

EIGHTH DAY
REGULAR MEETING

May 15, 2007

Minutes of the Regular Meeting of the County Legislature of Suffolk County, New York, held in the Evans K. Griffing County Center, Maxine Postal Legislative Auditorium, 300 Center Drive, Riverhead, New York, at 9:30 a.m. pursuant to notice duly given.

The meeting was called to order at 9:34 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, Barraga, Kennedy, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislator Montano arrived at 9:40 a.m.
Legislator Alden arrived at 9:45 a.m.
Legislator Caracappa arrived at 10:08 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

(THE MEETING WAS MOVED INTO EXECUTIVE SESSION AT 11:21 A.M. AND THEN IMMEDIATELY ADJOURNED FOR THE LUNCH RECESS)

(THE MEETING RESUMED AT 2:30 P.M.)

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

Legislator Schneiderman arrived at 2:37 p.m.
Legislator Kennedy arrived at 2:40 p.m.
Legislator Caracappa arrived at 3:00 p.m.
Legislator Alden arrived at 3:04 p.m.
Legislator Cooper arrived at 3:06 p.m.

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

Intro Res. No. 1334-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 410 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR

ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #268

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>
ISLIP:				
0500-407.00-02.00-033.001	2006/07	\$96,819.07	\$0.00	\$96,819.07

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1335-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 411 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY
TREASURER BY: COUNTY LEGISLATURE #270

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>
RIVERHEAD:				
0600-084.00-02.00-035.000	2004/05	\$9661.40	\$0.00	\$9661.40

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1336-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 412 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #269

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>
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SEE ATTACHED LISTING

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1346-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 413 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #271

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0206-012.00-07.00-047.007 ITEM #9990050	2006/07	\$ 8,875.40	\$0.00	\$ 8,875.40
0200-326.00-02.00-018.001 ITEM #9990057	2006/07	\$13,449.85	\$0.00	\$13,449.85
0200-687.00-01.00-001.002 ITEM #9990042	2006/07	\$13,046.50	\$0.00	\$13,046.50
0200-687.00-01.00-002.000 ITEM #9990041	2006/07	\$13,046.50	\$0.00	\$13,046.50
0200-762.00-02.00-018.003 ITEM #9990026	2006/07	\$12,391.05	\$0.00	\$12,391.05
0200-624.00-04.00-023.001 ITEM #9990021	2006/07	\$12,783.00	\$0.00	\$12,783.00
0200-475.00-01.00-015.000 ITEM #9990017	2006/07	\$13,765.45	\$0.00	\$13,765.45
0200-975.80-02.00-010.000 ITEM #9990010	2006/07	\$13,001.25	\$0.00	\$13,001.25

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1347-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 414 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE CONTROL # 769-2007

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

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

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

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

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

RESOLUTION NO.

CONTROL# 769-2007

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# 769-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BABYLON	06/07		0100/111-4-54.1	7316.90	2167.20	5149.20
A	BABYLON	06/07		0100/192-2-17	22679.85	16148.11	6531.74
A	BABYLON	06/07		0100/193-4-57	19582.09	14808.09	4774.00
A	BABYLON	06/07		0102/14-2-32	34627.23	25439.00	9188.23
A	BROOKHAVEN	06/07		0200/564-5-66	5681.77	1884.06	3797.71
A	BROOKHAVEN	06/07		0200/567-5-19	6979.11	3146.78	3832.33
A	BROOKHAVEN	06/07		0200/629-4-40	7682.53	4485.07	3197.46
A	BROOKHAVEN	06/07		0200/930-3-3.1	7299.65	3658.43	3641.22
A	BROOKHAVEN	06/07		0200/939-3-32.2	7715.95	5090.53	2625.42
A	BROOKHAVEN	06/07		0200/976.9-7-39.1	10234.38	7413.99	2820.39
A	BROOKHAVEN	06/07		0203/12-2-3		3000.97	28093.82
A	BROOKHAVEN	06/07			31094.79		
A	BROOKHAVEN	06/07		0204/19-4-59	7719.50	4045.40	3674.10
A	RIVERHEAD	06/07		0600/68-3-1	49728.71	33115.05	16613.65

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1373-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 415 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-

**BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL # 770-2007)**

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

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

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

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

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

RESOLUTION NO.

CONTROL # 770-2007

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 # 770-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
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A	BROOKHAVEN	06/07	N/A	200 476 2 29.5	350,463.68	106,721.83	243,741.85
A	BROOKHAVEN	06/07	N/A	200 653 3 13	12,874.11	9,809.94	3,064.17
A	BROOKHAVEN	06/07	N/A	200 328 4 5	5,743.41	2,345.30	3,398.11
A	BROOKHAVEN	06/07	N/A	200 467 3 31	6,101.55	2,019.60	4,081.95
A	BROOKHAVEN	05/06	N/A	200 700 1 5	165,925.32	83,455.27	82,470.05
A	BROOKHAVEN	06/07	N/A	200 655 1 11	9,593.12	6,013.89	3,579.23

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1374-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 416 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 771-2007)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would

amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature, and

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

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

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

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

RESOLUTION NO.

CONTROL # 771-2007

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 # 771-2007

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	06/07		0200/77-7-26	19652.40	11005.36	8647.04
A	BROOKHAVEN	06/07		0200/102-1-1.3	43399.92	28017.66	15382.26
A	BROOKHAVEN	06/07		0200/182-4-33.1	234133.20	176042.15	58091.05

A	BROOKHAVEN	06/07		0200/327-1-4.1	193220.74	140703.19	52517.55
A	BROOKHAVEN	06/07		0200/430-1-28	52852.19	40699.00	12153.19
A	BROOKHAVEN	06/07		0200/647-5-29	205691.43	173474.70	32216.73
A	BROOKHAVEN	06/07		0200/688-2-4	26764.68	4535.13	22229.55
A	BROOKHAVEN	06/07		0200/736-1-2.1	343952.79	228949.63	115003.16
A	BROOKHAVEN	05/06		0200/736-1-2.1	301775.03	200874.31	100900.72
A	BROOKHAVEN	04/05		0200/736-1-2.1	290596.25	193433.24	97163.01
A	BROOKHAVEN	06/07		0200/739-2-2.4	156390.72	78566.33	77824.39
A	BROOKHAVEN	06/07		0200/766-1-3.1	245884.68	155084.94	90799.74
A	BROOKHAVEN	06/07		0200/956-2-9	158447.40	128819.00	29628.40
A	BROOKHAVEN	06/07		0200/967-5-1.3	49264.80	41558.33	7706.47
A	BROOKHAVEN	06/07		0200/973.2-1-44	57878.38	28146.94	29731.44

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1328-2007
 Introduced by the Presiding Officer

Laid on Table 4/24/2007

RESOLUTION NO. 417 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RELOCATION OF THE SUFFOLK COUNTY POLICE DEPARTMENT 4TH PRECINCT IN THE NORTH COUNTY COMPLEX, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Relocation of the Suffolk County Police Department 4th Precinct in the North County Complex, Town of Smithtown", pursuant to Section

6 of Local Law No. 22-1985 which project involves the construction of a 35,000 sf LEED's Police 4th Precinct building with an associated 118 off-street parking spaces on 3.18 acres in the Hauppauge North Complex County Center. An emergency generator will also be installed; and

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

WHEREAS, at its March 21, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated March 26, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Relocation of the Suffolk County Police Department 4th Precinct in the North County Complex, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1. **The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;**
2. **The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;**
3. **The Parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);**
4. **The facility is to be hooked up to an existing sewage treatment plant which has the capacity to handle the increased load;**
5. **The project will be in conformance with Articles 6, 7, and 12 of the Suffolk County Sanitary Code;**

6. According to the LEED VERSION 2.1 SUMMARY CHART in the EAF, the project will obtain at least 28 points or more which will rank it as “certified” and in compliance with Suffolk County Resolution No. 126-2006; and
7. All necessary N.Y.S. D.E.C. permits will be obtained;

and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1329-2007
Introduced by the Presiding Officer

Laid on Table 4/24/2007

RESOLUTION NO. 418 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED I.R. NO. 1131-2007, APPROPRIATING FUNDS IN CONNECTION WITH PLANNING FOR RESTORATION OF WETLANDS

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed I.R. No. 1131-2007, Appropriating Funds in Connection with Planning for Restoration of Wetlands", pursuant to Section 6 of Local Law No. 22-1985 which project involves undertaking preliminary planning activities and studies for wetland restoration; and

WHEREAS, at its March 21, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20)(21) and (27) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated March 26, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed I.R. No. 1131-2007, Appropriating Funds in Connection with Planning for Restoration of Wetlands constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20)(21) and (27) and Chapter 279 of the Suffolk County Code, which project involves legislation that covers routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment as well as preliminary planning necessary for the formulation of wetland restoration activities, provided it does not commit the County to commence, engage in or approve such action; and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1330-2007
Introduced by the Presiding Officer

Laid on Table 4/24/2007

RESOLUTION NO. 419 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED

**ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION
PURPOSES KNOWN AS THE TERRELLS RIVER COUNTY
PARK ADDITION – MAHFAR & ASSOCIATES PROPERTY,
TOWN OF BROOKHAVEN**

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Terrells River County Park Addition – Mahfar & Associates Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-5.0 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its March 21, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated March 26, 2007 of said recommendations; and

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

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

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

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

and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1331-2007
Introduced by the Presiding Officer

Laid on Table 4/24/2007

RESOLUTION NO. 420 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR ACTIVE AND PASSIVE RECREATIONAL PURPOSES KNOWN AS THE TUTHILL POINT MARINA, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Active and Passive Recreational Purposes Known as the Tuthill Point Marina, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-26.56 acres of land by Suffolk County for open space preservation and park purposes; and

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

WHEREAS, at its March 21, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated March 26, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Active and Passive Recreational Purposes Known as the Tuthill Point Marina, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) **The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and**
- 2.) **The undeveloped property will be used for open space preservation and park purposes and the developed portion for park purposes;**

and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1400-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 421 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF PATIENT CARE SERVICES FOR THE COMMUNITY BASED HIV PRIMARY CARE PROGRAM

WHEREAS, the New York State Department of Health has awarded \$6,500 in 100% additional State grant funds to the Suffolk County Department of Health Services, Division of Patient Care Services for the Community Based HIV Primary Care Program for the period 07/01/06-06/30/07; and

WHEREAS, this program provides primary care services to HIV persons in the County Health Centers; and

WHEREAS, these additional funds have been awarded to purchase computers for the program; and

WHEREAS, this 100% additional State Aid in the amount of \$6,500 needs to be appropriated for the existing Community Based HIV Primary Care Program administered by Suffolk County Division of Patient Care Services; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these additional funds are 100% State funded; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$6,500 grant funds as follows:

REVENUES:	AMOUNT
001-3401 State Aid: Public Health	\$ 6,500

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Patient Care Services
Community Based HIV Primary Care Program
001-HSV-4143

Equipment:	\$ 6,500
2020 Office Machines	\$ 6,500

and be it further

2nd 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: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1401-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 422 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO FEDERATION OF ORGANIZATIONS, FEDERATION EMPLOYMENT AND GUIDANCE SERVICES, INC., AND CLUBHOUSE OF SUFFOLK COUNTY, INC., TO PROVIDE FOR PRIOR YEAR LIABILITIES AND REVENUE SHORTFALLS

WHEREAS, the New York State Office of Mental Health includes \$133,187 in unallocated 100% additional State Aid on the most recent award letter dated March 15, 2007; and

WHEREAS, Federation of Organizations is awarded \$15,000 to replace unspent 2006 Personalized Recovery Oriented Services (PROS) start-up funding; and

WHEREAS, Federation Employment and Guidance Services, Inc. (F.E.G.S.) is awarded \$53,320 to cover the 2005 revenue shortfall in the Supportive Case Management Program; and

WHEREAS, Clubhouse of Suffolk County, Inc., is awarded \$64,867 in one time funding to cover additional 2006 expenses associated with the impending implementation of PROS; and

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

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

<u>REVENUES:</u>	<u>AMOUNT</u>
001-HSV-3493 State Aid: Community Support Services	\$133,187

ORGANIZATIONS:

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

2007	2007 Modified
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<u>XORG</u>	<u>OBJECT NAME</u>	<u>Adopted</u>	<u>Adopted</u>	<u>+ Change</u>
HSO1	Federation of Organizations	\$9,200	\$24,200	\$15,000
GZC1	FECS Support Case Management	\$381,520	\$434,840	\$53,320
ADM1	Clubhouse of Suffolk-Special Employment	\$333,561	\$398,428	\$64,867

and be it further

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1402-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 423 -2007, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES, DIVISION OF PATIENT CARE SERVICES FOR THE TELEMEDICINE DEMONSTRATION PROGRAM

WHEREAS, the New York State Department of Health has awarded \$142,434 in 100% State grant funds to the Suffolk County Department of Health Services, Division of Patient Care Services for the Telemedicine Demonstration Program for the period 01/01/06-12/31/07; and

WHEREAS, funds have been previously accepted and appropriated for this two-year grant in the amount of \$82,300; and

WHEREAS, the balance remaining in this grant is \$60,134; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate the 2007 allocation of said grant award in the amount of \$60,134 as follows:

REVENUES:	AMOUNT
001-3401 State Aid: Public Health	\$60,134

APPROPRIATIONS

Department of Health Services (HSV)
Division of Patient Care Services
Telemedicine Demonstration Program
001-HSV-4127

Fee for Services	\$60,134
4560 Fee-for-Service: Non-employees	\$60,134

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with a consultant to act as a Telemedicine Project Coordinator; and be it further

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1388-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 424 -2007, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR 100% FEDERAL AND STATE AID

FUNDING FOR THE CONTINUATION OF THE HOV BUS SERVICE ON THE LONG ISLAND EXPRESSWAY FOR 2007

WHEREAS, the New York State Department of Transportation has requested an extension of the bus service which operates in the High Occupancy Lane of the Long Island Expressway for the period January 1, 2007 through December 31, 2007, at no cost to the County; and

WHEREAS, Federal and State funding in the amount of 100% has been made available for the service; and

WHEREAS, the Federal funds are in the amount of \$560,000 and the State funds are in the amount of \$140,000 for a total of \$700,000; and

WHEREAS, sufficient funds as well as the revenue estimates have been included in the 2007 Operating Budget for these services; and

WHEREAS, no County match is required; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this 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; and be it further

2nd RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute an agreement with the New York State Department of Transportation to accept these funds.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1324-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/24/2007

**RESOLUTION NO. 425 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
589-2006**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 589-2006; and

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

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

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

Resolution No. 589-2006

In the 3rd RESOLVED paragraph change the Project No. from

FROM:

TO:

Project No.
528-CAP-8117.111

Project No.
527-CAP-8117.111

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1337-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 426 -2007, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY
TAX ACT EVE LYNN NATHANSON a/k/a EVE BOHRER
NATHANSON a/k/a EVE L. BOHRER NATHANSON, Executor
of the Estate of Melvin I. Bohrer, as Surviving Tenant by the
Entirety (SCTM NO. 0300-024.00-06.00-008.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 024.00, Block 06.00, Lot 008.000, and acquired by tax deed on April 20, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 21, 2005, in Liber 12383, at Page 399, and otherwise known as and by Town of East Hampton, known and designated as Lot #154 on map entitled, "Map of Clearwater Beach", Section One, said map being filed in the Suffolk County Clerk's Office on 06/04/57 as Map #2715; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 20, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 21, 2005 in Liber 12383 at Page 399.

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, EVE LYNN NATHANSON a/k/a EVE BOHRER NATHANSON a/k/a EVE L. BOHRER NATHANSON has made application of said above described parcel and EVE LYNN NATHANSON a/k/a EVE BOHRER NATHANSON a/k/a EVE L. BOHRER NATHANSON has paid the application fee and \$19,975.89, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

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

2nd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EVE LYNN NATHANSON a/k/a EVE BOHRER NATHANSON a/k/a EVE L. BOHRER NATHANSON, Executor of the Estate of Melvin I. Bohrer, as Surviving Tenant by the Entirety, 1600 East La Rua Street, Pensacola, Florida 32501, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1338-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 427 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EDWARD McGOWAN (SCTM NO. 0500-118.00-01.00-084.000)

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 118.00, Block 01.00, Lot 084.000, 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** corrected by Correction Tax Deed on July 10, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 7, 2006, in Liber 12468, at Page 157, and otherwise known as and by Town of Islip, "Map of Motor Parkway Acreage" and filed in the Office of the Clerk of the County of Suffolk on April 20, 1929 as Map No. 1020 as Lot 404; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600, **and** corrected by Correction Tax Deed on July 10, 2006 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 7, 2006, in Liber 12468, at Page 157.

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, EDWARD McGOWAN has made application of said above described parcel and EDWARD McGOWAN has paid the application fee and \$5,800.77, 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

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

2nd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EDWARD McGOWAN, 2600 Juniper Court, Palm City, Florida 34990, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1339-2007 Laid on Table 2/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 428 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT SHELLEY DILLON (SCTM NO. 0500-315.00-02.00-033.003)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 315.00, Block 02.00, Lot 033.003, and acquired by tax

deed on May 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006, in Liber 12449, at Page 773, and otherwise known as and by Town of Islip, N x now or formerly Coley, Lizzie and Gonzalez Nanette & Rafael; E x 3rd Avenue; S x now or formerly Miller, Louise; W x now or formerly Gonzalez, Nanette & Rafael and Land, Shelia ; Reid, Mary; Somerville, Daphne; and

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

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

WHEREAS, SHELLEY DILLON, has made application of said above described parcel and SHELLEY DILLON, has paid the application fee and will be paying \$37,934.99 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to SHELLEY DILLON, 60 Second Street, Brentwood, New York 11717, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by

Legislator Romaine. The resolution was passed 18-0.

Intro. Res. No. 1340-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 429 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PATRICK A. SERUBE and DEBORAH L. SERUBE, his wife (SCTM NO. 0800-138.00-05.00-011.003)

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

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

District 0800, Section 138.00, Block 05.00, Lot 011.003, and acquired by tax deed on May 3, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 11, 2006, in Liber 12449, at Page 774, and otherwise known as and by Town of Smithtown, known and designated as part of Lot 1065 on a certain map entitled, "Map of House and Home Co.," and filed in the Office of the Clerk of the County of Suffolk on the 1st day of February 1900, as Map No. 580, Section 20; and

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

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

WHEREAS, DEBORAH L. SERUBE has made application of said above described parcel and DEBORAH L. SERUBE has paid the application fee and \$124.16, 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

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

2nd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PATRICK A. SERUBE and DEBORAH L. SERUBE, his wife, 280 Lake Avenue South, Nesconset, New York 11767, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1341-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 430 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EUGENE J. KASTNER and DIANE KASTNER (SCTM NO. 0100-189.00-04.00-029.001)

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

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

District 0100, Section 189.00, Block 04.00, Lot 029.001, and acquired by tax deed on October 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 13, 2006, in Liber 12473, at Page 823, and otherwise known as and by Town of Babylon, known and designated on a certain map entitled, "Map amending Section No. 1, Map of American Venice, situated at Copiague, Town of Babylon, Suffolk County, owned by American Venice Corporation, Vander Werken and Kuenhoe, Civil Engineers and Surveyors, Lynbrook and Long Beach, New York" and filed in the Office of the Clerk of Suffolk County as Map #224 and known as Lots 11, 12, 13, 14 and part of Lot 15 in Block J; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 13, 2006 in Liber 12473 at Page 823.

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, DIANE KASTNER has made application of said above described parcel and DIANE KASTNER has paid the application fee and \$51,885.46, 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

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

2nd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EUGENE J. KASTNER and DIANE KASTNER, 21 Venetian Promenade, Lindenhurst, New York 11757, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No.1342-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 431 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DONALD DEVEAU (SCTM NO. 0500-267.00-02.00-012.003)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 267.00, Block 02.00, Lot 012.003, 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, North x now or formerly Erker Jeffrey; East x now or formerly Chavez Elias and Salgado Yanci and now or formerly Imperial Maricar & Korell Marianita and now or formerly Carbono Juan Carlos; S x now or formerly Deveau Donald F; W x 5th Avenue (C.R. 13); 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, DONALD DEVEAU has made application of said above described parcel and DONALD DEVEAU has paid the application fee and \$2,263.74, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DONALD DEVEAU, 1451 5th Avenue, Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1343-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 432 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EDWARD LICALZI (SCTM NO. 0500-118.00-01.00-063.000)

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 118.00, Block 01.00, Lot 063.000, 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 corrected** by Correction Tax Deed on August 15, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 7, 2006, in Liber 12468, at Page 157, 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, N.Y., 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., Civil Engineers & Surveyors, Babylon, Long Island, N.Y. and filed in the Office of the Clerk of Suffolk County, April 20, 1929 as Map Number 1020, as and by part of Lot Number 547; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2006 in Liber 12459 at Page 600, **and corrected** by Correction Tax Deed on August 15, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 7, 2006 in Liber 12468, at Page 157.

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, EDWARD LICALZI has made application of said above described parcel and EDWARD LICALZI has paid the application fee and \$8,723.81, as payment of taxes,

penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EDWARD LICALZI, 2 Woodfield Road, Stony Brook, New York 11790, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1344-2007 Laid on Table
4/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 433 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DONALD BUTLER a/k/a DONALD R. BUTLER (SCTM NO. 0200-973.70-06.00-029.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of

Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 973.70, Block 06.00, Lot 029.000, and acquired by tax deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006, in Liber 12454, at Page 674, and otherwise known as and by Town of Brookhaven, known and designated as Lots 43, 44 and 45 in Block 710 on a certain map entitled, "Map No.10 of property of the New York and Brooklyn Suburban Investment Company of New York, location Bellport, Long Island" and filed in the Office of the Clerk of the County of Suffolk on August 5, 1890 as Map Number 102; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 7, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 12, 2006 in Liber 12454 at Page 674.

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, DONALD R. BUTLER a/k/a DONALD BUTLER has made application of said above described parcel and DONALD R. BUTLER a/k/a DONALD BUTLER has paid the application fee and \$31,709.50, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DONALD BUTLER a/k/a DONALD R. BUTLER, 316 North Main Street, Sayville, New York 11782, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1345-2007
4/24/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 434 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MUJO ADOVIC (SCTM NO. 0100-191.00-01.00-029.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 191.00, Block 01.00, Lot 029.000, 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 Town of Babylon, known and designated as Lot #1 in Block 68 on a certain map entitled, "Map of Amity Harbor" and filed in the Suffolk County Clerk's Office on 4/29/26 as Map No. 1007; 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, MUJO ADOVIC has made application of said above described parcel and MUJO ADOVIC has paid the application fee and \$643.32, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Patricia B. Zielenski, and/or her designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MUJO ADOVIC, 164-36 99th Street, Howard Beach, New York 11414, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1348-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 435 –2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
877-2005**

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

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

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

RESOLVED, that the Clerk of the Legislature shall make the following technical correction, that Exhibit B in Resolution No. 877-2005 is hereby amended to read as follows:

FROM:

CARLLS RIVER WATERSHED ADDITION

TAX MAP NUMBER	OWNER	ACREAGE
0100 08300 0100 073000	LEWIS UNA – LEWIS WELDEIMAR	0.1

TO:

CARLLS RIVER WATERSHED ADDITION

TAX MAP NUMBER
0100 08300 0100 075000

OWNER
AUDIRSCH ROBERT

ACREAGE
0.1

[Underline indicates Correction]

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1349-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 436 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
144-2007**

WHEREAS, the County Legislature has adopted and the County Executive has
signed Resolution No. 144-2007; 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. 144-2007

In the 3RD AND 4TH RESOLVED paragraphs change the Project No.

FROM:

TO:

Project No.

Project No.

525-CAP-2192.310
(Fund 001-Debt Service)

527-CAP-2192.311
(Fund 001-Debt Service)

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

Intro. Res. No. 1376-2007 Laid on Table
4/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 437 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BARBARA MOUK a/k/a BARBARA B. MOUK a/k/a BARBARA E. MOUK, Executor of the Estate of Igor Buketoff (SCTM NO. 0200-015.00-03.00-032.000)

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 015.00, Block 03.00, Lot 032.000, 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 as and by the Lots 55 to 58, inclusive, in Section 1, as designated and delineated on a certain map entitled "Map of Hallock Acres", situate at Rocky Point, said map was duly filed in the Office of the County Clerk of Suffolk County under Map File No. 780, together with a right of way from Hallock Lane to the foot of the bank fronting on Long Island Sound on and over a certain ten-foot passway, said ten-foot passway shall be for the use in common by the present owners and occupants and future owners and occupants of the premises hereby conveyed and of other premises heretofore or hereafter to be conveyed by Sylvester H. Hallock to whom this privilege has been or shall be granted; 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, BARBARA MOUK a/k/a BARBARA B. MOUK a/k/a BARBARA E. MOUK, Executor of the Estate of Igor Buketoff, has made application of said above described parcel and BARBARA MOUK a/k/a BARBARA B. MOUK a/k/a BARBARA E. MOUK, Executor

of the Estate of Igor Buketoff, has paid the application fee and \$3,780.60, 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

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

2nd RESOLVED, that Director, Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to BARBARA MOUK a/k/a BARBARA B. MOUK a/k/a BARBARA E. MOUK, Executor of the Estate of Igor Buketoff, 500 East 85th Street, Apt. 14 H, New York, New York 10028, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

***Intro Res. No.1375-2007
4/24/2007***

Laid on Table

Introduced by Presiding Officer, on request of the County Executive and Legislators Montano, Cooper, Alden, Schneiderman, Stern, Lindsay

RESOLUTION NO. 438 -2007, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY PROBATION OFFICERS ASSOCIATION BARGAINING UNIT 16 COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD MAY 3, 2004 THROUGH DECEMBER 31, 2010

WHEREAS, the County Executive, The Director of Labor Relations, and the President of the Suffolk County Probation Officers Association have reached an agreement covering the terms and conditions of employment for the period May 3, 2004 through December

31, 2010, subject to the approval, to the extent necessary, by the Suffolk County Legislature; and

WHEREAS, such agreement has been set down in a stipulation of agreement, a copy of which has been filed with the Clerk of the Suffolk County Legislature; and

WHEREAS, such agreement has been ratified by the Suffolk County Probation Officers Association; and

WHEREAS, sufficient funds are included in the 2007 Operating Budget to cover the 2004, 2005, 2006 and 2007 portion of the labor contract between the County of Suffolk and the Suffolk County Probation Officers Association; now, therefore be it

1st RESOLVED, that the County Executive be and is hereby authorized to execute an agreement with the Suffolk County Probation Officers Association Bargaining Unit 16 in accordance with the stipulation of agreement dated March 20, 2007, a copy of which is on file with the Clerk of the Suffolk County Legislature, covering the terms and conditions of employment for the period May 3, 2004 through December 31, 2010.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 24, 2007

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

Intro. Res. No. 1413-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive and Legislators Cooper, Montano, Alden, Schneiderman, Stern, Lindsay

RESOLUTION NO. 439 -2007, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY DEPUTY SHERIFF'S BENEVOLENT ASSOCIATION/PARK POLICE UNIT, BARGAINING UNIT NO. 17, COVERING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2008

WHEREAS, the County Executive, the Director of Labor Relations, and the President of the Suffolk County Deputy Sheriff's Benevolent Association/Park Police Unit, have reached an agreement covering the terms and conditions of employment for the period January 1, 2004, through December 31, 2008, subject to approval, to the extent necessary, by the Suffolk County Legislature; and

WHEREAS, such agreement has been set down in a stipulation of agreement, a copy of which has been filed with the Clerk of the Suffolk County Legislature; and

WHEREAS, such agreement has been ratified by the Suffolk County Deputy Sheriff's Benevolent Association/Park Police Unit; and

WHEREAS, sufficient funds are included in the 2007 Operating Budget to cover the 2004, 2005, 2006 and 2007 portion of the labor contract between the County of Suffolk and the Suffolk County Deputy Sheriff's Benevolent Association/Park Police Unit; now, therefore be it

1st RESOLVED, that the County Executive be authorized to execute an agreement with the Suffolk County Deputy Sheriff's Benevolent Association/Park Police Unit, Bargaining Unit No. 17, in accordance with the stipulation of agreement dated April 5, 2007, a copy of which is on file with the Clerk of the Suffolk County Legislature, covering the terms and conditions of employment for the period January 1, 2004 through December 31, 2008.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 24, 2007

Legislator Montano made motion for the following resolution, seconded by Legislator D'Amato. The resolution was passed 13-5-0-0. Legislators Romaine, Caracappa, Losquadro, Alden and Kennedy voted no.

Intro. Res. No. 1427-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 440 -2007, TRANSFERRING FUNDING FOR THE DIVISION OF INSURANCE AND RISK MANAGEMENT BACK FROM THE DEPARTMENT OF AUDIT AND CONTROL TO THE SUFFOLK COUNTY DEPARTMENT OF HUMAN RESOURCES, PERSONNEL AND CIVIL SERVICE

WHEREAS, Resolution No. 1153-2006 purported to transfer the Division of Insurance and Risk Management from the Department of Human Resources, Personnel and

Civil Service to the Department of Audit and Control, but only transferred funding and associated staff and personnel; and

WHEREAS, the power and authority to act was not transferred to the Department of Audit and Control, and now funding and associated staff and personnel must be transferred back to the Suffolk County Department of Human Resources, Personnel and Civil Service; now, therefore be it

1st RESOLVED, that the County Comptroller is hereby authorized to transfer funds as follows:

ORGANIZATIONS:

Department of Audit and Control
Insurance and Risk Management
038-AAC-1316

FROM:

	<u>Adopted</u>	<u>Modified</u>	<u>Change</u>
<u>1000 – Personal Services</u>	<u>\$1,264,506</u>	<u>\$0</u>	<u>(\$1,264,506)</u>
1060 Longevity Pay	\$ 14,000	\$0	(\$14,000)
1100 Permanent Salaries	\$1,250,506	\$0	(\$1,250,506)
<u>2000 – Equipment</u>	<u>\$24,021</u>	<u>\$0</u>	<u>(\$24,021)</u>
2010 – Furniture	\$5,383	\$0	(\$5,383)
2000 – Office Machines	\$18,638	\$0	(\$18,638)
	<u>Adopted</u>	<u>Modified</u>	<u>Change</u>
<u>3000 - Supplies, Materials & Other Expense</u>	<u>\$32,300</u>	<u>\$0</u>	<u>(\$32,300)</u>
3010 Office Supplies	\$12,000	\$0	(\$12,000)
3020 Postage	\$1,050	\$0	(\$1,050)
3040 Outside Printing	\$1,000	\$0	(\$1,000)
3070 Memberships	\$1,750	\$0	(\$1,750)
3080 Research and Law Books	\$500	\$0	(\$500)
3350 Safety Supplies	\$5,000	\$0	(\$5,000)
3500 Other, Unclassified	\$500	\$0	(\$500)
3510 Rent Business Machines	\$8,500	\$0	(\$8,500)
3610 Outside Printing	\$2,000	\$0	(\$2,000)
<u>4000 – Contractual Expenses</u>	<u>\$48,200</u>	<u>\$0</u>	<u>(\$48,200)</u>
4320 Meals: Employee Contract	\$500	\$0	(\$500)
4330 Travel: Employee Contract	\$700	\$0	(\$700)
4340 Travel: Other	\$2,000	\$0	(\$2,000)
4560 Fees for Services	\$45,000	\$0	(\$45,000)

Department of Human Resources,
Personnel and Civil Service
Insurance and Risk Management
038-CIV-1316

TO:

	<u>Adopted</u>	<u>Modified</u>	<u>Change</u>
<u>1000 – Personal Services</u>	\$0	\$1,264,506	\$1,264,506
1060 Longevity Pay	\$0	\$14,000	\$14,000
1100 Permanent Salaries	\$0	\$1,250,506	\$1,250,506
<u>2000 – Equipment</u>	\$0	\$24,021	\$24,021
2010 – Furniture	\$0	\$5,383	\$5,383
2000 – Office Machines	\$0	\$18,638	\$18,638

	<u>Adopted</u>	<u>Modified</u>	<u>Change</u>
<u>3000 - Supplies, Materials & Other Expense</u>	\$0	\$32,300	\$32,300
3010 Office Supplies	\$0	\$12,000	\$12,000
3020 Postage	\$0	\$1,050	\$1,050
3040 Outside Printing	\$0	\$1,000	\$1,000
3070 Memberships	\$0	\$1,750	\$1,750
3080 Research and Law Books	\$0	\$500	\$500
3350 Safety Supplies	\$0	\$5,000	\$5,000
3500 Other, Unclassified	\$0	\$500	\$500
3510 Rent Business Machines	\$0	\$8,500	\$8,500
3610 Outside Printing	\$0	\$2,000	\$2,000
<u>4000 – Contractual Expenses</u>	\$0	\$48,200	\$48,200
4320 Meals: Employee Contract	\$0	\$500	\$500
4330 Travel: Employee Contract	\$0	\$700	\$700
4340 Travel: Other	\$0	\$2,000	\$2,000
4560 Fees for Services	\$0	\$45,000	\$45,000

and be it further

2nd RESOLVED, that the following positions be and now are transferred as follows,

ORGANIZATIONS:

Department of Audit and Control
Insurance and Risk Management
038-AAC-1316

FROM:

	<u>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
Principal Contracts Examiner	1	0	-1
Senior Financial Analyst	1	0	-1
Secretarial Assistant	1	0	-1
Clerk Typist	1	0	-1
Senior Safety Officer	1	0	-1
Insurance Contract Analyst	1	0	-1

Clerk Typist	3	0	-3
Workers' Compensation Supervr	1	0	-1
Senior Management Analyst	1	0	-1
Asst Workers Compensation Supv	2	0	-2
Contracts Examiner	1	0	-1
Registered Nurse	1	0	-1
Sr Workers' Comp Claims Ex	1	0	-1
Workers' Comp Claim Examiner	5	0	-5
Senior Clerk Typist	1	0	-1
Clerk Typist	2	0	-2

Department of Human Resources, Personnel and Civil Service
Insurance and Risk Management
038-CIV-1316

TO:

Principal Contracts Examiner	0	1	1
Sr Financial Analyst	0	1	1
Secretarial Assistant	0	1	1
Clerk Typist	0	1	1
Senior Safety Officer	0	1	1
Insurance Contract Analyst	0	1	1
Clerk Typist	0	3	3
Workers' Compensation Supervr	0	1	1
Senior Management Analyst	0	1	1
Asst Workers Compensation Supv	0	2	2
Contracts Examiner	0	1	1
Registered Nurse	0	1	1
Sr Workers' Comp Claims Ex	0	1	1
Workers' Comp Claims Examiner	0	5	5
Senior Clerk Typist	0	1	1
Clerk Typist	0	2	2

and be it further

3rd RESOLVED, that the Division of Insurance and Risk Management may only be privatized via duly enacted Resolution or Local Law of the County of Suffolk; and be it further

4th RESOLVED, that this resolution shall take effect immediately.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

UPDATED VERSION AS OF 4/13/2007

Introduced by Presiding Officer Lindsay

Laid on Table 4/24/2007

MOTION NO. 5 – 2007, AUTHORIZING A TECHNICAL CORRECTION TO ADOPTED PROCEDURAL MOTION NO. 4-2007

WHEREAS, Procedural Motion No. 4-2007, when adopted, contained technical errors; and

WHEREAS, the County Legislature wishes to make corrections to this Procedural Motion; now, therefore, be it

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

Procedural Motion No. 4-2007

In the 1st RESOLVED clause change:

FROM:

Smithtown American Legion Post 833	Leg. Nowick	\$2,000.00
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TO:

James Ely Miller Post 833 American Legion	Leg. Nowick	\$2,000.00
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FROM:

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 No. 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 Blue & White Foods, LLC located at premises described as Suffolk County Tax Map Nos. 0100-006.00-01.00-013.000 and 0100-006.00-01.00-014.000.

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 Blue & White Foods, LLC, a manufacturer of Mediterranean spreads and dips, re-located to 525 & 535 Smith St., Farmingdale, NY 11735, 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 locations.

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 No. 14-2003 and Local Law No. 15-2003, as adopted, shall be amended to include Suffolk County Tax Map Nos. 0100-006.00-01.00-013.000 and 0100-006.00-01.00-014.000.

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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

After a public hearing duly held on May 29, 2007
Filed with the Secretary of State on July 18, 2007

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

Intro. Res. No. 1174-2007
Introduced by Legislator Romaine

Laid on Table 3/6/2007

**RESOLUTION NO. 442 -2007, AUTHORIZING PLANNING
STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM
(MANORVILLE PROPERTY) TOWN OF BROOKHAVEN**

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

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

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A") and/or Chapter 8 of the SUFFOLK COUNTY CODE; for farmland purposes;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200±40.718 Section 508.00 Block 01.00 Lot 013.000		Manorville Corporate Center, Co., LLC 1737 Veterans Highway Islandia, NY 11749-9008

The property is located on the Southeast corner of Wading River Road and Express Drive South

Total Acreage ±40.718

and be it further

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

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

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

*** PRIMARY CRITERIA**

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

- 15 – Over 50 acres
- 5 – Between 20 – 50 acres
- 10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)

C. Proximity or Contiguity to Other Public Open Space (20 Points)

- 10 – Abutting or adjacent to County land
- 5 – Abutting or adjacent to other protected land
- 5 – Strategic parcel associated with further compatible acquisition

D. Greenbelts, Trails, and Public Access (10 Points)

- 5 – Trail link or public access to shore or water body
- 5 – Greenbelt link or buffer

SECONDARY CRITERIA

E. Development Pressure (15 Points)

- 10 – Preliminary development plans filed, and zoning in place
- 5 – Municipal zoning action pending (rezoning)

F. Stewardship (5 Points)

- 5 – Adopt a park or intermunicipal agreement

** Maximum possible score -----110 points*

Minimum score necessary for

consideration for acquisition-----25 points

EXHIBIT “A”

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

Intro. Res. No. 1356-2007
 Introduced by Legislator Romaine

Laid on Table 4/24/2007

**RESOLUTION NO. 443 -2007, AUTHORIZING PLANNING
 STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY
 MULTIFACETED LAND PRESERVATION PROGRAM (PINDAR
 VINEYARDS LLC PROPERTY) TOWN OF SOUTHOLD**

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

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

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for farmland purposes.

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 1000 Section 108.00 Block 04.00 Lot 001.001 p/o	22.8	Pindar Vineyards, LLC 591 Bicycle Path, Suite A Port Jefferson Station, NY 11776

and be it further

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

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

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1360-2007
Introduced by Legislator Browning

Laid on Table 4/24/2007

**RESOLUTION NO. 444 –2007, DESIGNATING JUNE AS
“PRESCRIBED FIRE AWARENESS MONTH” IN SUFFOLK
COUNTY**

WHEREAS, prescribed fire is the intentional setting of fire to forest land, under carefully monitored conditions, in order to manage, enhance, or restore populations of plants or animal species or natural communities of land; and

WHEREAS, prescribed fires reduce the risk of uncontrolled wild fires and are more cost effective than fighting wild fires; and

WHEREAS, ecosystems throughout Suffolk County evolve in an environment in which fires occur as often as every one to five years in the Central Pines Barrens and grasslands and every five to forty years in forest; and

WHEREAS, as a key ecological tool in the management of Suffolk County’s forests, woodlands, shrublands, grasslands and wildlife, prescribed fire is the most effective and economical protection against wildfires as it reduces fuels which have accumulated in the absence of fire; and

WHEREAS, prescribed fire is critical to the ecological integrity of our natural lands and is in the public’s best interest; and

WHEREAS, annually, the approximate 50 acres of County-wide land that are burned represents only 2.5% of the estimated 2,000 acres that could benefit from prescribed fires; and

WHEREAS, the use of prescribed fires by landowners may be authorized by the State, pursuant to a written management plan; and

WHEREAS, many plants, trees and wild life, including hawks and owls, require these prescribed fires for their survival; and

WHEREAS, prescribed fires are essential to the Pine Barren region as they aid in the propagation of additional pine trees; and

WHEREAS, Suffolk County residents and land managers should be encouraged to learn more about prescribed fire and the essential role fire plays in the stewardship of our natural resources and protection of our citizens; now, therefore be it

1st RESOLVED, that beginning in 2007 and continuing every year thereafter, the month of June shall be designated as “**Prescribed Fire 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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1393-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 446 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM FOR THE GAZZA PROPERTY – PINE BARRENS CORE (TOWN OF SOUTHAMPTON – SCTM NOS. 0900-310.00-01.00-002.000 & 0900-310.00-01.00-005.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated Sixty Million Dollars (\$60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution No. 762-1986 establishing and outlining the role of the

Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

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

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

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the residual fee of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Five Thousand Four Hundred Sixty Dollars (\$5,460.00), residual fee, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 310.00 Block 01.00 Lot 002.000	0.5±	Joseph Frederick Gazza P.O. Box 969 Quogue, NY 11959
No. 2	District 0900 Section 310.00 Block 01.00 Lot 005.000	0.592±	Same

and be it further

2ND RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Five Thousand Four Hundred Sixty Dollars (\$5,460.00), subject to a final survey; and be it further

3RD RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$5,460.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

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

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

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

8th RESOLVED, that in accordance with Section 279(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: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1394-2007

Laid on Table 4/24/2007

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

**RESOLUTION NO. 447
-2007 AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE GAZZA PROPERTY – PINE BARRENS CORE
(TOWN OF SOUTHAMPTON - SCTM NOS. 0900-198.00-02.00-
019.000, 0900-243.00-03.00-017.000, 0900-243.00-03.00-
024.000 & 0900-280.00-02.00-082.000)**

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Twenty Six Thousand Six Hundred Thirty Five Dollars (\$26,635.00), residual fee, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 198.00 Block 02.00 Lot 019.000	5.327±	Joseph Frederick Gazza P.O. Box 969 Quogue, NY 11959
No. 2	District 0900 Section 243.00 Block 03.00 Lot 017.000		
No. 3	District 0900 Section 243.00 Block 03.00 Lot 024.000		
No. 4	District 0900 Section 280.00 Block 02.00 Lot 082.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his 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 Twenty Six Thousand Six Hundred Thirty Five Dollars (\$26,635.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$26,635.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$26,635.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$26,635.00 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	\$24,635.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$26,635.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

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

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

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

- 3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact

that the proposes acquisition and preservation of the site would

have; and be it further

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

Intro. Res. No. 1637-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/26/2007

**RESOLUTION NO. 719 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO.
447-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 447-2007; 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 corrections:

Resolution No. 447-2007

In the 5th RESOLVED paragraph change the amount from:

FROM:

\$24,635.00*

TO:

\$26,635.00*

DATED: August 7, 2007

APPROVED BY:

Paul Sabatino II
Chief Deputy County Executive of Suffolk County

Date: August 9, 2007

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

Intro. Res. No. 1395-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 448 -2007 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] – FOR THE SEKORA TRUST PROPERTY – PINE BARRENS CORE (TOWN OF SOUTHAMPTON - SCTM NOS. 0900-215.01-01.00-003.000, 0900-215.01-01.00-005.000, 0900-215.01-01.00-007.000, 0900-215.01-01.00-009.000, 0900-215.02-01.00-004.000, 0900-215.03-01.00-005.000)

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

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Eleven Thousand Eight Hundred Ten Dollars (\$111,810.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 215.01 Block 01.00 Lot 003.000	3.75±	The John & Dixie Sekora Trust John b. Sekora, III, Trustee c/o Amanda Ashram 13 Saffire Road Monroe, NY 10950
No. 2.	District 0900 Section 215.01 Block 01.00 Lot 005.000		
No. 3	District 0900 Section 215.01 Block 01.00 Lot 007.000		
No. 4	District 0900 Section 215.01 Block 01.00 Lot 009.000		
No. 5	District 0900 Section 215.02 Block 01.00 Lot 004.000		
No. 6	District 0900 Section 215.03 Block 01.00		

Lot 005.000

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Eleven Thousand Eight Hundred Ten Dollars (\$111,810.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$111,810.00, subject to a final survey, from previously appropriated funds in MY-475-1940-4770 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

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

8th RESOLVED, 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: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1397-2007 Laid on Table 4/24/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO.	449
-	
2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – FARMLAND COMPONENT FOR THE ESTATE OF GRIGONIS PROPERTY (SCTM NOS. 1000-055.00-01.00-005.001 and 1000-055.00-02.00-008.005 p/o - TOWN OF SOUTHOLD)	

WHEREAS, Local Law No. 34-2004, “A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER to provide a Suffolk County Save Open Space (SOS), Farmland

Preservation, and Hamlet Parks Fund” authorizes the acquisition of Farmland Development Rights, as determined by duly enacted resolution of the County of Suffolk; and

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of Farmland Development Rights of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of One Million One Hundred Eighty One Thousand Nine Hundred Twenty Dollars (\$1,181,920.00±), at \$83,000.00 per acre, for 14.24± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited

to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 1000 Section 055.00 Block 01.00 Lot 005.001	14.24±	Estate of Antone J. Grigonis, Jr. Robert Grigonis, Executor c/o Robert S. Hughes, Esq. 828 Front Street-Box 128 Greenport, NY 11944
No. 2	District 1000 Section 055.00 Block 02.00 Lot 008.005 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER, for the purchase price of One Million One Hundred Eighty One Thousand Nine Hundred Twenty Dollars (\$1,181,920.00±), at \$83,000.00 per acre for 14.24± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,181,920.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Funds, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

Legislator Romaine made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-1-0-0. Legislator D’Amaro voted no.

Intro. Res. No. 1398-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 450 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT - FOR THE SIYOUN MAHFAR & ASSOCIATES, L.P. PROPERTY (TOWN OF BROOKHAVEN - SCTM NOS. 0200-859.00-02.00-001.000 & 005.000)

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

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

WHEREAS, Resolution No. 331-2003, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Park component, for a total purchase price of One Million Six Hundred Fifty Thousand Dollars (\$1,650,000.00±), at \$330,000.00 per acre for 5.0± acres, subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 859.00 Block 02.00 Lot 001.000	5.0±	Siyoun Mahfar & Associates, L.P. 175 Great Neck Road Great Neck, NY 10021
No. 2	District 0200 Section 859.00 Block 02.00 Lot 005.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of One Million Six Hundred Fifty Thousand Dollars (\$1,650,000.00±), subject to final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,650,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for Hamlet Park use as described in Section C36-1(A)(2) of the SUFFOLK COUNTY CHARTER, which will include a cultural/visitor center that enhances the historic significance of this site and its surrounding area and supports local community cultural experiences; and be it further

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 24, 2007

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

Intro. Res. No. 1399-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 451 –2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – LAND PRESERVATION PARTNERSHIP PROGRAM – FOR 41 PINE AIRE AND TUTHILL POINT ASSOCIATES PROPERTY – TUTHILL POINT MARINA (TOWN OF BROOKHAVEN – SCTM NOS. 0200-946.00-03.00-010.002, 0200-950.00-01.00-001.000 & 0200-946.00-03.00-020.001)

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

WHEREAS, Resolution No. 689-2006 appropriated \$8,283,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 767-2005 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Brookhaven (“Town”) has approved Resolution No. 67A on August 22, 2006 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Six Million Three Hundred Twenty One Thousand Two Hundred Eighty Dollars (\$6,321,280.00±), at \$238,000.00 per acre for 26.56± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Three Million One Hundred Sixty Thousand Six Hundred Forty Dollars (\$3,160,640.00±) for a fifty percent (50%) divided interest; and the Town's share, totaling Three Million One Hundred Sixty Thousand Six Hundred Forty Dollars (\$3,160,640.00±), for a fifty percent (50%) divided interest, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 946.00 Block 03.00 Lot 010.002	26.56±	41 Pine Aire 615 Furrows Road Holtsville, NY 11742
No. 2	District 0200 Section 950.00 Block 01.00 Lot 001.000		Same as above
No. 3	District 0200 Section 946.00 Block 03.00 Lot 020.001		Tuthill Point Associates 615 Furrows Road Holtsville, NY 11742

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County's share of the purchase price of Three Million One Hundred Sixty Thousand Six Hundred Forty Dollars (\$3,160,640.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,160,640.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th RESOLVED, that the title to this acquisition shall be held by physically dividing the property between the County and the Town with the County owning all of the interest in its respective

portion of the property, and with the Town owning all of the interest in its respective portion of the property; and be it further

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

6th RESOLVED, that the subject parcel shall be transferred to the Department of Parks, Recreation and Conservation according to the requirements of the Suffolk County Land Preservation Partnership Program (Resolution No. 751-1997, et seq.) thereby meeting the following criteria for acquisition under the Other Parklands category as described in Resolution No. 751-1997, et seq. and meeting the following category of use:

- A. General park and active or passive recreational use.

as described in Section 661-5; and be it further

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

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

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

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

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel(s) will be for active and passive recreational use; 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

11th 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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1411-2007
Introduced by Presiding Officer Lindsay and Legislator Cooper

Laid on Table 4/24/2007

RESOLUTION NO. 452 –2007, APPOINTING MEMBER TO THE COUNCIL ON ENVIRONMENTAL QUALITY (RICHARD MACHTAY)

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the term of office of John Potente as a member of the CEQ expired on March 23, 2007, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Richard Machtay**, who currently resides in Huntington, NY, is hereby appointed as a member of the Suffolk County Council on Environmental Quality,

pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, said term of office to expire on March 23, 2012.

DATED: May 15, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 1417-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 453 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – SOLIMAN AND PIZZO PROPERTY – CARLLS RIVER WATERSHED ADDITION (TOWN OF BABYLON – SCTM NO. 0100-083.00-01.00-144.000)

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

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

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(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

1st 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 Fifteen Thousand Dollars (\$15,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100	0.09±	Wageeh Soliman and Anthony Pizzo
	Section 083.00		12 Hawks Court
	Block 01.00		Hicksville, NY 11801
	Lot 144.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the 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 Fifteen Thousand Dollars (\$15,000.00), subject to a final survey; and, be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$15,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDH1 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

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

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

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

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

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

8th RESOLVED, 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: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1418-2007

Laid on Table 4/24/2007

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

RESOLUTION NO.

454

-2007 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MARY LOUISE E. DODGE FAMILY LIMITED LIABILITY COMPANY PROPERTY – ACCABONAC HARBOR ADDITION (TOWN OF EAST HAMPTON SCTM NO. 0300-039.00-14.00-016.000)

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

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

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

WHEREAS, the Town of East Hampton (“Town”) has approved Resolution No. 2006-1112 on August 17, 2006 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Three Million Five Hundred Thousand Dollars (\$3,500,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), for a Fifty percent (50%) undivided interest; and the Town's share, totaling One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), for a Fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0300 Section 039.00 Block 14.00 Lot 016.000	8.0±	The Mary Louise E. Dodge Family Limited Liability Company 803 Fireplace Road East Hampton, NY 11937

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$1,750,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$1,750,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$1,750,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$1,750,000.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,750,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- 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

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

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

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

14th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

15th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

16th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1419-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 455 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT FOR THE FRANCO, CONNER, JACOBS, SMYTH AND HABIB PROPERTY – NOYACK GREENBELT (TOWN OF SOUTHAMPTON – SCTM NO. 0900-030.00-01.00-048.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Five Hundred Ninety Two Thousand Two Hundred Dollars (\$592,200.00±), at \$63,000.00 per acre for 9.4± acres, subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 030.00 Block 01.00	9.4±	Barbara J. Franco Sharon L. Conner Deborah A. Jacobs

Lot 048.000

Russell J. Smyth
Suzan C. Habib
As 1/5 Interest Each as
Tenants-In-Common
P.O. Box 776
Sag Harbor, NY 11963

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Five Hundred Ninety Two Thousand Two Hundred Dollars (\$592,200.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$592,200.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

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

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

7th RESOLVED, that the above activity is an unlisted action (if greater than 100 acres; Type I action) pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

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

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

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1420-2007

Laid on Table 4/24/2007

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

RESOLUTION NO.

**456 -2007 AUTHORIZING THE ACQUISITION OF
LAND UNDER THE NEW SUFFOLK COUNTY DRINKING**

**WATER PROTECTION PROGRAM – OPEN SPACE
COMPONENT - FOR THE PARBUS PROPERTY –
MASTIC/SHIRLEY CONSERVATION AREA (TOWN OF
BROOKHAVEN – SCTM NO. 0200-983.50-01.00-060.000)**

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.50 Block 01.00 Lot 060.000	0.09±	Elizabeth Parbus 37 Cranberry Drive Mastic Beach, NY 11951

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Six Thousand Five Hundred Dollars (\$6,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

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

*subject to a final survey

and be it further

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

REVENUES:

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

*subject to a final survey

and be it further

5th 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

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

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

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

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

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

and be it further

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1422-2007

Laid on Table 4/24/2007

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

**RESOLUTION NO. 457
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ESTATE OF PERSICO PROPERTY –
MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF
BROOKHAVEN-SCTM NO. 0200-983.40-07.00-012.000)**

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Sixteen Thousand Dollars (\$16,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.40 Block 07.00 Lot 012.000	.226±	Martha Bernadette Persico, Administrator for the Estate of Mathew Persico 322 78 th Street – Apt. 1 Brooklyn, NY 11209

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Sixteen Thousand Dollars (\$16,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$16,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$16,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$16,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$16,000.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$16,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering

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

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

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

and be it further

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

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1170-2007

Laid on Table 3/6/2007

Introduced by Legislators Nowick, Lindsay, Cooper, Schneiderman, Stern, Browning, Romaine, Losquadro, Caracappa, Mystal, Eddington, Vilorio-Fisher, D'Amaro, Barraga, Horsley, Montano, Kennedy and Alden

RESOLUTION NO. 458 -2007, ADOPTING LOCAL LAW NO. 15 -2007, A LOCAL LAW TO PROHIBIT THE SALE OF DEXTROMETHORPHAN (DXM) TO MINORS WITHIN THE COUNTY OF SUFFOLK

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 PROHIBIT THE SALE OF DEXTROMETHORPHAN (DXM) TO MINORS WITHIN THE COUNTY OF SUFFOLK;"** now, therefore be it

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

LOCAL LAW NO. 15 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO PROHIBIT THE SALE OF
DEXTROMETHORPHAN (DXM) TO MINORS WITHIN THE COUNTY
OF SUFFOLK**

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

Section 1. Legislative Intent.

This Legislature finds that recent news accounts indicate that children and teens across the country are intentionally ingesting large amounts of non-prescription cough and cold medicines containing Dextromethorphan (also known as DXM), as a recreational drug.

This Legislature also finds and determines that this practice has become more popular among children between the ages of 12 and 15, a dangerous practice called “robotripping” or “skittling”.

This Legislature further finds and determines that cough medicines or cold pills containing this product when taken in large doses can mimic the effects of alcohol intoxication.

This Legislature also finds that reports have indicated that overdoses across the nation have led to a number of serious medical injuries which may include seizures, psychosis, hallucinations, brain damage, irregular heartbeat, respiratory distress, coma, and even death.

This Legislature further determines that some minors may lack the judgment necessary to use Dextromethorphan products in an appropriate manner and that, in recognition of this fact, the industry has adopted warnings against the sales to minors.

Therefore, the purpose of this law is to prohibit sales to minors within the County of Suffolk of all cold medicine products containing Dextromethorphan.

Section 2. Definitions.

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

- A.) “Dextromethorphan”, also known as “DXM”, shall mean the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts.
- B.) “Minor” shall mean any person under the age of 19 years.
- C.) “Person” shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business of any kind.

Section 3. Prohibitions.

No person located within the County of Suffolk shall sell or offer for sale any cold medicine or cough suppressant that contains Dextromethorphan to any minor, or knowingly sell or offer for sale any cold medicine or cough suppressant that contains Dextromethorphan to any minor making the purchase from within the County of Suffolk.

Section 4. Penalties.

Any person who intentionally violates any provision of this law, shall be guilty of a violation punishable by a fine not to exceed Two Hundred and Fifty Dollars (\$250) for the first offense and not to exceed Five Hundred Dollars (\$500) for a second offense. Any subsequent offenses shall be punishable by a fine not to exceed Seven Hundred and Fifty Dollars (\$750).

Section 5. Rules and Regulations.

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

Section 6. Reverse Preemption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via mere resolution whether or not identical or substantially similar Statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 7. Applicability.

This law shall apply to any sale or any action prohibited by this law occurring on or after the effective date of this law.

Section 8. Severability.

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

Section 9. SEQRA Determination.

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

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

Section 10. Effective Date.

This law shall take effect on the One Hundred and Twentieth (120th) day immediately subsequent to filing in the Office of the Secretary of State.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

After a public hearing duly held on May 29, 2007
Filed with the Secretary of State on July 18, 2007

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

Intro. Res. No. 1019-2007 Laid on Table 2/6/2007
Introduced by Legislators Cooper, Romaine, Eddington, Schneiderman, Mystal, Alden, Stern, D'Amaro

RESOLUTION NO. 459 –2007, ESTABLISHING AN APPLICATION FEE WAIVER POLICY FOR CIVIL SERVICE EXAMINATIONS FOR VETERANS

WHEREAS, the County of Suffolk has historically made a special effort to recognize the contributions armed forces veterans have made to our community and nation; and

WHEREAS, Section 50(5)(b) of New York State Civil Service Law allows counties to waive civil service application fees for specific classes of positions, types of examinations and/or candidates; and

WHEREAS, it is in the best interest of the County to waive civil service examination fees for veterans; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby establishes an application fee waiver policy for eligible candidates who are veterans and residents of Suffolk County; and be it

further

2nd RESOLVED, that such fees shall be waived for candidates who submit a DD Form 214, along with proof that said veteran is a Suffolk County resident; and be it further

3rd RESOLVED, that upon a candidate's approval of eligibility for an application fee waiver, that candidate shall receive a full waiver of their civil service application fee; and be it further

4th RESOLVED, that every Suffolk County civil service examination announcement with an application fee shall have information printed on the announcement informing potential applicants of the fee waiver policy; and be it further

5th RESOLVED, that, pursuant to Section C6-2 of the Suffolk County Charter, the Personnel Officer, as Director of the Department of Human Resources, Personnel and Civil Service, is hereby authorized, empowered and directed to issue such regulations as he deems necessary to implement this Resolution; 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 §§617.5(c)(20), (21) and (27), of Title 6 of New York Code of Rules and Regulations (6 NYCRR) and within the meaning of § 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 resolution.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

Intro. Res. No. 1599-2007

Laid on Table 6/12/2007

Introduced by Legislators Cooper, Browning, Stern, Romaine, Horsley, Mystal, Schneiderman

RESOLUTION NO. 640 –2007, AMENDING RESOLUTION NO. 459-2007 REGARDING WAIVER POLICY FOR CIVIL SERVICE EXAMINATIONS FOR VETERANS

WHEREAS, Suffolk County Resolution No. 459-2007 directed the Suffolk County Department of Civil Service to establish an application waiver fee policy for Suffolk County veteran's; and

WHEREAS, Resolution No. 459-2007 conditioned a veteran's eligibility for the fee waiver on their submission of a DD Form 214; and

WHEREAS, the Suffolk County Veterans Agency is now authorized to issue Suffolk County Veteran Resident ID Cards which is sufficient to establish a veteran's status and residency in Suffolk County; now, therefore be it

1st RESOLVED, that the 2nd RESOLVED clause of Resolution No. 459-2007 is hereby amended to read as follows:

2nd RESOLVED, that such fees shall be waived for candidates who submit a DD Form 214, along with proof that said veteran is a Suffolk County resident or, in the alternative, a Suffolk County Veteran Resident ID Card; and be it further

and be it further

2nd RESOLVED, that the provisions of Resolution No. 459-2007 shall remain in full force and effect; and be it further

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1325-2007
Introduced by Legislator Browning

Laid on Table 4/24/2007

RESOLUTION NO. 460 -2007, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY MASTIC BEACH AMBULANCE COMPANY FOR "HELP US SAVE YOU PROGRAM"

WHEREAS, the Mastic Beach Ambulance Company responds to 300 calls per year at the Smith Point County Park and over 1,900 calls throughout the community of Mastic Beach; and

WHEREAS, the Mastic Beach Ambulance Company would like to use the tollbooth entrances and exits at Smith Point County Park for the purpose of posting signs that ask the public "Help Us Save You"; and

WHEREAS, this Legislature authorized the Mastic Beach Ambulance Company to use the Smith Point County Park for this same purpose in 2006; and

WHEREAS, the sign would be posted during the 2007 Labor Day holiday, from September 1, 2007 through September 3, 2007, from 9:00 a.m. through 4:00 p.m. each day; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Ten and 00/100 Dollars (\$10.00), per diem, payment of which shall be guaranteed by the Mastic Beach Ambulance Company; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastic Beach Ambulance Company; and

WHEREAS, the use of County property to help raise money would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the tollbooth at Smith Point County Park by the Mastic Beach Ambulance Company, in consideration of the payment of Ten and 00/100 Dollars (\$10.00), per diem, for the purpose of posting signs that ask the public "Help Us Save You" during the 2007 Labor Day Holiday from September 1, 2007 through September 3, 2007, from 9:00 a.m. through 4:00 p.m. each day is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the public-safety services provided by the Mastic Beach Ambulance Company at the Smith Point County Park in Brookhaven; and be it further

3rd **RESOLVED**, that the Mastic Beach Ambulance Company shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-0-0-1. Legislator Horsley was not present.

Intro. Res. No. 1361-2007 Laid on Table 4/24/2007
Introduced by Legislators Stern, Cooper, Nowick, Romaine, Vilorio-Fisher, Browning and D'Amaro

**RESOLUTION NO. 461 -2007, AUTHORIZING THE
DEPARTMENT OF PARKS, RECREATION AND
CONSERVATION TO IDENTIFY DOG PARKS**

WHEREAS, Suffolk County Park Rules and Regulations (codified in Chapter 378 of the SUFFOLK COUNTY CODE) do not permit dogs to be off-leash on County parklands outside of authorized, fenced-in dog run areas; and

WHEREAS, Resolution No. 566-1998 authorized the Commissioner of the Department of Parks, Recreation and Conservation to construct a dog run within West Hills County Park and in "such other separate County Parks as he or she may deem pertinent and appropriate"; and

WHEREAS, by subsequent resolutions the County specifically authorized dog runs at Coindre Hall and Blydenburgh County Park; and

WHEREAS, the County of Suffolk has an insufficient number of dog parks; and

WHEREAS, persons and families that own dogs should be afforded a greater opportunity to enjoy County parks with their pets; and

WHEREAS, it is the desire of the Legislature to increase the number of dog parks County-wide; now, therefore be it

1st RESOLVED, that the Commissioner of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to identify locations within at least five (5) Suffolk County parks that can be used as a dog park; and be it further

2nd RESOLVED, that to the extent practicable, the Commissioner of the Department of Parks, Recreation and Conservation shall achieve geographic balance in identifying locations for dog parks; and be it further

3rd RESOLVED, that the Commissioner shall submit a written report containing his recommended sites to the Suffolk County Executive and each member of the Suffolk County Legislature within 120 days of the effective date of this resolution; and be it further

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1186-2007
Introduced by Presiding Officer Lindsay

Laid on Table 3/6/2007

RESOLUTION NO. 462 –2007, APPOINT MEMBER TO SUFFOLK COUNTY CITIZENS CORPS COUNCIL (MICHAEL LA BATE)

WHEREAS, Resolution No. 1283-2004 created a Suffolk County Citizens Corps Council to develop and coordinate volunteer programs to assist emergency responders; now, therefore be it

1st **RESOLVED**, that Michael LaBate from Kings Park is hereby appointed to serve as a member of the Suffolk County Citizens Corps Council for a two-year term of office, effective immediately; and be it further

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

DATED: May 15, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 1283-2004

Legislator Eddington made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-1. Legislator Horsley was not present.

Intro. Res. No. 1362-2007

Laid on Table 4/24/2007

Introduced by Legislators Eddington, Cooper, Schneiderman, Alden, Montano, Stern, Romaine, and Mystal

**RESOLUTION NO. 463 -2007, DONATING
DECOMMISSIONED BODY ARMOR VESTS FROM THE
SHERIFF'S OFFICE TO THE UNITED STATES DEPARTMENT
OF DEFENSE TO PROTECT OUR CITIZEN-SOLDIERS**

WHEREAS, the Suffolk County Sheriff's Office 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

1st RESOLVED, that the Sheriff's 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

2nd RESOLVED, that the Suffolk County Sheriff's Office 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: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

Legislator Mystal made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-0-0-1. Legislator Horsley was not present.

Intro. Res. No. 1369-2007 Laid on Table 4/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 464 -2007, ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, DISTRICT ATTORNEY'S RECRUITMENT AND RETENTION PROGRAM

WHEREAS, New York State Division of Criminal Justice Services has awarded a grant in the amount of \$127,868 to improve the recruitment and retention of Assistant District Attorneys; and

WHEREAS, said grant is to run for the period of 01/01/07-12/31/07; and

WHEREAS, the District Attorney has approved a plan to supplement the salary of sixty-four Assistant District Attorneys, supplemental funding for this program will be appropriated to the District Attorney General Appropriation Account 001-1165-1070; now, therefore be it

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

REVENUES:

AMOUNT

001-3389-District Attorney Recruitment and Retention Program \$127,868

ORGANIZATIONS:

District Attorney (DIS)
General Administration
001-DIS-1165

Personnel \$127,868

1070—Special Pay \$127,868

and be it further

2nd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; and be it further

3rd RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-2. Legislators Horsley and Mystal were not present.

Intro. Res. No. 1370-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 465 -2007, AUTHORIZING THE SUFFOLK COUNTY DISTRICT ATTORNEY TO APPLY FOR A SUBSCRIPTION TO A WEB BASED ACCESS TO LOCAL NUMBER PORTABILITY ENHANCED ANALYTICAL PLATFORM TELEPHONE NUMBER LOOK UP (LEAP)

WHEREAS, this service will be used to enhance the District Attorney's ability to obtain current and correct telephone subscriber information on telephone numbers obtained through subpoena of toll records; and

WHEREAS, this information allows the District Attorney to contact the appropriate telecommunications carrier to obtain subscriber information (name and address) and assist the District Attorney in his investigative pursuits of criminal activity; and

WHEREAS, this service is provided by Neustar at the annual cost of \$1,600 per year; and

WHEREAS, SOP A-02 requires that Legislative approval be granted for membership and subscriptions exceeding \$1,000; and

WHEREAS, the 2007 Operating Budget in 001-1165-3070 included funds in anticipation of this request; now, therefore be it

1st RESOLVED, that the District Attorney is authorized to apply to Neustar for this subscription.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

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

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

Laid on Table 4/24/2007

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

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

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

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

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

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

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

and be it further

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

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

and be it further

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

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

and be it further

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

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

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1269-2007

Laid on Table 3/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 467 -2007, AMENDING RESOLUTION NO. 195 of 2006 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD, TOWNS OF BABYLON AND ISLIP (CP 5523.111)

WHEREAS, Resolution No. 195 of 2006 appropriated \$1,500,000 under Capital Project No. 5523.111 for this project; and

WHEREAS, Federal Highway Administration funds are available for this project; and

WHEREAS, Resolution No. 195 of 2006 appropriated \$1,500,000 and apportioned the funding allocation at 80% in federal funds and 20% in County funds; and

WHEREAS, New York State has subsequently allocated State Marchiselli Funding; and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the Federal and State portions based on actual expenditures; now, therefore be it

1st RESOLVED, that the apportionment of the cost of funding appropriated by Resolution No. 195 of 2006 under Capital Project 5523.111 be amended to reflect the additional State Marchiselli Aid dedicated in the amount of \$195,000; and be it further

2nd RESOLVED, that the apportionment of the cost of funding appropriated by Resolution No. 195 of 2006 under Capital Project 5523.111 be amended to reflect a total cost of \$1,500,000 with 80% Federal reimbursement in the amount of \$1,200,000, 13% State

Marchiselli Aid reimbursement in the amount of \$195,000, and a 7% County share in the amount of \$105,000; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$105,000; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$105,000 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to \$195,000; and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$1,200,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State share of \$1,395,000; and be it further

8th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: May 15, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: May 18, 2007

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

Intro. Res. No. 1378-2007

Laid on Table 4/24/2007

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. 468 -2007, APPROPRIATING FUNDS IN CONNECTION WITH A MEMORIAL FOR THE VICTIMS OF THE SEPTEMBER 11TH TERRORIST ATTACK (CP 1773)

WHEREAS, the Commissioner of Public Works has requested funds for the Memorial for the Victims of the September 11th Terrorist Attack; and

WHEREAS, there are sufficient funds 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 \$500,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 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

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1416-2006 classified the action contemplated by this as an Unlisted Action; pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;
- 2.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes); and
- 3.) Existing vegetation will be incorporated into the design wherever possible;

and be it further

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

4th RESOLVED, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1773.310 (Fund 001-Debt Service)	20	Memorial for the Victims of the September 11 th Terrorist Attack	\$500,000

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1378A-2007

BOND RESOLUTION NO. 469 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE A PART OF THE COST OF THE MEMORIAL FOR THE VICTIMS OF THE TERRORIST ATTACKS OF SEPTEMBER 11TH (CP 1773.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the memorial for the victims of the terrorist attacks of September 11th, 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 \$1,325,000. The plan of financing includes (a) the issuance of \$25,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 510-2002, (b) the issuance of \$300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1058-2003, (c) the issuance of \$500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1399-2006, (d) the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 76 of the Law, is ten (10) years, computed from May 13, 2003, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 510-2002.

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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1379-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 470 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH WEATHERPROOFING COUNTY
BUILDINGS (CP 1762)**

WHEREAS, the Commissioner of Public Works has requested funds for weatherproofing County buildings; and

WHEREAS, there are sufficient funds 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 \$125,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 260-2005 classified the action contemplated by this as a Type II Action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c), (1),(2) and (21) as this action concerns the planning as well as the maintenance, repair, and rehabilitation of existing facilities involving no substantial changes to structure; and be it further

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

4th RESOLVED, that the proceeds of \$125,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1762.311 (Fund 001-Debt Service)	20	Weatherproofing County Buildings	\$125,000

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1379A-2007

BOND RESOLUTION NO. 471 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$125,000 BONDS TO FINANCE A PART OF THE COST OF THE WEATHERPROOFING OF COUNTY BUILDINGS (CP 1762.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$125,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the weatherproofing of County buildings, 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 \$425,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 444-2005, (b) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1501-2006, (c) the issuance of \$125,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

12(a)(2) of the Law of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 444-2005.

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

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

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

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1381-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 472 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH REPLACEMENT/CLEANUP OF FOSSIL
FUEL, TOXIC AND HAZARDOUS MATERIAL STORAGE
TANKS (CP 1706)**

WHEREAS, the Commissioner of Public Works has requested funds for the Replacement/Cleanup of Fossil Fuel and Hazardous Material Storage Tanks; and

WHEREAS, there are sufficient funds 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 \$130,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-six (76) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that as the upgrading and replacement of tanks are mandated by Article 12 of the Suffolk County Sanitary Code and Title 40 of the Code of Federal Regulations that the Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby determines that this action constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under "SEQRA"; and be it further

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

4th RESOLVED, that the proceeds of \$130,000 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-1706.327 (Fund 001-Debt Service)	20	Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks	\$130,000

DATED: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

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

Intro. Res. No. 1381A-2007

BOND RESOLUTION NO. 473 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$130,000 BONDS TO FINANCE A PART OF THE COST OF THE REPLACEMENT

**OF FOSSIL FUEL, TOXIC AND HAZARDOUS MATERIAL
STORAGE TANKS (CP 1706.327)**

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 \$130,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the replacement of fossil fuel, toxic and hazardous material storage tanks, 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 \$435,000. The plan of financing includes (a) the issuance of \$130,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 440-2005, (b) the issuance of 175,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 586-2006 (c) the issuance of \$130,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 88 of the Law of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 440-2005.

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

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

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

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

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

Intro. Res. No. 1382-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/24/2007

**RESOLUTION NO. 474 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH ENERGY CONSERVATION AT
VARIOUS COUNTY BUILDINGS (CP 1664)**

WHEREAS, the Commissioner of Public Works has requested funds for Energy Conservation at Various County Buildings; and

WHEREAS, there are sufficient funds 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 \$250,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 506-1995 classified the action contemplated by this as Type II Action; and be it further

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

4th RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1664.113 (Fund 001-Debt Service)	20	Planning for Energy Conservation at Various County Buildings	\$50,000
525-CAP-1664.314 (Fund 001-Debt Service)	20	Energy Conservation at Various County Buildings	\$200,000

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1382A-2007

BOND RESOLUTION NO. 475 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE A PART OF THE COST OF ENERGY CONSERVATION IMPROVEMENTS AT VARIOUS COUNTY BUILDINGS (CP 1664.113 and .314)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of energy conservation improvements at various county buildings, 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 \$1,690,000. The plan of financing includes (a) the issuance of \$490,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 942-2005 (\$100,000 for planning and \$390,000 for construction), (b) the issuance of \$950,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1051-2006 (\$100,000 for planning and \$850,000 for construction) (c) the issuance of \$250,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$50,000 for planning and \$200,000 for construction) and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 942-2005.

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

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

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

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1383-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 476 -2007, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF MAJOR BUILDINGS OPERATIONS EQUIPMENT AT VARIOUS COUNTY FACILITIES (CP 1737)

WHEREAS, the Commissioner of Public Works has requested funds for the Replacement of Major Buildings Operations Equipment at Various County Facilities; and

WHEREAS, there are sufficient funds 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 \$250,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 255-2005 classified the action contemplated by this as a Type II Action; and be it further

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

4th RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1737.324	20	Replacement of Major Buildings	\$250,000

(Fund 001-Debt Service)

Operations Equipment at Various
County Facilities

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1383A-2007

BOND RESOLUTION NO. 477- 2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$250,000 BONDS
TO FINANCE THE COST OF THE REPLACEMENT OF MAJOR
BUILDINGS OPERATIONS EQUIPMENT AT VARIOUS
COUNTY FACILITIES (CP 1737.324)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of major buildings operations equipment at various 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 \$250,000. The plan of financing includes the issuance of \$250,000 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. 13 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: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1384-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 478 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH DEMOLITION OF THE OLD
COOPERATIVE EXTENSION BUILDING & CONSTRUCTION OF
A NEW PARKING FACILITY (CP 1768)**

WHEREAS, the Commissioner of Public Works has requested funds for the Demolition of the Old Cooperative Extension Building and New Parking Facility; and

WHEREAS, there are sufficient funds 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 \$200,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 797-2002 classified the action contemplated by this as a Type II Action; and be it further

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

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1768.311 (Fund 001-Debt Service)	20	Demolition Old Cooperative Extension Building & New Parking Facility	\$200,000

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1384A-2007

BOND RESOLUTION NO. 479 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE A PART OF THE COST OF THE DEMOLITION OF THE OLD COOPERATIVE EXTENSION BUILDING AND CONSTRUCTION OF A NEW PARKING FACILITY (CP 1768.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the demolition of the old Cooperative Extension building and construction of a new parking facility, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$690,000. The plan of financing includes (a) the issuance of \$490,000 bonds or bond anticipation notes heretofore authorized

pursuant to Bond Resolution No. 605-2004 (\$40,000 for planning and \$450,000 for demolition), (b) the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12-a, 20(f) and 90 of the Law, is ten (10) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 605-2004.

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

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

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

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

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

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

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1385-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 480 -2007, AUTHORIZING THE PURCHASE OF UP TO THIRTY TWO TRANSIT BUSES FOR SUFFOLK COUNTY TRANSIT INCLUDING SPARE PARTS, RADIOS, OTHER RELATED EQUIPMENT AND ACCEPTING AND APPROPRIATING FEDERAL AID (80%), STATE AID (10%) AND COUNTY FUNDS (10%) IN CONNECTION WITH THIS PURCHASE (CP 5658.538)

WHEREAS, Resolution Nos. 1330-2005 and 329-2006 authorized the filing for and the execution of grants with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) for mass transportation projects including the purchase of transit buses for Suffolk County Transit including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture; and

WHEREAS, the federal funds for this purchase are included in 1) a congressional earmark for Suffolk County (FTA Grant No. NY-03-0448) and 2) formula grant funds that have been allocated to Suffolk County for Federal Fiscal Years 2004 and 2005 and which funds are the subject of a grant application currently before the FTA, whereby the FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the County providing 10% of the cost of this project; and

WHEREAS, the total cost of the purchase is estimated to be up to \$9,214,724; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program; 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, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$921,473 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty two (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

3rd RESOLVED, that the Purchasing Division is authorized to acquire up to thirty two (32) transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture for Suffolk County Transit subject to the approvals of all applicable FTA and NYSDOT regulations regarding such purchases; and be it further

4th RESOLVED, that the Purchasing Division is authorized to exercise an option off the original bid to acquire additional transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture for Suffolk County Transit, subject to the availability of additional federal and state grant funds to cover the respective shares of the option; and be it further

5th RESOLVED, that the proceeds of \$921,473 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-5658.538	Purchase of up to thirty-two (32) transit buses	\$921,473

including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture

and be it further

6th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.538	Purchase of up to thirty-two (32) transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture	\$921,472

and be it further

7th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.538	Purchase of up to thirty-two (32) transit buses including spare parts, radios, other related equipment, pre and post delivery Buy America audits and inspection during manufacture	\$7,371,779

and be it further

8th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1385A-2007

BOND RESOLUTION NO. 481 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$921,473 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE OF TRANSIT BUSES FOR SUFFOLK COUNTY TRANSIT INCLUDING SPARE PARTS, RADIOS AND OTHER RELATED EQUIPMENT (CP 5658.538)

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 \$921,473 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 of transit buses for Suffolk County Transit including spare parts, radios and other related equipment, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$9,214,724. The plan of financing includes (a) the expenditure of \$921,472 in State Aid funds (10%) and \$7,371,779 in Federal funds (80%), (b) the issuance of \$921,473 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. 29 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: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1387-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 482 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 16, PORTION ROAD/HORSEBLOCK ROAD, FROM RONKONKOMA AVENUE TO CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5511)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 16, Portion Road/Horseblock Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0755.98, with a share allocation of fifty (50%) percent Federal funds and fifty (50) 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 5511 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, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,600,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of CR 16, Portion Road/Horseblock Road; and be it further

4th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5511
 Project Title: Reconstruction of CR 16, Portion Road/Horseblock Road,
 Town of Brookhaven

	<u>Total Est'd Cost</u>	Current 2007 Capital Budget & <u>Program</u>	Revised 2007 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$6,580,000	\$ 0 B <u>\$ 0 F</u>	\$800,000B <u>\$800,000F</u>
TOTAL	\$42,635,000	\$11,905,000	\$13,505,000

and be it further

5th RESOLVED, that the proceeds of \$800,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5511.113 (Fund 001-Debt Service)	50	Reconstruction of CR 16, Portion Road/Horseblock Road	\$800,000

and be it further

6th 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-5511.113	50	Reconstruction of CR 16, Portion Road/Horseblock Road	\$800,00

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$800,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of 800,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$800,000; and be it further

10th 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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1387A -2007

BOND RESOLUTION NO. 483 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,600,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, PORTION/HORSEBLOCK ROAD, TOWN OF BROOKHAVEN (CP 5511.113)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,600,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 16 Portion/Horseblock Road, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$11,880,000. The plan of financing includes (a) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 740-2004 (apportioned to reflect \$800,000 Federal Aid, \$150,000 State Aid and \$50,000 County share pursuant to Resolution No. 1398-2004), (b) the issuance of \$1,856,000

bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 317-2007, (c) the expenditure of \$7,424,000 in Federal Aid appropriated pursuant to Resolution No. 316-2007, (d) the issuance of \$1,600,000 bonds or bond anticipation notes authorized pursuant to this resolution (with \$800,000 expected to be paid from Federal Aid) and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. The principal amount of serial bonds to be issued shall be limited to the amount of the County share of the cost. The balance of the bonds authorized may be issued only in the form of bond anticipation notes to provide temporary financing for the portion to be paid from Federal and/or State Aid.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 15, 2005, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 740-2004.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1389-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 484 -2007, AUTHORIZING THE FILING OF AN APPLICATION ON BEHALF OF THE DISABLED AMERICAN VETERANS WITH THE FEDERAL TRANSIT ADMINISTRATION AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION CAPITAL ASSISTANCE FOR THE PURCHASE OF VANS AS AUTHORIZED BY 49 U.S.C. CHAPTER 53 TITLE 23 UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for transportation projects; and

WHEREAS, in Federal Fiscal Year 2006 the Disabled American Veterans was allocated capital financial assistance funds to acquire vans for its transportation program under Section 5309 of the Transportation Equity Act of the 21st Century (TEA-21); and

WHEREAS, the County of Suffolk is a Designated Recipient as defined by 49 U.S.C. Section 5307(a)(2); and

WHEREAS, in order to expedite the grant making process, Suffolk County will file for and accept the grant on behalf of the Disabled American Veterans; and

WHEREAS, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-federal funds will be made and that the State share will be used to fund up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded projects costs and that the County will provide the remaining 10% local share of project costs; and

WHEREAS, the Disabled American Veterans has agreed to reimburse the County for its ten percent 10% share of the actual cost of the vans, including delivery; and

WHEREAS, there is therefore no cost to the County for this project; and

WHEREAS, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and

WHEREAS, upon approval of the grant, Suffolk County will acquire the vehicles from an approved New York State Department of Transportation (NYSDOT) vendor, and subsequently, transfer right, title and interest in the vehicles to the Disabled American Veterans; and

WHEREAS, the County will execute a Transfer of Title Agreement with the Disabled American Veterans to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof; and

WHEREAS, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore be it

1st RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file an application for Federal assistance on behalf of the Disabled American Veterans with the Federal Transit Administration for Federal capital financial assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

2nd **RESOLVED**, that the Disabled American Veterans proposes to utilize allocated Federal Fiscal Year 2006 funds to aid in the financing of a capital assistance project pursuant to Section 5309 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Cost</u>
5658	Purchase of Vans and Related Equipment for the Disabled American Veterans	\$66,625
	Total Estimated Project Cost	\$66,625
	Estimated Federal Share: 80%	\$53,300
	Estimated State Share: 10%	\$ 6,662
	Estimated Disabled American Veterans Share: 10%	\$ 6,663

and be it further

3rd **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

4th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the Capital Program of Projects and Budget herein described; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

6th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute a Transfer of Title Agreement with the Disabled American Veterans to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof in connection with said grant.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1390-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 485 -2007, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE TOWN OF BABYLON AND AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND AUTHORIZING PLANNING FUNDS IN CONNECTION WITH A STUDY FOR AN INTERMODAL TRANSIT FACILITY IN THE COMMUNITY OF WYANDANCH AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID

WHEREAS, Resolution No. 1144-2005 authorized the filing for and the execution of a grant with the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) on behalf of the Town of Babylon for a congressional earmark for mass transportation projects; and

WHEREAS, FTA Grant NY-03-0442 in the amount of \$388,351 (\$485,439 total) was approved whereby FTA will provide 80% of the cost of this project and NYSDOT will provide 10% of the cost of this project, with the Town of Babylon providing 10% of the cost of this project; and

WHEREAS, the Town of Babylon will first instance the actual cost of the project and will request reimbursement from the County for the Federal (80%) and State (10%) shares of the actual 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, sufficient funds have not been included within the 2007 Capital Budget and Program 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 and/or State Aid; 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

1st RESOLVED, that the Department of Public Works is authorized to enter into an Inter-Municipal Agreement with the Town of Babylon and to receive and process requests for

reimbursement to the Town of Babylon for 90% (Federal and State shares) of the amount that the Town of Babylon has paid for consulting services for the planning for a Intermodal Transit Facility in the Community of Wyandanch; and be it further

2nd RESOLVED, that it is hereby determined that this project has been classified as a priority ranking of sixty-two (62) and is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget; and be it further

3rd RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5655
 Project Title: Plan for an Intermodal Transit Facility in the Community of Wyandanch – Pass-Through Funds

	<u>Total Est'd. Cost</u>	<u>2007 Capital Budget & Program</u>	<u>2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	\$436,895	-0- <u>-0-</u>	48,544S <u>388,351F</u>
6. TOTAL	\$436,895	-0-	\$436,895

and be it further

4th RESOLVED, that State Aid be and they are hereby appropriated as follows:

<u>Project</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5655.110	Plan for an Intermodal Transit Facility in the Community of Wyandanch-Pass-Through Funds	\$ 48,544

and be it further

5th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5655.110	Plan for an Intermodal Transit Facility in the Community of Wyandanch-Pass-Through Funds	\$ 388,351

and be it further

6th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project; and be it further

7th RESOLVED, that the County Executive of Suffolk County or his designee is hereby authorized to execute an Intermunicipal agreement with the Town of Babylon to provide the necessary reimbursement to the Town of Babylon and oversight with regard to Federal and State requirements in connection with FTA Grant No. NY-03-0442; and be it further

8th RESOLVED, that the County will only reimburse the Town of Babylon for the Federal (80%) and State (10%) shares of the actual cost of the project and upon the receipt of Federal and State Aid to the County for the actual cost of the project; and be it further

9th 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: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro Res. No. 1421-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 486 -2007, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF C.R. 57, BAY SHORE ROAD, TOWNS OF BABYLON AND ISLIP, SUFFOLK COUNTY, NEW YORK (CP 5523)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled "ABSTRACT REQUEST MAP, BAY SHORE ROAD, MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 57, BAY SHORE ROAD, FROM NEW YORK STATE ROUTE 231 TO NEW YORK STATE ROUTE 27, TOWNS

OF BABYLON AND ISLIP AND THE INCORPORATED VILLAGE OF BRIGHTWATERS, SUFFOLK COUNTY, NEW YORK”; and

WHEREAS, on May 20, 2005, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 410-2005 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution No. 56-2006, the Department of Public Works was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Smithtown Messenger, said newspapers being the current official County newspapers of the County of Suffolk; and the Babylon Beacon and the Islip Bulletin, the official town newspapers situated in the localities where the public project is located; and

WHEREAS, a public hearing was duly held on May 3, 2006 for the following purposes:

- A. To inform the public
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.
- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Findings and Determinations pursuant to Section 204 of the New York State Eminent Domain Procedure Law, were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on June 30, 2006, pursuant to Adopted Resolution No. 56-2006; and

WHEREAS, a brief synopsis thereof was duly published in two successive issues in the Smithtown News and the Smithtown Messenger, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the Babylon Beacon and the Islip Bulletin, which, at the time of publication were the current official town newspapers situated in the localities where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

WHEREAS, formal acquisition maps for this project, entitled “MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 57 – BAY SHORE ROAD VICINITY OF NYS RT. 231 – DEER PARK AVENUE TO VICINITY OF NYS RT. 27 – SUNRISE HIGHWAY AT TOWN OF BABYLON AND TOWN OF ISLIP SUFFOLK COUNTY NEW YORK” drafted in accordance with the alternative recommended by the Hearing Officer in his Findings and Determinations were duly filed with the Clerk of the Suffolk County Legislature on April 3, 2007, pursuant to Adopted Resolution No. 56-2006; now therefore, be it

1st RESOLVED, that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on June 20, 2006, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd RESOLVED, that formal acquisition maps for this project, entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR IMPROVEMENTS ON C.R. 57 – BAY SHORE ROAD VICINITY OF NYS RT. 231 – DEER PARK AVENUE TO VICINITY OF NYS RT. 27 – SUNRISE HIGHWAY AT TOWN OF BABYLON AND TOWN OF ISLIP SUFFOLK COUNTY, NEW YORK", being the formal acquisition maps heretofore filed with the Clerk of the Suffolk County Legislature on April 4, 2007, pursuant to Adopted Resolution No. 56-2006, be and the same are hereby approved and adopted; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1332-2007
Introduced by Legislator Stern

Laid on Table 4/24/2007

**RESOLUTION NO. 487 –2007, EXTEND THE DEADLINE
FOR THE SENIOR CITIZEN TASK FORCE**

WHEREAS, Resolution No. 1535-2006 created the Senior Citizen Task Force to study the needs of senior citizens, both current and future, including, but not limited to, the availability of affordable housing, transportation, long term health care, nutrition, and available government benefits; and

WHEREAS, this Task Force will require additional time in order to complete its work, issue its report, and deposit all the records of its proceedings with the Clerk of the Legislature; now, therefore be it

1st RESOLVED, that the 14th RESOLVED and 15th RESOLVED clause of Resolution No. 1535-2006 are hereby amended to read as follows:

14th RESOLVED, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than [one hundred eighty (180) days subsequent to the effective date of this Resolution] October 1, 2007 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

15th RESOLVED, that the Task Force shall expire, and the terms of office of its members terminate[, as of September 1, 2007] five (5) business days following the submission of its written report at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 1535-2006 shall remain in full force and effect; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

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

Intro. Res. No. 1368-2007 Laid on Table 4/24/2007
Introduced by Legislators Cooper, Lindsay, Eddington, Alden, Schneiderman, Stern and Browning

RESOLUTION NO. 488 –2007, DIRECTING VETERANS SERVICE AGENCY TO ESTABLISH A SUFFOLK COUNTY VETERAN RESIDENT IDENTIFICATION CARD PROGRAM

WHEREAS, there are several forms of identification veterans may use to demonstrate their veteran’s status, but only the identification card provided by the United States Department of Veterans Affairs (VA) is universally acceptable; and

WHEREAS, some veterans do not enroll in the VA system and, therefore, do not have a VA identification card; and

WHEREAS, it would be in the best interests of Suffolk County and its veteran population to establish an alternative form of identification that will allow veterans access to County benefits and services; and

WHEREAS, the Suffolk County Veterans Service Agency has the ability to verify a person’s veteran status, including any service connected disabilities; and

WHEREAS, issuing identification cards through the Veterans Service Agency will have the added benefit of exposing veterans to all services offered through that agency; now, therefore be it

1st RESOLVED, that the Suffolk County Veterans Service Agency is hereby authorized, empowered and directed to establish and implement a “Suffolk County Veteran

Resident Identification Card Program” consistent with the terms of this resolution; and be it further

2nd RESOLVED, that the Suffolk County Veterans Service Agency is further authorized and directed to begin issuing Suffolk County Veteran Resident ID Cards within 120 days of the effective date of this resolution; and be it further

3rd RESOLVED, that the Suffolk County Veterans Service Agency is hereby authorized and empowered to promulgate rules and regulations necessary to implement this program; and be it further

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro Res. No. 1306-2007

Laid on Table 3/20/2007

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

RESOLUTION NO. 489 –2007, ADOPTING LOCAL LAW NO. 17 –2007, A LOCAL LAW TO INTEGRATE REAL PROPERTY TAX SERVICE AGENCY AND COUNTY CLERK SUBSCRIPTION SERVICE FEE PROGRAM

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on March 20, 2007, a proposed local law entitled, **“A LOCAL LAW TO INTEGRATE REAL PROPERTY TAX SERVICE AGENCY AND COUNTY CLERK**

SUBSCRIPTION FEE PROGRAM;” 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. 17 – 2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INTEGRATE REAL PROPERTY TAX SERVICE
AGENCY AND COUNTY CLERK SUBSCRIPTION FEE PROGRAM**

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

Section 1. Legislative Intent.

This Legislature hereby finds that commercial entities are currently selling access to *Lis Pendens* records currently available in the Suffolk County’s public records at fees substantially higher than what could be accessed through the County.

This Legislature hereby finds and determines that the Real Property Tax Service Agency and the County Clerk have reached a compromise agreement, with respect to public access to *Lis Pendens* filed in the Office of the County Clerk, that will permit the *Lis Pendens* records of the County Clerk to be merged with the tax map images of the Real Property Tax Service Agency, thereby making such records available to the public at a more affordable and competitive rate than is currently the case.

Therefore, the purpose of this law is to conform existing County Law to this new agreement.

Section 2. Establishment of Fees for the Suffolk County Clerk’s On-Line Records System.

A fee schedule for Internet access services, within the Office of the Suffolk County Clerk, is hereby established as follows:

The fee schedule established in this Section shall be increased on an annual basis in the amount of three (3%) percent, or the increase in the Consumer Price Index for Urban Consumers, (all items), or any successor index thereto, whichever is greater.

<i>Lis Pendens</i> Access – All Ten Towns	Annually	[\$1,500.00]	<u>\$2,500.00</u>
	Monthly	[\$ 150.00]	<u>\$ 250.00</u>
	Daily	\$ 30.00	
Land Records Search (With Enhanced Search Capability)	Annually	\$1,500.00	
	Monthly	\$ 150.00	
	Daily	\$ 30.00	
Judgment, Liens, Miscellaneous	Annually	\$3,000.00	
	Monthly	\$ 300.00	
	Daily	\$ 60.00	
Uniform Commercial Codes (U.C.C.)	Annually	\$1,500.00	

	Monthly	\$ 150.00
	Daily	\$ 30.00
Full Subscription Service	Annually	\$6,000.00
Access to all on-line imaged material & indices (There will be a downloading fee of \$.65 per page, per image)		
Sub-Division Maps (Images)	Annually	\$2,000.00
	Monthly	\$ 200.00

The fee schedule set forth herein in no way conflicts with or duplicates the fee schedule set forth in Local Law No. 31-2003 which authorizes the establishment of subscription service fees in the County's Real Property Tax Service Agency.

Section 3. Eligibility.

- A.) The Director of the Real Property Service Agency and the County Clerk are hereby authorized and empowered to enter into a license agreement to fully integrate their data systems with respect to public access to *Lis Pendens* records. The *Lis Pendens* fees shall be collected by the County Clerk's Office and may be collected in the form of credit card reimbursements, to be processed by an approved New York State Office of General Services contractor, which shall be remitted to the County Clerk's Office on a thirty (30) day basis, and deposited with the County Treasurer, as part of the General Fund.
- B.) For budgetary line-item presentation purposes, the fees shall be attributable to the County Clerk and the office of the Real Property Tax Service Agency in equal shares.

Section 4. Applicability.

- A.) The provisions of this law shall apply to all subscriptions occurring on or after the sixtieth (60th) day immediately subsequent to the effective date of this law.

Section 5. 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 judged 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 6. 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 Sections 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations (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 7. Effective Date.

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

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of County of Suffolk

Date: May 29, 2007

After a public hearing duly held on May 29, 2007
Filed with the Secretary of State on July 18, 2007

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

Intro. Res. No. 1354-2007
Introduced by Presiding Officer Lindsay

Laid on Table 4/24/2007

**RESOLUTION NO. 490 -2007, AUTHORIZING
CONVEYANCE OF PARCELS ON CR 19, PATCHOGUE-
HOLBROOK ROAD TO THE TOWN OF BROOKHAVEN
(SECTION 72-h, GENERAL MUNICIPAL LAW)**

WHEREAS, the County of Suffolk is the owner of several parcels of vacant land; and

WHEREAS, the County of Suffolk has declared these parcels to be surplus County property; and

WHEREAS, the Town of Brookhaven has requested that the County of Suffolk transfer these properties to the Town for the purpose of constructing a gazebo and municipal park; now, therefore be it

1st RESOLVED, that the Director of the County Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to execute and deliver a quitclaim deed to the Town of Brookhaven in consideration for the sum of Ten Dollars (\$10.00) for said property, more particularly described and designated as Suffolk

County Tax Map Nos. District 0200, Section 764.00, Block 02.00, Lot 021.000, District 0200, Section 764.00, Block 02.00, Lot 031.000, District 0200, Section 764.00, Block 02.00, Lot 032.000, District 0200, Section 764.00, Block 02.00, Lot 039.000, and District 0200, Section 764.00, Block 02.00, Lot 040.000, pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Brookhaven for the construction of a gazebo and municipal park; and be it further

2nd RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Property Acquisition and Management, or his or her deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcels shall revert to the County of Suffolk in the event that the above-described properties are not used for the above-described public governmental purposes within three (3) years after delivery of the Deed of transfer to the grantee; or in the event that the Town of Brookhaven imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the properties in violation of Resolution No. 1028-1991 or in the event that the Town violates Resolution No. 256-1998, whichever occurs first; and be it further

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

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 29, 2007

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

Intro. Res. No. 1365-2007
Introduced by Legislator Cooper

Laid on Table 4/24/2007

RESOLUTION NO. 491 –2007, AUTHORIZING THE DEPARTMENT OF INFORMATION TECHNOLOGY TO DEVELOP LIST OF APPRECIATION AND AWARENESS DESIGNATIONS ON COUNTY WEBSITE

WHEREAS, The County of Suffolk designates appreciation and/or awareness days, weeks, or months; and

WHEREAS, such designations are made to acknowledge the valuable service an organization provides; to raise public awareness of a certain issue; or to promote public awareness of a specific disease; and

WHEREAS, it would be a useful and worthwhile public service to inform the residents of Suffolk County by publicizing these designations on the County website; now, therefore be it

1st RESOLVED, that, pursuant to §20-2(C)(2) and 20-3(C) of the SUFFOLK COUNTY CHARTER, the Division of Information Technology Services within the Department of Information Technology is hereby authorized, empowered, and directed to compile a list of the Appreciation and/or Awareness Days, Weeks, or Months designated by the County of Suffolk, either by duly enacted Resolution, or by Executive Order, and to post these designations on the County's website in calendar form; 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: May 15, 2007

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

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

Intro. Res. No. 1372-2007

Laid on Table 4/24/2007

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

RESOLUTION NO. 492 –2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (TOWN OF HUNTINGTON) (SCTM NO. 0400-094.00-03.00-048.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400 Section 094.00, Block 03.00 Lot 048.001 and acquired by Tax Deed on March 30, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 2, 1999 in Liber 11955 at Page 10 and described as follows, Town of Huntington, known and designated as Lots No. p/o 10 & p/o 11, a certain map entitled Map of "Map A Allison E. Lowndes" filed in the Office of the Clerk of the County of Suffolk on July 15, 1899 as Map No. 15; and

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

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

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

1st RESOLVED, that Wayne R. Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, or his designee, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described properties and on the above described terms and conditions to said Town of Huntington for the sum of \$7,000.00 due at closing; and be it further

2nd RESOLVED, that the Town of Huntington will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for park purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Huntington, at any time, uses or attempts to use said subject parcels for other than park purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for park purposes; and be it further

3rd RESOLVED, that said quitclaim deed issued by Wayne R. Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1).

DATED: May 15, 2007

APPROVED BY:

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

Date: May 25, 2007

Legislator D’Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Vloria-Fisher. The resolution was passed 12-6-0-0. Legislators Romaine, Losquadro, Alden, Barraga, Kennedy and Nowick voted no.

Intro. Res. No. 1386-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 493 –2007, AMENDING THE 2007
CAPITAL BUDGET AND CAPITAL PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH THE
ACQUISITION OF A NEW MAINFRAME (CP 1799)**

WHEREAS, the Director of Information Technology has requested the appropriation of funds in connection with the acquisition of a New Mainframe; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program under Capital Project 1799 to cover the cost of said request; and

WHEREAS, this project has been approved for appropriation by the Information Services Steering Committee; 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 within, has authorized the issuance of \$833,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (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

2nd 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

3rd RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 1799
Project Title: New Mainframe

	<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	\$ 100,000B	\$ 0
5. Furniture & Equipment	<u>\$ 833,000</u>	<u>\$ 733,000B</u>	<u>\$ 833,000B</u>
TOTAL	\$ 833,000	\$ 833,000	\$ 833,000

and be it further

4th RESOLVED, that the proceeds of \$833,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1799.510 (Fund 001-Debt Service)	Purchase and Installation of a New Mainframe	\$833,000

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

Legislator D'Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 12-6-0-0. Legislators Romaine, Losquadro, Alden, Barraga, Kennedy and Nowick voted no.

Intro. Res. No. 1386A-2007

BOND RESOLUTION NO. 494 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$833,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF A NEW MAINFRAME (CP 1799.510)

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 \$833,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of a new mainframe, 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 \$833,000. The plan of financing includes the issuance of \$833,000 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: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1391-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 495 -2007, CONSENTING TO A
CERTIFICATE OF ABANDONMENT OF A PORTION OF
BROWNE AVENUE, RONKONKOMA, NEW YORK**

WHEREAS, HAYRIYE AND CELIL TASTAN, residing at 453 Michigan Avenue, Ronkonkoma, New York 11779, as owners of certain property in Ronkonkoma, designated by Suffolk County Tax Map Nos. 0500-032.00-06.00-009.000 and 015.000, have requested that the County of Suffolk consent to the abandonment of a portion of Browne Avenue, a map of which is attached as Exhibit "A"; and

WHEREAS, the COUNTY OF SUFFOLK owns certain property adjacent to said portion of the road (see Exhibit "A"), designated by Suffolk County Tax Map No. 0500-032.00-06.00-017.000, which is presently sterilized and is to remain open space as per an Agreement with Suffolk County Health Services, recorded on April 21, 1999 in Liber 11958, Page 505 (Schedule "A", which is attached as Exhibit "B"); and

WHEREAS, in order to complete the application for a Certificate of Abandonment, the County of Suffolk must consent to such proceeding, a copy of which is attached as Exhibit "C"; and

WHEREAS, the Planning Department of the County of Suffolk has reviewed the proposal and finds it in compliance with plans for the area; and

WHEREAS, the County of Suffolk would receive at no cost a parcel of land approximately 20' x 80' shown in Exhibit "A" as its portion of the roadways to be abandoned; now, be it therefore

1st RESOLVED, said abandonment is a Type II action under the provisions of Title 6 NYCRR Part 617.13 (d) (15), "routine or continuing agency administration", with no further environmental review necessary; and be it further

2nd RESOLVED, that the Director of Real Property Acquisition and Management, Department of Environment and Energy, be authorized to consent to the Certificate of Abandonment attached hereto, and to accept title as set forth herein; and be it further

3rd RESOLVED, the County Attorney be and hereby is authorized to do all things necessary to acquire by abandonment, an unencumbered title to said property in the name of the County of Suffolk.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 18, 2007

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

Intro. Res. No. 1415-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 496 -2007, APPROVING THE APPOINTMENT OF A RELATIVE OF A SUPREME COURT JUDGE IN THE SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE

WHEREAS, §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of a Suffolk County District Court Judge, Suffolk County Family Court Judge, Suffolk County Court Judge, Suffolk County Surrogate, Suffolk County Supreme Court Justice, or Judge of any court, when the position will not be filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, Peter Mayer, son of Supreme Court Justice Peter H. Mayer, has been offered employment in the District Attorney's Office as an Assistant District Attorney; now, therefore be it

1st RESOLVED, that the appointment of Peter Mayer as an Assistant District Attorney for the Suffolk County District Attorney's Office is hereby approved pursuant to §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 23, 2007

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

Intro. Res. No. 1425-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 497 -2007, AUTHORIZING THE COUNTY CLERK TO FILE AN APPLICATION FOR ADDITIONAL STATE MORTGAGE TAX REIMBURSEMENT

WHEREAS, Section 262 of the NEW YORK TAX LAW allows the County Clerk to receive all necessary expenses, as approved and allowed by the New York State Tax Commission, by retention from mortgage proceeds actually collected; and

WHEREAS, the Suffolk County Clerk’s Office has sought and retrieved mortgage tax reimbursement in the amount of **\$1,743,913.00** for 2006-2007; and

WHEREAS, the County Clerk’s Office collected **\$266,201,380.00** in mortgage tax in **2006** compared to **\$280,846,764.00** collected in **2005**; and

WHEREAS, the Suffolk County Clerk is now entitled to retain annually from the mortgage tax collected which moneys could be utilized to offset budgetary shortfalls or tax increases in the County Operating Budget; and

WHEREAS, the County Clerk, has determined that her Office is eligible to retain **\$1,687,047.00** of mortgage tax collected to offset expenses in her office; now, therefore be it

1st RESOLVED, that the Suffolk County Clerk is hereby authorized, empowered, and directed, pursuant to Section 18-2 of the SUFFOLK COUNTY CHARTER, to file an application with the New York State Commissioner of Taxation and Finance, for additional funding in the amount of **\$1,687,047.00** that the County of Suffolk may be entitled to as a result

of actual collection of the New York State mortgage tax proceeds by the Suffolk County Clerk's Office, as set forth in Exhibit "A" attached hereto and made part hereof.

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1364-2007
Introduced by Presiding Officer Lindsay

Laid on Table 4/24/2007

**RESOLUTION NO. 498 –2007, APPOINTING MEMBER TO
THE COUNCIL ON ENVIRONMENTAL QUALITY (MARIA
BROWN)**

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Jeffrey Snead has resigned as a member of the Council on Environmental Quality, effective September 26, 2006, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Maria Brown**, who currently resides in Dix Hills, NY, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, to fill the unexpired term of Jeffrey Snead, said term of office to expire on March 23, 2010.

DATED: May 15, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 1447-2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Montano

Laid on Table 5/15/2007

RESOLUTION NO. 499 –2007, AUTHORIZING TRANSFER OF TROLLEY VEHICLE TO CENTRAL ISLIP CIVIC COUNCIL, INC.

WHEREAS, the Central Islip Civic Council, Inc. (Council) has requested the transfer of the trolley currently housed at Gabreski Airport to it's organization; and

WHEREAS, the Council has been directly involved with efforts to improve the downtown area and the business climate in general by working closely with other groups to start the Central Islip Duck Run and to promote Central Islip with a new website (centralislip.org) and a slogan contest (Central Islip – a Home Run Community); and

WHEREAS, the Council has arranged for many downtown cleanups, flower plantings, holiday decorations, and flags; and

WHEREAS, the Council expects to use the trolley for free loop travel to benefit its businesses and residents by planning a route that would service the LIRR station, the Park Row, Coventry Gardens, Islip Landing, Courthouse Commons, and College Woods housing developments; the new Touro Law Center; the Federal and State Courts; the Ducks Ballpark; NYIT campus; the new Town Center Shopping Center; Bishop McGann Village; Court Plaza Apartments; the Central Islip downtown stores; and the various churches, offices and businesses along the Carleton Avenue, Suffolk Avenue, and Lowell Avenue corridors; and

WHEREAS, the Council will be helped by Suffolk Bus who will inspect the trolley, the Islip Planning Commission who will help on funding issues, and the Islip Town's highway yard will house the trolley; and

WHEREAS, the County of Suffolk (the "County") is desirous of helping this worthy organization to continue its work which benefits our communities by protecting and advancing the public health and welfare and promoting patriotic observance, and at the same time promote the virtues of Suffolk County; and

WHEREAS, the County is the owner of a trolley vehicle which does not serve any needs of the County and is suitable for the needs of the Council; and

WHEREAS, the Council has requested the donation of the trolley from the County and the County hereto desires to make the trolley available to the Council in order to secure the continued public service and promotion of patriotic observance provided by the Council to the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute a contract with the Central Islip Civic Council, Inc., whose mailing address is P.O. Box 219, Central Islip, New York 11722-0219 (Nancy Manfredonia, Executive Director, phone number (631) 348-0669) to transfer title from the trolley (bearing Identification No. 1GBKP37N5S3332447–1996–Chevrolet-P30-Bus-Document No. 943354W) for the sole purpose of using it as a free loop trolley vehicle in downtown Central Islip communities, in exchange for the Council providing services to the residents of Suffolk County, subject to the approval of the County Attorney; and be it further

2nd **RESOLVED**, that the County Attorney's office is hereby authorized to execute any and all other documents necessary to effectuate the terms and conditions of this Resolution; and be it further

3rd **RESOLVED**, that if at any time the Council ceases to use the trolley for the purposes stated herein or proposes to sell or otherwise dispose of the trolley, the trolley shall be immediately returned to the County; and be it further

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1507-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 500 -2007, ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$142,455 FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR A DEDICATED COMMERCIAL MOTOR VEHICLE SAFETY ENFORCEMENT PROJECT WITH 80% SUPPORT

WHEREAS, the New York State Department of Transportation has made available \$142,455 in Federal pass through funding from the Federal Motor Carrier Safety Administration for the Suffolk County Police Department to conduct Commercial Motor Vehicle Safety Checkpoints and Highway Safety Patrols; and

WHEREAS, the contract period for the program will be from November 16, 2006 through September 30, 2007; and

WHEREAS, matching funds totaling \$35,614 for the program are included in the 2007 Suffolk County Operating Budget; and

WHEREAS, said grant funds totaling \$142,455 have not been included in the 2007 Suffolk County Operating Budget; now, therefore be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4391 - Federal Aid: MCSAP	\$142,455

ORGANIZATIONS:

Police Department (POL) MCSAP 115-POL-3212	
<u>1000-Personal Services</u>	<u>\$75,000</u>
1120-Overtime Salaries	75,000
<u>2000-Equipment</u>	<u>\$50,330</u>
2500-Equipment Other	50,330
<u>4300-Travel</u>	<u>\$3,363</u>
4310-Employee Miscellaneous Expenses	2,304
4330-Travel, Employee Contracts	1,059
Employee Benefits Retirement 115-EMP-9010	
<u>8000-Employee Benefits</u>	<u>\$12,675</u>
8280-Employee Retirement System	12,675
Employee Benefits Social Security 115-EMP-9030	
<u>8000-Employee Benefits</u>	<u>\$1,087</u>
8330-Social Security	1,087

and be it further

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1508-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 501 –2007, ACCEPTING AND
APPROPRIATING 100% ADDITIONAL STATE AID FROM THE
NEW YORK STATE OFFICE OF ALCOHOLISM AND
SUBSTANCE ABUSE SERVICES (NYS OASAS) TO SUFFOLK
COUNTY DEPARTMENT OF HEALTH SERVICES FOR
BROOKHAVEN MEMORIAL HOSPITAL CENTER**

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has provided additional 100% State Aid to Brookhaven Memorial Hospital Center to continue the operation of a Medically Supervised Chemical Dependence Outpatient Treatment Program; and

WHEREAS, NYS OASAS has changed the method of funding for this provider from direct payment to an allocated payment to be passed-through Suffolk County; and

WHEREAS, this additional 100% State Aid is provided for outpatient treatment of individuals who suffer from chemical abuse or dependence, their family members and/or significant others; and

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

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

REVENUES:

001-HSV-3486 State Aid: Narcotics Addition Control \$151,580

ORGANIZATIONS:

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

2007
2007 Modified

<u>XORG Object Name</u>	<u>Adopted</u>	<u>Adopted</u>	<u>+Change</u>
HZQ1 Brookhaven Memorial Hospital Center	\$0	\$151,580	\$151,580

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Brookhaven Memorial Hospital Center; and be it further

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

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

DATED: May 15, 2007

APPROVED BY:

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

Date: May 17, 2007

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

Intro. Res. No. 1509-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 502 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER THE SUFFOLK COUNTY SOS (SAVE OPEN SPACE) PROGRAM – HAMLET PARKS COMPONENT – FOR THE LEWIS OLIVER PROPERTY (TOWN OF HUNTINGTON, VILLAGE OF NORTHPORT)

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 open space, farmland and hamlet parks, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, the Town of Huntington and the Village of Northport have expressed their interest in partnering with Suffolk County to acquire and assume full responsibility for development/maintenance of this property under the SOS (Save Open Space) Program, Hamlet Parks component, for multi-purpose community recreational use including a playground; now, therefore be it

1st **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.(2) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local Law No. 34-2004 for Hamlet Parks:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0404 Section 011.00 Block 02.00 Lot 004.000	~0.17	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
No. 2	District 0404 Section 005.00 Block 02.00 Lot 005.000	~0.27	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
No. 3	District 0404 Section 011.00 Block 02.00 Lot 006.000	~0.37	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
No. 4	District 0404 Section 011.00 Block 02.00 Lot 007.000	~0.37	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961
No. 5	District 0404 Section 011.00 Block 02.00 Lot 008.001	~0.92	Kenneth E. Gloyd 144A East Bourne Ct. Ridge, NY 11961

Total = ~1.9 acres

and be it further

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

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of this proposed parcel shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Sections 617.5 (c) (20) and (21) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the 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 on non-applicability or non-significance in accordance with this resolution.

DATED: May 15, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 17, 2007

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

Home Rule Message No. 5 -2007
Introduced by Legislators Eddington and Cooper

LOT 4/24/07

**HOME RULE MESSAGE REQUESTING NEW YORK STATE
LEGISLATURE TO AUTHORIZE THE SUFFOLK COUNTY
SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS TO MAKE INSPECTIONS AND IMPOSE FINES**

WHEREAS, a State law mandating inspections of all New York pet stores was set to go into effect on April 1, 2002, but the State did not have nearly enough manpower to enforce the law, with only six inspectors to enforce the law statewide; and

WHEREAS, in order to assist New York State, Suffolk County is requesting the authority to have their Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA) enforce the State law; and

WHEREAS, the SCSPCA currently has the manpower necessary to provide Countywide enforcement; and

WHEREAS, the State law stipulated that "The Commissioner of Agriculture and Markets may, pursuant to an agreement entered into with a county or city, delegate the authority to conduct inspections of pet dealers and to respond to complaints concerning pet dealers"; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.6991 for the purpose of granting Suffolk County the ability to authorize the Suffolk County Society for the Prevention of Cruelty to Animals to unilaterally

elect to enforce a State law that took effect in April of 2002 to inspect and fine pet dealers/shops that are engaging in animal abuse and neglect; 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: May 15, 2007

s:\memres\hr- aspca

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

Mem. Res. No. 12 -2007
Introduced by Legislator Romaine

LOT 4/24/2007

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ESTABLISHING SPECIAL PROTECTIONS FOR
PROFESSIONALS TREATING LYME DISEASE AND
RELATED TICK-BORNE ILLNESS**

WHEREAS, there is much debate within the medical community concerning the management and treatment of patients with recurrent or long term Lyme disease; and

WHEREAS, it appears that the State Board of Medical Conduct disapproves of some treatments and penalizes physicians who engage in these treatments; and

WHEREAS, it has long been acknowledged that the practice of medicine is not always an exact science; issued guidelines are not regulatory and patient care is usually individualized; and

WHEREAS, legislation has been introduced in the State Senate which would establish special procedural protections for physicians who are investigated for their diagnosis and treatment of Lyme disease when the investigation is instigated not by a patient, but by a professional not involved in the medical care of the patient; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate bill S.2387, which would amend the Public Health Law to establish special protections for physicians who are investigated for their diagnosis and treatment of Lyme disease and related tick-borne illness ; 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: May 15, 2007

s:\memres\mr-professional-discipline-lyme-disease

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

Mem. Res. No. 13-2007

LOT 4/24/07

Introduced by Legislators Romaine, Eddington, Alden, Horsley, Kennedy, Mystal, Lindsay, Schneiderman and Stern

**MEMORIALIZING RESOLUTION IN SUPPORT OF
PROVIDING RECOURSE FOR HOMEOWNERS IN
MANUFACTURED HOME PARKS CONFRONTED WITH
UNJUSTIFIABLE RENT INCREASES**

WHEREAS, homeownership in manufactured home parks differs from the traditional landlord-tenant relationship; and

WHEREAS, these homeowners do not control the land on which their manufactured home sits, as a result, manufactured homeowners have no control over this substantial portion of their housing costs; and

WHEREAS, under current law, manufactured homeowners renting lots in manufactured home parks have no legal recourse when faced with unjustifiable rent increases; and

WHEREAS, this imbalance in bargaining power disrupts the normal operation of market forces and renders manufactured homeowners powerless to whatever terms a manufactured park owner chooses to impose; and

WHEREAS, many manufactured home park owners do not take advantage of their superior bargaining power, but some do, resulting in manufactured homeowners being evicted due to their inability to pay rents they can no longer afford; and

WHEREAS, legislation has been introduced in the State Assembly to provide recourse for Suffolk County manufactured homeowners who face unjustifiable rent increases; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly bill A.4700, which would amend the Real Property Law and the Judiciary Law to provide manufactured homeowners recourse when faced with unjustifiable rent increases; 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: May 15, 2007

s:\memres\mr-home-parks-rent-increase

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

Mem. Res. No. 14-2007

LOT 4/24/07

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

MEMORIALIZING RESOLUTION IN SUPPORT OF NEW YORK STATE LEGISLATION TO STRENGTHEN PENALTIES FOR INDIVIDUALS WHO COMMIT SEXUAL OFFENSES AGAINST CHILDREN

WHEREAS, computer use is part of a child's everyday activity, as it is used for research at school, homework, or simply communicating with other children; and

WHEREAS, increased use of computers and the expanding interconnection of people through the Internet have fundamentally altered the types of crimes that can be committed and the ease with which children can be victimized; and

WHEREAS, New York State and Suffolk County are committed to protect children against sexual predators; and

WHEREAS, Suffolk County has passed multiple laws designed to protect children from sexual predators; and

WHEREAS, legislation is currently pending in the New York State Legislature that creates new offenses for predators who use a computer for the purpose of committing sex crimes against children; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.3202 and New York State Senate Bill No. S.1921 which would strengthen the punishment of any person who uses the Internet to commit a sex crimes against a child; 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: May 15, 2007

s:\memres\mr-support legislation computer sex crimes

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

Mem. Res. No. 15-2007

LOT 4/24/07

Introduced by Legislators Caracappa, Browning, Mystal, Lindsay, Losquadro, Mystal, Stern, D'Amaro and Cooper

**MEMORIALIZING RESOLUTION IN SUPPORT OF STATE
LEGISLATION TO TOUGHEN VEHICULAR ASSAULT AND
VEHICULAR MANSLAUGHTER LAWS**

WHEREAS, an alarming number of people are seriously injured or killed each year by dangerous drivers who violate the New York State Vehicular and Traffic Laws' "rules of the road"; and

WHEREAS, many dangerous drivers are operating motor vehicles despite prior convictions that resulted in the suspension or revocation of their licenses; and

WHEREAS, such drivers are sometimes held criminally accountable for their actions if there is compelling evidence of gross negligence or recklessness, but all too often dangerous driving which results in deadly consequences can only be charged as a simple traffic infraction; and

WHEREAS, legislation has been introduced in the New York State Legislature that would strengthen vehicular assault and vehicular manslaughter statutes; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York Assembly bill A.4033, which would establish new criminal sanctions and enhance existing criminal sanctions in order to adequately deter and punish motorists who injure or kill pedestrians or other drivers as a result of dangerous and unlawful driving; 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: May 15, 2007

s:\memres\mr-vehicular-manslaughter

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

Mem. Res. No.16 -2007

LOT 4/24/07

Introduced by Legislators Stern, Lindsay, Cooper, D'Amaro, Mystal and Horsley

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE 9/11 HEROES HEALTH IMPROVEMENT ACT OF 2007

WHEREAS, a five-year study by Mount Sinai Medical Center has concluded that nearly 70 percent of Ground Zero first responders have developed new or substantially worsened respiratory symptoms following their work at the World Trade Center site; and

WHEREAS, the Mount Sinai study also found that of the first responders who showed no respiratory symptoms prior to 9/11, almost 61 percent developed respiratory problems while working at Ground Zero; and

WHEREAS, the New York City Fire Department has also shown that over 90 percent of FDNY rescue workers developed respiratory symptoms following their efforts at Ground Zero, and over 30 percent of these rescue workers continue to show both respiratory and mental health symptoms; and

WHEREAS, legislation has been introduced in the United States Senate to provide \$1.9 billion in medical and mental health monitoring and treatment grants to firefighters, police officers, EMTs, paramedics, building and construction trade workers, volunteers and residents whose health was directly impacted by the attacks of 9/11; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact the 9/11 Heroes Health Improvement Act of 2007, which would expand health monitoring and health care to all those who served in and around the area of Ground Zero and the Pentagon; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

S:\memres\mr-us-9-11-heroes

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

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS EXTEND THE PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS

WHEREAS, the United States Environmental Protection Agency (EPA) has warned that the nation faces a clean water crisis that has the potential to erase water quality gains made over the past 35 years under the Clean Water Act; and

WHEREAS, the issue of clean water is especially critical to Long Island which is surrounded by water, and which depends on underground aquifers for its drinking water supply; and

WHEREAS, the Water Quality Financing Act of 2007 would authorize \$125 million to fund projects that increase usable water supply by encouraging innovation in water reclamation, reuse and conservation; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests that the United States Congress enact H.R. 700 and authorize \$125 million to fund projects that will increase usable water supply; 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: May 15, 2007

s:\memres\mr-hr700

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

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO AUTHORIZE APPROPRIATIONS FOR SEWER OVERFLOW CONTROL GRANTS (H.R. 569)

WHEREAS, sewer overflows represent a major public health hazard; and

WHEREAS, the Environmental Protection Agency (EPA) estimates that 850 billion gallons of raw sewage and industrial waste escape each year, much of it into public waters; and

WHEREAS, the Water Quality Investment Act of 2007 (H.R. 569) authorizes appropriations for sewer overflow control grants through 2012; and

WHEREAS, this legislation would authorize \$1.5 billion in grants to local communities over the next five (5) years to construct treatment works to deal with sewer overflows; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact H.R. 569 the "Water Quality Investment Act of 2007"; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

s:\memres\mr-us-hr-569

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

Mem. Res. No. 19-2007
Introduced by Legislator Romaine

LOT 4/24/07

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT TO AUTHORIZE APPROPRIATIONS FOR STATE WATER POLLUTION CONTROL REVOLVING FUNDS (H.R. 720)

WHEREAS, the Water Quality Financing Act of 2007 would amend the Federal Water Pollution Control Act (Clean Water Act) to authorize the Administrator of the Environmental Protection Agency (EPA) to make grants to non-profit organizations to provide technical assistance to rural and small municipalities for wastewater infrastructure financing, as well as technical assistance and training for rural and small public owned treatment works; and

WHEREAS, this law would also extend authorized appropriations through fiscal year 2012 for State pollution control programs and watershed pilot programs; and

WHEREAS, under this law, States would be required to establish a list of revolving fund projects that prioritizes water quality improvement projects; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact H.R. 720 to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control programs, and for other purposes; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

S:\memres\mr-hr720

Legislator Mystal made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-0-0-1. Legislator Schneiderman was not present.

Mem. Res. No. 20-2007

LOT 4/24/2007

Introduced by Presiding Officer Lindsay and Legislator Nowick

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ESTABLISHING A COUNTY COMMERCIAL ASSESSMENT
RATIO (A.6753)**

WHEREAS, equalization rates are calculated by the New York State Office of Real Property Services to convert assessed values into market values; and

WHEREAS, equalization rates are based primarily on residential sales; and

WHEREAS, many assessing units in Suffolk County have experienced unprecedented appreciation of residential property values over the last several years; and

WHEREAS, because residential values have been increasing at a faster rate than commercial properties, commercial property owners have had success in reducing their assessments through tax certiorari proceedings; and

WHEREAS, as a result, the distribution of property taxes has shifted from commercial to residential property owners; and

WHEREAS, the Suffolk County Homeowners Tax Reform Commission reported that the creation of a "commercial assessment ratio" for major type B properties would reduce

the number of successful tax certiorari suits and provide savings for residential property taxpayers; and

WHEREAS, legislation has been introduced in the New York State Legislature that would establish a commercial assessment ratio in counties with populations that exceeds 1.4 million; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the New York State Legislature to enact New York State Assembly Bill A.6753 to establish a commercial assessment ratio for major type B properties in Suffolk County; 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: May 15, 2007

s:\memres\mr-commercial assessment ratio

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

Mem. Res. No. 21-2007
Introduced by Legislator Stern

LOT 4/24/07

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ESTABLISHING A PROGRAM FOR FAMILIAL
DYSAUTONOMIA, CANAVAN'S DISEASE AND TAY-SACHS
DISEASE SCREENING AND COUNSELING**

WHEREAS, familial dysautonomia, Canavan's disease and Tay-Sachs disease are fatal, inherited diseases whose victims rarely live beyond the age of five years; and

WHEREAS, these diseases occur most often in children of Jewish extraction and of Eastern European origin; and

WHEREAS, there is currently no cure for these diseases; and

WHEREAS, simple inexpensive tests have been developed which can identify those who are familial dysautonomia, Canavan's disease and Tay-Sachs disease carriers; and

WHEREAS, there is legislation pending before the New York State Senate which would provide a state-funded voluntary familial dysautonomia, Canavan's disease and Tay-Sachs disease screening and counseling program; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Senate Bill No. S.318 and Assembly Bill No. A.3907, which would establish a voluntary and confidential screening and counseling program for familial dysautonomia, Canavan's disease and Tay-Sachs disease and which would provide grants to public and private entities to assist this program; 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: May 15, 2007

s:\memres\mr-tay-sachs

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

Mem. Res. No. 22-2007

LOT 4/24/07

Introduced by Legislators Stern and Mystal

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ESTABLISHING A MATURE WORKER BUSINESS
INITIATIVE**

WHEREAS, demographic projections clearly show that older workers will continue to make up a growing percentage of the work force; and

WHEREAS, this growth is due to several factors, including the aging of the Baby Boom generation, lower birth rates for the generation immediately following the Baby Boomers, longer life expectancies generally, and younger people leaving the state; and

WHEREAS, businesses across the state will feel the impact associated with the retirement of the Baby Boomers and will likely seek to employ or retain older workers; and

WHEREAS, more can be done to encourage the hiring and retention of mature workers in the work force; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill No. A.5567 and Senate Bill No. S.3061 which would establish a mature worker business initiative within the State's Office of the Aging, create a council to develop and implement a program to identify businesses that offer arrangements that are designed to recruit and retain mature workers, and to certify businesses as "mature worker friendly employers"; 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: May 15, 2007

s:\memres\mr-mature-worker-business-initiative

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

Mem. Res. No. 23-2007

LOT 4/24/2007

Introduced by Legislators Cooper, Browning, Stern and Eddington

**MEMORIALIZING RESOLUTION IN SUPPORT OF DIGNITY
FOR ALL STUDENTS ACT (SENATE BILL S.1571 and
ASSEMBLY BILL A.3496)**

WHEREAS, students should never have to be preoccupied by the threat or actual occurrence of harassment or discrimination by fellow students, faculty or administrators while attending school; and

WHEREAS, all students need a safe environment in school in order to concentrate on academics and to foster personal growth; and

WHEREAS, no child or teen should ever be pushed to such extremes as skipping school, drug use, alcohol abuse or even suicide due to an intolerable environment in his or her school; and

WHEREAS, legislation has been introduced in the New York State Legislature which would prohibit discrimination and harassment against students, administrators and staff in public schools on the basis of actual or perceived race, national origin, ethnic group, religion, mental or physical disability, sexual orientation, gender, or sex in any activity occurring on school grounds and any activity conducted by the educational institution; and

WHEREAS, this legislation would also require school districts to develop procedures to create a school environment free of discrimination and harassment and to establish guidelines for training school personnel; and

WHEREAS, this legislation would help create an atmosphere where learning is paramount and distractions to learning are minimized thereby creating a more nurturing environment in all our schools; now, therefore be it

1st RESOLVED, that this Legislature hereby supports New York State Senate bill S.1571 and New York State Assembly bill A.3496, which would enact the "Dignity for All Students Act", authorizing the Commissioner of Education to establish policies and procedures affording all students in public schools an environment free of harassment and discrimination

based on actual or perceived race, national origin, ethnic group, religion, disability, sexual orientation, gender or sex; 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: May 15, 2007

s:\memres\mr-dignity-all-students-act

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

Mem. Res. No. 24-2007
Introduced by Legislator Romaine

LOT 4/24/2007

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE LYME AND TICK-BORNE DISEASE PREVENTION, EDUCATION AND RESEARCH ACT OF 2007

WHEREAS, Lyme disease and other tick-borne diseases are endemic throughout Suffolk County, and affect unsuspecting individuals all across the United States; and

WHEREAS, although Lyme disease accounts for 90% of vector-borne infections in the United States, the ticks that spread Lyme disease also spread ehrlichiosis, babesiosis and other strains of Borrelia; and

WHEREAS, early signs of infection from a tick bite can include a rash and flu-like symptoms such as fever, muscle aches, headaches and fatigue; and

WHEREAS, if detected early, Lyme disease can be treated with antibiotics, but if left undetected the disease can lead to severe heart, neurological, eye and joint problems; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact H.R. 741 which would provide for the expansion of Federal efforts concerning the prevention, education, treatment and research activities related to Lyme disease and other tick-borne related diseases, and establish a Tick-Borne Diseases Advisory Committee within the Office of the Secretary of Health and Human Services; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

S:\memres\mr-us-lyme-disease

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

Mem. Res. No. 26-2007

LOT 4/24/2007

Introduced by Legislators Alden, Schneiderman, Mystal, Losquadro, Stern, Eddington and Romaine

**MEMORIALIZING RESOLUTION REQUESTING THE
UNITED STATES CONGRESS ENACT THE BREAST
CANCER PATIENT PROTECTION ACT OF 2007**

WHEREAS, breast cancer is the second leading cause of cancer in the United States among women between the ages of 20 and 59; and

WHEREAS, the latest statistics project that 269,730 new cases of breast cancer will be diagnosed among women each year, and 40,410 women and 460 men will die from breast cancer in the United States; and

WHEREAS, individuals who are recuperating from breast cancer surgery do not receive the proper care they need to heal, as health plans restrict the length of their hospital stay; and

WHEREAS, allowing individuals the necessary time they need to recuperate and obtain proper treatment after breast cancer surgery is vital to the patient's recovery, both mentally and physically; and

WHEREAS, legislation has been introduced in the United States Congress to ensure that individuals will have a minimum hospital stay after breast cancer surgery; now, therefore be it

RESOLVED, that this Legislature hereby requests that the United States Congress enact H.R. 119 which will require health plans to provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer, as well as provide coverage for secondary consultations; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

s:\memres\hr-breast cancer protection act

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

Mem. Res. No. 27 -2007

LOT 4/24/07

Introduced by Legislators Romaine, Eddington, Losquadro, Viloría-Fisher, Stern, Mystal and Schneiderman

MEMORIALIZING RESOLUTION IN SUPPORT OF NEW YORK STATE LEGISLATION TO CAP REAL PROPERTY SCHOOL TAX RATE FOR PERSONS SEVENTY YEARS OF AGE OR OLDER (ASSEMBLY BILL A.1894 and SENATE BILL S.3533)

WHEREAS, property taxes on Long Island have forced many senior citizens to sell their homes and move out of the area; and

WHEREAS, most property taxes pay for school district expenses; and

WHEREAS, most senior citizens have no dependent children enrolled in a public school; and

WHEREAS, the State does offer an enhanced STAR exemption for eligible senior taxpayers; and

WHEREAS, establishing a fixed school tax rate for persons aged seventy years and older who qualify for the enhanced STAR program exemption, would provide additional tax relief to seniors; and

WHEREAS, legislation has been introduced in the New York State Legislature to establish a fixed school tax rate for eligible seniors; and

WHEREAS, this legislation would permit a school district which provides a capped real property school tax rate to be eligible for reimbursement by the State Department of Education for 100% of the direct costs involved in implementing the cap; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports an amendment to the REAL PROPERTY TAX LAW in relation to establishing a capped real property school tax rate for

persons seventy years of age or older who meet the eligibility requirements for the enhanced STAR exemption (Assembly Bill A.1894 and Senate Bill S.3533); 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: May 15, 2007

s:\memres\mr-cap-tax-over70

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

Mem. Res. No. 28-2007

LOT 4/24/2007

Introduced by Legislators Stern, Eddington, Browning and Lindsay

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE "WOUNDED WARRIOR ASSISTANCE ACT OF 2007"

WHEREAS, recent media reports documenting the unsatisfactory treatment wounded American soldiers received at Walter Reed Army Medical Center's outpatient facilities shocked the American public; and

WHEREAS, this troubling episode has drawn attention to a host of problems encountered by outpatients and their families at military and VA facilities around the nation; and

WHEREAS, legislation has been introduced in the United States Congress that is designed to address the problems wounded service members have faced at Walter Reed and other facilities; and

WHEREAS, this legislation would, among other things, require the assignment of a case manager for all outpatients to oversee their medical and dental care; create a new position of "service member advocate" to assist outpatients and their families with issues involving their welfare and quality of life; require twice-yearly surveys of wounded soldier outpatients on quality and timeliness of care, adequacy of living conditions, adequacy of case management and fairness and timeliness of the disability evaluation process; create a toll-free hotline for outpatients and their families to report deficiencies in medical-related support facilities including housing; assign an independent medical advocate for service members going before medical evaluation boards; establish a caseload ratio of 20 to 1, as well as standardized training, for physical evaluation board liaison officers; and require that medical conditions be

deemed "stable and permanent" before a service member can be removed from the Temporary Disability Retirement List; now, therefore, be it

RESOLVED, that this Legislature hereby requests that the United States Congress enact H.R. 1538, the Wounded Warrior Assistance Act of 2007, to provide a stronger team of advisors and advocates to members of the Armed Forces and their families to guide them through care, recovery and disability evaluation; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to President Bush; to Senators Charles E. Schumer and Hillary Rodham Clinton; to the Majority and Minority Leaders of the United States Senate; to the Majority and Minority Leaders of the United States House of Representatives; and to Congressmen Timothy Bishop, Carolyn McCarthy, Steve Israel, Gary Ackerman, and Peter King.

DATED: May 15, 2007

s:\memres\mr-us-wounded-warrior-assistance-act-07

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

Mem. Res. No. 29 -2007 LOT 4/24/07
Introduced by Legislators Romaine, Eddington and Stern

MEMORIALIZING RESOLUTION IN SUPPORT OF NEW YORK STATE LEGISLATION TO PROVIDE SENIORS WITH A CHOICE TO CAP THEIR SCHOOL TAX RATE OR RECEIVE A STAR REBATE

WHEREAS, many seniors live on fixed incomes and have difficulty paying school property taxes which are constantly increasing; and

WHEREAS, ever-increasing school taxes cause seniors to live in constant fear that they will not be able to afford to live in their homes; and

WHEREAS, stabilizing school taxes will afford seniors greater piece of mind and permit them to pay for other necessities, including medical costs; and

WHEREAS, legislation has been introduced in the New York State Legislature that will allow seniors, age 70 and older, who are eligible for the enhanced STAR benefit, to freeze the full value tax rate applied against their property at the previous year's level, or, in the alternative, receive a STAR rebate check; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports New York State Assembly Bill No. A.06797 and New York State Senate Bill No. S.03943, which would give eligible seniors the option to cap their real property tax rate or receive a STAR rebate check; 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: May 15, 2007

s:\memres\mr-seniors tax rebate

Legislator Mystal made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-0-0-1. Legislator Schneiderman was not present.

Mem. Res. No. 20-2007

LOT 4/24/2007

Introduced by Presiding Officer Lindsay and Legislator Nowick

**MEMORIALIZING RESOLUTION IN SUPPORT OF
ESTABLISHING A COUNTY COMMERCIAL ASSESSMENT
RATIO (A.6753)**

WHEREAS, equalization rates are calculated by the New York State Office of Real Property Services to convert assessed values into market values; and

WHEREAS, equalization rates are based primarily on residential sales; and

WHEREAS, many assessing units in Suffolk County have experienced unprecedented appreciation of residential property values over the last several years; and

WHEREAS, because residential values have been increasing at a faster rate than commercial properties, commercial property owners have had success in reducing their assessments through tax certiorari proceedings; and

WHEREAS, as a result, the distribution of property taxes has shifted from commercial to residential property owners; and

WHEREAS, the Suffolk County Homeowners Tax Reform Commission reported that the creation of a "commercial assessment ratio" for major type B properties would reduce the number of successful tax certiorari suits and provide savings for residential property taxpayers; and

WHEREAS, legislation has been introduced in the New York State Legislature that would establish a commercial assessment ratio in counties with populations that exceeds 1.4 million; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the New York State Legislature to enact New York State Assembly Bill A.6753 to establish a commercial assessment ratio for major type B properties in Suffolk County; 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: May 15, 2007

s:\memres\mr-commercial assessment ratio

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-1-0. Legislator Romaine abstained.

Mem. Res. No. 37-2007

Laid on Table 5/15/07

Introduced by Presiding Officer Lindsay and Legislator Cooper

**MEMORIALIZING RESOLUTION REQUESTING THE
NEW YORK STATE LEGISLATURE TO AUTHORIZE
SUFFOLK COUNTY TO EXTEND A TEMPORARY ONE-
PERCENT SALES AND COMPENSATING USE TAX**

WHEREAS, Section 1210 of the New York Tax Law allows counties to adopt and amend local laws or resolutions imposing a sales and compensating use tax at the rate of up to three percent (3%); and

WHEREAS, Section 1210 of the New York Tax Law was amended in 1991, 1992, 1993, 1995, 1997, 1999, 2001, 2003, and 2005 to provide special authorization for Suffolk County to increase its sales and compensating use tax rate above the three percent (3%) level; and

WHEREAS, Suffolk County's sales tax remains a critical source of revenue to fund important county programs and services and to balance the County's budget; and

WHEREAS, in 2005, Suffolk County received State authorization to increase its sales tax rate by one percent (1%) through November 30, 2007, to meet rising costs and balance the County's budget; and

WHEREAS, pursuant to existing State law, Suffolk County must dedicate no less than one-eighth and no more than three-eighths of the revenues generated by this additional sales and compensating use tax for public safety purposes; and

1st RESOLVED, that this Legislature hereby requests the state of New York to enact Assembly Bill 8006 (copy of which is attached hereto) and a comparable Senate bill to be filed after adoption of this resolution to authorize Suffolk County to extend a temporary sales and compensating use tax at a rate of one percent (1%) from December 1, 2007 to November 30, 2009. and be it further

2nd RESOLVED, that the Clerk of the Legislature is hereby directed to forward copies of this resolution to the Majority and Minority Leaders of the New York State Senate and the New York State Assembly, Assembly Speaker Sheldon Silver, the Governor of the State of New York and to each member of the Suffolk County delegation to the New York State Legislature.

DATED: May 15, 2007

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

Introduced by Presiding Officer Lindsay

Laid on Table 5/15/07

**MOTION NO. 7 – 2007, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE II)**

WHEREAS, funds are included in the 2007 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

WHEREAS, pursuant to Resolution No. 1153-2006, this Legislature is administering these “Community Support Initiatives”; now, therefore be it

1st RESOLVED, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
Friends of the Retired & Senior Volunteer Program of Suffolk	Leg. Nowick	\$2,000
St. Anthony of Padua R.C.C.	Leg. Losquadro	\$1,500
St. Louis De Montfort RCC	Leg. Losquadro	\$2,000
Friends of the Retired & Senior Volunteer Program of Suffolk	Leg. Stern	\$1,000
Friends of the Smithtown Library	Leg. Nowick	\$2,500
Suffolk County Police Athletic	Leg. Lindsay	\$12,000

League			
Colonial Youth & Family Services, Inc.		Leg. Browning	\$1,000
Girl Scouts of Suffolk County, Inc.		Leg. Eddington	\$2,000
Mothers Against Drunk Driving Long Island		Leg. Losquadro	\$1,000
Oakdale Improvement Society Ltd.		Leg. Lindsay	\$5,000
Patchogue American Legion Post 269		Leg. Eddington	\$4,000
Suffolk County Girl Scouts, Inc.		Leg. Romaine	\$1,500
Friends of the Retired & Senior Volunteer Program of Suffolk		Leg. Romaine	\$1,000
Regional Enrichment Agency of Commack & Half Hollow Hills Community and Youth Agency, Inc.		Leg. Stern	\$1,500
North Shore Colts Athletic Association		Leg. Losquadro	\$3,000
Friends of the Retired & Senior Volunteer Program of Suffolk		Leg. Losquadro	\$2,000
Long Island Thunder Baseball		Leg. Losquadro	\$1,000
Babylon Village Arts Council		Leg. Horsley	\$2,000
Lindenhurst Youth Services Board, Inc.		Leg. Horsley	\$2,000
Lynvet Football & Cheerleading Association		Leg. Browning	\$1,000
St. Francis Cabrini R.C.C.		Leg. Losquadro	\$1,500
Long Island 2 Day Walk to Fight Breast Cancer, Inc.		Leg. Losquadro	\$1,000
Suffolk County Archaeological Association		Leg. Browning	\$2,400

and be it further

2nd RESOLVED, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED: Adopted May 15, 2007

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

**ADJOURNED 5:31PM
TIM LAUBE, CLERK OF THE LEGISLATURE**