

NINTH DAY
REGULAR MEETING

June 12, 2007

Minutes of the Regular Meeting of the County Legislature of Suffolk County, New York, held in the Rose Y. Caracappa Legislative Auditorium, William H. Rogers Legislature Building, Hauppauge, New York, at 9:30 a.m., pursuant to notice duly given.

The meeting was called to order at 9:35 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher, Legislators Romaine, Schneiderman, Browning, Caracappa, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Mystal, Stern, D'Amaro and Cooper.

Legislators Losquadro and Horsley arrived at 9:50 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

EXECUTIVE SESSION WAS HELD FROM 12:11 TO 12:35 PM. AFTER EXECUTIVE SESSION, A MOTION WAS MADE TO ADJOURN AND TO RESUME AGAIN AT 2:30 PM FOR PUBLIC HEARINGS.

THE MEETING WAS RECONVENED AT 2:35 PM.

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

Deputy Presiding Officer Viloría-Fisher arrived at 2:38 p.m.
Legislator Kennedy arrived at 2:53 p.m.
Legislator Caracappa arrived at 2:54 p.m.

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

Intro. Res. No. 1439-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/15/2007

RESOLUTION NO. 503 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS
ON CORRECTION OR ERRORS/COUNTY TREASURER BY:
COUNTY LEGISLATURE #272

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0200-584.00-01.00-001.006	2005/06	\$236,124.36	\$0.00	\$236,124.36
ITEM #8730696	2006/07	\$253,664.17	\$0.00	\$253,664.17

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1440-2007 Laid on Table 5/15/2007
 Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 504 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 772-2007)

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 Ttax 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# 772-2007

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	06/07		0200/132-4-1.7	36053.56	12784.95	23268.61
C	BROOKHAVEN	06/07		0200/443-4-53	5787.85	793.89	4993.96
A	BROOKHAVEN	06/07		0200/450-2-7.2	149512.34	124358.08	25154.26
A	BROOKHAVEN	06/07		0200/476-1-6	14850.44	9197.80	5652.64
A	BROOKHAVEN	06/07		0200/689-1-12	24782.10	12391.05	12391.05
A	BROOKHAVEN	06/07		0200/703-1-49.4	613664.64	371962.53	241702.11
A	BROOKHAVEN	06/07		0200/899-5-4.8	257182.77	56039.01	201143.76
A	BROOKHAVEN	06/07		0200/976-4-27	4846.76	1927.60	2919.16
C	BROOKHAVEN	06/07		0200/977.6-4-6	35425.24	24784.78	10640.46
C	BROOKHAVEN	06/07		0204/9-6-24	13107.84	7286.22	5821.62
A	BROOKHAVEN	06/07		0208/18-4-1	13104.00	10342.80	2761.20
A	ISLIP	06/07		0500/435-1-79	9542.82	5342.07	4200.75

A	SMITHTOWN	06/07		0800/84-1-1	8807.73	3525.90	5581.83
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*As Provided and Requested By Town Assessor or Receiver of Taxes

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1441-2007 Laid on Table 5/15/2007
 Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 505 -2007, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS
 ON CORRECTION OR ERRORS/COUNTY TREASURER BY:
 COUNTY LEGISLATURE #273

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0200-206.00-01.00-034.000 (ITEM #1026660)	2006/07	\$6,866.71	\$0.00	\$6,866.71
0200-546.00-04.00-138.000 (ITEM #8208950)	2006/07	\$52,659.78	\$0.00	\$52,659.78
0200-577.00-01.00-004.001 (ITEM#8208960)	2006/07	\$203,552.12	\$0.00	\$203,552.12
0200-576.00-03.00-005.005 (ITEM#8207952)	2006/07	\$37,853.22	\$0.00	\$37,853.22
2000-982.80-09.00-040.000 (ITEM#8811891)	2006/07	\$20,086.93	\$0.00	\$20,086.93

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1442-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 506 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS
ON CORRECTION OR ERRORS/COUNTY TREASURER BY:
COUNTY LEGISLATURE #274

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>
SMITHTOWN:				
0800-333.00-03.00-060.000	2005/06	\$311,775.71	\$0.00	\$311,775.71

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1451-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 507 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE NOYACK COUNTY GREENBELT ADDITION-FRANCO ET AL. PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Noyack County Greenbelt Addition-Franco et al. Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-9.4 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 April 18, 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 April 18, 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 Noyack County Greenbelt Addition-Franco et al. Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1. **The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and**
2. **The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1452-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 508 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE

WESTMORELAND FARM, INC. PROPERTY, TOWN OF SHELTER ISLAND

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Land for Open Space Preservation Purposes Known as the Westmoreland Farm, Inc. Property, Town of Shelter Island", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-5.95 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 April 18, 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 April 18, 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 Donation of Land for Open Space Preservation Purposes Known as the Westmoreland Farm, Inc. Property, Town of Shelter Island constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

3. **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**
4. **The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1453-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 509 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF EAST HAMPTON FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE ACABONAC HARBOR COUNTY PARK ADDITION – MARY LOUISE E. DODGE FAMILY, LLC, TOWN OF EAST HAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land in Partnership with the Town of East Hampton for Open Space Preservation Purposes Known as the Acabonac Harbor County Park Addition – Mary Louise E. Dodge Family, LLC, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-8.0 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 April 18, 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 April 18, 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 in Partnership with the Town of East Hampton for Open Space Preservation Purposes Known as the Acabonac Harbor County Park Addition – Mary Louise E. Dodge Family, LLC, Town of East Hampton 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:

5. **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**
6. **The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1454-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 510 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CARLLS RIVER COUNTY PARK ADDITION – SOLIMAN & PIZZO PROPERTY, TOWN OF BABYLON

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 Carlls River County Park Addition – Soliman & Pizzo Property, Town of Babylon", pursuant to

Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.09 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 April 18, 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 April 18, 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 Carlls River County Park Addition – Soliman & Pizzo Property, Town of Babylon 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:

7. **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**
8. **The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1455-2007

Laid on Table 5/15/2007

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 511 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DONATION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE ROSE BRESLIN ASSOCIATES, LLC PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Donation of Land for Open Space Preservation Purposes Known as the Rose Breslin Associates, LLC Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.31 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 April 18, 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 April 18, 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 Donation of Land for Open Space Preservation Purposes Known as the Rose Breslin Associates, LLC 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:

- 9. 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

10. The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1456-2007

Laid on Table 5/15/2007

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 512 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA ADDITION-PARBUS PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition-Parbus Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.09 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 April 18, 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 April 18, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition-Parbus 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:

11. **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**
12. **The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1457-2007

Laid on Table 5/15/2007

Introduced by the Presiding Officer and Legislator Browning

RESOLUTION NO. 513 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION-ESTATE OF PERSICO PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition-Estate of Persico Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.226 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 April 18, 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 April 18, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition-Estate of Persico 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:

- 13. 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**
- 14. The undeveloped property will be used for open space preservation and passive 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1458-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 514 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED PLANNING FOR IMPROVEMENTS TO THE VECTOR CONTROL BUILDING, YAPHANK COUNTY CENTER, YAPHANK, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Planning for Improvements to the Vector Control Building, Yaphank County Center, Yaphank, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves undertaking preliminary planning activities and studies for improvements to the Vector Control Building; and

WHEREAS, at its April 18, 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 an 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 April 23, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Planning for Improvements to the Vector Control Building, Yaphank County Center, Yaphank, Town of Brookhaven 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 plans concerning improvements to the Vector Control Building that 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1459-2007
Introduced by the Presiding Officer

Laid on Table 5/15/2007

RESOLUTION NO. 515 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REPLACEMENT AND EXPANSION OF THE YAPHANK COUNTY CENTER WASTEWATER TREATMENT PLANT EFFLUENT FILTERS, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Replacement and Expansion of the Yaphank County Center Wastewater Treatment Plant Effluent Filters, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacement in kind along with duplication of the existing footprint adjacent to the existing denitrification filters on the sewage treatment plant site; and

WHEREAS, at its April 18, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project;

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)(1)(7) and (20) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated April 23, 2007 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Replacement and Expansion of the Yaphank County Center Wastewater Treatment Plant Effluent Filters, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(7) and (20) and Chapter 279 of the Suffolk County Code, which project involves routine or continuing agency administration and management concerning the replacement of a structure in kind on the same site as well as expansion of the facility involving less than 4,000 square feet of gross floor area; 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1460-2007
Introduced by the Presiding Officer and Legislator Browning

Laid on Table 5/15/2007

RESOLUTION NO. 516 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DRAINAGE IMPROVEMENTS

ON CR 80, MONTAUK HIGHWAY AT DOANE AVENUE, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Drainage Improvements on CR 80, Montauk Highway at Doane Avenue, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the expansion of an existing positive stormwater drainage system by installing additional leaching basins on the south side of CR 80 as shown in the EAF in order to alleviate a severe and dangerous flooding problem; 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 April 18, 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 April 18, 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 Drainage Improvements on CR 80, Montauk Highway at Doane Avenue, 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:

15. **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;**
16. **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;**
17. **The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);**
18. **The recharge basin area will be landscaped with indigenous species;**
19. **The existing severe and dangerous flooding problem will be alleviated; and**

20. Traffic safety will be improved;

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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1461-2007 Laid on Table 5/15/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 517 -2007, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS AWARDED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES BUREAU FUNDING TO THE SUFFOLK COUNTY DEPARTMENT OF PROBATION

WHEREAS, Suffolk County has received federal funds in the amount of \$356,000 from the U.S. Department of Justice through the NYS Division of Criminal Justice Services; and

WHEREAS, Suffolk County ranks as one of the highest among all counties outside of New York City for the number of parolees which is further compounded by a 56% recidivism rate for parolees within two years of release; and

WHEREAS, the need to link parolees to community services as part of the reentry process is critical for reducing recidivism; and

WHEREAS, \$356,000 is dedicated to the Local Reentry Task Force Initiative that is not currently in the 2007 Operating Budget; and

WHEREAS, the Suffolk County Probation Department has requested \$356,000 of said

grant funding to fund community services for parolees referred to the Suffolk County Reentry Task Force to address the needs of parolees who are transitioning from prison into the community; and

WHEREAS, The Reentry Task Force Grant will run for 18 months beginning January 1, 2007 and ending June 30, 2008; now, therefore be it

1st RESOLVED, that the County Executive is authorized to execute any Agreement with the NYS Division of Criminal Justice Services, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of \$356,000 as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
<i>001-4320 Federal Aid: Crime Control</i>	<i>\$356,000</i>

APPROPRIATIONS	AMOUNT
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Suffolk County Criminal Justice Coordinating Council
Reentry Task Force
001-PRO- 3172

<u>3000 Supplies, Material and Other Expenses</u>	<u>\$20,000</u>
3310 Emergency Clothing, Food	\$10,000
3370 Medical, Dental, lab Supplies	\$10,000
<u>4900 Contractual Expenses</u>	<u>\$336,000</u>
4980 Contracted Agencies	\$336,000

and be it further

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

4th RESOLVED, that the reporting categories for the County Integrated Financial Management System (IFMS) for the Probation Department is PR54.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1428-2007 Laid on Table 5/15/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 518 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 311-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 311-2007; and

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

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

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

Resolution No. 311-2007

In the 5th RESOLVED paragraph change the amount from:

<u>FROM:</u>	<u>TO:</u>
<u>\$257,587</u>	<u>\$51,517</u>

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1492-2007 Laid on Table 5/21/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 519 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX

ACT EASTERN END PROPERTY MANAGEMENT, INC. (SCTM NO. 0200-072.00-01.00-022.000)

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 072.00, Block 01.00, Lot 022.000, 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, Lots 11215 to 11219 inclusive, as designated and delineated on the map entitled: "Fifth Map of Sound Beach, Town of Brookhaven, Suffolk County, Long Island, New York", and filed in the Suffolk County Clerk's Office the 11th day of February 1930 as Map No. 657; and

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

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

WHEREAS, EASTERN END PROPERTY MANAGEMENT, INC., by Robert Criscito, President, has made application of said above described parcel and EASTERN END PROPERTY MANAGEMENT, INC., by Robert Criscito, President, has paid the application fee and \$5,488.26, 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 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 EASTERN END PROPERTY MANAGEMENT, INC., 50 Diana Court, P.O. Box 372, Wading River, New York 11792, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1380-2007 Laid on Table 4/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 520 -2007, APPROPRIATING FUNDS IN CONNECTION WITH RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE (CP 1715)

WHEREAS, the Commissioner of Public Works has requested funds for upgrades to the Riverhead power plant; 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 \$1,830,000 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-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 258-2005 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 \$1,830,000 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-1715.114 (Fund 001-Debt Service)	20	Planning for Riverhead County Center Power Plant Upgrade	\$30,000

525-CAP-1715.314 20 Riverhead County Center Power \$1,800,000
(Fund 001-Debt Service) Plant Upgrade

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1380A-2007

BOND RESOLUTION NO. 521 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$1,830,000 BONDS TO FINANCE A
PART OF THE COST THE RIVERHEAD COUNTY CENTER POWER
PLANT UPGRADE (CP 1715.114 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 \$1,830,000 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 Riverhead County Center power plant upgrade, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,010,000. The plan of financing includes (a) the issuance of \$180,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 435-2005 (for planning), (b) the issuance of \$1,830,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$30,000 for planning and \$1,800,000 for construction), and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law 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. 435-2005.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 435-2005 is hereby amended and restated to be 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 17-1-0-0. Legislator Barraga voted no.

Capital Program and Budget Amending Resolution No. 1-2007

Introduced by Presiding Officer Lindsay, Legislators Browning, Caracappa, Cooper, Kennedy, Losquadro, and Mystal

RESOLUTION NO. 522 -2007, AMENDING THE PROPOSED 2008-2010 CAPITAL PROGRAM AND THE PROPOSED 2008 CAPITAL BUDGET TO PROVIDE A FISCALLY RESPONSIBLE PLAN FOR CAPITAL INVESTMENT, ENVIORNMENTAL PROTECTION AND REDUCE BORROWING BY THE USE OF WATER QUALITY FUNDS

WHEREAS, the County Executive has presented a Proposed Capital Budget for 2008 and a Proposed Capital Program for 2008-2010; and

WHEREAS, the Suffolk County Legislature has held two public hearings on the proposed capital budget and program; and

WHEREAS, pursuant to Section C4-19 and C4-20 of the Suffolk County Charter, the Suffolk County Legislature wishes to amend the capital budget and program; and

WHEREAS, the Capital Budget and Program is a planning document through which the County of Suffolk sets priorities and plans for the implementation of projects integral to maintain and strengthen the County's infrastructure; and

WHEREAS, intelligent planning and wise capital investments can produce substantial long term cost savings; and

WHEREAS, funding for the construction of a Learning Resource Center and renovations to the Sagtikos Center at the Grant Campus and the construction of a gymnasium and health fitness center at the Eastern Campus was discontinued in the proposed capital budget and program; and

WHEREAS, the State University of New York (SUNY) is in the process of reviewing community college projects that will compete for state funding in the 2009-2013 SUNY Five Year Capital Plan; and

WHEREAS, the necessary first step for eligibility for state funds is demonstration of the local sponsor's support by including these projects in the capital program; and

WHEREAS, the County Legislature, as the local sponsor, supports facility improvements at the Community College to remedy an undersized library resource at the Grant Campus and the absence of a gymnasium and health facility at the Eastern Campus; and

WHEREAS, the Community College student population that has been growing over the past several years and the County will derive a substantial economic benefit from the influx of \$28.1 million state dollars for these three college projects; and

WHEREAS, the New York State Commission of Corrections is requiring the County to construct a replacement Correctional Facility scheduled to open April 2010; and

WHEREAS, it is necessary to advance funding for jail security and jail medical equipment from 2009 to 2008 in order to provide adequate lead time for the procurement of these specialized items; and

WHEREAS, the Legislature desires to undertake an assessment and cost benefit analysis of enhanced current sewer capacity as it relates to promoting economic development and environmental protection; and

WHEREAS, it is necessary to advance funding to plan for improvements to enhance the functionality of existing space in Fire, Rescue and Emergency Services' Emergency Operations Center since no major improvements have been made to the outdated space since its construction in the 1960's; and

WHEREAS, the Budget Review Office in its review of the Proposed 2008-2010 Capital Program has projected that debt service will exceed the 2007 adopted amount by \$8.7 million in 2008, by \$17 million in 2009 and \$24 million in 2010; and

WHEREAS, this Legislature desires to reduce bonded indebtedness by using \$13.1 million in Water Quality funding for designated drainage and storm water remediation projects, thereby avoiding \$6.7 million in debt service over the twenty-year life of the serial bonds; and

WHEREAS, while this Legislature supports smart investments in technology that enhance productivity, efficiency and service delivery, it is intent on eliminating from the Capital Budget and Program unnecessary technology projects that do not meet the needs of County government; and

WHEREAS, road, sidewalk, intersection, noise mitigation and drainage improvements are necessary to address traffic congestion and protect public safety; and

WHEREAS, it is necessary to plan for improvements to enhance the functionality of existing space in the Board of Elections by converting warehouse space to office space; and

WHEREAS, as stewards of our parks, historic structures, campgrounds and marinas, this Legislature wishes to maintain these resources and thereby afford all County residents the opportunity to enjoy our natural environment and engage in recreation; and

WHEREAS, new problems have been identified that require remediation at the Griffing Avenue Court Complex; and

WHEREAS, the Legislature adopted a new capital project ranking form in Resolution 461-2006 which was to be used by all departments as the basis for ranking all capital projects beginning January 1, 2007; and

WHEREAS, the Budget Review Office has ranked all capital projects using the new capital ranking form; and

WHEREAS, it is the desire of the Legislature to standardize the use of the new rankings that promote planning and fiscal accountability while preserving service as a key criteria for capital projects; 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)(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 preliminary planning and budgetary processes, and adoption of policies, procedures and local legislative decisions; and be it further

2nd RESOLVED, that the Adopted/Modified 2007 Capital Budget included in the Proposed 2008-2010 Capital Program is shown for illustrative purposes and is not an amendment to the Adopted 2007 Capital Budget, amendments to which can only be effectuated by duly adopted resolutions of the County Legislature; and be it further

3rd RESOLVED, since the Legislature adopted a new capital project ranking form in Resolution 461-2006, which was to be used by all departments as the basis for ranking all capital projects beginning January 1, 2007 and the Budget Review Office has used this form and has identified new rankings shown on appendix A, attached hereto and made a part hereof, these rankings be and hereby adopted and are to be included as the rankings for projects included in the Adopted 2008-2010 Capital Program and Budget; and be it further

4th RESOLVED, that the Proposed 2008-2010 Capital Program and Proposed 2008 Capital Budget be and they hereby are amended as follows:

PROJECT NO.: 1130

PROJECT NAME: CIVIL COURT RENOVATION AND ADDITION,
COURTROOMS - RIVERHEAD

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 4,945,000	\$420,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 39,880,000	\$3,730,000 B	\$0	\$0	\$1,650,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 150,000	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 44,975,000	\$ 4,150,000	\$ 0	\$ 0	\$ 1,650,000

PRIORITY RANK: 62

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 4,945,000	\$420,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 41,300,000	\$6,800,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 150,000	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 46,395,000	\$ 7,220,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 50

NOTE: This portion of the resolution advances \$1.65 million for construction from SY to 2008 and adds an additional \$1.42 million for construction in 2008 to complete the structural repairs (uncovered in the Spring) and mitigate further water damage to the interior renovations of the existing civil court building. This action provides a total of \$6.8 million for construction in 2008 as requested by DPW. BRO recommendation. See Budget Review Office report page 114.

PROJECT NO.: 1459

PROJECT NAME: IMPROVEMENTS TO BOARD OF ELECTIONS

DEPARTMENT: PUBLIC WORKS & BOARD OF ELECTIONS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 120,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,350,000	\$1,350,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 1,470,000	\$ 1,350,000	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 270,000	\$150,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 2,850,000	\$1,350,000 B	\$1,500,000 B	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 3,120,000	\$ 1,500,000	\$ 1,500,000	\$ 0	\$ 0

PRIORITY RANK: 59

NOTE: This portion of the resolution adds \$150,000 for planning in 2008 and \$1.5 million for construction in 2009 to re-program 5,000 square feet of existing warehouse space into office space in the Board of Elections building in Yaphank to provide adequate office space for the existing staff.

PROJECT NO.: 1603

PROJECT NAME: BUILDING SAFETY IMPROVEMENTS

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 600,000	\$200,000 B	\$200,000 B	\$200,000 B	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 5,000,000	\$0	\$0	\$5,000,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 5,600,000	\$ 200,000	\$ 200,000	\$ 5,200,000	\$ 0

PRIORITY RANK: 51

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 600,000	\$200,000 B	\$200,000 B	\$200,000 B	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 2,500,000	\$0	\$0	\$2,500,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 3,100,000	\$ 200,000	\$ 200,000	\$ 2,700,000	\$ 0

PRIORITY RANK: 53

NOTE: This portion of the resolution removes \$2.5 million for construction from 2010 as DPW will not be able to determine construction costs until after the planning phase. See Budget Review Office report page 124.

PROJECT NO.: 1608

PROJECT NAME: ALTERATION TO LABOR DEPARTMENT BUILDINGS, NORTH COMPLEX

DEPARTMENT: PUBLIC WORKS AND LABOR

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 12,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 290,000	\$140,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 302,000	\$ 140,000	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 48

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 12,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 150,000	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 162,000	\$ 0	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 26

NOTE: This portion of the resolution deletes \$140,000 for construction in 2008 to reprogram former Legislative office space in the Riverhead County Center for a new Labor Department Office and classroom. The Legislature provided space for this project which will be completed through the operating budget with the cooperation of the DPW trade shop and the Labor Department at a cost of \$8,000 to \$15,000. BRO recommendation. See Budget Review Office report p.125.

PROJECT NO.: 1724

PROJECT NAME: IMPROVEMENTS TO WATER SUPPLY SYSTEMS

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 310,000	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,320,000	\$60,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 1,630,000	\$ 60,000	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 310,000	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,260,000	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,570,000	\$ 0	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 56

NOTE: This portion of the resolution removes \$60,000 for construction in 2008 due to lack of significant sites and an available balance of \$353,291. BRO recommendation. See Budget Review Office report page 142.

PROJECT NO.: 1738

PROJECT NAME: MODIFICATIONS FOR COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 450,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,000,000	\$0	\$75,000 B	\$75,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 1,450,000	\$ 0	\$ 75,000	\$ 75,000	\$ 0

PRIORITY RANK: 66

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 450,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 900,000	\$0	\$25,000 B	\$25,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,350,000	\$ 0	\$ 25,000	\$ 25,000	\$ 0
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PRIORITY RANK: 56

NOTE: This portion of the resolution removes \$50,000 per year for construction in 2009 and 2010 as there is an available balance of \$450,657 in the project and expenditures are less than \$500 since March 2005. BRO recommendation. See Budget Review Office report page 147.

PROJECT NO.: 1755

PROJECT NAME: INFRASTRUCTURE IMPROVEMENTS FOR TRAFFIC AND PUBLIC SAFETY AND PUBLIC HEALTH

DEPARTMENT: VARIOUS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 3,000,000	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,000,000	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 58

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$6,000,000	\$3,000,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$6,000,000	\$3,000,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 49

NOTE: This portion of the resolution adds \$3 million for construction in 2008 for infrastructure, public safety improvements and for other necessary capital projects as identified by the Legislature.

PROJECT NO.: 1766

PROJECT NAME: BUILDING FOR WILDLIFE RESCUE AND EDUCATION, MARINE SCIENCE

DEPARTMENT: COOPERATIVE EXTENSION

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 350,000	\$100,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 350,000	\$ 100,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 26

NOTE: This portion of the resolution adds \$100,000 for construction in 2008 to provide electricity to the newly constructed building to make it usable as large staging area. BRO recommendation. See Budget Review Office report p.159-160.

PROJECT NO.: 1800

PROJECT NAME: SECURE AUTHENTICATION SYSTEM

DEPARTMENT: INFORMATION TECHNOLOGY SERVICES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 550,000	\$0	\$0	\$0	\$ 550,000B
TOTAL EST. COST	\$ 550,000	\$ 0	\$ 0	\$ 0	\$ 550,000

PRIORITY RANK: 47

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 72,000	\$ 72,000 G	\$0	\$0	\$0
TOTAL EST. COST	\$ 72,000	\$ 72,000	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 37

NOTE: This portion of the resolution removes \$550,000 for equipment in SY and adds \$72,000 in pay-as-you-go funds for equipment in 2008 for security tokens, software and hardware to immediately improve security for 600 remote access users. There is no need for the large security project. BRO recommendation . See budget Review Office report p. 170.

PROJECT NO.: 2118
 PROJECT NAME: RENOVATION TO SAGTIKOS BUILDING, GRANT CAMPUS
 DEPARTMENT: COMMUNITY COLLEGE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 0	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program And Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 400,000	\$0	\$0	\$0	\$200,000B \$200,000S
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 4,800,000	\$0	\$0	\$0	\$2,400,000B \$2,400,000S
Site Improvements	\$ 0	\$0	\$0	\$0	\$0

Furniture & Equip.	\$ 900,000	\$0	\$0	\$0	\$450,000B \$450,000S
TOTAL EST. COST	\$ 6,100,000	\$ 0	\$ 0	\$ 0	\$ 6,100,000

PRIORITY RANK: 48

NOTE: This portion of the resolution restores \$6.1 million in SY (50% state aid) for the renovation of 20,346 square feet of space in the Sagtikos Building on the Grant (formerly Western) Campus to reprogram the space occupied by the Library and Learning Resource Center to a new building (CP 2159) to be constructed on this campus. BRO recommendation. See Budget Review Office report page 178.

PROJECT NO.: 2120 PROJECT NAME: GYMNASIUM HEALTH FITNESS CENTER,
 EASTERN CAMPUS
 DEPARTMENT: COMMUNITY COLLEGE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 0	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 1,000,000	\$0	\$0	\$0	\$500,000B \$500,000S
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 14,750,000	\$0	\$0	\$0	\$7,375,000B \$7,375,000S
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 2,000,000	\$0	\$0	\$0	\$1,000,000B \$1,000,000S

TOTAL EST. COST	\$ 17,750,000	\$ 0	\$ 0	\$ 0	\$ 17,750,000
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PRIORITY RANK: 38

NOTE: This portion of the resolution restores \$1,000,000 for planning, \$14,750,000 for construction and \$2,000,000 for furniture in SY (50% state aid) to construct a 48,817 square foot Gymnasium and Health Fitness Center at the Eastern Campus which will include a basketball court with bleachers, locker rooms, shower rooms, faculty offices, a wellness center, a weight room, an aerobics room, a swimming pool, classrooms, and a student lounge. The influx of state dollars will have a positive economic impact. BRO recommendation. See Budget Review Office report page 181.

PROJECT NO.: 2159 PROJECT NAME: LEARNING RESOURCE CENTER, GRANT CAMPUS
 DEPARTMENT: COMMUNITY COLLEGE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 0	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 1,600,000	\$0	\$0	\$0	\$800,000B \$800,000S
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 25,000,000	\$0	\$0	\$0	\$12,500,000B \$12,500,000S
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 5,800,000	\$0	\$0	\$0	\$2,900,000B \$2,900,000S

TOTAL EST. COST	\$ 32,400,000	\$ 0	\$ 0	\$ 0	\$ 32,400,000
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PRIORITY RANK: 44

NOTE: This portion of the resolution restores \$32.4 million in SY (50% state aid) to construct a 95,700 square foot facility to include a 46,000 square foot library to replace the current library which, according to SUNY, is undersized for the student population. The facility will also include traditional library functions integrated with state of the art information technology, additional classroom space, faculty offices, student/faculty workspace, and the campus' fine arts department. The influx of state dollars will have a positive economic impact. BRO recommendation. See Budget Review Office report page 185.

PROJECT NO.: 3008

PROJECT NAME: NEW REPLACEMENT CORRECTIONAL FACILITY AT YAPHANK

DEPARTMENT: SHERIFF, HEALTH AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 15,803,051	\$0	\$4,300,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$198,427,500	\$0	\$0	\$0	\$49,827,500B
Site Improvements	\$ 2,723,952	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 13,095,339	\$0	\$9,095,339 B	\$0	\$4,000,000B
TOTAL EST. COST	\$230,049,842	\$ 0	\$13,395,339	\$ 0	\$ 53,827,500

PRIORITY RANK: 57

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 15,803,051	\$0	\$4,300,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$198,427,500	\$0	\$0	\$0	\$49,827,500B
Site Improvements	\$ 2,723,952	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 13,095,339	\$4,500,000 B	\$4,595,339 B	\$0	\$4,000,000B

TOTAL EST. COST	\$230,049,842	\$ 4,500,000	\$ 8,895,339	\$ 0	\$ 53,827,500
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PRIORITY RANK: 58

NOTE: This portion of the resolution advances \$4.5 million for specialized equipment and furniture from 2009 to 2008 as requested by the Sheriff's Office to ensure sufficient lead time to order, receive and install the required equipment and furnishings as to not delay the opening of the addition to the Yaphank Correctional Facility scheduled for April 2010. See Budget Review Office report p.197-200.

PROJECT NO.: 3135

PROJECT NAME: PURCHASE OF HEAVY DUTY VEHICLES FOR THE POLICE DEPARTMENT

DEPARTMENT: PUBLIC WORKS AND POLICE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 578,020	\$81,500 B	\$84,760 B	\$84,760 B	\$0
TOTAL EST. COST	\$ 578,020	\$ 81,500	\$ 84,760	\$ 84,760	\$ 0

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 727,000	\$100,000 G	\$100,000 G	\$100,000 G	\$100,000G

TOTAL EST. COST	\$ 727,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
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PRIORITY RANK: 46

NOTE: This portion of the resolution adds \$18,500 in 2008 and \$15,240 in 2009 and in 2010 to provide a total of \$100,000 per year for the incremental cost for the efficiencies associated with diesel engines and EPA compliant emission controls. Adds \$100,000 for equipment in SY for anticipated future replacement. Changes the funding designation from Serial Bonds (B) to pay-as-you-go (G). BRO recommendation. See Budget Review Office report p. 211-212.

PROJECT NO.: 3418

PROJECT NAME: EMERGENCY OPERATIONS CENTER
IMPROVEMENTS

DEPARTMENT: PUBLIC WORKS AND FRES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 875,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 3,600,000	\$0	\$0	\$0	\$3,600,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 118,450	\$0	\$0	\$0	\$118,450B
TOTAL EST. COST	\$ 4,593,450	\$ 0	\$ 0	\$ 0	\$ 4,593,450

PRIORITY RANK: 66

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 875,000	\$0	\$875,000 B	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 3,600,000	\$0	\$0	\$0	\$3,600,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 118,450	\$0	\$0	\$0	\$118,450B

TOTAL EST. COST	\$ 4,593,450	\$ 0	\$ 875,000	\$ 0	\$ 3,718,450
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PRIORITY RANK: 49

NOTE: This portion of the resolution advances \$875,000 for planning from SY to 2009 as requested by FRES, to plan in a timely manner for improvements to enhance the functionality of the EOC space in Yaphank, which has had no major improvements since its construction in the 1960's. BRO recommendation. See Budget Review Office report page 229.

PROJECT NO.: 4055

PROJECT NAME: PURCHASE OF EQUIPMENT FOR HEALTH CENTERS

DEPARTMENT: HEALTH SERVICES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$6,459,541	\$185,200 B	667,155 B	\$688,085 B	\$2,171,850B
TOTAL EST. COST	\$6,459,541	\$185,200	\$667,155	\$688,085	\$2,171,850

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$6,516,541	\$57,000 G \$185,200 B	\$667,155 B	\$688,085 B	\$2,171,850B

TOTAL EST. COST	\$6,516,541	\$242,200	\$667,155	\$688,085	\$2,171,850
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PRIORITY RANK: 58

NOTE: This portion of the resolution adds \$57,000 in pay-as-you-go (G) for equipment in 2008 to purchase a generator for the Coram Health Center as requested by Health Services. BRO recommendation. See Budget Review Office report page 241-242.

PROJECT NO.: 5021

PROJECT NAME: SAFETY IMPROVEMENTS ON CR 46, WILLIAM FLOYD PARKWAY

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 20,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 3,465,000	\$0	\$0	\$0	\$1,400,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 3,665,000	\$ 0	\$ 0	\$ 0	\$ 1,400,000

PRIORITY RANK: 52

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 200,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 3,465,000	\$0	\$1,400,000 W	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 3,665,000	\$ 0	\$ 1,400,000	\$ 0	\$ 0
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PRIORITY RANK: 45

NOTE: This portion of the resolution advances \$1.4 million from SY to 2009 for construction of sidewalks and curbs to mitigate safety and drainage problems along William Floyd Parkway and changes the funding designation from serial bonds (B) to Water Protection Fund 477 (W). See Budget Review Office report p. 253-254.

PROJECT NO.: 5060

PROJECT NAME: ASSESSMENT OF INFORMATION SYSTEM
AND EQUIPMENT FOR PUBLIC WORKS

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$705,000	\$0	\$100,000 B	\$100,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$885,000	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,590,000	\$0	\$100,000	\$100,000	\$125,000

PRIORITY RANK: 52

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$580,000	\$0	\$100,000 B	\$100,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$885,000	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$1,465,000	\$0	\$100,000	\$100,000	\$0
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PRIORITY RANK: 53

NOTE: This portion of the resolution deletes \$125,000 for planning in SY as the Department of Public Works does not include a clear delineation for the purpose of the funding. See Budget Review Office report p. 260-262.

PROJECT NO.: 5184

PROJECT NAME: GROUNDWATER IMPROVEMENT AND DRAINAGE MODIFICATIONS TO CR 48, MIDDLE ROAD

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$300,000	\$300,000 B	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$0	\$0	\$1,000,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,300,000	\$300,000	\$0	\$1,000,000	\$0

PRIORITY RANK: 55

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$300,000	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$300,000 W	\$0	\$1,000,000 W	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$1,300,000	\$300,000	\$0	\$1,000,000	\$0
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PRIORITY RANK: 51

NOTE: This portion of the resolution changes the funding designation from serial bonds (B) to Suffolk County Water Protection Fund 477 (W); \$300,000 for planning in 2008 and \$1 million for construction in 2010 for drainage modifications to CR 48 to protect the ground water. See Budget Review Office report p. 273.

PROJECT NO.: 5190

PROJECT NAME: DRAINAGE IMPROVEMENTS ON CR52, SANDY HOLLOW ROAD

DEPARTMENT: DPW: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 470,000	\$20,000 B	\$0	\$450,000 B	\$0
Construction	\$ 950,000	\$0	\$0	\$950,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 1,420,000	\$ 20,000	\$ 0	\$ 1,400,000	\$ 0

PRIORITY RANK: 55

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 470,000	\$20,000 W	\$0	\$450,000 W	\$0
Construction	\$ 950,000	\$0	\$0	\$950,000 W	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,420,000	\$ 20,000	\$ 0	\$ 1,400,000	\$ 0
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PRIORITY RANK: 45

NOTE: This portion of the resolution changes the funding designation from serial bonds (B) to Suffolk County Water Protection Fund 477 (W) for the installation of a positive drainage system connected to a recharge basin in watershed area that extends from CR39 North Sea Road to Broidy Lane on CR52, Sandy Hollow Road. The proposed funding is changed to W as follows: \$20,000 for land surveying in 2008, \$450,000 for land acquisition and \$950,000 for construction in 2010. See Budget Review Office report p. 275-276.

PROJECT NO.: 5515

PROJECT NAME: RECONSTRUCTION OF CR 46, WILLIAM
FLOYD PARKWAY

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$1,750,000	\$0	\$0	\$0
Land Acquisition	\$770,000	\$0	\$750,000 B	\$0	\$0
Construction	\$8,000,000	\$0	\$0	\$0	\$8,000,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$10,520,000	\$0	\$750,000	\$0	\$8,000,000

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$1,750,000	\$0	\$0	\$0
Land Acquisition	\$770,000	\$750,000 B	\$0	\$0	\$0
Construction	\$8,000,000	\$0	\$0	\$0	\$8,000,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$10,520,000	\$750,000	\$0	\$0	\$8,000,000
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PRIORITY RANK: 53

NOTE: This portion of the resolution advances \$750,000 for land acquisition from 2009 to 2008 to expedite the project and to avoid additional cost escalations. See Budget Review Office report p. 307-308.

PROJECT NO.: 5526

PROJECT NAME: RECONSTRUCTION OF CR 48, MIDDLE ROAD
FROM HORTON AVENUE TO MAIN STREET

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$600,000	\$0	\$0	\$0
Land Acquisition	\$320,000	\$0	\$0	\$0	\$0
Construction	\$6,600,000	\$0	\$0	\$0	\$6,600,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$7,520,000	\$0	\$0	\$0	\$6,600,000

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$600,000	\$0	\$0	\$0
Land Acquisition	\$2,750,000	\$2,430,000 W	\$0	\$0	\$0
Construction	\$6,600,000	\$0	\$0	\$6,600,000 W	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$9,950,000	\$2,430,000	\$0	\$6,600,000	\$0
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PRIORITY RANK: 53

NOTE: This portion of the resolution adds \$2,430,000 for land acquisition in 2008 for a recharge basin and advances \$6.6 million for construction from SY to 2010 and changes the funding designation from serial bonds (B) to Suffolk County Water Protection Fund 477 (W) to progress the drainage and resurfacing reconstruction as requested by DPW. See Budget Review Office report p. 313-314.

PROJECT NO.: 5548

PROJECT NAME: CR83, PATCHOGUE-MT. SINAI RD. CORRIDOR
STUDY, TOWN OF BROOKHAVEN

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$400,000	\$0	\$0	\$0	\$0
Land Acquisition	\$550,000	\$0	\$50,000 B	\$0	\$500,000B
Construction	\$2,000,000	\$400,000 B	\$0	\$0	\$1,600,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,950,000	\$400,000	\$50,000	\$ 0	\$2,100,000

PRIORITY RANK: 52

PROJECT NO.: 5548

PROJECT NAME: RECONSTRUCTION OF CR83, PATCHOGUE-MT.
SINAI RD., TOWN OF BROOKHAVEN

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$400,000	\$0	\$0	\$0	\$0
Land Acquisition	\$550,000	\$0	\$50,000 B	\$0	\$500,000B
Construction	\$2,000,000	\$400,000 B	\$0	\$0	\$1,600,000B

Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,950,000	\$400,000	\$50,000	\$ 0	\$2,100,000

PRIORITY RANK: 46

NOTE: This portion of the resolution corrects the project title to Reconstruction of CR 83, Patchogue-Mt. Sinai Road, Town of Brookhaven to reflect that the study is completed and the scope has expanded to include construction. BRO recommendation. See Budget Review Office report pp. 322-323.

PROJECT NO.: 5556

PROJECT NAME: CONSTRUCTION OF NOISE ABATEMENT
STRUCTURES ON CR 83, NORTH OCEAN AVENUE

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$0	\$0	\$0	\$0
Land Acquisition	\$550,000	\$500,000 B	\$0	\$0	\$0
Construction	\$2,500,000	\$2,500,000 B	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$3,050,000	\$3,000,000	\$0	\$0	\$0
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PRIORITY RANK: 53

NOTE: This portion of the resolution restores \$500,000 for land acquisition and \$2.5 million for construction in 2008 to construct noise abatement barriers along a portion of CR 83, North Ocean Avenue between Granny Road and Bicycle Path. These structures will mitigate excessive noise created from vehicles accelerating to maintain the legal speed limit along the upgrade portion of the county road and by heavy duty vehicles having to decelerate (downshift) on the downgrade. An independent engineer study confirmed the need for such structures along this high density area. BRO recommendation. See Budget Review Office report p. 324-325.

PROJECT NO.: 7065

PROJECT NAME: ESTABLISHMENT OF DOG RUNS AT COUNTY FACILITIES

DEPARTMENT: PARKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 100,000	\$50,000 B	\$50,000 B	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 100,000	\$ 50,000	\$ 50,000	\$ 0	\$ 0

PRIORITY RANK: 38

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 100,000	\$50,000 G	\$50,000 G	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 100,000	\$ 50,000	\$ 50,000	\$ 0	\$ 0
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PRIORITY RANK: 30

NOTE: This portion of the resolution changes the funding designation from serial bonds (B) to transfer from the General Fund (G) in accordance with Local Law 23-1994, pay-as-you-go, for the installation of fenced-in dog runs; for \$50,000 for construction in 2008 and \$50,000 for construction in 2009. BRO recommendation. See Budget Review Office report p. 386.

PROJECT NO.: 7097

PROJECT NAME: NOISE MODERATION AND ATTENUATION
AND OTHER IMPROVEMENTS AT TRAP AND SKEET RANGE

DEPARTMENT: PARKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 100,000	\$0	\$30,000 B	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,000,000	\$0	\$270,000 B	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,100,000	\$ 0	\$ 300,000	\$ 0	\$ 0
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PRIORITY RANK: 44

NOTE: This portion of the resolution adds \$30,000 for planning and \$270,000 for construction in 2009 for the installation of noise abatement structures.

PROJECT NO.: 7099

PROJECT NAME: RECONSTRUCTION OF SPILLWAYS IN
COUNTY PARKS

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 50,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 515,000	\$100,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 565,000	\$ 100,000	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 64

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 70,000	\$20,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 595,000	\$180,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 665,000	\$ 200,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 55

NOTE: This portion of the resolution adds \$20,000 for planning and \$80,000 for construction in 2008 to make needed structural improvements to the dam and to remove silt in the stream in Blydenburgh County Park to mitigate storm water runoff and control flooding in the surrounding areas. See Budget Review Office report p. 391.

PROJECT NO.: 7166

PROJECT NAME: IMPROVEMENTS TO COUNTY GOLF COURSES

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 195,000	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 6,872,000	\$225,000 B	\$225,000 B	\$225,000 B	\$300,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 7,067,000	\$ 225,000	\$ 225,000	\$ 225,000	\$ 300,000

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 275,000	\$80,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 6,872,000	\$225,000 B	\$225,000 B	\$225,000 B	\$300,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 7,147,000	\$ 305,000	\$ 225,000	\$ 225,000	\$ 300,000

PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$80,000 for planning in 2008 to replace the obsolete golf cart barn at Timber Point golf course with a larger new facility that provides expanded indoor storage. See Budget Review Office report p. 402.

PROJECT NO.: 7175

PROJECT NAME: IMPROVEMENTS TO RAYNOR BEACH
COUNTY PARK

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 250,000	\$60,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 2,757,500	\$200,000 B	\$200,000 B	\$200,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 3,007,500	\$ 260,000	\$ 200,000	\$ 200,000	\$ 0

PRIORITY RANK: 46

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 250,000	\$60,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 2,757,500	\$400,000 B	\$200,000 B	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 3,007,500	\$ 460,000	\$ 200,000	\$ 0	\$ 0
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PRIORITY RANK: 35

NOTE: This portion of the resolution advances \$200,000 from 2010 to 2008 to proceed with the site improvements to include; additional parking, reconstruction of west entrance staircase, rehabilitation of basketball and handball courts, construction of new aluminum bleachers, fencing where needed and improvements to walkways and curbs. See Budget Review Office report p. 407.

PROJECT NO.: 7187

PROJECT NAME: LAND ACQUISITION FOR COMMUNITY CENTER

DEPARTMENT: LAW

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 500,000	\$500,000 B	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 500,000	\$ 500,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 34

NOTE: This portion of the resolution adds \$500,000 for land acquisition in 2008 as the county share in partnership with the Town of Brookhaven to purchase improved property in Rocky Point to be used as a community center.

PROJECT NO.: 7401

PROJECT NAME: RESTORATION OF HABITAT WING AT
SUFFOLK COUNTY VANDERBILT MUSEUM

DEPARTMENT: VANDERBILT MUSEUM & PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$ 220,000	\$200,000 B	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 105,000	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 325,000	\$ 200,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$200,000 for planning in 2008 for removal of the east portion of the Stoll Wing, new entry to Habitat, HVAC improvements, structural reinforcement for duct work, upgrade electrical and restore ceiling and cornice in Habitat. See Budget Review Office report p. 414.

PROJECT NO.: 7450

PROJECT NAME: MODIFICATION FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), AT SUFFOLK COUNTY VANDERBILT MUSEUM

DEPARTMENT: VANDERBILT MUSEUM AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 101,000	\$0	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 834,000	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 935,000	\$ 0	\$ 0	\$ 0	\$ 0

PRIORITY RANK: 66

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 128,000	\$27,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,134,000	\$300,000 B	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,262,000	\$ 327,000	\$ 0	\$ 0	\$ 0
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PRIORITY RANK: 41

NOTE: This portion of the resolution adds \$27,000 for planning and \$300,000 for construction in 2008 to expand the Visitor Center. This will provide for the relocation of ticket purchases, gift shop and viewing of educational videos to the expanded space and make the Visitor Center ADA compliant including the existing bathrooms, per the master plan. BRO recommendation. See Budget Review Office report p. 425.

PROJECT NO.: 7507

PROJECT NAME: RENOVATIONS AT HISTORIC BLYDENBURGH PARK

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 100,000	\$50,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,300,000	\$450,000 B	\$200,000 B	\$200,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 1,400,000	\$ 500,000	\$ 200,000	\$ 200,000	\$ 0

PRIORITY RANK: 57

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 120,000	\$70,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 1,380,000	\$530,000 B	\$200,000 B	\$200,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 1,500,000	\$ 600,000	\$ 200,000	\$ 200,000	\$ 0
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PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$20,000 for planning and \$80,000 for construction in 2008 to continue the stabilization of the historic mill in Blydenburgh County Park. See Budget Review Office report p. 432.

PROJECT NO.: 7510

PROJECT NAME: HISTORIC RESTORATION & PRESERVATION FUND

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 806,500	\$150,000 B	\$0	\$100,000 B	\$150,000B
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 13,334,700	\$1,600,000 B	\$950,000 B	\$1,395,000 B	\$1,200,000B
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$ 14,141,200	\$ 1,750,000	\$ 950,000	\$ 1,495,000	\$ 1,350,000

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$ 826,500	\$170,000 B	\$0	\$100,000 B	\$150,000
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 13,334,700	\$1,600,000 B	\$950,000 B	\$1,395,000 B	\$1,200,000
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$ 14,161,200	\$ 1,770,000	\$ 950,000	\$ 1,495,000	\$ 1,350,000
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PRIORITY RANK: 40

NOTE: This portion of the resolution adds \$20,000 for planning in 2008 for the historic restoration of the Elwood School House, a.k.a. Little Red School House in Huntington Town and to use as seed funds to attract matching grants to pay for a portion of the renovations to make the facility usable for community purposes. See Budget Review Office report p. 433.

PROJECT NO.: 8147

PROJECT NAME: IMPROVEMENTS TO SCSD #20 – WILLIAM FLOYD (RIDGEHAVEN)

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$50,000	\$50,000 A	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,200,000	\$0	\$0	\$0	\$1,000,000X
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,250,000	\$50,000	\$0	\$0	\$1,000,000

PRIORITY RANK: 70

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$50,000	\$50,000 A	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,200,000	\$0	\$1,000,000 X	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$1,250,000	\$50,000	\$1,000,000	\$0	\$0
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PRIORITY RANK: 66

NOTE: This portion of the resolution advances \$1 million from SY to 2009 as requested by DPW to construct the required equalization tank so that Ridgehaven SD will be in compliance with NYSDEC effluent limitations. BRO recommendation. See Budget Review Office report p. 460-462.

PROJECT NO.: 8185

PROJECT NAME: SEWER DISTRICTS CAPACITY STUDY

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$1,200,000	\$0	\$1,200,000 A	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,200,000	\$0	\$1,200,000	\$0	\$0

PRIORITY RANK: 73

NOTE: This portion of the resolution adds \$1.2 million for planning in 2009 using Assessment Stabilization Reserve Funds to provide for a study to quantify the remaining capacity of the county sewer treatment facilities to be applied to the potential future sewer capacity expansion to protect our water, provide opportunities for economic growth and to create affordable housing developments, similar to a master plan. BRO recommendation. See Budget Review Office report p. 50-53.

PROJECT NO.: 8220

PROJECT NAME: UNDERGROUND INJECTION CONTROL (UIC)
MANAGEMENT PROGRAM

DEPARTMENT: HEALTH SERVICES/PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$300,000	\$300,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$0	\$1,000,000 B	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,300,000	\$300,000	\$1,000,000	\$ 0	\$ 0

PRIORITY RANK: 61

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
Planning Design & Supervision	\$300,000	\$300,000 B	\$0	\$0	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$0	\$0	\$1,000,000 B	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$ 0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$1,300,000	\$300,000	\$ 0	\$1,000,000	\$ 0
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PRIORITY RANK: 63

NOTE: This portion of the resolution reschedules \$1 million for construction from 2009 to 2010. It is unlikely that the consultant study will be awarded and recommendations completed in time for the construction to begin before 2010. BRO recommendation. See Budget Review Office report p 476.

PROJECT NO.: 8224

PROJECT NAME: PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS

DEPARTMENT: HEALTH SERVICES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$437,719	\$65,000 B	\$60,000 B	\$0
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$232,556	\$117,556 B	\$40,000 B	\$0	\$0
TOTAL EST. COST	\$670,275	\$182,556	\$100,000	\$ 0	\$ 0

PRIORITY RANK: 61

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2008	2009	2010	Subsequent Years
	Planning Design & Supervision	\$527,719	\$65,000 B	\$60,000 B	\$60,000 B
Land Acquisition	\$ 0	\$0	\$0	\$0	\$0
Construction	\$ 0	\$0	\$0	\$0	\$0
Site Improvements	\$ 0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$232,556	\$117,556 B	\$40,000 B	\$0	\$0

TOTAL EST. COST	\$760,275	\$182,556	\$100,000	\$60,000	\$30,000
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PRIORITY RANK: 57

NOTE: This portion of the resolution adds \$60,000 for planning in 2010 and \$30,000 for planning in SY to continue harmful algal bloom investigations as requested by Health Services. BRO recommendation. See Budget Review Office report pp. 479-481.

Summary Note: The sum of the actions of this resolution amends the Proposed 2008-2010 Capital Program and Proposed 2008 Capital Budget by increasing the funds scheduled in 2008 by \$18,474,500; decreasing 2009 by \$9,760; increasing 2010 by \$4,925,240 and increasing subsequent years by \$44,180,000.

The impact of these changes on countywide General Fund property taxes is through the change in serial bonds (B). Actions implicit in this resolution increase serial bonds by \$7,510,980 over the 3-year capital program, increasing B-money by \$15,445,500 in 2008, which is offset by decreases of \$3,759,7560 in 2009 and \$4,174,760 in 2010. A \$16,955,000 increase in serial bonds in SY is not considered in our calculations of the property tax impact for two reasons: (1) it is not clear how far into the future this borrowing will be needed and (2) the intent of funding in SY is included mainly as a representation of the county’s long-term planning needs.

Year	Serial Bonds (B)	State Aid (S)	Transfer from General Fund (G)	Sewer Bonds (X)	ASRF (A)	Water Quality (W)	Total
2008	\$15,445,500	\$0	\$279,000	\$0	\$0	\$2,750,000	\$18,474,500
2009	(\$3,759,760)	\$0	\$150,000	\$1,000,000	\$1,200,000	\$1,400,000	(\$9,760)
2010	(\$4,174,760)	\$0	\$100,000	\$0	\$0	\$9,000,000	\$4,925,240
2008-2010	\$7,510,980	\$0	\$529,000	\$1,000,000	\$1,200,000	\$13,150,000	\$23,389,980
SY	\$16,955,000	\$28,125,000	\$100,000	(\$1,000,000)	\$0	\$0	\$44,180,000
Total	\$24,465,980	\$28,125,000	\$629,000	\$0	\$1,200,000	\$13,150,000	\$67,569,980

The property tax impact of this resolution results from the increase in debt service costs associated with increasing serial bonds (B) by \$15,445,500 in 2008, decreasing serial bonds by \$3,759,760 in 2009 and decreasing serial bonds in 2010 by \$4,174,760 for a net increase of \$7,510,980. Debt service calculations assume bonds are floated the year after they are adopted with the first principal and interest payment due two years after adopted. Debt service is based upon a 20-year level debt service repayment schedule and interest rates that are 25 basis points above the 4/16/07 Municipal Market Data (MMD) Municipal Yield Curve for “AA” rated issues.

The impact on the average homeowner tax bill is estimated to be \$1.94 in the first year (2010) and average \$0.82 over the life of the 3-year omnibus changes in the 2008-2010 capital program. Over 22-years the average homeowner tax bill would total an additional \$18.08.

DATED: June 12, 2007

APPROVED BY:

County Executive of Suffolk County

Date:

(See Next Page)

CAPITAL PROGRAM AND BUDGET AMENDMENTS

B.A. 1 522 Amending the proposed 2008-2010 Capital Program and the proposed 2008 Capital Budget to provide a fiscally responsible plan for Capital Investment, Environmental Protection and reduce borrowing by the use of Water Quality Funds.

Date of Adoption: 6/12/2007

Req By: Pres. Off./Browning/Caracappa/Cooper/Kennedy/
/Losquadro/Mystal/

Vote: Yes 17 No 1 (Barraga)

LINE ITEMS Capital Project Nos. 1459, 1738, 1755, 2118, 2120, 2159, 3008, 3135, 3418, 4055, 5021, 5184, 5190, 5526, 5556, 7065, 7097, 7099, 7166, 7187, 7401, 7450, 7507, 7510, 8147 VETOED BY CO. EXEC. ON JUNE 26, 2007

LINE ITEMS Capital Project Nos. 1459, 1738, 1755, 2118, 2120, 2159, 3008, 3135, 3418, 4055, 5021, 5184, 5190, 5556, 7065, 7097, 7099, 7166, 7187, 7401, 7450, 7507, 7510, 8147 VETO OVERRIDDEN ADOPTED ON JUNE 26, 2007

Re-ranking 240 Capital Projects all (3rd RESOLVED APPENDIX “A”) but 21 rankings were Approved

VETOED RANKING FOR Capital Project Nos. 5658, 1136, 1729, 1773, 3508, 5118, 5168, 5371, 5200, 5375, 5502, 5523, 5558, 5560, 6411, 6412, 6413, 7007, 7140, 7162, 7185 BY COUNTY EXECUTIVE June 26, 2007

VETO RANKING FOR Capital Project Nos. 5658, 1136, 1729, 1773, 3508, 5118, 5168, 5371, 5200, 5375, 5502, 5523, 5558, 5560, 6411, 6412, 6413, 7007, 7140, 7162, 7185 VETO OVERRIDDEN ADOPTED ON JUNE 26, 2007

LINE ITEM Capital Project No. 5526 VETO SUSTAINED ON JUNE 26, 2006

LINE ITEMS Capital Project Nos. 1130, 1603,1608, 1724, 1766, 1800, 5060, 5515, 5548, 7175, 8185, 8220, 8224 APPROVED BY THE COUNTY EXECUTIVE

B.A.1 (CP 1130)	Adopted		522	
B.A.1 (CP 1459)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 1603)	Adopted		522	
B.A. 1 (CP 1608)	Adopted		522	
B.A. 1 (CP 1724)	Adopted		522	
B.A. 1 (CP 1738)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 1755)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 1766)	Adopted		522	

B.A. 1 (CP 1800)	Adopted		522	
B.A. 1 (CP 2118)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 2120)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 2159)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 3008)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 3135)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 3418)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 4055)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5021)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5060)	Adopted		522	
B.A. 1 (CP 5184)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5190)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5515)	Adopted		522	
B.A. 1 (CP 5526)	Veto Sustained	Yes 2 (Romaine, Alden) No 15 Abstained 1 (Caracappa)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5548)	Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 5556)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7065)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7097)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7099)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7166)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7175)	Adopted		522	
B.A. 1 (CP 7187)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7401)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7450)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26

B.A. 1 (CP 7507)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 7510)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 8147)	Veto Override Adopted	Yes 17 No 1 (Barraga)	522	Vetoed by Co. Exec. 6/26
B.A. 1 (CP 8185)	Adopted		522	
B.A. 1 (CP 8220)	Adopted		522	
B.A. 1 (CP 8224)	Adopted		522	

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

Intro. Res. No. 2299-2006
 Introduced by Legislator Alden

Laid on Table 11/21/2006

RESOLUTION NO. 523 -2007, ADOPTING LOCAL LAW NO. 18 -2007, A LOCAL LAW STRENGTHENING THE POLICY FOR CONNECTIONS BY PREMISES OUTSIDE OF SEWER DISTRICTS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 21, 2006, a proposed local law entitled, "**A LOCAL LAW STRENGTHENING THE POLICY FOR CONNECTIONS BY PREMISES OUTSIDE OF SEWER DISTRICTS**;" now, therefore be it

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

LOCAL LAW NO. 18 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW STRENGTHENING THE POLICY FOR CONNECTIONS BY PREMISES OUTSIDE OF SEWER DISTRICTS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that there has been an increase in the number of contracts or agreements negotiated for connections to sewer districts by businesses and industries outside the geographical boundaries of those sewer districts, and has highlighted and exacerbated the subsidization of outside commercial, business and industrial users by residential homeowners within those districts.

This Legislature also finds and determines that the County of Suffolk attempted to remedy this situation by enacting Local Law No. 14-2000 and Local Law No. 6-2001 which imposed charges on businesses and industries located outside the geographical boundaries of sewer districts to connect those sewer districts.

This Legislature further finds and determines that criteria should be developed to ensure that any proposed sewer district connection furthers a strong public purpose by benefiting citizens of the County of Suffolk economically, through creation of additional employment opportunities, in addition to bringing affordable housing units to the County, while at the same time protecting the interests of residents in the affected sewer district.

Therefore, the purpose of this law is to strengthen the policy for outside connections to sewer districts by requiring that any connection meets specific criteria in order to ensure that district taxpayers are not negatively impacted by such a connection.

Section 2. Amendments.

Chapter 424-45 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 424, SEWERS

* * * *

ARTICLE VIII, General Provisions

* * * *

§ 424-45. Connection by premises outside district.

- A. The Administrator is hereby authorized and empowered to consider applications for connections to a County sewer district facility by businesses, industries and other users from outside the geographical boundaries of a district and to negotiate contracts and agreements with those businesses, industries and users as he deems appropriate upon such terms and conditions as to him may seem reasonable and proper to protect the best interests and to accrue to the financial benefit of the district, including but not limited to provisions intended to relieve a district of the full burden of maintenance and capital costs, present or future, if any, attributable to and that might result from such contractual connections, and including the filing of a surety bond or the deposit of cash or securities with the County Treasurer or the giving of every guaranty to the district to ensure the performance of said agreements and contracts, and the costs, if any, to a district relating thereto will be offset by payments from the owner and will not constitute an undue burden upon the property within said district, subject to the provisions of § 424-38 of this chapter and the charges imposed thereunder.
- B. The Administrator, when considering applications for connection to a County sewer district facility by businesses, industries and other users from outside the geographical boundaries of a district, shall first make a determination that the connection is in the best interests of the residents of the district and the citizens of the County of Suffolk, and shall consider each of the following factors in making the determination:
1. the environmental impact of the proposed connection;
 2. the tax impact of the proposed connection on the affected sewer district;
 3. whether the applicant can demonstrate that an economic benefit will accrue either through an increase in jobs or an increase in tax revenue to the County, as a result of the sewer connection;
 4. whether there is adequate capacity within the affected sewer district to absorb the outside connection;
 5. whether the proposed application shall provide an economic benefit to the area; and

6. if the proposed connection is for a residential development, whether the applicant has incorporated affordable housing units within the development.

[B] C. Any contracts or agreements negotiated by the administrative head of any Suffolk County sewer district shall be subject to the final review, approval and ratification of the Suffolk County Legislature.

* * * *

Section 3. Applicability.

This law shall apply to all contracts or agreements negotiated or entered into on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007
After a public hearing duly held on June 26, 2007
Filed with the Secretary of State on July 24, 2007

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

Intro. Res. No. 1429-2007
 Introduced by Legislator Mystal

Laid on Table 5/15/2007

RESOLUTION NO. 525 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR COPIAGUE PUBLIC LIBRARY

WHEREAS, the 2007 Operating Budget includes \$5,000 for the Wyandanch Public Library’s Theatrical Workshop Program; and

WHEREAS, the Wyandanch Public Library desires to forgo Suffolk County funding for the Theatrical Workshop Program; and

WHEREAS, the contracted agency, Copiague Public Library, can furnish these services; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$5,000 to fund the theatrical workshop for Copiague Public Library; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HBY1	4980	Wyandanch Public Library	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Copiague Public Library	+\$5,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign a pseudo code for the Copiague Public Library; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for societal benefit and the sole purpose of funding Copiague Public Library.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.

Intro. Res. No. 1430-2007
Introduced by Legislator Browning

Laid on Table 5/15/2007

RESOLUTION NO. 526 –2007, AMENDING THE 2007 OPERATING BUDGET IN CONNECTION WITH MEDIAN IMPROVEMENTS TO WILLIAM FLOYD PARKWAY

WHEREAS, the median at the intersections of Baybright Drive and St. George Drive on William Floyd Parkway is sited for frequent traffic control concerns; and

WHEREAS, the Department of Public Works has suggested utilizing traffic mitigating plantings as a barrier to aid in the control of traffic at this site; and

WHEREAS, the Department of Public Works will erect traffic control signage to aid in the regulation of traffic at this site; and

WHEREAS, there are insufficient funds in the Department of Public Works 2007 Operating Budget to afford these necessary enhancements to this location; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	DPW	1363	0000	4410	Rent: Offices & Buildings	-\$15,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
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001 DPW 1490 0000 4560 Fees for Services: Non-Employee +\$15,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding median improvements to William Floyd Parkway at the intersections of Baybright Drive and St. George Drive.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1437-2007
Introduced by Legislator D’Amaro

Laid on Table 5/15/2007

RESOLUTION NO. 527 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE CONTRACT AGENCY TRI-COMMUNITY YOUTH

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

WHEREAS, the contract agency Tri-Community Youth Agency Huntington SD can furnish these services to Suffolk County Youth; and

WHEREAS, the 2007 Operating Budget contains funds for this contract agency in the District Attorney’s Office; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide \$25,000 to fund youth programs for the Tri-Community Youth Agency Huntington SD in the Youth Bureau; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DIS	1182	HKA1	4980	TRI-COM YTH AGY HUNTINGTON SD	-\$25,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	TRI-COM YTH AGY HUNTINGTON SD	+\$25,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign an activity (pseudo) code for the Tri-Community Youth Agency Huntington SD; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Tri-Community Youth Agency Huntington SD.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1448-2007
Introduced by Legislator Stern

Laid on Table 5/15/2007

RESOLUTION NO. 528 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS TO THE HILLS FOUNDATION

WHEREAS, the 2007 Operating Budget does not include sufficient funds for the Hills Foundation; and

WHEREAS, the Hills Foundation is a not-for-profit organization of community members whose goal is to provide additional financial support independent of the Half Hollow Hills School District; and

WHEREAS, the Hills Foundation raises funds and develops resources for educational items, which are not normally part of the school budget, such as: cultural arts projects, capital projects

available for use by the general community, general scholastic enrichment and teacher/student exchange programs; and

WHEREAS, the objective of the Hills Foundation is to enhance cooperation and understanding while encouraging innovation and creativity in meeting the challenges facing the public education system; and

WHEREAS, the 2007 Operating Budget contains surplus funds within the County Executive's Office in the Division of Handicapped Services; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget and transfer a total of \$5,000 to the Hills Foundation; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	HTN1	4980	Friendship Circle	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	HXL1	4980	Hills Foundation	+\$5,000

and be it further

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

Legislator Eddington made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 18-0. Legislator Caracappa was not present.

RESOLUTION NO. 529 –2007, AMENDING THE 2007 OPERATING BUDGET TO SUPPORT ENHANCEMENTS TO THE MEDFORD MEMORIAL PARK RESTORATION IN THE TOWN OF BROOKHAVEN

WHEREAS, a public park known as the Medford Memorial Park is located on the eastside of State Route 112 , and abuts Peconic Avenue; and

WHEREAS, this public park has provided a place for the public to relax and interact freely; and

WHEREAS, Medford Memorial Park is now in need of restoration; and

WHEREAS, the Town of Brookhaven has the legal authority to supervise the restoration of the Medford Memorial Park; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide the Town of Brookhaven with support for enhancements associated with the restoration of the Medford Memorial Park; and

WHEREAS, these enhancements may include, but are not limited to park benches, lighting, walks, and other related park fixtures; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	HWF1	4980	Medford Chamber of Commerce	-\$20,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	PKS	7110	XXXX	4980	Town of Brookhaven	+\$20,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Town of Brookhaven; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding improvements to the Medford Memorial Park in the Town of Brookhaven.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1479-2007
Introduced by Legislator Schneiderman

Laid on Table 5/15/2007

RESOLUTION NO. 530 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE CONTRACTED AGENCIES TIME FOR TEENS AND DOMINICAN SISTERS FAMILY HEALTH SERVICE

WHEREAS, the 2007 Operating Budget does not include sufficient funds to provide Suffolk County residents with necessary services and opportunities; and

WHEREAS, the contracted agencies Time For Teens and Dominican Sisters Family Health Service can furnish these services to Suffolk County residents; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide a total of \$6,000 to fund programs for Time for Teens and Dominican Sisters Family Health Service; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	HFB1	4980	Bridghamp. Parent/Child Home	-\$3,000
001	EVE	8210	HYJ1	4980	East End Economic Environment Institute	-\$3,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	Time For Teens, Inc.	+\$3,000
001	EXE	6773	XXXX	4980	Dominican Sisters Family Health Service, Inc.	+\$3,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for Time For Teens, Inc. and Dominican Sisters Family Health Service, Inc.; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Time For Teens and Dominican Sisters Family Health Service.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1462-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 531 -2007, APPROVING THE REAPPOINTMENT OF WILLIAM C. MACCHIONE AS A MEMBER OF THE SUFFOLK COUNTY HOME IMPROVEMENT CONTRACTORS LICENSING BOARD

WHEREAS, the term of office of William C. Macchione, expired on May 31, 2005; now, therefore be it

1st RESOLVED, that the reappointment of William C. Macchione, of 112 Grove Road, Kings Park, New York 11754 as a member of the Suffolk County Home Improvement Contractors Licensing Board, for a term of office expiring May 31, 2008, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Local Law No. 25 of 1982 and Suffolk County Code Chapter 345 Section 345-25.A.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1463-2007 Laid on Table 5/15/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 532 -2007, APPROVING THE REAPPOINTMENT OF ANGELINA M. MARKETTA AS A MEMBER OF THE SUFFOLK COUNTY HOME IMPROVEMENT CONTRACTORS LICENSING BOARD

WHEREAS, the term of office of Angelina M. Marketta, expired on December 31, 2004; now, therefore be it

1st RESOLVED, that the reappointment of Angelina M. Marketta, of 17 West Drive, Kings Park, New York 11754, as a member of the Suffolk County Home Improvement Contractors Licensing Board, for a term of office expiring December 31, 2007, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Local Law No. 25 of 1982 and Suffolk County Code Chapter 345 Section 345-25.A.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No 1464-2007 Laid on Table 5/15/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 533 -2007, APPROVING THE REAPPOINTMENT OF FRANK DIFAZIO AS A MEMBER OF THE SUFFOLK COUNTY ELECTRICAL LICENSING BOARD

WHEREAS, the term of office of Frank DiFazio, expired on December 31, 2004; now, therefore be it

1st RESOLVED, that the reappointment of Frank DiFazio who resides at 81 St. Marks Lane, Islip, New York 11751 as a member of the Suffolk County Electrical Licensing Board, for a term of office expiring December 31, 2007, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Local Law No. 17 of 1971.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

Deputy Presiding Officer Vioria-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-1-0. Legislator Browning abstained.

Intro. Res. No. 1396-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 534 -2007 APPROVING THE RENEWAL OF AGRICULTURAL DISTRICT NO. 3 IN THE TOWNS OF HUNTINGTON, SMITHTOWN, ISLIP AND BROOKHAVEN SUBJECT TO THE REQUIRED SUBSEQUENT APPROVALS OF THE STATE OF NEW YORK

WHEREAS, a petition has been filed with the Clerk of the County Legislature to renew and modify an agricultural district in the Towns of Huntington, Smithtown, Islip and Brookhaven, New York, known as Agricultural District No. 3, created by Resolution No. 215-1983, for the purpose of increasing the size of the agricultural district from one thousand seven hundred eighty four (1,784) acres to one thousand nine hundred sixteen and five tenths (1,916.5) acres, pursuant to the provisions of the NEW YORK STATE AGRICULTURE AND MARKETS LAW, Article 25AA; and

WHEREAS, copies of the petition were referred to the Suffolk County Planning Commission and the Agricultural and Farmland Protection Board and their reports and recommendations have been filed with the Clerk of the County Legislature; and

WHEREAS, the Suffolk County Planning Commission and the Agricultural and Farmland Protection Board recommended approval of the renewal and modification of the district; and

WHEREAS, this Legislature held a public hearing on the 16th day of May, 2006, and heard the comments from the parties in interest and the public generally with respect to the petition and renewal and proposed modification thereto; and

WHEREAS, Agricultural District No. 3, as adopted in this resolution, includes adjacent viable farm lands and excludes nonviable farm land and non-farm land, to the extent feasible; and

WHEREAS, Agricultural District No. 3, as adopted, includes only whole tax parcels in the proposed district; and

WHEREAS, this Legislature hereby finds and determines that it is in the best interest of the people of the Towns of Huntington, Smithtown, Islip and Brookhaven that Agricultural District No. 3, as recommended by the Agricultural Farmland Protection Board, should be renewed and modified; now, therefore be it

1st RESOLVED, that the petition for the renewal and modification of Agricultural District No. 3 in the Towns of Huntington, Smithtown, Islip and Brookhaven, for a period of eight (8) years, as approved and recommended by the Agricultural Farmland Protection Board and/or County Planning Commission for the increase of its size from approximately one thousand seven hundred eighty four (1,784) acres to one thousand nine hundred sixteen and five tenths (1,916.5) acres, a copy of which is

filed in the office of the Clerk of the Suffolk County Legislature and attached and made part hereof as Exhibit "A", is hereby approved and adopted, pursuant to Section 303(4) of the NEW YORK AGRICULTURE AND MARKETS LAW, and referred to the New York State Commissioner of Agriculture and Markets for State review of the petition as required by Section 303(4) of the NEW YORK AGRICULTURE AND MARKETS LAW, Article 25AA; and be it further

2nd RESOLVED, that the Clerk of the Suffolk County Legislature is hereby directed to file said petition and this resolution with the New York State Commissioner of Agriculture and Markets; and be it further

3rd RESOLVED, that this legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution is a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1416-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 535 –2007, CONFORMING THE SUFFOLK COUNTY WATER QUALITY REVIEW COMMITTEE AND RESTORATION PROGRAM TO THE COUNTY DEPARTMENT OF ENVIRONMENT AND ENERGY

WHEREAS, Article I of Chapter 858A of the SUFFOLK COUNTY CODE implements actions to improve and protect surface water quality and related resources that are in accord with recommendations endorsed by the Peconic Estuary Program (PEP), Long Island Sound Study (LISS) and the South Shore Estuary Reserve (SSER) management programs; and

WHEREAS, Section 858A-2 created an advisory Water Quality Review Committee to oversee water quality planning, to solicit and review all proposed projects submitted pursuant to the Water Quality Protection and Restoration Program, and to make recommendations thereon to the County Executive and the Suffolk County Legislature; and

WHEREAS, the Commissioner of the County Department of Public Works was designated as chairman of the Committee; and

WHEREAS, the County Department of Environment and Energy was created in 2006 via Local Law No. 19-2006, and charged with the responsibility under Section 42-2(F) of the

SUFFOLK COUNTY CHARTER to supervise, administer, and implement the water quality protection and restoration program under Section 12-2(B) of the SUFFOLK COUNTY CHARTER; remediate and redevelop all brownfield sites; and coordinate all activities being performed by the County Department of Public Works and the County Department of Parks, Recreation and Conservation under Section C12-2(B) of the SUFFOLK COUNTY CHARTER via personnel and/or consultants funded in those departments under the 1/4 County Drinking Water Protection Program Fund 477; and

WHEREAS, since Cornell Cooperative Extension actually receives allocations of money under this program, its Executive Director should not be serving on the Water Quality Review Committee; and

WHEREAS, it has now become necessary to amend Chapter 858A of the SUFFOLK COUNTY CODE to conform it to this change in circumstances; now, therefore be it

1st RESOLVED, that Article I of Section 858A of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

**CHAPTER 858A
WATER QUALITY PROTECTION**

ARTICLE I, Protection and Restoration Program

§ 858A-1. Administration; promulgation of rules and regulations.

- A. The Department of [Public Works] Environment and Energy is designated to administer this program.
- B. The Commissioner of said Department shall issue and promulgate such rules and regulations as may be necessary to implement and carry out the provisions of this chapter.

§ 858A-2. Water Quality Review Committee.

- A. A Water Quality Review Committee (Committee) is hereby created consisting of the following eight members:
 - (1) County Executive or designee;
 - (2) County Legislator to be appointed by the Presiding Officer;
 - (3) Commissioner of Public Works or designee [to serve as Chairman];
 - (4) Commissioner of Health Services or designee;
 - (5) Commissioner of Parks, Recreation and Conservation or designee;
 - (6) Director of Planning or his designee;
 - (7) District Manager of the Suffolk County Soil and Water Conservation District or designee;
 - (8) [Executive Director of Cornell Cooperative Extension] Commissioner of Environment and Energy or designee to serve as Chairman.
- B. The Committee is hereby authorized and directed to solicit and review all proposed projects submitted pursuant to the Water Quality Protection and Restoration Program

and make recommendations thereon to the County Executive and the Suffolk County Legislature.

- C. The Committee shall establish its rules of procedure and shall meet regularly on a schedule adopted by its members.

§ 858A-3. Approval of projects by Legislature.

All projects shall be subject to the approval of the Suffolk County Legislature after review and submission of recommendations by the Committee.

§ 858A-4. Responsibilities of [Public Works] Environment and Energy Department.

- A. The Department of [Public Works] Environment and Energy shall implement and administer such projects as have been duly approved by the Legislature and shall be responsible for reporting the progress of each such project on an annual basis to the County Executive and the Legislature.
- B. The Department of [Public Works] Environment and Energy shall provide staff support to the Committee.

* * * * *

2nd RESOLVED, that all other terms and conditions of Article I of Chapter 858A of the SUFFOLK COUNTY CODE shall be applicable and remain in full force and effect; and be it further

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

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

DATED: June 12, 2007

APPROVED BY:

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

Date: June 25, 2007

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

Intro. Res. No. 1468-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 536 -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.
0900-245.00-01.00-008.001, 009.000, 010.000, 0900-278.00-01.00-
001.000 & 002.000)**

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 Forty Four Thousand Five Hundred Twenty Five Dollars (\$44,525.00), 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 245.00 Block 01.00 Lot 008.001	8.905±	Joseph Frederick Gazza P.O. Box 969 Quogue, NY 11959
No. 2	District 0900 Section 245.00 Block 01.00 Lot 009.000		
No. 3	District 0900 Section 245.00 Block 01.00 Lot 010.000		
No. 4	District 0900 Section 278.00 Block 01.00 Lot 001.000		
No. 5	District 0900 Section 278.00 Block 01.00 Lot 002.000		

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 Forty Four Thousand Five Hundred Twenty Five Dollars (\$44,525.00), 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	\$44,525.00 *

*subject to a final survey

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	\$44,525.00*

*subject to a final survey

5th RESOLVED, that the \$44,525.00 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	\$44,525.00*

*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 \$44,525.00, 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 (if greater than 100 acres; Type I 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: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1472-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 537 –2007, TO REAPPOINT MEMBER OF THE SUFFOLK COUNTY PLANNING COMMISSION (CHARLA E. BOLTON)

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

WHEREAS, the term of the Suffolk County Planning Commission at-large member Charla E. Bolton expired on December 31, 2006; and

WHEREAS, Steve Levy, the County Executive of Suffolk has reappointed **CHARLA E. BOLTON**, currently residing at 47 East Shore Road, Halesite, New York 11743, as a member of the Suffolk County Planning Commission; now, therefore be it

1st RESOLVED, that **CHARLA E. BOLTON**, currently residing at 47 East Shore Road, Halesite, New York 11743 is hereby reappointed as an at-large member of the Suffolk County Planning Commission to a term of office expiring December 31, 2010.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1480-2007

Laid on Table 5/15/2007

Introduced by Legislator Schneiderman

RESOLUTION NO. 538 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (EAST MORICHES PROPERTY) TOWN OF BROOKHAVEN

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 946.00 Block 02.00 Lot 016.000	3.303	Keith Calabro, Salvator Pane and Lisa Vitale 159 Bay Avenue East Moriches, NY 11940
No. 2	District 0200 Section 946.00 Block 02.00 Lot 017.000	2.379	Keith Calabro, Salvator Pane and Lisa Vitale 159 Bay Avenue East Moriches, NY 11940
Total Acreage		±5.682	

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: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1486-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 539 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY FARM NITROGEN LEACHING REDUCTION/IRRIGATION UPGRADE (CP 8710)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Resolution No. 659 of 2002, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

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

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2007 Capital Budget and Program; 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 resolution constitutes a Type II action, pursuant to Section 617.5 (c) (3), (20), (21) and (27) of Title 6 of the 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 farming practices, 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 it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

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 Fund	\$87,000

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$87,000

and be it further

6th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
 Project Title: Water Quality Protection- Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning	\$1,237,000	\$0	\$10,000
5. Equipment	\$ 77,000	\$0	\$77,000
TOTAL	\$6,283,160	\$0	\$87,000

and be it further

7th RESOLVED, that the transfer in the amount of \$87,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.115	50	Engineering for Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	\$10,000
525-CAP-8710.510	50	Suffolk County Farm Nitrogen Leaching Reduction/Irrigation Upgrade	\$77,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 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. 1487-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 540 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH SUFFOLK COUNTY FARM CONTAMINATED RUNOFF ABATEMENT (CP 8710)

WHEREAS, there are sufficient funds within the reserved fund balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, funds are available to mitigate polluted runoff at the Suffolk County Farm thereby resulting in groundwater and surface water quality benefits; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to Resolution No. 659 of 2002, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

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

WHEREAS, there are available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2007 Capital Budget and Program; 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 resolution constitutes a Type II action, pursuant to Section 617.5 (c) (3), (20) and (27) of Title 6 of the 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 farming practices, 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 it is hereby determined that this project, with a priority ranking of fifty nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477’s Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>	<u>IFT</u>
477	E525		9600	Transfer to Capital Fund	\$118,000	

and be it further

5th RESOLVED, that the interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Water Quality Protection	\$118,000

and be it further

6th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
 Project Title: Water Quality Protection- Suffolk County Farm Contaminated Runoff Abatement

	<u>Current</u>	<u>Revised</u>
	<u>2007</u>	<u>2007</u>
	<u>Capital</u>	<u>Capital</u>
	<u>Budget &</u>	<u>Budget &</u>
	<u>Program</u>	<u>Program</u>
Total		
Est'd		
<u>Cost</u>		

1. Planning	\$1,242,000	\$0	\$ 15,000
3. Construction	\$ 670,000	\$0	\$103,000
TOTAL	\$6,314,160	\$0	\$118,000

and be it further

7th RESOLVED, that the transfer in the amount of \$118,000 be and hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.116	50	Planning for Suffolk County Farm Contaminated Runoff Abatement	\$15,000
525-CAP-8710.316	50	Suffolk County Farm Contaminated Runoff Abatement	\$103,000

and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1500-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 541 –2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP 7177)

WHEREAS, Suffolk County has earned National Recognition for its various land acquisition programs which protect our environment and preserve the unique character of our County; and

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program; pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for the acquisition of environmentally sensitive land; for

watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

WHEREAS, additional funding in the amount of \$17 million is required to ensure the timely acquisition of environmentally sensitive land under the Suffolk County Multifaceted Land Preservation Program before these properties are no longer available; and

WHEREAS, the 2007 Capital Program and Budget does not include sufficient funding for this project and pursuant to Suffolk County Charter, Section C 4-13, an offsetting authorization must be provided from other capital projects; and

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

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; and be it further

2nd RESOLVED, that prior to the approval by this Legislature of any property for acquisition under this capital project, an environmental review of each property shall be undertaken and completed in accordance with SEQRA; and be it further

3rd RESOLVED, that the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law; and be it further

4th RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-four (54) 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

5th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No. 6011
Project Title: Tier II Homeless Shelter

<u>Cost</u>	Total Estimated <u>and Program</u>	Current 2007 Capital Budget <u>and Program</u>	Revised 2007 Capital Budget
3. Construction	\$ 0	\$15,000,000 B	\$ 0
4. Site Improvements	\$ <u>0</u>	\$ <u>2,000,000 B</u>	\$ <u>0</u>
TOTAL	\$3,200,000	\$17,000,000	\$ 0

Project No. 7177

Project Title: Suffolk County Multifaceted Land Preservation Program

	Total Estimated Cost	Current 2007 Capital Program and Budget	Revised 2007 Capital Program and Budget
2. Land Acquisition	<u>\$161,051,500</u>	<u>\$11,833,000 B</u>	<u>\$28,833,000 B</u>
TOTAL	\$161,051,500	\$11,833,000	\$28,833,000

and be it further

6th RESOLVED, that authorization of specific acquisitions, and appropriations related thereto, from the funding contained herein shall be accomplished via subsequent duly enacted resolution or resolutions of the County of Suffolk.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 22, 2007

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

Intro. Res. No. 1432-2007
Introduced by Legislator Romaine

Laid on Table 5/15/2007

RESOLUTION NO. 542 –2007, AMENDING ADOPTED RESOLUTION NO. 1123-2006, TO ESTABLISH A TICK MANAGEMENT TASK FORCE IN SUFFOLK COUNTY

WHEREAS, Resolution No. 1123-2006, "To Establish a Tick Management Task Force in Suffolk County, was approved on November 2, 2006; and

WHEREAS, amendments to Resolution No. 1123-2006 are necessary to ensure the effective functioning of this Task Force; now, therefore be it

1st RESOLVED, that the 2nd RESOLVED Clause of Resolution No. 1123-2006 is hereby amended to read as follows:

2nd RESOLVED, that the Task Force shall consist of the following members:

1. the Commissioner of the Suffolk County Department of Health Services, shall designate a representative knowledgeable in the area of tick control and tick related illnesses, who will serve as Chair;

2. the County Executive, or his designee;
3. the Presiding Officer of the Suffolk County Legislature, or his designee;
4. a representative from Brookhaven National Laboratory, knowledgeable in the area of tick control and tick related illnesses;
5. the Chair of the Shelter Island Deer and Tick Committee, or his/her designee;
6. a representative from The Nature Conservancy;
7. a representative from the League of Conservation Voters;
8. a representative from the U.S. Fish and Wildlife Service;
9. a representative from the National Park Service, Fire Island National Seashore;
10. the Regional Director of the New York State Department of Environmental Conservation, or his/her designee;
11. the Commissioner of the Department of Environment and Energy, or his/her designee;
12. a Board Member of the Empire State Lyme Disease Association, Inc.;
and
13. a representative from the medical community to be selected by the Chair of the Health and Human Services Legislative Committee.

and be it further

2nd RESOLVED, that the 6th RESOLVED Clause of Resolution No. 1123-2006 is hereby amended to read as follows:

6th RESOLVED, that seven (7) members of the Tick Management Task Force shall constitute a quorum to transact the business of the Task Force at both regular and special meetings; and be it further

and be it further

3rd RESOLVED, that the 12th RESOLVED clause of Resolution No. 1123-2006 is hereby amended to read as follows:

12th RESOLVED, that the Tick Management Task Force shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of the Department of Health Services, and the County Executive no later than May 15, 2008 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

4th RESOLVED, that the 13th RESOLVED clause of Resolution No. 1123-2006 is hereby amended to read as follows:

13th RESOLVED, that the Tick Management Task Force shall expire, and the terms of office of its members shall terminate as of June 1, 2008, at which time the Tick Management Task Force shall deposit all records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

5th RESOLVED, that all other terms and conditions of Resolution No. 1123-2006 shall remain in full force and 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: June 12, 2007

EFFECTIVE PURUSANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECTIVE UNSIGNED JUNE 29, 2007

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

Intro. Res. No. 1435-2007
Introduced by Legislator Romaine

Laid on Table 5/15/2007

RESOLUTION NO. 543 –2007, AMENDING ADOPTED RESOLUTION NO. 815-2006

WHEREAS, Resolution No. 815-2006, Creating the Suffolk County Health Care Task Force, was approved on August 16, 2006; and

WHEREAS, amendments to Resolution No. 815-2006 are necessary to ensure the effective functioning of this Task Force; now, therefore be it

1st RESOLVED, that the 2nd RESOLVED Clause of Resolution No. 815-2006 is hereby amended to read as follows:

2nd RESOLVED, that this Suffolk County Health Care Task Force shall consist of the following members:

1. the County Executive, or his designee, who shall serve as Chair;

2. the Chief Executive Officers, or their designees, of three (3) hospitals located within Suffolk County to be chosen by the Nassau-Suffolk Hospital Council, one of which shall be from a hospital located within the five East End Towns;
3. a town supervisor selected by the East End Supervisors and Mayors Association, or his or her designee;
4. a town supervisor selected by the Suffolk County Supervisor's Association to represent the five western towns, or his or her designee;
5. the Suffolk County Commissioner of Health Services, or his designee;
6. a representative of the Long Island Farm Bureau;
7. a representative of a senior organization selected by the Presiding Officer;
8. a representative of the Suffolk County Public Health Nurses Advisory Committee;
9. a representative of the Suffolk County Mental Health, Mental Retardation, and Developmental Disabilities Planning Board;
10. a representative from the South Fork Community Health Initiative;
11. a representative from the Peconic Community Council;
12. a representative from the Suffolk Community Council;
13. a representative from Cornell Cooperative Extension;
14. a representative from the Long Island Association;
15. a member of the health care community selected by the Chair of the Health and Human Services Committee;
16. a member of a transportation advocacy group selected by the Chair of the Public Works and Transportation Committee;
17. the Director of the Office of Legislative Budget Review, or her designee;
and
18. an expert in budget and finance to be selected by the County Executive;

and be it further

2nd RESOLVED, that the 8th RESOLVED Clause of Resolution No. 815-2006 is hereby amended to read as follows:

8th RESOLVED, that eleven (11) members of the Suffolk County Health Care Task Force shall constitute a quorum to transact the business of the Suffolk County Health Care Task Force at both regular and special meetings; and be it further

and be it further

3rd RESOLVED, that the 14th RESOLVED Clause of Resolution No. 815-2006 is hereby amended to read as follows:

14th RESOLVED, that the Suffolk County Health Care Task Force shall submit a written report of its findings and determinations together with its recommendations for action to each member of the County Legislature, the Commissioner of Health Services, and the County Executive no later than May 31, 2008 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

4th RESOLVED, that the 15th RESOLVED Clause of Resolution No. 815-2006 is hereby amended to read as follows:

15th RESOLVED, that the Task Force shall expire, and the terms of office of its members terminate thirty (30) days subsequent to 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

5th RESOLVED, that all other terms and conditions of Resolution No. 815-2006 shall remain in full force and 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: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1465-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 544 -2007, APPROVING THE APPOINTMENT OF TERESA STRUM TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP C

WHEREAS, Bill Laimit, has resigned from the Disabilities Advisory Board; now, therefore be it

1st RESOLVED, that the appointment of Teresa Strum, of 12 Claymore Road, Fort Salonga, New York 11768, as a member of the Disabilities Advisory Board – Group C – representing BOCES, for a term of office expiring September 14, 2008, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3(3) of the SUFFOLK COUNTY CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1474-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 545 -2007, APPROVING THE REAPPOINTMENT
OF KLEO J. KING TO THE SUFFOLK COUNTY DISABILITIES
ADVISORY BOARD – GROUP B**

WHEREAS, the term of office of Suffolk County Disabilities Advisory Board member Kleo J. King has expired; now, therefore be it

RESOLVED, that the reappointment of Kleo J. King, residing at 17 Woodbridge Court, Babylon, New York 11704, to the Suffolk County Disabilities Advisory Board – Group B, for a term of office expiring September 14, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1475-2007

Laid on Table 5/15/1007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 546 -2007, APPROVING THE REAPPOINTMENT OF DEBORAH EPPLER TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP B

WHEREAS, the term of office of Suffolk County Disabilities Advisory Board member Deborah Eppler has expired; now, therefore be it

RESOLVED, that the reappointment of Deborah Eppler, residing at PO Box 614, Aquebogue, New York 11931, to the Suffolk County Disabilities Advisory Board – Group B, for a term of office expiring September 14, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1476-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 547 -2007, APPROVING THE REAPPOINTMENT OF BEVERLY CODY TO THE SUFFOLK COUNTY DISABILITIES ADVISORY BOARD – GROUP B

WHEREAS, the term of office of Suffolk County Disabilities Advisory Board member Beverly Cody has expired; now, therefore be it

RESOLVED, that the reappointment of Beverly Cody, residing at 240 Feller Drive, Central Islip, New York 11722, to the Suffolk County Disabilities Advisory Board – Group B, for a term of office expiring September 14, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 78-3 of Chapter 78 of the SUFFOLK COUNTY ADMINISTRATIVE CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1478-2007
Introduced by Legislator Viloría-Fisher

Laid on Table 5/15/2007

**RESOLUTION NO. 548 -2007, FURTHER AMENDING ADOPTED
RESOLUTION NO. 176-2006, PUBLIC HEALTH NURSING TASK
FORCE**

WHEREAS, Resolution No. 176-2006, as amended by Resolution No. 835-2006, created a Public Health Nursing Task Force; and

WHEREAS, this Task Force has developed the criteria for a Request for Proposals (RFP) for consulting services to perform a cost/benefit analysis of the County's Public Health Nursing Program; and

WHEREAS, the Task Force has requested that the Legislature's Office of Budget Review issue the RFP; now, therefore be it

1st RESOLVED, that the 12th RESOLVED clause of Resolution No. 176-2006, as amended by Resolution No. 835-2006, is hereby amended as follows:

12th RESOLVED, that the Suffolk County Legislature's Office of Budget Review [Department of Health Services] shall issue the RFP for consulting services to perform a cost/benefit analysis of the County's Public Health Nursing Program [within thirty (30) days after receipt of the Task Force's report outlining the criteria for the RFP]; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 176-2006, as amended by Resolution No. 835-2006, shall remain in full force and effect; and be it further

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

DATED: June 12, 2007

EFFECTIVE PURUSANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECTIVE UNSIGNED JUNE 29, 2007

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 549 -2007, ACCEPTING THE DONATION OF ONE (1) KARAVAN TRAILER FROM THE CENTRAL PINE BARRENS COMMISSION FOR USE BY THE SUFFOLK COUNTY PARKS POLICE

WHEREAS, the Suffolk County Park Police actively organize interagency field enforcement operations for the Pine Barrens Enforcement Council of the Central Pine Barrens Commission; and

WHEREAS, the Central Pine Barrens Commission received a settlement from the New York State Department of Environmental Conservation which includes funds restricted for use by the Pine Barrens Enforcement Council; and

WHEREAS, the Central Pine Barrens Commission used a portion of these settlement funds to purchase a Karavan trailer for use by the Council agencies' officers; and

WHEREAS, the Central Pine Barrens Commission has authorized the transfer of title of the Karavan trailer purchased with the money from the settlement; now, therefore be it

1st RESOLVED, that the donation of one (1) Karavan trailer by the Central Pine Barrens Commission shall be accepted by the County of Suffolk for use by the Park Police of the Department of Parks, Recreation and Conservation; and be it further

2nd RESOLVED, that County's Public Works Department, Division of Fleet Management is hereby authorized, empowered and directed to maintain this trailer bearing VIN # 5KTSS16136F211444; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5(25) and (27), in that the resolution concerns acquiring furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

RESOLUTION NO. 550 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RENOVATION TO HISTORIC SCULLY ESTATE, ISLIP (CP 7512)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested construction funds to complete the Renovation to Historic Scully Estate, Islip; and

WHEREAS, Resolution No. 1241-2004 designated the Scully Sanctuary (Islip) as the site for the Suffolk County Community Educational and Environmental Interpretive Center; and

WHEREAS, the Department of Public Works recently provided an estimated minimal budget for improvements at the Scully Estate needed in order to secure a Certificate of Occupancy (C.O.) for the facility; and

WHEREAS, the work necessary for the C.O. includes: fire alarms and security system; servant's wing ceramic floor tile; handicap entry ramp and lift; Belgian block curbs; foam insulation and ductwork; toilet partitions and accessories; wetlands sanitary system; paving, parking area, curbing and walkway repairs; and interior lighting, power, and rewiring; and

WHEREAS, the minimal estimated budget required for the improvements at the Scully Estate totals \$1,100,000 and is needed immediately in order to complete work on the project; and

WHEREAS, the 2007 Capital Program and Budget does not include sufficient funding for this project and pursuant to Suffolk County Charter, Section C 4-13, an offsetting authorization must be provided from other capital projects; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 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 \$1,100,000 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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), 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 nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No. 3300
 Project Title: Public Works Communication System

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget and Program</u>	<u>Revised 2007 Capital Budget and Program</u>
5. Furniture & Equipment	<u>\$ 460,000</u>	<u>\$1,260,000 F</u>	<u>\$ 460,000F</u>

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of renovations to the historic Scully Estate, Islip, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,100,000. The plan of financing includes the issuance of \$1,100,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) of the Law of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: June 12, 2007

APPROVED BY:

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

Date: June 22, 2007

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

Intro. Res. No. 1353-2007

Laid on Table 4/24/2007

Introduced by Legislators Schneiderman, Romaine and Losquadro

**RESOLUTION NO. 552 -2007, ADOPTING LOCAL LAW NO. 19 -2007,
A LOCAL LAW INCREASING TOWING AND STORAGE REIMBURSEMENT
TO TOWNS AND VILLAGES UNDER COUNTY SEIZURE LAWS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 24, 2007, a proposed local law entitled, **“A LOCAL LAW INCREASING TOWING AND STORAGE REIMBURSEMENT TO TOWNS AND VILLAGES UNDER COUNTY SEIZURE LAWS”**; now, therefore, be it

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

LOCAL LAW NO. 19 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW INCREASING TOWING AND STORAGE
REIMBURSEMENT TO TOWNS AND VILLAGES UNDER COUNTY
SEIZURE LAWS**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk has enacted local laws which authorize the seizure and forfeiture of motor vehicles when a driver is unlicensed, intoxicated or engaged in an unlawful speed contest.

This Legislature further determines that the Suffolk County Police District may charge reasonable and customary towing, maintenance and storage fees when it seizes a vehicle. However, when a law enforcement agency outside the Police District seizes a vehicle pursuant to the above described local laws, that entity may receive a maximum reimbursement of \$200 from forfeiture proceeds, even if their actual towing and storage costs are much higher.

This Legislature also finds that authorizing towns and villages to receive a higher rate of reimbursement for storage and towing costs is more equitable and will encourage stronger enforcement of the County’s seizure and forfeiture laws in areas of the County outside the Police District.

Therefore, the purpose of this law is to increase the maximum reimbursement for towing and storage costs incurred by outside law enforcement agencies from \$200 to \$300.

Section 2. Amendments.

I. Article IV of Chapter 270 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Article IV, Forfeiture of Property Used in or Obtained Through Crime

* * * *

§ 270-28. Disposition of forfeited assets and proceeds.

* * * *

B. Distribution of funds generated by sale of forfeited property or assets.

(1) Any funds generated by the disposition of seized property or assets as described in this article, minus the reasonable and necessary expenses incurred in connection with towing, maintenance, and storage of the assets seized in accordance with this article, shall be distributed as set forth in this section. These funds shall include all fees received from the towing, maintenance, and storage of the assets seized by another law enforcement agency and thereafter transferred to the Suffolk County police impound facility. Whenever an outside law enforcement agency shall transfer a seized asset to the Suffolk County police impound facility it shall be entitled to reimbursement of all costs actually incurred for towing the seized property or asset to and from their impound area and for paid storage, up to a maximum of ~~[\$200]~~\$300, upon disposal of said seized asset, but said reimbursement shall not exceed money actually received by the Suffolk County Police Department for its disposition. In the event the fees collected by the police department upon disposal of said seized asset exceed the actual towing costs incurred, or the ~~[\$200]~~\$300 maximum, whichever is less, as the case may be, such excess shall be retained by the Suffolk County Police Department. All reasonable and necessary expenses collected pursuant to this subsection shall be transferred into a police asset forfeiture fund in a separate nonlapsing appropriation for law enforcement purposes.

* * * *

II. Article III of Chapter 467 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Article III. Seizure of Vehicles Used in Commission of Offense

* * * *

§467-15. Civil Authority

* * * *

J. All property seized pursuant to this article is subject to reasonable and customary towing, maintenance and daily storage fees as may be established by the Suffolk County Police Commissioner. Such fees shall be payable to the seizing agency, or in the event the instrumentality of the offense has been transferred to the custody of the Suffolk County Police Department by the seizing agency, such fees shall be payable to the Suffolk County Police Department, prior to release of said property. The seizing agency, if other than the Suffolk County Police Department, shall be reimbursed up to ~~[\$200]~~\$300 for towing and storage expense actually incurred, upon disposal of said instrumentality of the offenses by the claiming authority, but said reimbursement shall not exceed money actually received by the Suffolk County Police Department for its disposition. All towing, storage and maintenance fees collected shall be retained by the Suffolk County Police Department and shall be transferred into a police asset forfeiture fund in a separate nonlapsing appropriation for law enforcement purposes.

* * * *

III. Article IV of Chapter 467 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Article IV, Unlawful Speed Contests and Races

* * * *

§ 467-23. Civil authority.

* * * *

J. All property seized pursuant to this article is subject to reasonable and customary towing, maintenance and daily storage fees as may be established by the Suffolk County Police Commissioner. Such fees shall be payable to the seizing agency, or, in the event the instrumentality of the offense has been transferred to the custody of the Suffolk County Police Department by the seizing agency, such fees shall be payable to the Suffolk County Police Department, prior to release of said property. The seizing agency, if other than the Suffolk County Police Department, shall be reimbursed up to ~~[\$200]~~\$300 for towing and storage expense actually incurred, upon disposal of said instrumentality of the offenses by the claiming authority, but said reimbursement shall not exceed money actually received by the Suffolk County Police Department for its disposition. All towing, storage and maintenance fees collected shall be retained by the Suffolk County Police Department and shall be transferred into a police asset forfeiture fund in a separate nonlapsing appropriation for law enforcement purposes.

* * * *

Section 3. Applicability.

This law shall apply to all property seized by an outside law enforcement agency occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

After a public hearing duly held on June 26, 2007
Filed with the Secretary of State on July 24, 2007

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

Intro. Res. No. 1446-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 553 -2007, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR MARKETING OUTREACH SERVICES FOR THE DEPARTMENT OF FIRE, RESCUE, AND EMERGENCY SERVICES

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Fire, Rescue and Emergency Services requested an RFP for "Marketing Outreach Services" for the Development of the Federally funded Suffolk County Multi-Jurisdictional, Multi-Hazard, Pre-Disaster Mitigation Plan Grant; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and requested an RFP from nine (9) potential vendors and received only one response from Sanna Mattson MacLeod, Inc.; and

WHEREAS, an independent evaluation committee reviewed the proposal from Sanna Mattson MacLeod, Inc. and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Department of Fire, Rescue, and Emergency Services enter into a contractual agreement with the provider; and

WHEREAS, 100% funding of this contract has been made available by the Suffolk County Multi-Jurisdictional, Multi-Hazard, Pre-Disaster Mitigation Plan Grant adopted by the Suffolk County Legislature Resolution No. 184-2006; and as a result, there are sufficient funds in the 2007 Suffolk County Operating Budget to cover the cost of this contract; now, therefore be it

1ST RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Fire, Rescue and Emergency Services enter into a contractual agreement with Sanna Mattson MacLeod Inc., for the provision of Marketing Outreach services.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1079-2007

Laid on Table 2/6/2007

Introduced by Legislators Schneiderman and Browning

RESOLUTION NO. 554 -2007, ADOPTING LOCAL LAW NO. 20 - 2007, A LOCAL LAW TO AMEND THE COUNTY POLICY FOR SEWER CONNECTIONS TO PROMOTE AFFORDABLE HOUSING

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 6, 2007, a proposed local law entitled, "**A LOCAL LAW TO AMEND THE COUNTY POLICY FOR SEWER CONNECTIONS TO PROMOTE AFFORDABLE HOUSING**"; now, therefore be it

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

LOCAL LAW NO. 20 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AMEND THE COUNTY POLICY FOR SEWER CONNECTIONS TO PROMOTE AFFORDABLE HOUSING

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that there exists a critical need for affordable housing opportunities in Suffolk County.

This Legislature also finds and determines that the County of Suffolk has shown its commitment to providing affordable housing by crafting an affordable and workforce housing infrastructure improvement fund, by instituting a 72-h property transfer program to promote affordable housing, and by commissioning a study to determine the best methods to generate more affordable and workforce housing in Suffolk County.

This Legislature further finds and determines that the County of Suffolk regularly enters into contracts to permit residential housing developments to connect to County sewer districts, without regard to any public benefit that these developments could provide to the people of Suffolk County.

This Legislature finds that a portion of the excess sewer capacity that is given away to private developers should be reserved for affordable and workforce housing so as to encourage their construction.

Therefore, the purpose of this law is to promote the development of affordable and workforce housing opportunities in Suffolk County by requiring residential housing developments that connect to County sewer districts to contain no less than 20% of affordable housing units.

Section 2. Amendments.

Chapter 424 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 424, SEWERS

* * * *

ARTICLE VIII, General Provisions

* * * *

§ 424-45. Connection by premises outside district.

A. The Administrator is hereby authorized and empowered to consider applications for connections to a county sewer district facility by businesses, industries and other users from outside the geographical boundaries of a district and to negotiate contracts and agreements with those businesses, industries and users as he deems appropriate upon such terms and conditions as to him may seem reasonable and proper to protect the best interests and to accrue to the financial benefit of the district, including but not limited to provisions intended to relieve a district of the full burden of maintenance and capital costs, present or future, if any, attributable to and that might result from such contractual connections, and including the filing of a surety bond or

the deposit of cash or securities with the County Treasurer or the giving of every guaranty to the district to ensure the performance of said agreements and contracts, and the costs, if any, to a district relating thereto will be offset by payments from the owner and will not constitute an undue burden upon the property within said district, subject to the provisions of § 424-38 of this chapter and the charges imposed thereunder.

B. 1. No contract between the Administrator and an applicant from outside the geographical boundaries of a district may be entered into unless, in the case of a residential housing development or a development that includes a residential component, which consists of 10 or more units only, the housing development or component is comprised of no less than 20% of units that are set aside for homebuyers or renters whose income does not exceed 120% of the HUD established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size.

2. Prior to the approval of a contract with the Administrator, the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing shall be provided with such documentation and certification as he or she deems necessary in order to certify that the requirements outlined in paragraph (B)(1) of this Section are being complied with.

3. Upon approval of a contract with the Administrator, a covenant shall be filed on the deed of those units that are required to be set aside pursuant to paragraph (B)(1) of this Section, which covenant or covenants shall contain the following restrictions:

a. said unit or units shall be restricted for use as affordable housing units, defined for purposes of this Section as meaning units which are set aside for homebuyers or renters whose income does not exceed 120% of the HUD established median income limit for the Nassau-Suffolk Primary Metropolitan Statistical Area (PMSA) adjusted by family size, for a period of fifteen years from the date of filing of the covenant or covenants;

b. said unit or units shall remain the principal residence of the individual or individuals who occupy the unit or units during the fifteen year restriction described above;

c. all covenants filed pursuant to this Section shall be in a form approved by the Suffolk County Attorney.

[B.]C. Any contracts or agreements negotiated by the administrative head of any Suffolk County Sewer District shall be subject to the final review, approval and ratification of the Suffolk County Legislature.

* * * *

Section 3. Applicability.

This law shall apply to contracts or agreements entered into on or after the effective date of this law, but shall not apply to contracts or agreements that arise from applications that received formal approval from the Suffolk County Sewer Agency prior to the law's effective date.

Section 4. Enforcement.

The County Attorney may institute any other action or proceeding in any court of competent jurisdiction that may be appropriate or necessary for the enforcement of the provisions of this chapter, including actions to secure permanent injunctions enjoining any acts or practices which constitute a violation of any provision of this law, mandating compliance with the provisions of this chapter, or for such other relief as may be appropriate.

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

Section 7. Effective Date.

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

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

After a public hearing duly held on June 26, 2007
Filed with the Secretary of State on August 6, 2007

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

Intro. Res. No. 1367-2007
Introduced by Legislators Losquadro, Cooper, Horsley and Stern

Laid on Table 4/24/2007

RESOLUTION NO. 555 -2007, REQUIRING THE USE OF BIO-DIESEL FUEL IN THE SUFFOLK COUNTY FLEET TO REDUCE EMISSIONS, IMPROVE AIR QUALITY AND PROMOTE THE USE OF ALTERNATIVE FUELS

WHEREAS, bio-diesel is a fuel that is made from soybeans or waste vegetable oil and can be used in place of petroleum based diesel fuel for vehicles; and

WHEREAS, bio-diesel fuel can be used in any unmodified diesel engine, and results in a substantial reduction of carbon dioxide, sulfur dioxide and particulate emissions when compared to conventional diesel fuel; and

WHEREAS, bio-diesel replaces the lubricating effects of sulfur found in conventional diesel fuel, and can increase engine life as the fuel itself is a natural lubricant; and

WHEREAS, over the last two months, the price of bio-diesel fuel has shown a downward trend, while the price of conventional diesel fuel has increased and has even surpassed that of bio-diesel; and

WHEREAS, this Legislature enacted Resolution No. 1286-2004 which instituted a pilot program to fuel diesel powered vehicles at the Bergen Point facility with B20, which is 20% bio-diesel blended with 80% petroleum diesel fuel, and this program has shown encouraging results; and

WHEREAS, based on the positive results of the pilot program, and since bio-diesel has been shown to be a cleaner, more effective fuel than conventional diesel fuel, the entire Suffolk County diesel fleet should henceforth be fueled by B20; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered and directed, pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER, to begin the systematic conversion of the entire Suffolk County diesel fueled vehicle fleet to B20 fuel operation, said conversion to be complete no later than December 31, 2008; and be it further

2nd RESOLVED, that the Commissioner of the Suffolk County Department of Public Works is hereby further authorized, empowered and directed to report to the Chairman and to each member of the Suffolk County Legislature's Public Works Committee, in writing, on the estimated cost associated with converting the entire Suffolk County diesel fueled vehicle fleet to B20 fuel operation no later than June 30, 2007 for inclusion in the County Operating Budget of 2008; and be it further

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1377-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 556 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 17, CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP (CP 5097)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with the Reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip; and

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$150,000 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-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (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

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

4th RESOLVED, that the 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5538
 Project Title: Reconstruction of CR 13, Fifth Avenue, Town of Islip

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
2. Land Acquisition	<u>\$150,000</u>	<u>\$300,000B</u>	<u>\$150,000</u>
TOTAL	\$2,700,000	\$300,000	\$150,000

Project No.: 5097
 Project Title: Reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
2. Land Acquisition	<u>\$800,000</u>	<u>\$ 0</u>	<u>\$150,000B</u>
TOTAL	\$9,050,000	\$ 0	\$150,000B

and be it further

5th RESOLVED, that the proceeds of \$150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5097.212 (Fund 001-Debt Service)	50	Reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip	\$150,000

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: June 25, 2007

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

BOND RESOLUTION NO. 557 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE A
PART OF THE COST OF THE RECONSTRUCTION OF CR 17,
CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP (CP
5097.212)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,450,000. The plan of financing includes (a) the issuance of \$550,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1197-97, (b) the issuance of \$700,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 1162-2003, (c) the issuance of \$50,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 915-2005, (d) the issuance of \$150,000 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. 20 (c) of the Law of the Law, is fifteen (15) years, computed from December 15, 1999, the date of issuance of the first obligations issued pursuant to Bond Resolution No 1197-1997.

(b) It is hereby determined that the planning and other preliminary costs for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 915-2005 is hereby amended and restated to be fifteen (15) years, computed from December 15, 1999, the date of issuance of the first obligations issued pursuant to Bond Resolution No 1197-1997.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed

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

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

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

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

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

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

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1443-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 558 -2007, APPROPRIATING FUNDS FOR THE ACQUISITION OF PROPERTIES IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS (CP 3301)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with Safety Improvements on CR 46, William Floyd Parkway at Surrey Circle, Town of Brookhaven; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public Works; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 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 \$100,000 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-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 594 of 2001 classified the action contemplated by this as an Unlisted Action, which will not have a significant effect on the environment; and be it further

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

4th RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3301.224	50	Acquisition of properties in connection with safety improvements on CR 46, William Floyd Parkway @ Surrey Circle	\$100,000

DATED: June 12, 2007

APPROVED BY:

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

Date: June 21, 2007

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

Intro. Res. No. 1443A-2007

BOND RESOLUTION NO. 559 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A
PART OF THE COST OF THE ACQUISITION OF LAND IN
CONNECTION WITH SAFETY IMPROVEMENTS ON CR 46, WILLIAM
FLOYD PARKWAY AT SURREY CIRCLE, TOWN OF BROOKHAVEN
(CP 3301.224)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land in connection with safety improvements on CR 46, William Floyd Parkway at Surrey Circle, 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 \$120,000. The plan of financing includes (a) the issuance of \$20,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1300-1999, (b) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (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. 21 of the Law of the Law, is thirty (30) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1300-1999.

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

bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1444-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 560 -2007, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 10, ELWOOD ROAD @ CR 11, PULASKI ROAD, TOWN OF HUNTINGTON (CP 5558)

WHEREAS, the Commissioner of Public Works has requested funds for engineering and land acquisition in connection with Intersection Improvements on CR 10, Elwood Road @ CR 11, Pulaski Road; 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 \$245,000 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-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), 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

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

4th RESOLVED, that the proceeds of \$245,000 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-5558.110	50	Intersection Improvements on CR	\$225,000

(Fund 001-Debt Service)

10, Elwood Road @ CR 11,
Pulaski Road – Planning and
Design

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP 5558.210 (Fund 001-Debt Service)	50	Intersection Improvements on CR 10, Elwood Road @ CR 11, Pulaski Road – start-up cost for right-of-way	\$20,000

DATED: June 12, 2007

APPROVED BY:

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

Date: June 22, 2007

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

Intro. Res. No. 1444A-2007

BOND RESOLUTION NO. 561 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$245,000 BONDS TO FINANCE
THE COST OF PLANNING FOR INTERSECTION IMPROVEMENTS
ON CR 10, ELWOOD ROAD AT CR 11, PULASKI ROAD, TOWN OF
HUNTINGTON (CP 5558.110 and .210)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$245,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for intersection improvements on CR 10, Elwood Road at CR 11, Pulaski Road, Town of Huntington, 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 \$245,000. The plan of financing includes the issuance of \$245,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$225,000 for planning and design and \$20,000 for start-up costs for right of way) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the

foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 22, 2007

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

Intro. Res. No. 1445-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 562 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS (CP 1623)

WHEREAS, the Commissioner of Public Works has requested funds for Roof Replacement on 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, pursuant to Resolution No. 675-2006, the application of the 5-25-5 law has been waived during fiscal year 2007, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$395,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 707-2005 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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 2007 Capital Budget and Program be and they are hereby amended as follows:

Project No: 1623
 Project Title: Roof Replacement on Various County Buildings

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$3,651,550	\$395,000G	\$395,000B
TOTAL	\$3,651,550	\$395,000	\$395,000

and be it further

5th RESOLVED, that the proceeds of \$395,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1623.324 (Fund 001-Debt Service)	20	Roof Replacement on Various County Buildings	\$395,000

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1445A-2007

BOND RESOLUTION NO. 563 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
 AUTHORIZING THE ISSUANCE OF \$395,000 BONDS TO FINANCE A
 PART OF THE COST OF ROOF REPLACEMENT ON VARIOUS
 COUNTY BUILDINGS (CP 1623.324)**

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 \$395,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of roof replacement on 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 \$715,000. The plan of financing includes (a) the issuance of \$320,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 768-2006, (b) the issuance of \$395,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a) (2) of the Law of the Law, is fifteen (15) years, computed from May 15, 2007, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 768-2006.

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

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

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

substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1490-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 564 -2007, AMENDING RESOLUTION NO. 1163 OF 2003 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION OF CR 17, CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP (CP 5097)

WHEREAS, Resolution No. 1163 of 2003 appropriated \$700,000 under Capital Project No. 5097.110 for this project; and

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

WHEREAS, Resolution No. 1163 of 2003 appropriated \$700,000 and apportioned the funding allocation at 100% County funds; and

WHEREAS, Federal Highway Administration funding has subsequently been allocated for this project at an 80% share; and

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

1st RESOLVED, that the apportionment of the cost of Capital Project 5097.110 be amended to reflect the 80% Federal Highway Administration aid dedicated in the amount of \$560,000; and be it further

2nd RESOLVED, that the apportionment of the cost of Capital Project 5097.110 be amended to reflect a total cost of \$700,000 with 80% Federal reimbursement in the amount of \$560,000, and a 20% County share in the amount of \$140,000; 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 \$140,000; 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 \$140,000 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$560,000; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total federal share of \$560,000; and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1491-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 565 -2007, AMENDING RESOLUTION NO. 600 OF 2006 FOR PARTICIPATION IN CONSTRUCTION IN CONNECTION WITH THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY, TOWN OF BABYLON (CP 5851)

WHEREAS, Resolution No. 1325 of 2005 appropriated \$9,280,000 under Capital Project No. 5851.310 for this project; and

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

WHEREAS, Resolution No. 1325 of 2005 appropriated \$9,280,000 and apportioned the funding allocation at 80% in Federal funds and 20% in County funds; and

WHEREAS, New York State subsequently allocated a 10.81% share from State Marchiselli funding; and

WHEREAS, Resolution No. 600 of 2006 apportioned this \$9,280,000 at 80% Federal funding, 10.81% State Marchiselli funding and 9.19% County funding; and

WHEREAS, New York State has now allocated a full 15% share from 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 funding appropriated under Resolution Nos. 1325 of 2005 and 600 of 2006 under Capital Project 5851.310 be amended to reflect the additional 4.19% State Marchiselli Aid; and be it further

2nd RESOLVED, that the apportionment of the funds appropriated under Resolution Nos. 1325-2005 and 600 of 2006 for Capital Project 5851.310 be amended to reflect a total cost of \$9,280,000 with 80% Federal reimbursement in the amount of \$7,424,000, 15% State Marchiselli Aid reimbursement in the amount of \$1,392,000, and a 5% County share in the amount of \$464,000; 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 \$464,000; 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 \$464,000 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 \$1,392,000; 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 \$7,424,000; 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 \$8,816,000; 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: June 12, 2007

APPROVED BY:

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

Date: June 21, 2007

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

Intro. Res. No. 1493-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 566 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH THE RENOVATIONS, CONSTRUCTION,
AND ADDITIONS TO POLICE PRECINCTS-FOURTH PRECINCT
(CP 3184)**

WHEREAS, the Police Commissioner has requested construction and site work funds for the new Fourth Police Precinct Building; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of construction and site work under Capital Project No. 3184; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$14,500,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd 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

3rd **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

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

5th **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2(X) of the Suffolk County Charter to complete such renovations, construction and additions to Police Precincts; and be it further

6th **RESOLVED**, that the proceeds of \$14,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Proj. No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3184.317 (Fund 115-Debt Service)	21	Construction & Additions to the New Fourth Police Precinct	\$14,000,000
525-CAP-3184.413 (Fund 115-Debt Service)	21	Site Work for Construction & Additions to the New Fourth Police Precinct	\$500,000

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1493A-2007

BOND RESOLUTION NO. 567-2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$14,500,000 BONDS TO
FINANCE A PART OF THE COST OF THE RENOVATION,
CONSTRUCTION, AND ADDITION TO THE FOURTH POLICE
PRECINCT BUILDING (CP 3184.317 and .413)**

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 \$14,500,000 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 renovation, construction, and addition to the Fourth Police Precinct building, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$16,400,000. The plan of financing includes (a) the issuance of \$1,500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 320-2005, (b) the issuance of \$400,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 671-2006, (c) the issuance of \$14,500,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$14,000,000 for construction and \$500,000 for site work) 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. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 11(a) of the Law of the Law, is thirty (30) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 320-2005.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital project and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 320-2005 and Bond Resolution No. 671-2006 is hereby amended and restated to be thirty (30) years pursuant to Section 11.00 a. 11(a) of the Law.

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: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1497-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 568 -2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS FOR IMPROVEMENTS IN SUFFOLK COUNTY SEWER DISTRICT NO. 5 - STRATHMORE HUNTINGTON (CP 8115)

WHEREAS, Suffolk County Sewer District No. 5 – Strathmore Huntington includes a number of remote pumping stations; and

WHEREAS, Pump Station No. 4 was required to have its force main replaced; and

WHEREAS, there are sufficient funds included within the 2007 Adopted Operating Budget (404-IFT-E527) to cover the transfer of funds to the Capital Fund for said sewer district improvements; and

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

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 635-2006 determined that the proposed improvement constitutes a Type II action pursuant to the provisions of 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking seventy-four (74) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

REVENUE:

<u>Fund /Agency/Source</u>	<u>Description</u>	<u>Amount</u>
527-IFT-R404	Transfer from Assessment Stabilization Reserve Fund	\$50,000

and be it further

3rd RESOLVED, that funds in the amount of \$50,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8115.110	Improvements to Sewer District 5 – Strathmore Huntington	\$50,000

and be it further

4th RESOLVED, that the Administrative Head of Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the construction of improvements at Sewer District No. 5 – Strathmore Huntington.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 22, 2007

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

Intro. Res. No. 1499-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 569 –2007, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS PURSUANT TO THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF C.R. 80 – MONTAUK HIGHWAY, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (CP 5516 PIN 0756.68)

WHEREAS, the Determinations and Findings of the Public Hearing held on September 26, 2006 that were made in accordance with Section 204 of the Eminent Domain Procedure Law along with the stenographic transcript of said hearing and all exhibits thereto were duly filed with the Clerk of the Legislature on November 6, 2006; and

WHEREAS, on December 19, 2006, said Determinations and Findings along with the recommendations contained therein were duly approved by this Legislature in Adopted Resolution No. 2541-2006; and

WHEREAS, the Commissioner of the Department of Public Works of the County of Suffolk was directed by Adopted Resolution No. 2541-2006 to file acquisition maps with this Legislature entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 80, MONTAUK HIGHWAY FROM WILLIAM FLOYD PARKWAY TO BARNES ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (CP 5516 PIN 0756.68)"; and

WHEREAS, on August 26, 2004, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 876-2004 and SEQRA is complete; and

WHEREAS, the acquisition maps for this project were duly filed by the Commissioner of the Department of Public Works with the Clerk of the Suffolk County Legislature, pursuant to Adopted Resolution Nos. 912-2004 and 1523-2006; now, therefore be it

1st RESOLVED, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 80, MONTAUK HIGHWAY FROM WILLIAM FLOYD PARKWAY TO BARNES ROAD, TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK (CP 5516 PIN 0756.68)", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on April 17, 2007, pursuant to Adopted Resolution Nos. 912-2004 and 1523-2006, be and the same are hereby approved and adopted; and be it further

2nd 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

3rd 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

4th 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

5th 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

6th 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

7th 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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1502-2007
Introduced by Presiding Officer Lindsay

Laid on Table 5/15/2007

RESOLUTION NO. 570 -2007, AUTHORIZING TRANSFER OF TEN (10) SURPLUS COUNTY COMPUTER MONITORS TO THE HEALTH AND WELFARE COUNCIL OF LONG ISLAND

WHEREAS, the Suffolk County Legislature has submitted to the Purchasing Department a list of surplus computer monitors with power cords and VGA cables which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, The Health & Welfare Council of Long Island has requested the donation of computer monitors from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

<u>TO:</u>	<u>MONITOR SERIAL NO:</u>
The Health & Welfare Council of Long Island	P010196504
One West Main Street	P010196528
Smithtown, NY 11787	P010196542
	P010196762
Contact: Joel Becker	P010196828
Telephone: 631-979-9490	P010196836
	P010196840
	P010196845
	P010196846
	P010196848

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed non-profit for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; 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: June 12, 2007

APPROVED BY:

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

Date: June 25, 2007

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

Intro. Res. No. 1506-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 571 -2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE DESIGN OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 18 - HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, Suffolk County Sewer District No. 18 - Hauppauge Industrial contains two sewage treatment plants constructed nearly thirty years ago; and

WHEREAS, the District was created in 1987 being extended in 1992; and

WHEREAS, the facilities are at the end of their useful life and lack the capacity to adequately serve the Industrial Park; and

WHEREAS, the District is adjacent to the remainder of the Hauppauge Industrial Park that has expressed support for growth which requires sewage treatment capacity; and

WHEREAS, design is underway to expand the sewage treatment capacity and service area to the remainder of the Hauppauge Industrial Park within the Town of Smithtown; and

WHEREAS, an application has been submitted to the State Comptroller to gain approval for the project; and

WHEREAS, Resolution Nos. 1395-2006 and 1396-2006 authorizes appropriations and issuance of bonds for design proposes; and

WHEREAS, it is proposed to utilize Assessment Stabilization Reserve Funds until the State Comptroller approves the application; and

WHEREAS, the project costs will increase if engineering design does not continue and funds appropriated by a loan from the Assessment Stabilization Reserve Fund will allow the project schedule to be met when the State Comptroller approves the application; and

WHEREAS, the Commissioner of Public Works has requested funds for the purpose to continue the design phase of the project; and

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

WHEREAS, it is proposed that the Assessment Stabilization Reserve Fund loan the district \$800,000 for the purpose continuing design of the project; and

WHEREAS, the repayment amount and schedule of payback of said loan will be a payback period of twenty years; and

WHEREAS, SEQRA Resolution No. 716-2004 has determined that this project is Unlisted in accordance with 6 NYCRR; 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, that the Assessment Stabilization Reserve Fund shall loan the sum of \$800,000 to the district for the purpose of implementing the project; and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller be and they are hereby authorized to amend the 2007 Adopted Operating Budget to transfer funds and accept proceeds as follows:

<u>INTERFUNDS</u>	<u>AMOUNT</u>
404-IFT-E527-Transfer to Fund 527	\$800,000
527-IFT-R404	\$800,000

and be it further

4th RESOLVED, that the 2007 Capital Budget be and it hereby is amended as follows:

Project No. 8126

Project Title: Improvements to SCSD No. 18 - Hauppauge Industrial

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1) Planning, Design & Supervision	\$ 4,308,311	\$ -0-	\$ 800,000-AL
2) Land Acquisition	\$ 1,000,000	\$ 500,000	\$ 500,000
3) Construction	\$62,600,000	\$33,500,000	\$33,500,000
TOTAL	\$67,908,311	\$34,000,000	\$34,800,000

AL – Loan from Assessment Stabilization Reserve Fund

and be it further

5th RESOLVED, that the following funds are hereby appropriated and that the County Comptroller and County Treasurer are hereby authorized to release said funds for the design of improvements and expansion to Sewer District 18 - Hauppauge Industrial:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8126.113	80	Design and Engineering for Improvements and Expansion to SCSD No. 18 – Hauppauge Industrial	\$800,000

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2007

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

Intro. Res. No. 1469-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 572 -2007, APPROVING THE REAPPOINTMENT OF ELIZABETH EGGLETON AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD

WHEREAS, the term of office of Elizabeth Eggleton expired on July 26, 2006; now, therefore be it

1st RESOLVED, that the reappointment of Elizabeth Eggleton, residing at 47 Pine Ridge Drive, Smithtown, NY 11787, as a member of the Senior Citizens Advisory Board for a term of office expiring July 26, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 158-2(B) of the SUFFOLK COUNTY CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1470-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 573 -2007, APPROVING THE REAPPOINTMENT OF TIMOTHY EDWARDS AS A MEMBER OF THE SENIOR CITIZENS ADVISORY BOARD

WHEREAS, the term of office of Timothy Edwards expired on July 26, 2006; now, therefore be it

1st RESOLVED, that the reappointment of Timothy Edwards, residing at 5 Mill Race, Hampton Bays, NY 11946, as a member of the Senior Citizens Advisory Board for a term of office

expiring July 26, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of 158-2(B) of the SUFFOLK COUNTY CODE.

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1327-2007

Laid on Table 4/24/2007

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Romaine, Schneiderman, Barraga, Browning, Alden

RESOLUTION NO. 574 -2007, ADOPTING LOCAL LAW NO. -2007, A CHARTER LAW TO STRENGTHEN AND STREAMLINE THE PROCESS FOR ADOPTING LOCAL LEGISLATION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 24, 2007, a proposed local law entitled, "**A CHARTER LAW TO STRENGTHEN AND STREAMLINE THE PROCESS FOR ADOPTING LOCAL LEGISLATION**" now, therefore be it

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

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

A CHARTER LAW TO STRENGTHEN AND STREAMLINE THE PROCESS FOR ADOPTING LOCAL LEGISLATION

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER provides a procedure for the adoption of local legislation, including vetoes by the County Executive and overrides by the County Legislature.

This Legislature further finds that the procedure established in the SUFFOLK COUNTY CHARTER for the override of vetoed legislation is inconsistent with that contained in the NEW YORK MUNICIPAL HOME RULE LAW.

This Legislature further determines that the process and time frames contained in the state law are more workable and efficient than what is provided for in the SUFFOLK COUNTY CHARTER.

This Legislature also finds that amending the SUFFOLK COUNTY CHARTER to conform with the NEW YORK MUNICIPAL HOME RULE will allow the County Legislature to consider vetoed legislation in a smart, common sense manner, without affecting the rights and responsibilities of the County Executive.

Therefore, the purpose of this law is to bring the County's local legislation process into conformity with state law and establish a stronger and more practical process for the consideration of vetoed legislation by the County Legislature.

Section 2. Amendments.

Section C2-15 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

§ C2-15. Approval or disapproval of local laws and resolutions by County Executive.

* * * *

- C. If the County Executive disapproves a local law submitted to him, he shall return it to the Clerk of the Suffolk County Legislature within 30 days of its submission to him [the County Executive returns such local law to the County Legislature] with a statement of his reasons for not approving it.[,] The Clerk shall present the same to the County Legislature at its next regularly scheduled meeting. The County Legislature may within 30 days after presentment by the Clerk, reconsider the disapproved local law. S[s]uch local law shall not be effective[,] unless the County Legislature on reconsideration passes it by an affirmative vote of two-thirds (2/3) of the total membership [within 30 days of its return].

* * * *

- E. If the County Executive disapproves a resolution submitted to him, he shall return it to the Clerk of the Suffolk County Legislature within 15 days of its submission to him [the County Executive returns such resolution to the County Legislature] with a statement of his reasons for not approving it.[,] The Clerk shall present the same to the County Legislature at its next regularly scheduled meeting, or at a special meeting held at the direction of the Presiding Officer or upon request of members of the Legislature, whichever shall occur earlier. The County Legislature may within 30 days after presentment by the Clerk, reconsider the disapproved resolution. S[s]uch resolution shall not be effective[,] unless the County Legislature on reconsideration passes it by an affirmative vote of two-thirds (2/3) of the total membership [within 30 days of its return].

* * * *

Section 3. Exemption.

This law shall not apply to resolutions that are related to the adoption of the County's Operating Budget, Capital Budget and Program and Community College Budget. The procedures for the veto and override of these resolutions shall continue to be governed by Article IV of the SUFFOLK COUNTY CHARTER and other applicable provisions of the law.

Section 4. Applicability.

This law shall apply to local laws and resolutions acted upon or after 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 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 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 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 7. Effective Date.

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

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

DATED: June 12, 2007

****VETOED BY COUNTY EXECUTIVE ON JUNE 29, 2007****

****NO FURTHER ACTION TAKEN****

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

Intro. Res. No. 1505-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 575 –2007, AUTHORIZING USE OF COUNTY FACILITIES BY WALK-FM IN CONNECTION WITH PROVIDING SPACE NEAR THE COUNTY’S EMERGENCY COMMAND CENTER AS AN AUXILIARY BROADCASTING LOCATION DURING PERIODS OF DECLARED, LOCAL EMERGENCY

WHEREAS, the County's disaster preparedness plans, organizational arrangements, and response capability must at all times be the most effective that current circumstances and existing resources allow; and

WHEREAS, the purpose of such plans is to minimize the effect of disasters by (i) identifying appropriate local measures to prevent and mitigate disaster; (ii) to develop mechanisms to coordinate the use of local resources and manpower for service during and after disasters; and (iii) to provide for recovery and redevelopment after disasters; and

WHEREAS, in order to execute such plans during, or at imminent threat of disaster, the County must ensure that all resources necessary and required for such implementation are readily available to it; and

WHEREAS, the ability to immediately access emergency information for dissemination to the public by the State Relay and Local Primary I station for Long Island would facilitate this goal; now, therefore be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute a license with Capstar Radio Operating Company (WALK 97.5), for use of approximately 160 square feet of County space located in Building 110, Yaphank Avenue, Yaphank, NY, for the purpose of constructing an auxiliary broadcasting location, to be used during periods of a declared, local emergency, in substantial conformance with the form annexed; 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: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 2188-2006

Laid on Table 9/19/2006

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

RESOLUTION NO. 576 –2007, AUTHORIZING CONVEYANCE OF PARCEL BEARING SUFFOLK COUNTY TAX MAP NUMBER 1000-015.00-05.00-025.003 TO THE TOWN OF SOUTHOLD PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW

WHEREAS, the County of Suffolk became the fee owner of the parcel described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 015.00, Block 05.00, lot 025.003 by tax deed dated May 25, 1990; and

WHEREAS, the parcel consists of two roadways within the Town of Southold, commonly known as Park View Lane and Ryder Farm Lane, which as part of a Town approved subdivision were constructed in or about 1975; and

WHEREAS, a dedication offer of the roadways was made by the developer to the Town of Southold, but which offer was never accepted by the Town of Southold; and

WHEREAS, the roadways having never been accepted by the Town of Southold, have not become part of any road system and have not been regularly maintained; and

WHEREAS, maintenance of roadways is in the public interest, and it is now clear that such maintenance is currently needed on this parcel and that such maintenance will be needed in the future; and

WHEREAS, the responsibility for maintenance of the subject parcel properly lies with the Town of Southold; and

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

WHEREAS, the parcel is surplus to the needs of Suffolk County; now, therefore be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her Deputy, is hereby authorized pursuant to Article 42 of the Suffolk County Charter to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above described parcel to the Town of Southold for the sum of TEN (\$10.00) DOLLARS; and be it further

2nd **RESOLVED**, that the Town of Southold will be restricted in its use of the subject parcel as a roadway and will use said parcel solely and exclusively for a public roadway; with all right title and interest reverting to the County of Suffolk in the event that the Town of Southold, at any time, uses or attempts to use said subject parcel for other than a public roadway or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for a public roadway; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and/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: June 12, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1555-2007
Introduced by Legislator Horsley

Laid on Table 6/12/2007

RESOLUTION NO. 577 –2007, AMENDING RESOLUTION NO. 41-2007, “EXTENDING THE SUFFOLK COUNTY CARBON CAP IMPLEMENTATION ADVISORY COMMITTEE”

WHEREAS, Suffolk County Resolution No. 41-2007 created the Suffolk County Carbon Cap Implementation Advisory Committee; and

WHEREAS, the Suffolk County Carbon Cap Implementation Advisory Committee is scheduled to expire on June 1, 2007; and

WHEREAS, this Committee needs additional time to complete its mission; now, therefore be it

1st RESOLVED, that the 16th RESOLVED clause of Resolution No. 41-2007 is hereby amended as follows:

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

and be it further

2nd RESOLVED, that the 17th RESOLVED clause of Resolution No. 41-2007 is hereby amended as follows:

17th RESOLVED, that the Suffolk County Carbon Cap Implementation Advisory Committee shall expire, and the terms of office of its members terminate, [as of June 1, 2007] thirty (30) days subsequent to the submission of its written report at which time the Suffolk County Carbon Cap Implementation Advisory Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

and be it further

3rd RESOLVED, that all other terms and conditions of Resolution No. 41-2007 shall remain in full force and effect; 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.

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

DATED: June 12, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 28, 2007

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

Intro. Res. No. 1629-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 578 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DANNY JIMENEZ (SCTM NO. 0400-146.00-0 3.00-106.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 146.00, Block 03.00, Lot 106.000, and acquired by tax deed on May 4, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2007, in Liber 12504, at Page 473, and otherwise known as and by Town of Huntington, known and designated as Map of Huntington Manor, Map No. 494, Huntington Station, Filed on November 21, 1903, in the Office of the Clerk of Suffolk County, being Lots No. 3 and 4 in Block O; 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, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2007 in Liber 12504 at Page 473.

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

WHEREAS, DANNY JIMENEZ, has made application of said above described parcel and DANNY JIMENEZ, has paid the application fee and will be paying \$15,785.54 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; 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 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 Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DANNY JIMENEZ, 6 Meroke Ct., Huntington Station, New York 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1630-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 579 -2007, ACCEPTING AND APPROPRIATING
100% ADDITIONAL FEDERAL GRANT FUNDS FROM THE U.S.
ENVIRONMENTAL PROTECTION AGENCY (USEPA) TO THE
DEPARTMENT OF HEALTH SERVICES FOR THE UIC DATABASE
FOR CLASS V WELLS PROGRAM**

WHEREAS, the U.S. Environmental Protection Agency (USEPA) has awarded additional 100% Federal grant funds to the Department of Health Services for the UIC Database for Class V Wells Program in the amount of \$11,000 and has extended the grant expiration dates from 9/30/06 to 09/30/07; and

WHEREAS, this grant funding will be used to enhance the Suffolk County Underground Injection Control (UIC) and Remediation Program and to provide an increased benefit to the USEPA Region 2 Underground Injection Well Permitting Program; and

WHEREAS, these additional funds were not included in the 2007 Suffolk County Operating Budget; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$11,000 additional grant funds as follows:

<u>REVENUES:</u>	<u>Amount</u>
001-4910 Water Pollution Control	\$11,000

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Environmental Quality
UIC Database for Class V Wells Program
001-HSV-4431

<u>Personal Services</u>	<u>\$11,000</u>
1120 Overtime Salaries	\$11,000

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: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1631-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 580 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$100,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS III PROGRAM WITH 100% SUPPORT

WHEREAS, the New York State Department of Criminal Justice Services has made \$100,000 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

WHEREAS, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

WHEREAS, the operational period of the Program will be from January 1, 2007 through December 31, 2007; and

WHEREAS, said grant funds 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:

REVENUE:	<u>Amount</u>
001-3360-State Aid: Operation Hot Wheels III	\$100,000
 ORGANIZATIONS:	
	Police Department (POL) Operation Hot Wheels III 001-POL-3210
<u>1000-Personal Services</u>	<u>\$84,342</u>
1120-Overtime Salaries	84,342
<u>4300-Travel</u>	<u>\$184</u>
4310-Employee Miscellaneous Expense	184
	Employee Benefits Retirement 001-EMP-9010
<u>8000-Employee Benefits</u>	<u>\$14,251</u>
8280-Employee Retirement System	14,251
	Employee Benefits
<i>Social Security</i>	
	001-EMP-9030
<u>8000-Employee Benefits</u>	<u>\$1,223</u>
8330-Social Security	1,223

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 Division of Criminal Justice Services.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1632-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 581 -2007, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR PHARMACY SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF PATIENT CARE AND THE JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, Local Law No. 3 -1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Health Services requested an RFP for "Pharmacy Services" for the Division of Patient Care and the John J. Foley Skilled Nursing Facility; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to thirteen (13) potential vendors and received only one response from Chem RX; and

WHEREAS, an independent evaluation committee reviewed the proposal from Chem RX and found its quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and have recommended that the Department of Health Services enter into a contractual agreement with the provider; and

WHEREAS, there are sufficient funds in the 2007 Suffolk County Operating Budget to cover the cost of this contract; now, therefore be it

1st RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Health Services enter into a contractual agreement with Chem RX for the provision of pharmacy services.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

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

Intro. Res. No. 1633-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of County Executive

**RESOLUTION NO. 582 -2007, AUTHORIZING USE OF PROPERTY
AT GABRESKI AIRPORT BY THE KIWANIS CLUB OF GREATER
WESTHAMPTON**

WHEREAS, the Kiwanis Club of Greater Westhampton is a not for profit organization; and

WHEREAS, the Kiwanis Club of Greater Westhampton will host its annual fundraising carnival June 27, 2007 through July 1, 2007; and

WHEREAS, the Kiwanis Club of Greater Westhampton has submitted to Gabreski Airport a request to utilize property for the purposes of this event; and

WHEREAS, the Department of Economic Development and Workforce Housing has reviewed this application and recommends the Legislature approve this request with a fee of \$400 per day; now, therefore be it

1st **RESOLVED**, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between the Kiwanis Club of Greater Westhampton and the County of Suffolk, in substantial accordance with the agreement annexed; and be it further

2nd **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") S617.5 (c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment.

DATED: June 12, 2007

APPROVED BY:

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

Date: June 14, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Caracappa was not present.

Home Rule Message No. 9 -2007

Laid on Table 5/15/07

Introduced by the Presiding Officer on Request of the County Executive

**HOME RULE MESSAGE REQUESTING THE NEW YORK
STATE LEGISLATURE TO AMEND COUNTY LAW SECTION**

224 (18) TO AUTHORIZE SUFFOLK COUNTY TO MAKE APPLICATION TO ESTABLISH, OPERATE AND MAINTAIN A FOREIGN TRADE SUB-ZONE IN THE COUNTY OF NASSAU

WHEREAS, under Section 224 of the New York County law, counties may be authorized to make application to the Foreign Trade Zones Board to establish foreign trade zones within their boundaries, and sub-zones outside of their geographic boundaries, to encourage and expedite foreign commerce and to stimulate local economic growth and development through job retention and creation; and

WHEREAS, the fundamental benefit of the Foreign Trade Zone program is to allow U.S. based companies the ability to defer, reduce or even eliminate customs duties on products admitted to a zone, but foreign trade zone status has no effect on such companies' tax or other legal liabilities in the County and State.

WHEREAS, Section 224 (18) of the County law authorizes Suffolk County to make an application to establish, operate and maintain a foreign trade zone within the County of Suffolk, and Suffolk County previously made such an application and presently holds a grant of authority from the Foreign Trade Zones Board to operate a foreign trade zone within Suffolk County and has successfully operated a foreign trade zone for many years; and

WHEREAS, under Section 224 (20) of the County Law, Nassau County has been authorized to make application to establish, operate and maintain a foreign trade zone, but it has not done so and Nassau County does not presently hold a grant of authority to operate a Foreign Trade Zone, but Suffolk County's status as a zone grantee permits Suffolk County, as the zone grantee of the closest zone project, to make application on behalf of an entity to operate a sub-zone within Nassau County; and

WHEREAS, Kravet, Inc., a wholesaler of textiles and trimmings with an existing facility in Bethpage, Nassau County, New York, has requested Suffolk County's assistance with a sub-zone application. Due to the nature of Kravet's product purchases, it must purchase a significant portion of its goods sold from abroad. The benefits to Kravet's operations and supply chain, as well as the ability to defer duties until goods are removed from the proposed foreign trade zone, the elimination of duties on products re-exported from the United States and the capability to more efficiently conduct its operations through the use of the foreign trade zone program will enable Kravet, Inc. to offset growing operating costs and to compete more effectively in the international market place and retain or increase manufacturing jobs in its Bethpage facility; and

WHEREAS, it is not feasible to accommodate the requirements of Kravet, Inc.'s operation in Suffolk County's existing foreign trade zone and Suffolk County is presently working closely with Kravet, Inc. to file a sub zone application, which will encourage and facilitate foreign commerce and reap resultant local economic benefits; and

WHEREAS, an amendment to the New York County Law is required in order to authorize Suffolk County to make application to the Foreign Trade Zones Board to operate a sub-zone in Nassau County; now, therefore, be it

1st RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, and joining with the County Executive,

hereby finds and declares that the facts recited in the above WHEREAS clauses establish the necessity for the enactment of Senate Bill 4017 and Assembly Bill 8119 (copies of which are attached hereto) which authorize Suffolk County to apply to the Foreign Trade Zones Board to establish, operate and maintain a sub-zone to be located within the County of Nassau, such sub-zone to be created only with the approval of the governing body of the County of Nassau ; 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, the Governor of the State of New York and to each member of the Suffolk County delegation to the New York State Legislature.

DATED: June 12, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-2-0-0. Legislators Alden and Barraga voted no.

Home Rule Message No. 8 - 2007 Laid on Table 5/15/07
Introduced by the Presiding Officer on Request of the County Executive

HOME RULE MESSAGE NO. 8 REQUESTING THE NEW YORK STATE LEGISLATURE TO AUTHORIZE SUFFOLK COUNTY TO EXTEND A TEMPORARY ONE-PERCENT SALES AND COMPENSATING USE TAX RATE

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

WHEREAS, the lingering effects of a slowdown in the housing market and the loss of associated revenues, increases in pension and health insurance contributions and increasing costs to provide health and

human service programs to the people of Suffolk County continue to stress the County's budget, necessitating the extension of the special authorization to increase the sales tax rate by one percent (1%) as part of a comprehensive plan to balance the County's budget and maintain a sound fiscal standing; and

RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, and joining with the County Executive, hereby finds and declares that the facts recited in the above WHEREAS clauses establish the necessity for the enactment of Senate Bill 5907 and Assembly Bill 8006 (copies of which are attached hereto) which 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

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, the Governor of the State of New York and to each member of the Suffolk County delegation to the New York State Legislature.

DATED: June 12, 2007

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

Home Rule Message No. 11 -2007
Introduced by Presiding Officer Lindsay

LOT 5/15/07

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE VEHICLE AND TRAFFIC LAW AND THE PUBLIC OFFICERS LAW, IN RELATION TO ADJUDICATIONS AND OWNER LIABILITY FOR A VIOLATION OF TRAFFIC-CONTROL SIGNAL INDICATIONS AND PROVIDING FOR THE REPEAL OF SUCH PROVISIONS UPON EXPIRATION THEREOF

WHEREAS, the Insurance Institute for Highway Safety estimates that vehicle drivers running red traffic lights are responsible for an estimated 260,000 crashes each year in the United States, 750 of which are fatal, and that fatal crashes at intersections increased by almost 20 per cent during the five-year period from 1992 through 1996; and

WHEREAS, Suffolk County Local Law 18-2001, "Local Law to Prohibit Red Light Running in Suffolk County", similar to the successful New York City program now in place, was adopted by the Suffolk County Legislature on November 20, 2001, subject to the enactment of enabling State legislation for authority to install and implement traffic-control signal photo-violation monitoring devices to catch red-light runners; and

WHEREAS, Suffolk County Home Rule Message No. 3-2002 requested the New York State Legislature to adopt Senate Bill S. 6083-A, for red light traffic cameras in Suffolk County, and Suffolk County Home Rule Message No. 4-2002 requested the New York State Legislature to enact Assembly Bill A09871 for the same purpose; and

WHEREAS, Suffolk County Home Rule Message 1-2004 and Suffolk County Home Rule Message 2-2004, adopted by the Suffolk County Legislature on May 10, 2004, made similar requests to the New York State Legislature; and

WHEREAS, Suffolk County Home Rule Message No. 3-2005 was adopted by the Suffolk County Legislature on June 7, 2005 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2006 was adopted by the Suffolk County Legislature on May 16, 2006 requesting the State of New York to enact Assembly Bill A.3393; and

WHEREAS, Suffolk County Home Rule Message No. 4-2007 was adopted by the Suffolk County Legislature on April 24, 2007 requesting the State of New York to enact Assembly Bill A. 1314; and

WHEREAS, there is currently a proposal before the New York State Assembly (A.1231) to amend the NEW YORK VEHICLE AND TRAFFIC LAW (VTL) and the PUBLIC OFFICERS LAW to allow Suffolk County to install and operate traffic-control signal photo violation-monitoring devices (red-light cameras) at intersections within Suffolk County and to impose monetary liability on the owners of vehicles failing to comply with traffic control signals; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the New York State Legislature to enact Assembly Bill A.1231 for the purpose of:

- 1.) adding a new Section 1111-b of the VTL to allow Suffolk County to adopt a local law establishing and implementing a demonstration red-light camera program which would impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications by installing and operating traffic control signal photo violation-monitoring devices at no more than fifty (50) intersections within the County at any one time;
- 2.) imposing monetary fines not to exceed fifty (\$50.00) dollars per violation for failure to obey a traffic-control device to be adjudicated in the same manner that parking tickets are adjudicated, plus an additional penalty not to exceed twenty-five (\$25.00) dollars for each violation for the failure to respond to a notice of liability within the prescribed time period;
- 3.) utilizing necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers or the contents of the vehicle;
- 4.) lessors and rental companies would not be held liable for violations; authorizes vehicles owners to maintain actions for indemnification against operators; and requires the submission of an annual program report to the Legislature and the Governor;
- 5.) This bill would sunset the program on December 1, 2011.

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: June 12, 2007

s:\memres\hr- -red-light-running-2

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

Home Rule Message No. 13 -2007

LOT 6/12/07

Introduced by Legislators Romaine, Eddington, Lindsay, Kennedy, Nowick

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AUTHORIZE SUFFOLK COUNTY TO REGULATE TAXICABS AND LIMOUSINES (ASSEMBLY BILL A.8873)

WHEREAS, legislation has been introduced in the New York State Legislature that would permit the County of Suffolk to adopt local laws regulating the registration of taxicabs and limousines; and

WHEREAS, the registration of livery businesses allows municipalities to hold owners and drivers of taxis and limousines to certain standards; and

WHEREAS, the registration of livery businesses will protect County residents from operators who may not provide safe, reliable transportation; and

WHEREAS, in order to obtain reciprocity agreements with neighboring counties, the County of Suffolk needs to establish a Taxi and Limousine Commission, which first requires authorizing legislation from the State of New York; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests enactment of New York State Assembly bill A.8873, which would authorize Suffolk County to regulate and register taxicabs and limousines; 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: June 12, 2007

s:\memres\hr-regulate-taxi-limo

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

Home Rule Message 10 -2007

Laid on Table 5/15/07

Introduced by the Presiding Officer on Request of the County Executive and Legislators Cooper, Viloría-Fisher

**HOME RULE MESSAGE REQUESTING THE NEW YORK
STATE LEGISLATURE TO AMEND NEW YORK TAX LAW
SECTION 1210-A TO EXTEND AND MODIFY THE SALES
AND COMPENSATING USE TAX FOR PURPOSES OF THE
SUFFOLK COUNTY DRINKING WATER PROTECTION
PROGRAM**

WHEREAS, under Section 1210-A of the New York Tax Law, the legislature authorized the County of Suffolk to enact a sales and compensating use tax at the rate of one-quarter of one percent for the purpose of establishing a fund for a drinking water protection program; and

WHEREAS, adoption of the Suffolk County Drinking Water Protection Program; the financing of land acquisitions; and funding of a variety of environmental sewer protection, and water quality initiatives have all been approved by public referendum; and

WHEREAS, the Suffolk County Drinking Water Protection Program has been very successful and popular, as evidenced by overwhelming public support for the four (4) prior referenda establishing and modifying the program; and

WHEREAS, authorization for the County of Suffolk to impose an additional one-quarter of one percent sales and compensating use tax for the Suffolk County Drinking Water Protection Program established under section 1210-A of the New York Tax Law is set to expire on December 31, 2013; and

WHEREAS, long-term planning for initiatives and programs under the Suffolk County Drinking Water Protection Program requires an extension of the ¼% sales tax to 2030 and acceleration of funding for the preservation of environmentally sensitive lands due to increasing land values and developmental pressures; and

WHEREAS, extension of the Suffolk County Drinking Water Program shall require another public referendum prior to its expiration to ensure continued success without interruption; and

WHEREAS, open space, farmland preservation, water-quality, land stewardship, habitat-restoration initiatives, county-wide property tax protection, sewer funding, and control of invasive plant species are all of vital interest and importance to the people of Suffolk County from an economic and quality-of-life standpoint; and

WHEREAS, an amendment to section 1210-A of the New York Tax Law is required to extend the authorization of the County of Suffolk to impose the one-quarter of one percent sales and compensating use tax for the Suffolk County Drinking Water Protection Program in order to enable the County of Suffolk to borrow purchase money at favorable interest rates for long term plans relating to initiatives and projects under its program; now, therefore, be it

1st RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, and joining with the County Executive, hereby finds and declares that the facts recited in the above WHEREAS clauses establish the necessity for the enactment of Senate Bill S4422-A and Assembly Bill A893b (copies of which are attached hereto) extending the one-quarter of one percent sales and compensating use tax for purposes of the Suffolk County Drinking Water Protection Program from December 31, 2013 to November 30, 2030, and modifying the purposes for such program by amending section 1210-A of the New York Tax Law; 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, the Governor of the State of New York, the Speaker of the New York State Assembly

Sheldon Silver, and to each member of the Suffolk County delegation to the New York State Legislature.

DATED: June 12, 2007

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

Introduced by Presiding Officer Lindsay

Laid on Table 6/12/2007

MOTION NO. 9 – 2007, PROCEDURAL RESOLUTION AUTHORIZING FUNDING FOR COMMUNITY SUPPORT INITIATIVES (PHASE III)

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>
Italian American War Veterans Post 46	Legislator Horsley	\$1,000
North Lindenhurst Civic Association	Legislator Horsley	\$1,500
Wildcat Athletic Club	Legislator Losquadro	\$1,500
Girl Scouts of Suffolk County, Inc.	Legislator Montano	\$5,000
Bayport/Blue Point Chamber of Commerce	Legislator Lindsay	\$5,064
Marine Corp League, Inc., Huntington, LI	Legislator Stern	\$1,000
Long Island Housing Partnership, Inc.	Legislator Stern	\$1,000
Babylon Little League	Legislator Horsley	\$1,500
Girl Scouts of Suffolk County, Inc.	Legislator Alden	\$1,000
Training Orchestra, Inc. d/b/a Gemini Youth Orchestras	Legislator Stern	\$1,500
Dix Hills Fire Department	Legislator Stern	\$2,000
Jewish Association for Services for the Aged	Legislator Stern	\$1,000
Girl Scouts of Suffolk County, Inc.	Legislator Stern	\$1,000
Town of Brookhaven	Legislator Browning	\$1,000
Harborfields Council of PTAs	Legislator Stern	\$3,000
Elwood Council of Parents and Teachers	Legislator Stern	\$3,000
Tri-Community and Youth Agency	Legislator Stern	\$1,000
Long Island Museum of American Art, History and Carriages	Legislator Viloría-Fisher	\$1,000
Long Island Housing Partnership	Legislator Viloría-Fisher	\$2,000
Long Island 2-Day Walk to Fight Breast Cancer, Inc.	Legislator Viloría-Fisher	\$1,000
Long Island Seaport and Eco Center, Inc.	Legislator Viloría-Fisher	\$1,000

	Fisher		
Smithaven Ministries, Inc.	Legislator Viloría-Fisher		\$1,000
Friends of the Retired and Senior Volunteer Program of Suffolk County	Legislator Viloría-Fisher		\$1,000
William Floyd Youth Lacrosse Program, Inc.	Legislator Browning		\$1,000
Half Hollow Hills PTA Council	Legislator Stern		\$3,000
Huntington Community First Aid Squad	Legislator D'Amaro		\$1,000
Tri-Community and Youth Agency	Legislator D'Amaro		\$1,000
Community Program Center of Long Island d/b/a Early Discoveries Center	Legislator Viloría-Fisher		\$1,000
Three Village Historical Society	Legislator Viloría-Fisher		\$1,000
Historical Society of Greater Port Jefferson	Legislator Viloría-Fisher		\$1,000
Deer Park Little League, Inc.	Legislator D'Amaro		\$1,000

and be it further

2nd RESOLVED, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED: June 12, 2007

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

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

Mem. Res. No. 30 -2007 LOT 5/15/07
 Introduced by Legislators Cooper, Schneiderman, Viloría-Fisher

MEMORIALIZING RESOLUTION IN SUPPORT OF ENACTING THE HEALTHY, SAFE AND ENERGY EFFICIENT OUTDOOR LIGHTING ACT

WHEREAS, poorly designed and excessive outdoor illumination wastes energy, intrudes on the privacy of others and deteriorates the natural nighttime environment; and

WHEREAS, this waste results in both higher energy costs for providing such lighting and increased pollution from the power plants that produce the wasted electricity; and

WHEREAS, it is estimated that \$3 to \$4.5 billion a year is wasted in the United States by the unintended lighting of the sky rather than the streets, walkways, and other areas which the light was intended to illuminate; and

WHEREAS, limiting excessive illumination will reduce the cost of outdoor lighting, and allow future generations to enjoy the beauty of the stars and to study and learn from the wonders of the night sky; and

WHEREAS, this Legislature has historically been committed to preserving and protecting Suffolk County's environment and ecology with the passage of Local Law 26-2004, A Local Law to Reduce Light Pollution from County-owned Buildings ; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.07438 and New York State Senate Bill No. S.04364 that enacts the healthy, safe and energy efficient outdoor lighting act which will reduce harmful outdoor lighting and provide for the designation of dark-sky preserves; 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: June 12, 2007

s:\memres\mr-poor lighting

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Montano was not present.

Mem. Res. No. 31-2007

LOT 5/15/07

Introduced by Legislators Romaine and Schneiderman

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE NATIONAL ESTUARY PROTECTION ACT

WHEREAS, estuaries are among the world's most productive natural resources, second only to coral reefs in their ability to create food for fish and wildlife; and

WHEREAS, in the United States, estuaries provide up to 75% of the commercial fish catch, and up to 90% of the recreational fish catch, as well as providing billions of dollars in commercial and recreational fishing, boating, tourism, and other coastal industries; and

WHEREAS, the Long Island Sound Study has estimated that more than \$5 billion is generated annually by the activities on the Long Island Sound, one of only 28 estuaries of national importance;

WHEREAS, since 1987 and the creation of the National Estuary Program, millions of dollars have been spent improving the quality of national estuaries of importance; and

WHEREAS, action should be taken to prevent the industrialization of these national estuaries of importance, particularly by prohibiting the construction of floating storage regassification units in such estuaries; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact H.R. 1564 which would prohibit the construction of a floating storage regassification unit in an estuary of national significance; 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: June 12, 2007

S:\memres\mr-us-estuary

Legislator Romaine made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 17-0-0-1. Legislator Montano was not present.

Mem. Res. No. 32-2007

LOT 5/15/07

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

**MEMORIALIZING RESOLUTION IN SUPPORT OF DOUBLING
MAXIMUM ALLOWABLE INCOME LIMITATIONS FOR
VOLUNTEER FIREFIGHTERS ELIGIBILITY TO OBTAIN A
SONYMA MORTGAGE**

WHEREAS, volunteer firefighters provide invaluable services to the community and need a strong member base to ensure the continuation of these services; and

WHEREAS, in order to recruit more volunteer firefighters, affordable housing opportunities should be offered in order to retain these valuable individuals in the community; and

WHEREAS, there is legislation pending in the New York State Assembly that would double the maximum allowable income limitation for eligibility to obtain a SONYMA mortgage for anyone who is a volunteer firefighter for more than five years; and

WHEREAS, this legislation would offer low interest mortgages to first time homebuyers; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill No. A.5068, which would promote the recruitment of more volunteer firefighters by doubling the maximum allowable income limitations to obtain a SONYMA mortgage for those who have been volunteer firefighters for more than five years; 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: June 12, 2007

s:\memres\mr-firefighter-mortgage

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

Mem. Res. No. 33-2007

LOT 5/15/2007

Introduced by Legislators Romaine and Schneiderman

MEMORIALIZING RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE AMEND THE TAX LAW IN RELATION TO EXEMPTING THE SALE OF HYBRID VEHICLES AND HIGH-EFFICIENCY VEHICLES FROM STATE SALES AND COMPENSATING USE TAXES, AND TO AUTHORIZE CITIES AND COUNTIES TO GRANT SUCH EXEMPTION (ASSEMBLY BILL A.7626 AND SENATE BILL S.3947)

WHEREAS, cars and trucks in the United States consume 8.2 million barrels of oil each day which translates into 300 million metric tons of carbon emitted into the atmosphere; and

WHEREAS, fuel efficient vehicles, such as hybrid, or “high efficiency” vehicles, consume less gasoline and produce less carbon dioxide emissions per mile than vehicles powered by conventional gasoline engines; and

WHEREAS, consumers should be given an additional financial incentive to purchase new and used hybrid vehicles to promote their use, thereby lessening the impact of harmful carbon dioxide emissions on the environment; and

WHEREAS, this Legislature has historically been in the forefront of promoting cutting edge technologies to ensure the future environmental well-being of Suffolk residents; and

WHEREAS, there is currently legislation pending before the New York State Assembly and Senate that would permit Suffolk County to exempt new and used hybrid or “high efficiency” vehicles from sales and compensating use taxes; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill No. A.7626 and State Senate Bill No. 3947 which would amend the TAX LAW in relation to exempting the sale of hybrid vehicles and high-efficiency vehicles from state sales and compensating use taxes, and authorize cities and counties to grant such exemption; 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: June 12, 2007

s:\memres\lmr-hybrid-tax exemption

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

Introduced by Presiding Officer Lindsay and Legislators Browning, Montano, Kennedy, Mystal, Stern, Cooper

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO ENACT THE EMPLOYEE FREE CHOICE ACT

WHEREAS, in 1935, the United States established, by law, that workers must be free to form unions; and

WHEREAS, the freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right; and

WHEREAS, the free choice to join with others and bargain for better wages and benefits is essential to economic opportunity and good living standards; and

WHEREAS, unions benefit communities by strengthening living standards, stabilizing tax bases, promoting equal treatment and enhancing civic participation; and

WHEREAS, states in which more people are union members are states with higher wages, better benefits and better schools; and

WHEREAS, union workers receive better wages and benefits, with union workers earning 29% more than workers without a union, 35% more likely to have access to health insurance, and are four times more likely to have access to a guaranteed defined-benefit pension; and

WHEREAS, unions help raise workers' pay and narrow the income gap for minorities and women, by increasing median weekly earnings by 31% for union women workers, 31% for African-American workers, 50% for Latino workers, and 9% for Asian American workers; and

WHEREAS, workers across the nation are routinely denied the freedom to form unions and bargain for a better life, with 25% of private-sector employers illegally firing at least one worker for union activity during organizing campaigns; and

WHEREAS, 77% of the public believes it is important to have strong laws protecting the freedom for workers to make their own decision about having a union, and 58% of workers would join a union if they had the chance; and

WHEREAS, employers often refuse to bargain fairly with workers after forming a union by dragging out first contract bargaining for up to two years in 45% of successful campaigns; and

WHEREAS, each year millions of dollars are spent to frustrate workers' efforts to form unions, and most violations of workers' freedom to choose a union occur behind closed doors, with 78% of employers forcing employees to attend mandatory anti-union meetings; and

WHEREAS, when the right of workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases and job safety standards disappear; and

WHEREAS, a worker's fundamental right to choose a union free from coercion and intimidation is a public issue that requires public policy solutions, including legislative remedies; and

WHEREAS, the Employee Free Choice Act has been introduced in the United States Senate, S.1041, and the United States House of Representatives, H.R. 800, in order to restore workers' freedom to join a union; and

WHEREAS, the Employee Free Choice Act will safeguard workers' ability to make their own decisions with these abuses, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights; now, therefore, be it

RESOLVED, that this Legislature hereby supports U.S. Senate Bill S.1041 and U.S. House of Representatives Bill H.R. 800, the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them; provide for first contract mediation and arbitration; and establish meaningful penalties for violations of a worker's freedom to choose a union; and be it further

RESOLVED, that this Legislature urges the U.S. Senate and the U.S. House of Representatives to pass the Employee Free Choice Act to protect and preserve for America's workers their freedom to choose for themselves whether or not to form a union; 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: June 12, 2007

s:\memres\mr-us-employee-free-choice-act

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 14-1-2-1. Legislator Barraga voted no. Deputy Presiding Officer Vilorio-Fisher and Legislator Alden abstained. Legislator Montano was not present.

Mem. Res. No. 35 -2007

LOT 5/15/07

Introduced by Legislators Romaine and Losquadro

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
INCLUSION OF BASIC CARDIOPULMONARY RESUSCITATION
(CPR) TRAINING IN SECONDARY SCHOOL HEALTH
EDUCATION CURRICULUM (SENATE BILL S.178 AND
ASSEMBLY BILL A.3646)**

WHEREAS, cardiopulmonary resuscitation (CPR) is a life saving technique useful in many emergencies, including heart attack or near drowning, in which someone's breathing or heart beat has stopped; and

WHEREAS, CPR is a combination of mouth-to-mouth rescue breathing and chest compressions that keep oxygenated blood flowing to the brain and other vital organs, "buying time" until other medical treatment can restore normal heart function; and

WHEREAS, providing basic CPR training to young people while they are in school will increase awareness of the importance of this life saving technique and may help them save lives later; and

WHEREAS, legislation has been introduced in the New York State Legislature that would make CPR instruction a part of secondary school health education curriculum; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate bill S.178 and New York State Assembly bill A.3646, which would require secondary schools to provide CPR training as part of the health education curriculum; and be it further

2nd RESOLVED, that this legislation would ensure that schools have the necessary funding and resources to provide CPR instruction to students in high school; and be it further

3rd 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: June 12, 2007

s:\memres\mr-cpr-training-secondary-education-07

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

Mem. Res. No. 36 -2007
Introduced by Legislator Romaine

LOT 5/15/07

MEMORIALIZING RESOLUTION REQUESTING UNITED STATES CONGRESS TO EXPAND FEDERAL CONSERVATION TAX INCENTIVES (S.469 AND H.R. 1576)

WHEREAS, the County of Suffolk strongly supports both public and private conservation efforts that protect working farms, natural lands, watershed areas, historic properties, and other lands that define the character of the East End; and

WHEREAS, the United States Senate and the United States House of Representatives, approved a significant expansion of the federal tax incentive for conservation easement donations, ending in December 2007, with passage of the Pension Protection Act of 2006; and

WHEREAS, there is legislation pending in Congress that will amend the Internal Revenue Code to make permanent the special rule for contributions of qualified conservation contributions, enabling family farmers and other moderate-income landowners to take advantage of this conservation incentive; and

WHEREAS, passage of this legislation will help protect working farms and natural lands on the East End of Long Island; now, therefore, be it

RESOLVED, that this Legislature hereby supports U.S. Senate Bill S.469 and U.S. House of Representative Bill H.R. 1576, which will enact a permanent change in the Federal Tax Code to expand conservation tax incentives; 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: June 12, 2007

s:\memres\mr-us-expand-federal-conservation-tax

**ADJOURNED 8:23PM
TIM LAUBE, CLERK OF THE LEGISLATURE**