sewer Rents and Charges, Dist. #13	763.48
Relevy of Unpaid Sewer Rents and Charges, Dist. #15	3,799.53
Relevy of Unpaid Sewer Rents and Charges, Dist. #18	81,178.76
Relevy of Unpaid Sewer Rents and Charges, Dist. #22	18,237.10
Relevy of Unpaid Sewer Rents and Charges, Dist. #28	4,210.18
Total	\$ 3,222,429.00
Less Credits	(876.98)
<b>Total Payable to County Treasurer for County General Purposes</b>	<b>\$ 3,221,552.02</b>

County Police District	47,273,215.00
2005 Actual Deficit - Police District	2,900,415.00
2006 Estimated Surplus - Police District	(4,142,329.00)
District Court District	784,130.00
2005 Actual Deficit - District Court District	160,117.00
2006 Estimated Surplus - District Court District	(77,764.00)
County Sewer Dist. No. 6 - ( Kings Park) Discretionary	16,578.00

(Continued)

**TOWN OF SMITHTOWN (Continued)**

Adjustments Mandated by Law	
Erroneous Assessments & Tax Refunds-County	74,627.49
Erroneous Assessments & Tax Refunds-Suffolk Community College	4,184.72
Erroneous Assessments & Tax Refunds-Town Only	2,866,014.69
Erroneous Assessments & Tax Refunds-Police District	626,342.24
Erroneous Assessments & Tax Refunds-District Court District	11,173.53
Total Adjustments Mandated by Law for Town of Smithtown - \$ 3,582,342.67	
<b>TOTAL COUNTY PURPOSES</b>	<b>\$ 53,718,256.69</b>
<b>TOTAL AMOUNT OF LEVY</b>	<b>\$ 406,933,373.98</b>

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

Intro. Res. No. 1406-2007  
Introduced by the Presiding Officer

Laid on Table 4/24/2007

**RESOLUTION NO. 407 -2007, AUTHORIZING AMENDED TAX WARRANT FOR RESOLUTION NO. 1320-2006 (FOR THE TOWN OF SMITHTOWN) 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 Smithtown 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 Smithtown for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Smithtown under the seal of the County, and signed by the Presiding Officer and Clerk of the County Legislature.

DATED: April 24, 2007

APPROVED BY:

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

Date: April 26, 2007

Exhibit A

**TOWN OF SMITHTOWN**

<b>TOWN OF SMITHTOWN</b>		
<b>TO THE SUPERVISOR OF SAID TOWN:</b>		
School Districts	\$	268,513,049.35
Highway (Town Wide)		6,251,500.00
Highway (Town Outside Village)		16,845,000.00
Fire Districts		12,682,826.78
Hauppauge Hydrant		43,000.00
Water Districts		48,800.00
Lighting Districts - Street		1,158,000.00
Lighting Districts - Arterial		1,123,000.00
Refuse Pick Up and Disposal		11,054,975.00
Ambulance Districts		1,036,000.00
Unpaid Water Rents		156,365.74
Unpaid Refuse and Garbage		186,695.18
Omitted Assessments		0.00
Special Assessments		0.00
Library (Town Wide)		9,970,278.00
General (Town Wide)		20,800,000.00
General (Town Outside Village)		3,348,000.00
<b>TOTAL PAYABLE TO SUPERVISOR</b>	<b>\$</b>	<b>353,217,490.05</b>
<b>TO THE TREASURER OF SAID COUNTY:</b>		
County Tax - General	\$	13,453,188.00
2005 Actual Surplus - County Tax General		(12,891,956.00)
2006 Estimated Deficit - County Tax General		2,176,580.00
County Tax - Suffolk Community College		373,709.00
District Superintendent of Schools		1,497.00
Sub Total	\$	3,113,018.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #6		1,221.95
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		763.48
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		3,799.53
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		81,178.76
Relevy of Unpaid Sewer Rents and Charges, Dist. #22		18,237.10
Relevy of Unpaid Sewer Rents and Charges, Dist. #28		4,210.18
Total	\$	3,222,429.00
Less Credits		(876.98)
<b>Total Payable to County Treasurer for County General Purposes</b>	<b>\$</b>	<b>3,221,552.02</b>
County Police District		47,273,215.00
2005 Actual Deficit - Police District		2,900,415.00
2006 Estimated Surplus - Police District		(4,142,329.00)
District Court District		784,130.00
2005 Actual Deficit - District Court District		160,117.00
2006 Estimated Surplus - District Court District		(77,764.00)
County Sewer Dist. No. 6 - ( Kings Park) Discretionary <b>13</b>		16,578.00
(Continued)		

<b>TOWN OF SMITHTOWN (Continued)</b>		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		74,627.49
Erroneous Assessments & Tax Refunds-Suffolk Community College		4,184.72
Erroneous Assessments & Tax Refunds-Town Only		2,866,014.69
Erroneous Assessments & Tax Refunds-Police District		626,342.24
Erroneous Assessments & Tax Refunds-District Court District		11,173.53
Total Adjustments Mandated by Law for		
Town of Smithtown - \$ 3,582,342.67		
Excess Due to Tax Extension		1,763.26
<b>TOTAL PAYABLE TO COUNTY TREASURER</b>	<b>\$</b>	<b>53,720,019.95</b>
<b>TOTAL AMOUNT OF WARRANT</b>	<b>\$</b>	<b>406,937,510.00</b>

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**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 16-1-1-0. Legislator Alden voted no. Legislator Caracappa abstained.**

Intro. Res. No. 1414-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 408 –2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ACQUISITION, INSTALLATION AND MODIFICATION OF AN EMAIL ARCHIVING SYSTEM AND DATA RESTORATION (CP 1787)**

**WHEREAS**, the Director of Information Technology has requested the appropriation of funds in connection with the Acquisition, Installation and Modification of an Email Archiving System and Data Restoration; and

**WHEREAS**, it is in the best interests of the County of Suffolk in order to properly and adequately defend against claims and potential monetary awards in both present and future litigation to appropriate funds in connection with the Acquisition, Installation and Modification of an Email Archiving System and Data Restoration; and

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

**WHEREAS**, the cost associated with the Acquisition, Installation and Modification of an Email Archiving System and Data Restoration is estimated at \$1,430,610; and

**WHEREAS**, sufficient funds are not included in the 2007 Capital Budget and Program to cover the costs of said request under Capital Program 1787 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, 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**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,430,610 in Suffolk County Serial Bonds; now, therefore be it

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

**2<sup>nd</sup> RESOLVED**, that it is determined that this program 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

**3<sup>rd</sup> RESOLVED**, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3167  
 Project Title: Helicopter Hangar for East End Operations

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget and Program</u>	<u>Revised 2007 Capital Budget and Program</u>
1. Planning, Design Supervision	\$100,000	\$ 90,000B	\$ 0
3. Construction	<u>\$1,400,000</u>	<u>\$ 650,000B</u>	<u>\$ 0</u>
TOTAL	\$1,500,000	\$ 740,000	\$ 0

Project No.: 1758  
 Project Title: GDB Migration & Implementation, AREIS Web Services

Total	Current 2007	Revised 2007
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	<u>Estimated Cost</u>	<u>Capital Budget and Program</u>	<u>Capital Budget and Program</u>
1. Planning, Design Supervision	\$ 868,610	\$ 618,610B	\$ 0
5. Furniture & Equipment	<u>\$ 848,600</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	\$1,717,210	\$ 618,610	\$ 0

Project No.: 1800  
Project Title: Secure Authentication System

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget and Program</u>	<u>Revised 2007 Capital Budget and Program</u>
1. Planning, Design Supervision	\$ 0	\$ 0	\$ 0
5. Furniture & Equipment	<u>\$ 0</u>	<u>\$ 72,000B</u>	<u>\$ 0</u>
TOTAL	\$ 0	\$ 72,000	\$ 0

Project No.: 1787  
Project Title: Acquisition, Installation and Modification of an Email Archiving System and Data Restoration

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget and Program</u>	<u>Revised 2007 Capital Budget and Program</u>
1. Planning, Design Supervision	\$ 700,000	\$ 0	\$ 700,000B
5. Furniture & Equipment	<u>\$ 730,610</u>	<u>\$ 0</u>	<u>\$ 730,610B</u>
TOTAL	\$1,430,610	\$ 0	\$1,430,610

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$1,430,610 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1787.110 (Fund 001-Debt Service)	Acquisition, Installation and Modification of an Email Archiving System and Data Restoration (Software and Data Restoration)	\$700,000
525-CAP-1787.510 (Fund 001-Debt Service)	Acquisition, Installation and Modification of an Email Archiving System and Data Restoration (Hardware)	\$730,610

and be it further

**5<sup>th</sup> RESOLVED**, The Department of Information Technology shall solicit a request for proposal (RFP) for an Email Archiving solution that includes levels of security that restricts unauthorized access to archived email.

DATED: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: April 27, 2007

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**Legislator Horsley made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 16-1-1-0. Legislator Alden voted no. Legislator Caracappa abstained.**

Intro. Res. No. 1414A-2007

**BOND RESOLUTION NO. 409 -2007**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,430,610 BONDS TO FINANCE THE COST OF THE ACQUISITION, INSTALLATION AND MODIFICATION OF AN EMAIL ARCHIVING SYSTEM, INCLUDING DATA RESTORATION (CP 1787.110 and .510)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,430,610 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of

the acquisition, installation and modification of an email archiving system, including data restoration, 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 \$1,430,610. The plan of financing includes the issuance of \$1,430,610 bonds or bond anticipation notes authorized pursuant to this resolution (\$700,000 for software and data restoration and \$730,610 for hardware) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law, 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: April 24, 2007

APPROVED BY:

/s/ Steve Levy  
County Executive of Suffolk County

Date: April 27, 2007

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

Mem. Res. No. 4-2007  
Introduced by Legislators Stern and Cooper

LOT 3/20/2007

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE  
MATURE WORKER EMPLOYMENT TRAINING PROGRAM**

**WHEREAS**, demographic projections show that older workers will continue to make up a rapidly growing percentage of the work force; and

**WHEREAS**, the aging of the Baby Boom generation, lower birth rates for generations immediately following the baby boom, longer life expectancies and younger people

leaving the state to work elsewhere account for the fact that our population as a whole is getting older; and

**WHEREAS**, legislation has been introduced in the New York State Legislature to Establish a Mature Worker Employment and Training Program to help workers, ages 55 and older, prepare for continuing their employment after their retirement or to train or retrain for a second career; and

**WHEREAS**, this program would provide resources to employment training service providers to train, retrain and retain older workers; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Assembly bill A.5566 and New York State Senate bill S.3060, which would establish a Mature Worker Employment and Training Program to prepare the mature worker over the age of 55 to continue their employment after retirement or to train or retrain for a second career ; 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:

s:\memres\mr-mature-worker-employ-training

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

Mem. Res. No. 5-2007

LOT 3/20/2007

Introduced by Legislators Stern and Cooper

**MEMORIALIZING RESOLUTION IN SUPPORT OF TAX ABATEMENT FOR RESIDENTIAL REAL PROPERTY OWNED BY SENIOR CITIZENS**

**WHEREAS**, senior citizens in Suffolk and across the nation, many of whom live on fixed incomes, are finding it difficult to remain in their homes with rising property taxes and health expenses; and

**WHEREAS**, increasing property taxes place a huge burden on senior citizens and often force senior citizens to relocate; and

**WHEREAS**, offering a tax reduction to senior citizens who perform volunteer services would have a positive impact on local communities in Suffolk County; and

**WHEREAS**, legislation has been introduced in the New York State Assembly that gives communities the option to offer a reduction in property taxes to senior citizens who perform volunteer services; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Assembly Bill A.947A that give communities the option to provide senior citizens who perform volunteer services with a reduction in property taxes; 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:

s:\memres\mr-tax break for volunteer services

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

Mem. Res. No. 6-2007  
Introduced by Legislators Stern and Cooper

LOT 3/20/2007

**MEMORIALIZING RESOLUTION IN SUPPORT OF LIFE LONG  
LEARNING CENTERS WITHIN THE NEW YORK STATE  
UNIVERSITY SYSTEM**

**WHEREAS**, demographic projections show that older workers will constitute a growing percentage of New York's workforce in the future; and

**WHEREAS**, the State of New York must recognize this demographic reality and adapt the State's education policy accordingly; and

**WHEREAS**, legislation has been introduced in the New York State Legislature that will create life long learning centers at the State's community colleges and four year colleges; and

**WHEREAS**, these learning centers will help prepare older workers for a second career or improve their skills, facilitate partnerships between colleges and off campus businesses and employers and assist individuals in rural and urban areas that are traditionally underserved; and

**WHEREAS**, this proposed legislation will help the State university system by increasing revenue and broadening the age mix on campuses; now, therefore, be it

**1st**           **RESOLVED**, that this Legislature hereby supports New York State Assembly bill A. 5568 and New York State Senate bill S.3062, which would establish life long learning centers at the State's community and four year colleges with the aim of serving adults 50 years of age or older who are seeking to pursue purposeful work, remain civically engaged and continue their education; 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:

s:\memres\mr-life-long-learning-centers

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

Mem. Res. No. 7-2007

LOT 3/20/2007

Introduced by Legislators Stern and Cooper

**MEMORIALIZING RESOLUTION IN SUPPORT OF STATE LEGISLATION TO ESTABLISH A STATEWIDE INTERGENERATIONAL EDUCATIONAL AND MENTORING SERVICE PROGRAM (ASSEMBLY BILL A.5564 AND SENATE BILL S.3059)**

**WHEREAS**, many older New Yorkers who retire are interested in keeping active and participating in volunteer opportunities that are meaningful; and

**WHEREAS**, the establishment of an Intergenerational Educational and Mentoring Service Program would provide an opportunity for older adults to work directly with children in the classroom and give students the opportunity to benefit from their lifetime worth of knowledge and experience; and

**WHEREAS**, this volunteer program would be beneficial to both retired adults by keeping them active and the children they mentor; now, therefore, be it

**1st**           **RESOLVED**, that this Legislature hereby supports New York Assembly Bill A.5564 and Senate Bill S.3059 which amends the New York Elder Law in relation to establishing a statewide Intergenerational Educational and Mentoring Service Program to tap the expertise, experience and knowledge of older adults and encourage their volunteerism; 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:

s:\memres\mr-intergenerational-mentoring

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

**UPDATED VERSION AS OF 3/14/07**

Mem. Res. No. 8-2007

LOT 3/20/2007

Introduced by Legislators Stern and Cooper

**MEMORIALIZING RESOLUTION IN SUPPORT OF NEW YORK STATE LEGISLATION TO ESTABLISH THE MATURE WORKER EMPLOYMENT TRAINING PROGRAM (ASSEMBLY BILL A.5565 AND SENATE BILL S.3058)**

**WHEREAS**, demographic projections indicate that older workers will continue to make up a rapidly growing percentage of the work force; and

**WHEREAS**, our population as a whole is aging due to several factors, including the aging of the Baby Boom generation, lower birth rates for generations immediately following the baby boom; longer life expectancies and younger generations leaving New York State to work elsewhere; and

**WHEREAS**, efforts must be undertaken to train, retrain, and retain older workers; and

**WHEREAS**, the establishment of a Mature Worker Employment and Training Program will assist workers, ages 55 and older, to be prepared for continuing their employment after retirement, or being trained or retrained for second careers or other work opportunities; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports Assembly Bill A.5565 and Senate Bill S. 3058 to amend the New York Elder Law in relation to establishing The Mature Worker Employment Training Program, including the creation of a 19 member Task Force in the State Office for the Aging to identify and address legal provisions that may limit opportunities for mature workers; identify best practices in the private sector for hiring, retaining and retraining mature workers; serve as a clearinghouse for such information; and assess the effectiveness and cost of programs that the state has implemented to hire, retain and retrain mature workers; 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:

s:\memres\mr-mature-work-task-force

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**Legislator Montano made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-2-0. Legislators Alden and D’Amaro abstained.**

Mem. Res. No. 10 -2007 LOT 3/20/07  
Introduced by Legislators Montano and Browning

**MEMORIALIZING RESOLUTION IN SUPPORT OF HOLDING  
SCHOOL DISTRICTS HARMLESS FROM EFFECTS OF  
WORKFORCE HOUSING DEVELOPMENT**

**WHEREAS**, the development of affordable workforce housing is a major priority for Long Island; and

**WHEREAS**, one of the largest obstacles to developing workforce housing is the anticipated strain additional students will place on our schools; and

**WHEREAS**, legislation has been introduced in the New York State Legislature to address the concerns of school officials and residents; and

**WHEREAS**, this legislation would apportion State monies to school districts to offset actual additional net costs incurred as a result of workforce housing; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Assembly bill A.5037, which would relieve school districts of any additional costs incurred as a result of the development of workforce housing; 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:

s:\memres\mr-effects-workforce-housing

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Legislator Romaine made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 11-0-7-0. Deputy Presiding Officer Vilorio-Fisher and Legislators Montano, Horsley, Mystal, Stern, D'Amario and Cooper abstained.

**AMENDED COPY AS OF 4/20/07**

Mem. Res. No. 11-2007

LOT 3/20/2007

Introduced by Legislator Romaine

**MEMORIALIZING RESOLUTION IN SUPPORT OF H.R. 1314 TO  
PROVIDE THAT ONLY CERTAIN FORMS OF IDENTIFICATION  
MAY BE ACCEPTED BY THE FEDERAL GOVERNMENT AND  
FINANCIAL INSTITUTIONS**

**WHEREAS**, controversy has arisen because several financial institutions have begun offering credit cards to customers who lack social security numbers; and

**WHEREAS**, the U.S. Department of Homeland Security has warned that this program could be exploited by criminals, creating opportunities for identify theft and money laundering; and

**WHEREAS**, standards for acceptable identity identification need to be established for governments and financial institutions; and

**WHEREAS**, legislation has been introduced in the United States Congress that would establish the forms of identification of individuals that could be accepted by the federal government and financial institutions; and

**WHEREAS**, a social security card with a photo identification card, a passport, or a USCIS photo identification card would be acceptable forms of identification; now, therefore be it

**1st RESOLVED**, that this Legislature hereby urges the United States Congress to enact H.R. 1314, which establishes forms of acceptable identification for federal government purposes and for financial institutions; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED:

s:\memres\mr-HR 1314

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

Home Rule Message No. 3-2007

LOT 3/20/07

Introduced by Legislators Losquadro, Romaine, Schneiderman, Browning, Eddington, Vilorio-Fisher, Kennedy, Horsley, Stern, D'Amaro and Cooper

**HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE AMEND THE TAX LAW AUTHORIZING THE COUNTY OF SUFFOLK TO EXEMPT THE PURCHASE OF ANY HYBRID, FUEL EFFICIENT, ALTERNATIVE FUEL, "CLEAN FUEL", OR ELECTRIC MOTOR VEHICLE FROM CERTAIN TAXES (ASSEMBLY BILL A.1513)**

**WHEREAS**, cars and trucks in the United States consume 8.2 million barrels of oil each day which translates into 300 million metric tons of carbon emitted into the atmosphere; and

**WHEREAS**, fuel efficient vehicles, such as hybrid, alternative fuel, "clean fuel" or electric motor vehicles consume less gasoline and produce less carbon dioxide emissions per mile than vehicles powered by conventional gasoline engines; and

**WHEREAS**, consumers should be given an additional financial incentive to purchase hybrid vehicles to promote their use, thereby lessening the impact of harmful carbon dioxide emissions on the environment; and

**WHEREAS**, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

**WHEREAS**, there is currently legislation pending before the New York State Assembly that would permit Suffolk County to exempt hybrid, alternative fuel, "clean fuel" or electric motor vehicles from sales and compensating use taxes; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby supports New York State Assembly Bill No. A.1513 which would authorize the County of Suffolk to elect to exempt hybrid, fuel efficient, alternative fuel, "clean fuel", or electric motor vehicles from sales and compensating use taxes; 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: April 24, 2007

s:\memres\hr-fuel efficient exemption

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

Home Rule Message No. 4-2007

LOT 3/20/07

Introduced by Presiding Officer Lindsay and Legislator Cooper

**HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO ALLOW SUFFOLK COUNTY TO INSTALL AND OPERATE RED-LIGHT CAMERA PROGRAM (ASSEMBLY BILL A.1314)**

**WHEREAS**, the Insurance Institute for Highway Safety estimates that vehicle drivers running red traffic lights are responsible for an estimated 260,000 crashes each year in the United States, 750 of which are fatal, and that fatal crashes at intersections increased by almost 20 per cent during the five-year period from 1992 through 1996; and

**WHEREAS**, Suffolk County Local Law 18-2001, "Local Law to Prohibit Red Light Running in Suffolk County", similar to the successful New York City program now in place, was adopted by the Suffolk County Legislature on November 20, 2001, subject to the enactment of enabling State legislation for authority to install and implement traffic-control signal photo-violation monitoring devices to catch red-light runners; and

**WHEREAS**, Suffolk County Home Rule Message No. 3-2002 requested the New York State Legislature to adopt Senate Bill S. 6083-A, for red light traffic cameras in Suffolk County, and Suffolk County Home Rule Message No. 4-2002 requested the New York State Legislature to enact Assembly Bill A09871 for the same purpose; and

**WHEREAS**, Suffolk County Home Rule Message 1-2004 and Suffolk County Home Rule Message 2-2004, adopted by the Suffolk County Legislature on May 10, 2004, made similar requests to the New York State Legislature; and

**WHEREAS**, Suffolk County Home Rule Message No. 3-2005 was adopted by the Suffolk County Legislature on June 7, 2005 requesting the State of New York to enact Assembly Bill A.3393; and

**WHEREAS**, Suffolk County Home Rule Message No. 4-2006 was adopted by the Suffolk County Legislature on May 16, 2006 requesting the State of New York to enact Assembly Bill A.3393; and

**WHEREAS**, there is currently a proposal before the New York State Assembly to amend the NEW YORK VEHICLE AND TRAFFIC LAW (VTL) to allow Suffolk County to install and operate traffic-control signal photo violation-monitoring devices (red-light cameras) at intersections within Suffolk County; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.1314 for the purpose of:

- 1.) amending new Section 1111-a of the VTL to allow Suffolk County to adopt a local law establishing and implementing a demonstration red-light camera

program which would impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications by installing and operating traffic control signal photo violation-monitoring devices at no more than fifty (50) intersections within the County at any one time;

- 2.) imposing monetary fines not to exceed fifty (\$50.00) dollars per violation for failure to obey a traffic-control device to be adjudicated in the same manner that parking tickets are adjudicated, plus an additional penalty not to exceed twenty-five (\$25.00) dollars for each violation for the failure to respond to a notice of liability within the prescribed time period; and
- 3.) utilizing necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers or the contents of the vehicle;

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: April 24, 2007

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

Home Rule Message No. 6 -2007  
Introduced by Legislator Romaine

LOT 4/24/07

**HOME RULE MESSAGE REQUESTING NEW YORK STATE  
LEGISLATURE TO EXTEND TIME AND BENEFITS TO  
COUNTY EMPLOYEE LEONARD WAYNE BOURNE**

**WHEREAS**, Leonard Wayne Bourne, an employee of the County of Suffolk, was eligible to join the New York State and Local Employees' Retirement System on March 30, 1976, but, for reasons not attributable to his own negligence, did not become a member of the New York State and Local Employees' Retirement System at that time; and

**WHEREAS**, Leonard Wayne Bourne may be deemed to have become a member of such system on March 30, 1976, and his employment shall be deemed continuous thereby granting him Tier 2 status, if on or before December 31, 2007, he shall file with the State Comptroller a written request to that effect; and

**WHEREAS**, such a grant of retroactive membership to allow Leonard Wayne Bourne to file with the New York State and Local Employees' Retirement System will increase the County's annual contribution by approximately One Thousand Seven Hundred Dollars (\$1,700.00), plus an estimated one-time payment for past services rendered of approximately Ninety-Two Thousand Eight Hundred Dollars (\$92,800.00) which would be borne by New York State; now, therefore, be it

**RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Senate Bill S.4052/Assembly Bill A.6981 for the purpose of granting Tier 2 status to Leonard Wayne Bourne, an employee of the County of Suffolk, by deeming his date of membership in the New York State and Local Employees' Retirement System to be March 30, 1976, with the past service costs of such status to be borne by New York State as long as Leonard Wayne Bourne files a written request to that effect on or before December 31, 2007 to the New York State Comptroller; 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: April 24, 2007

s:\memres\hr-extend-benefits-bourne

**ADJOURNED 5:10PM  
TIM LAUBE, CLERK OF THE LEGISLATURE**