

TENTH DAY
REGULAR MEETING

June 26, 2007

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

The meeting was called to order at 9:33 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher, Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Alden, Barraga, Nowick, Mystal, and Stern.

Legislator Cooper arrived at 9:36 a.m.
Legislator Horsley arrived at 9:37 a.m.
Legislator D'Amaro arrived at 9:39 a.m.
Legislator Kennedy arrived at 9:45 a.m.
Legislator Caracappa arrived at 10:03 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED AT 12:34 P.M. AND RECONVENED AT 2:35 P.M.

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

Legislator Caracappa arrived at 2:50 p.m.

Legislator Romaine made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 16-0-0-2. Legislators Montano and Mystal were not present.

Mem. Res. 38 No. -2007
Introduced by Legislator Romaine

LOT 6/12/07

**MEMORIALIZING RESOLUTION REQUESTING
UNITED STATES CONGRESS TO ENACT THE
"OPEN SPACE PRESERVATION PROMOTION ACT
OF 2007" (H.R. 1135)**

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, due to a technical flaw in the Federal tax code, there is confusion about whether the taxes on the income from installment sales are due up-front; and

WHEREAS, this ambiguity has led landowners not to sell development rights on an installment basis because they would have to pay all the capital gains taxes in the same year the development rights are sold and such confusion could continue to result in less conservation and open space in our communities; and

WHEREAS, installment sales purchases are often in the best interest of the County of Suffolk; and

WHEREAS, there is proposed federal legislation that will help protect open space by ensuring that families who sell their development rights on an installment basis can pay taxes as they receive the payments; and

WHEREAS, the sense of this Legislature is that the bill is a worthy bill to support; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact the "Open Space Preservation Promotion Act of 2007" (H.R. 1135); 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 26, 2007

s:\memres\mr-open-space-pres-promo-act

Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 15-1-0-2. Deputy Presiding Officer Viloría-Fisher voted no. Legislators Montano and Mystal were not present.

Mem. Res. No. 40-2007
Introduced by Legislators Eddington and Romaine

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN OPPOSITION TO
NEW YORK STATE ASSEMBLY BILL A.4635**

WHEREAS, legislation has been introduced in the New York State Assembly that would extend the right to vote in federal, state and local elections

conducted in New York State to aliens lawfully admitted for permanent residence in the United States; and

WHEREAS, the right to vote in this nation has traditionally been restricted to citizens; and

WHEREAS, the desire to obtain the right to vote gives many people the incentive to seek American citizenship and to assimilate and acculturate into American Society; and

WHEREAS, it is desirable to encourage people residing in our Country to seek American citizenship so that they may fully participate in our civic life; and

WHEREAS, this Legislature believes that our cherished and fundamental right to vote should continue to be tied to a person's American citizenship; now, therefore, be it

1st RESOLVED, that this Legislature hereby opposes New York State Assembly Bill A.4635 and New York State Senate Bill S.01495, which would extend the right to vote to lawfully admitted aliens; 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 26, 2007

s:\memres\mr-oppose A4635

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-0-2. Legislators Montano and Mystal were not present.

Mem. Res. No. 41 -2007
Introduced by Legislator Stern

LOT 6/12/07

**MEMORIALIZING RESOLUTION REQUESTING
UNITED STATES CONGRESS TO ENACT THE
ELDER JUSTICE ACT (S.1070 and H.R.1783)**

WHEREAS, each year, anywhere between 500,000 and 5,000,000 elders in the United States are abused, neglected or exploited, with thousands of these cases of abuse going unaddressed every day; and

WHEREAS, elder abuse may be manifested as a violent act or psychological abuse, by intentional or unintentional neglect, or by financial exploitation; and

WHEREAS, there is legislation currently pending before Congress which would make combating elder abuse a national priority, and would establish an Elder Justice Coordinating Council to make recommendations on the coordination of activities of the Federal, State, local and private agencies related to elder abuse, neglect and exploitation; and

WHEREAS, this pending legislation would also establish penalties and authorize prosecution for failure to promptly report crimes in long-term care facilities, and would require the reporting of crimes in nursing homes on an official federal website; and

WHEREAS, this legislation would also provide a direct funding stream for Adult Protective Services of \$100 million a year for four years, and would authorize \$10 million for national organizations or states that train long-term care ombudsmen for nursing homes and assisted living facilities; now, therefore, be it

RESOLVED, that this Legislature hereby requests the U.S. Congress to enact the Elder Justice Act (S.1070 and H.R.1783) which would enhance the social security of the United States by preventing, detecting, treating and intervening in elder abuse, neglect and exploitation; 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 26, 2007

s:\memres\mr-us-Elder-Justice-Act

Legislator Eddington made motion for the following resolution, seconded by Legislator Caracappa. The resolution was passed 15-1-0-2. Deputy Presiding Officer Vilorio-Fisher voted no. Legislators Montano and Mystal were not present.

Mem. Res. No. 42 -2007
Introduced by Legislators Eddington and Losquadro

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN OPPOSITION TO
ALLOWING THE USE OF INDIVIDUAL TAX
IDENTIFICATION NUMBERS IN PLACE OF SOCIAL
SECURITY NUMBERS WHEN APPLYING FOR A
DRIVER'S LICENSE (ASSEMBLY BILL A.4249)**

WHEREAS, under existing New York law, any person wishing to apply for a driver's license must have either a Social Security Number or a letter from the

Social Security Administration along with INS documentation showing that the applicant is not eligible for a Social Security Number; and

WHEREAS, there is legislation pending in the New York State Assembly which would amend this requirement, and permit an applicant for a driver's license to show an Individual Tax Identification Number (ITIN) in lieu of a Social Security Number; and

WHEREAS, the threat of forgery, identification theft, or other nefarious action in obtaining a driver's license is the reason why a Social Security Number or other proper documentation of immigration status is required; now therefore be it

1st RESOLVED, that this Legislature hereby opposes New York State Assembly Bill A.4249, which would amend the Vehicle and Traffic Law to allow legal immigrants to use their Individual Tax Identification Number (ITIN) in place of a Social Security Number when applying for a New York State driver's license; 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 26, 2007

s:\memres\mr-individual-tax-identification

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

Mem. Res. No. 44-2007
Introduced by Legislator Eddington

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN SUPPORT OF
THE HEALTHY SCHOOLS ACT (SENATE BILL
S.5942 AND ASSEMBLY BILL A.8642)**

WHEREAS, poor nutrition and insufficient physical activity is detrimental to children and causes or contributes to serious health conditions which carry a heavy public health cost; and

WHEREAS, poor nutrition and insufficient physical activity contribute to deficiencies in academic performance and negatively impact classroom behavior; and

WHEREAS, the prevalence of obesity among children has increased exponentially over the last four decades; obesity, the consequence of poor nutrition and physical inactivity, is associated with numerous health problems, including but not limited to type II diabetes, heart disease, cancer, osteoarthritis and asthma; and

WHEREAS, overwhelming societal pressures contribute to poor nutrition including the steadily increasing proportion of food that is purchased and consumed away from home; and

WHEREAS, eating a healthy diet and being physically active leads to better overall health and reduced rates of obesity and prevents medical problems; and

WHEREAS, it is important to improve the nutritional choices available to students while they are in school so that children learn to make appropriate nutritional choices both in and out of school; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate Bill S.5942 and New York State Assembly Bill A.8642, which sets nutritional standards for foods and beverages sold, served or offered in New York's elementary and secondary school, and requires school districts to develop local school wellness policies to ensure community involvement in considering ways to create healthier schools; 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 26, 2007

s:\memres\mr-healthy-schools-act

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

Mem. Res. No. 45-2007
Introduced by Legislator Losquadro

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN SUPPORT OF
IMPOSING PROBATION ADMINISTRATIVE FEES
(SENATE BILL S.1258 AND ASSEMBLY BILL
A.5588)**

WHEREAS, the costs associated with probation enforcement are often high, placing an undue strain on local taxpayers; and

WHEREAS, furthermore, probation departments incur great expenses meeting with probationers at home or work, often traveling great distances for such meetings; and

WHEREAS, these costs have escalated sharply in recent years and state reimbursement and dedicated local funds are not enough to meet the demands placed on these local probation departments; and

WHEREAS, current law already provides for the imposition of probation fees upon persons convicted of driving while intoxicated; and

WHEREAS, the expansion of probation fees has become necessary as the scope of probation services expands and new technologies for tracking and monitoring the activities of probationers arise; and

WHEREAS, a recent opinion of the New York State Attorney General stated that counties may not, pursuant to their home rule authority alone, enact local laws imposing administrative probation fees; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Assembly Bill S.1258 and New York State Assembly Bill A.5588, which would allow a local probation department to impose fees upon certain probationers taking into account the individual's ability to pay; 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 26, 2007

s:\memres\mr-probation-administrative-fees

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-0-2. Legislators Montano and Mystal were not present.

Mem. Res. No. 46-2007

LOT 6/12/07

Introduced by Legislators Stern and Vilorio-Fisher

**MEMORIALIZING RESOLUTION REQUESTING
UNITED STATES CONGRESS TO ENACT THE
"SAFE CLIMATE ACT OF 2007" (H.R.1590)**

WHEREAS, the United States is a party to the 1992 United Nations Framework Convention on Climate Change, which has the objective of stabilizing greenhouse gas concentrations in the atmosphere at a level that would prevent "dangerous anthropogenic interference" with the climate system; and

WHEREAS, to achieve this objective, the increase in global mean surface temperature should not exceed 2°C (3.6°F) above pre-industrial temperature; and

WHEREAS, the risks associated with a temperature increase above 2°C (3.6°F) are grave, including the disintegration of the Greenland ice sheet, which, if it were to melt completely, would raise global average sea level by approximately 23 feet, devastating many of the world's coastal areas and population centers; and

WHEREAS, serious global warming impacts have already been observed in the United States and worldwide, including increases in heat waves and other extreme weather events, rise in sea level, retreat of glaciers and polar ice, decline in mountain snowpack, increased drought and wildfires, stronger hurricanes, ocean acidification, extensive coral bleaching, migrations and shifts in the yearly cycles of plants and animals, and the spread of infectious diseases; and

WHEREAS, reductions in emissions from today's levels must begin within a decade to preserve the ability to stabilize atmospheric greenhouse gas concentrations at levels likely to protect against a temperature rise above 2°C (3.6°F); now, therefore, be it

RESOLVED, that this Legislature hereby requests supports U.S. House of Representatives Bill H.R.1590, which freezes U.S. greenhouse gas emissions in 2010, at the 2009 level, cuts emissions by roughly 2% per year, reaching 1990 emissions levels by 2020 and cuts emissions by roughly 5% per year; 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 26, 2007

s:\memres\mr-us-safe-climate-act

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

Mem. Res. No. 48 -2007 LOT 6/12/07
Introduced by Legislators Schneiderman, Romaine

MEMORIALIZING RESOLUTION IN SUPPORT OF NOTIFICATION TO LOCAL LAW ENFORCEMENT AGENCIES WHEN A HOMELESS SEX OFFENDER IS PLACED IN EMERGENCY HOUSING (SENATE BILL S.5526 AND ASSEMBLY BILL A.7819)

WHEREAS, current New York law requires that sex offenders register with local law enforcement agencies or county departments of social services within ten days of moving; and

WHEREAS, throughout the State, county departments of social services are temporarily housing the homeless at different locations and in some cases in mobile units that may be moved from community to community; and

WHEREAS, when these departments house sex offenders, local law enforcement authorities should be notified of the name and whereabouts of those offenders; and

WHEREAS, legislation has been introduced in the New York State Legislature that would require county departments of social services to notify local law enforcement authorities of any change in address for sex offenders who are placed in temporary emergency housing; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate Bill S.5526 and New York State Assembly Bill A.7819, which would require local law enforcement agencies to be notified of the name and address of sex offenders who are placed in temporary emergency housing by county departments of social services within twenty-four hours of placement; 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 26, 2007

s:\memres\mr-emergency-housing-sex-offenders

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

Mem. Res. No. 49 -2007 LOT 6/12/07
Introduced by Legislators Schneiderman and Romaine

**MEMORIALIZING RESOLUTION IN SUPPORT OF
AMENDING THE REAL PROPERTY TAX LAW FOR
PERSONS WITH ACTIVE MILITARY SERVICE AND
ELIGIBLE RESERVISTS (ASSEMBLY BILL 7610)**

WHEREAS, military personnel who are serving our country are sacrificing so much in order to protect the citizens of the United States; and

WHEREAS, in order to express our gratitude for their dedication and loyalty in protecting the United States of America while serving on active military duty, an exemption from property taxes for those eligible individuals and their families would be in order; and

WHEREAS, in order to be eligible for this exemption, an individual would have to be ordered to active duty by the President of the United States, and serve no less than 90 days on such duty; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports an amendment to the Real Property Tax Law in relation to tax exemptions for persons with active military services of the United States and eligible reservists (Assembly Bill 7610); 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 26, 2007

s:\memres\mr-tax-exemption-military

Legislator Romaine made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2. Legislators Montano and Mystal were not present.

Mem. Res. No. 51 -2007
Introduced by Legislator Romaine

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN SUPPORT OF
SHARED PARENTING LEGISLATION (SENATE BILL
S.1349 AND ASSEMBLY BILL A.8627)**

WHEREAS, the current divorce rate for first marriages on Long Island is estimated at 50%; and

WHEREAS, divorce is difficult on all involved parties, but children are especially vulnerable to its negative impacts; and

WHEREAS, according to reports by the National Institute of Mental Health, custody arrangements which effectively remove one parent from a child's life, are often detrimental to the child's normal development; and

WHEREAS, studies have shown that children generally fare better when a joint-custody agreement is in place; and

WHEREAS, a parent's obligation to raise their children should not and does not end with a divorce; and

WHEREAS, public policy must encourage parents to share the rights and responsibilities of child rearing and assure that minor children have frequent and continuing contact with both parents after a marriage dissolves; and

WHEREAS, legislation has been introduced in the New York State Senate and Assembly that would establish a presumption in favor of joint custody in matrimonial proceedings and require the courts to award custody to both parents in the

absence of allegations that joint custody would be harmful to the children involved; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports New York State Senate Bill S.1349 and New York State Assembly Bill A.8627, which would create a statutory presumption of joint custody for all minor children whose parents are no longer married; 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 26, 2007

s:\memres\mr-support-shared parenting

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

Mem. Res. No. 52 -2007 LOT 6/12/07
Introduced by Legislators Romaine and Schneiderman

**MEMORIALIZING RESOLUTION IN SUPPORT OF
EXEMPTING COMMERCIAL FISHERMEN FROM
SALES TAX ON THE PURCHASE OF MOTOR FUEL
(ASSEMBLY BILL A.2852)**

WHEREAS, under current State law, commercial fishermen are permitted to receive a reimbursement of sales tax paid on diesel motor fuel or motor fuel used in the operation of a commercial fishing vessel; and

WHEREAS, unlike other similar reimbursement provisions, there is no correlating provision to provide a sales tax exemption on the purchase of diesel motor fuel or motor fuel used in the operation of a commercial fishing vessel; and

WHEREAS, neighboring states allow commercial fishermen to purchase fuel at retail without sales tax and forego the requirement of monthly tax reimbursement filing; and

WHEREAS, the cumbersome New York State requirements are causing many commercial fishermen to purchase their motor fuel out-of-state; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill A. 2852 which will amend the Tax Law in relation to providing for a sales tax exemption on the purchase of motor fuel and/or diesel fuel when used in the operation of commercial fishing vessels; 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 26, 2007

s:\memres\mr-

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

Home Rule Message No. 12-2007

LOT 6/12/07

Introduced by Legislator Losquadro and Presiding Officer Lindsay

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO EXPAND BINDING ARBITRATION TO SUFFOLK COUNTY PARKS POLICE (SENATE BILL S.4690 AND ASSEMBLY BILL A.8342)

WHEREAS, in 1974, binding arbitration was granted by the State of New York to all local police and fire-fighters; and

WHEREAS, binding arbitration provides a fair and timely method for resolving protracted contractual disputes between public employers and public safety employees, thereby preventing strikes; and

WHEREAS, since originally granted to local police and fire-fighters, binding arbitration has been expanded to apply to Suffolk County Deputy Sheriffs, Suffolk County Corrections Officers and to New York State Park Police; and

WHEREAS, there is legislation currently pending in the New York State Legislature that would expand binding arbitration to Suffolk County Parks Police, thereby providing parity and consistency with all other state and local law enforcement agencies operating in Suffolk County; now therefore be it

1st **RESOLVED**, that this Legislature hereby requests enactment of New York State Assembly bill A.8342 and New York State Senate bill S.4690, which would provide procedures for the resolution of disputes between public employers and the Suffolk County Parks Police; 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 26, 2007

s:\memres\hr-binding-arbitration-parks-police

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

Home Rule Message No. 14 -2007
Introduced by Legislator Romaine

LOT 6/12/07

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AUTHORIZE SUFFOLK COUNTY TO ELECT TO ELIMINATE TAXES ON ENERGY SAVING FLUORESCENT LIGHT BULBS (ASSEMBLY BILL A.8875)

WHEREAS, according to the United States Department of Energy, if every American home replaced just one light bulb with an Energy Star qualified bulb, we would save enough energy to light more than 3 million homes per year, more than \$600 million in energy costs, and prevent greenhouse gases equivalent to the emissions of more than 800,000 cars; and

WHEREAS, Energy Star fluorescent light bulbs are four times more efficient and last up to 10 times longer than incandescents; and

WHEREAS, although initially more expensive, the long term savings are greater because these energy efficient bulbs use 1/3 the electricity of incandescents; and

WHEREAS, eliminating the sales tax on the purchase of these high efficient, Energy Star fluorescent bulbs would give consumers an incentive to purchase this type of lighting; now, therefore, be it

1st RESOLVED, that this Legislature hereby supports Assembly Bill A.8875 which would amend the New York Tax Law in relation to authorizing the County of Suffolk to elect to exempt energy saving, fluorescent light bulbs from sales taxes; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Eliot Spitzer; to the Majority Leader of the New York State Senate Joseph L. Bruno; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 26, 2007

s:\memres\hr-exempt-tax-bulbs

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-1-0-0. Legislator Caracappa voted no.

AMENDED COPY AS OF 6/18/2007

Introduced by Legislator Romaine

LOT 6/12/2007

**MOTION NO. 8 -2007, PROCEDURAL
RESOLUTION TO STUDY THE FEASIBILITY OF
TELEVISION MEETINGS OF THE SUFFOLK
COUNTY LEGISLATURE**

WHEREAS, this Legislature has a long tradition of openness and accessibility, welcoming public participation in the legislative process and making special efforts to keep residents informed; and

WHEREAS, the County Legislature has made audio broadcasts of its meetings available on the Internet; and

WHEREAS, broadcasting legislative meetings on cable television would further inform and educate residents as to the workings of county government; now, therefore, be it

1st RESOLVED, that the Suffolk County Office of Budget Review is hereby authorized, empowered and directed to conduct a study analyzing the equipment and personnel costs associated with filming general and committee meetings of the Suffolk County Legislature; and be it further

2nd RESOLVED, that the Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to determine the feasibility of gaining access to government access channels, as that term is defined at 16 NYCRR 895.4(a)(3), in the various towns in Suffolk County for the purpose of broadcasting the meetings of the Suffolk County Legislature; and be it further

3rd RESOLVED, that the Office of Budget Review and the Clerk of the County Legislature shall report their findings, in writing, to each member of the Suffolk County Legislature within 90 days of the effective date of this resolution.

DATED: June 26, 2007

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

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

Introduced by Presiding Officer Lindsay

Laid on Table 6/26/07

**MOTION NO. 11 2007, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE IV)**

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>
Babylon Breast Cancer Coalition	Leg. Horsley	\$2,000
South Shore Soccer Club, Inc.	Leg. Horsley	\$1,000
Volunteers for FISH of Babylon, Inc.	Leg. Horsley	\$1,500
Selden American Legion Post 1633	Leg. Eddington	\$1,000
Jacob's Light Foundation, Inc.	Leg. Stern	\$1,000
Birchwood Estates Civic Association	Leg. Lindsay	\$1,000
Starflower Experiences, Inc.	Leg. D'Amaro	\$1,000
Kids for Kids Production, Inc.	Leg. Caracappa	\$5,000
Hiawatha Elementary School PTA	Leg. Caracappa	\$1,000
St. Peter's Evangelical Lutheran Church	Leg. D'Amaro	\$3,500
Sunshine Center, Inc.	Leg. Viloría-Fisher	\$1,000
St. Elizabeth Roman Catholic Church Outreach	Leg. D'Amaro	\$3,000
Friends of Karen	Leg. Viloría-Fisher	\$1,000
Youth Directions and Alternatives Community and Youth Agency, Inc.	Leg. Stern	\$1,500
Manorville Fire Department, Inc.	Leg. Romaine	\$1,999
Foundation for Ecological Research in the Northeast	Leg. Romaine	\$1,000
Girl Scouts of Suffolk County, Inc.	Leg. Losquadro	\$1,000
Longwood Alliance	Leg. Browning	\$2,000
Long Island Seaport and EcoCenter, Inc.	Leg. Losquadro	\$1,000
Island Harvest, Ltd.	Leg. Losquadro	\$1,000
Sayville Lacrosse Club	Leg. Lindsay	\$1,000
Long Island Child and Family Development Services, Inc.	Leg. Schneiderman	\$3,000
Greenlawn American Legion Post 1244	Leg. Stern	\$1,000
Flanders Fire District	Leg. Schneiderman	\$3,000

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
Pilot Club International	Leg. Horsley	\$1,000
West Islip Youth Enrichment Services, Inc.	Leg. Montano	\$2,000
Three Village Meals on Wheels	Leg. Viloría-Fisher	\$1,000
Brookhaven Wheelchair Athletes	Leg. Viloría-Fisher	\$1,000
Riverhead Free Library	Leg. Romaine	\$1,108
Montauk Youth, Inc.	Leg. Schneiderman	\$3,000
Long Island Symphonic Choral Association	Leg. Viloría-Fisher	\$1,000
Children's Maritime Museum at Port Jefferson	Leg. Viloría-Fisher	\$2,000
Deer Park Volunteer Fire Department	Leg. Stern	\$1,000
St. Hugh of Lincoln Outreach	Leg. D'Amaro	\$3,500

and be it further

2nd RESOLVED, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED: June 26, 2007

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

s:\procedural motions-CSI Phase IV

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

Intro. Res. No. 1533-2007 Laid on Table 6/12/2007
 Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 583 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 773-2007)

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

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

WHEREAS, the properties represented by the tax item number and/or Suffolk County Tax Map Number and indicated below have been duly investigated by

the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; then

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

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

RESOLUTION NO.
773-2007

CONTROL#

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	BABYLON	06/07	N/A	0100 58 2 36	9,046.05	5,481.25	3,564.80
A	BABYLON	06/07	N/A	0100 47 2 39	4,113.03	1,450.09	2,662.94
A	BROOKHAVEN	05/06	N/A	0200 568 1 26	14,650.92	8,506.33	6,144.59
A	BROOKHAVEN	06/07	N/A	0200 975 4 14	9,388.21	6,708.87	2,679.34
A	BROOKHAVEN	06/07	N/A	0200 879 1 29.3	8,805.33	4,044.80	4,760.53
A	BROOKHAVEN	04/05	N/A	0200 656 2 2	613,141.15	370,649.30	242,491.85
A	BROOKHAVEN	05/06	N/A	0200 656 2 2	685,654.34	419,221.25	266,433.09
A	BROOKHAVEN	06/07	N/A	0200 656 2 2	731,750.05	447,405.00	284,345.05
A	ISLIP	06/07	N/A	0500 164 2 8.7	7,959.59	3,830.24	4,129.35
A	SMITHTOWN	06/07	N/A	0800 131 2 22	70,941.77	61,497.42	9,444.35

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1534-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 584 -2007, TO
READJUST, COMPROMISE, GRANT REFUNDS AND
CHARGE-BACKS ON REAL PROPERTY CORRECTION
OF ERRORS BY: COUNTY LEGISLATURE (CONTROL #
774-2007)**

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

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

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

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

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

RESOLUTION NO.
774-2007

CONTROL#

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	N/A	0208 20 5 29	8,363.74	5,555.75	2,807.99
A	BROOKHAVEN	06/07	N/A	0200 78 6 33.1	30,570.40	21,399.29	9,171.11
A	BROOKHAVEN	06/07	N/A	0200 165 1 4.12	13,386.64	330.56	13,056.08
A	SMITHTOWN	06/07	N/A	0800 177 4 7	9,924.91	4,014.89	5,910.89
A	SMITHTOWN	06/07	N/A	0800 13 6 25.2	9,246.75	2,357.84	6,886.91
A	SMITHTOWN	06/07	N/A	0801 1 1 3.1	304,267.88	278,049.20	26,218.68
A	SMITHTOWN	06/07	N/A	0801 1 1 2.21	65,175.76	59,587.05	5,588.71
A	SMITHTOWN	06/07	N/A	0801 1 1 1.1	53,207.32	48,660.72	4,546.60
A	SMITHTOWN	06/07	N/A	0801 1 1 7	164,136.12	150,023.13	14,112.99
A	SMITHTOWN	06/07	N/A	0801 1 1 12	47,490.89	43,428.11	4,062.78
A	SMITHTOWN	06/07	N/A	0801 1 1 13	61,827.29	56,527.49	5,299.80
A	SMITHTOWN	06/07	N/A	0801 1 1 25.8	57,342.43	52,440.98	4,901.45
A	SMITHTOWN	06/07	N/A	0801 3 2 8	35,532.01	32,501.09	3,030.92
A	SOUTHOLD	05/06	N/A	1000 74 1 44.2	9,187.62	6,272.32	2,915.30
A	SOUTHOLD	06/07	N/A	1000 74 1 44.2	9,969.97	6,806.42	3,163.55

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1562-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 585 -2007, ACCEPTING
AND APPROPRIATING A GRANT PROPOSAL
TO THE NEW YORK STATE EDUCATION
DEPARTMENT FOR A STUDENTS
UNCOVERING MATHEMATICS AND SCIENCE
(SUMS) PROGRAM 100% REIMBURSED BY
STATE FUNDS AT SUFFOLK COUNTY
COMMUNITY COLLEGE**

WHEREAS, Suffolk County Community College has submitted a proposal to the New York State Education Department, in the amount of \$354,340, for a Students Uncovering Mathematics and Science (SUMS) Program, for the period of July 1, 2007 through October 31, 2007; and

WHEREAS, the program provides for a four week Summer 2007 Mathematics and Science Standards-Based Enrichment Program for 320 students from four Suffolk County School Districts; and

WHEREAS, matching funds are not required; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant proposal on June 14, 2007 by Resolution No. 2007. ; and

WHEREAS, the College anticipates spending the \$354,340, including indirect costs, in accordance with the terms of said grant, if funded, before October 31, 2007; now, therefore be it

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

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

3rd **RESOLVED**, that said grant proposal to the New York State Education Department for a Students Uncovering Mathematics and Science (SUMS) Program, in the amount of \$354,340, including indirect costs, be accepted, and contingent upon the awarding of the grant, \$354,340, including \$16,873 in indirect costs, to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: 818-GRT-3294-07	
Students Uncovering Mathematics and Science (SUMS)	\$ 354,340
APPROPRIATIONS: 818-GRT-GC59-07	AMOUNT
Students Uncovering Mathematics and Science (SUMS)	\$ 337,467

Suffolk County Community College
 Students Uncovering Mathematics and Science (SUMS)
 818-GRT-GC59-07

1000-Personal Services	\$ 129,472
1130-Temporary Salaries	13,872
1180-Part-time Instructor- Summer	45,825
1580-Full-time Overload – Summer	69,775
2000-Equipment	\$ 825
2440-Instructional Equipment	825
3000-Supplies and Materials	\$ 161,500
3010-Office Supplies	3,200
3100-Instructional Supplies	71,860
3170-Instructional Software	9,000
3500-Unclassified Supplies	14,080
3600-Rent:Educational Equipment	63,360
4300-Travel	\$ 1,922
4330-Travel, Employee Contracts	1,922
4500-Contracted Services	\$ 24,000
4560-Fees for Services, Non-Employees	24,000
8000-Employee Benefits	\$ 19,748
8100-Teachers Retirement System	645
8160-TIAA/CREF Retirement	8,648
8330-Social Security	9,905
8350-Unemployment Insurance	550

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1520-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, and Legislator Browning

RESOLUTION NO. 586 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FORGE RIVER WATERSHED ADDITION – PEIPMAN PROPERTY, TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Forge River Watershed Addition – Peipman Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.0274 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Brookhaven for Open Space

Preservation Purposes Known as the Forge River Watershed Addition – Peipman Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1. **The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and**
2. **The 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1521-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 587 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – T. & S. BUILDERS, INC., TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Overton Preserve – T. & S. Builders, Inc., Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-12.25 acres of land

by Suffolk County for open space preservation, passive use and habitat management;
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 May 16, 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 May 16, 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 Brookhaven for Open Space Preservation Purposes Known as the Overton Preserve – T. & S. Builders, Inc., 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:

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 26, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: June 29, 2007

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

Intro. Res. No. 1522-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, and Legislator Browning

RESOLUTION NO. 588 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – ALGERI PROPERTY, TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Algeri 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, passive use and habitat management; 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 May 16, 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 May 16, 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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Algeri Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1523-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, and Legislator Browning

RESOLUTION NO. 589 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – CASTO PROPERTY, TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Casto Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.39 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Casto 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:

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**
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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1524-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, and Legislator Browning

RESOLUTION NO. 590 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – GRAHAM ESTATE PROPERTY, TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Graham Estate Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.14 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Brookhaven for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Graham Estate 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:

8. **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**
9. **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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1525-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 591 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF BROOKHAVEN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE BAY AVENUE PROPERTY, TOWN OF BROOKHAVEN

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 Brookhaven for Open Space Preservation Purposes Known as the Bay Avenue Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-8.5 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Brookhaven for Open Space Preservation Purposes Known as the Bay Avenue 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:

- 10. 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**
- 11. 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1526-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 592 -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 AIRPORT COUNTY NATURE PRESERVE ADDITION - ROSS SCHOOL PROPERTY, TOWN OF EAST HAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land in Partnership with the Town of East Hampton for Open Space Preservation Purposes Known as the Airport County Nature Preserve Addition - Ross School Property, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-71.1 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Airport County Nature Preserve Addition - Ross School Property, 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:

12. **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**
13. **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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1527-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 593 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF HUNTINGTON FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE EMERALD ESTATES ADDITION – COSCIA PROPERTY, TOWN OF HUNTINGTON

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 Huntington for Open Space Preservation Purposes Known as the Emerald Estates Addition – Coscia Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-1.0 acres of land by Suffolk County for open space preservation, passive use and habitat management; and

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

WHEREAS, at its May 16, 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 May 16, 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 Huntington for Open Space Preservation Purposes Known as the Emerald Estates Addition – Coscia Property, Town of Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

14. **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**
15. **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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1528-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 594 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF ISLIP FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE DOXSEE'S CREEK COUNTY WETLANDS ADDITION – DRAGO PROPERTY, TOWN OF ISLIP

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 Islip for Open Space Preservation Purposes Known as the Doxsee's Creek County Wetlands Addition – Drago Property, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.66 acres of land by Suffolk County for open space preservation, passive use and habitat management; and

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

WHEREAS, at its May 16, 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 May 16, 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 Islip for Open Space Preservation Purposes Known as the Doxsee's Creek County Wetlands Addition – Drago Property, Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 16. 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**

17. 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1529-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 595 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF SHELTER ISLAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FRESH POND/DICKERSON CREEK – LAWNSDALE LLC PROPERTY, TOWN OF SHELTER ISLAND

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land in Partnership with the Town of Shelter Island for Open Space Preservation Purposes Known as the Fresh Pond/Dickerson Creek – Lawnsdale LLC Property, Town of Shelter Island", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-1.2 acres of land by Suffolk County for open space preservation, passive use and habitat management; 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 May 16, 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 May 16, 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 Shelter Island for Open Space Preservation Purposes Known as the Fresh Pond/Dickerson Creek – Lawnsdale LLC 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:

18. **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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

RESOLUTION NO. 596 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND IN PARTNERSHIP WITH THE TOWN OF SMITHTOWN FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MILLS POND – ARTHUR H. COTINS REVOCABLE TRUST PROPERTY, TOWN OF SMITHTOWN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land in Partnership with the Town of Smithtown for Open Space Preservation Purposes Known as the Mills Pond – Arthur H. Cotins Revocable Trust Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-2.085 acres of land with a historic house and associated structures by Suffolk County for park and historic preservation purposes; and

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

WHEREAS, at its May 16, 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 May 16, 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 Smithtown for Open Space Preservation Purposes Known as the Mills Pond – Arthur H. Cotins Revocable Trust Property, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Title 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
2. The property is being acquired for historic preservation and 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1531-2007
Introduced by the Presiding Officer

Laid on Table 6/12/2007

RESOLUTION NO. 597 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SHORT TERM CONSTRUCTION OF SUFFOLK COUNTY SEWER DISTRICT #3 STORAGE BUILDING AT BERGEN POINT, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Short Term Construction of Suffolk County Sewer District #3 Storage Building at Bergen Point, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the short term construction of Suffolk County Sewer District #3 Storage Building (40' x 100' steel building on a cement slab) at Bergen Point in the Town of Babylon; 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 May 16, 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 May 24, 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 Short Term Construction of Suffolk County Sewer District #3 Storage Building at Bergen Point, 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:

1. The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;
2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code;
3. The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);
4. The site has been previously cleared; and
5. The Town of Babylon has no objections to the project;

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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1517-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

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

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

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 349-2007

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

FROM:
X-Org
6008

TO:
X-Org
6004

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1535-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 599 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KENNETH VAN ESSENDELFT and DEBORAH VAN ESSENDELFT, his wife (SCTM NO. 0500-381.00-05.00-015.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 381.00, Block 05.00, Lot 015.002, and acquired by tax deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004, in Liber 12331, at Page 567, and otherwise known as and by Town of Islip, N x land now or formerly of Robertson, Andrew H. and Mary Ann; E x land now or formerly of Schoeder, Joseph and Maria; S x land now or formerly of Van Essendelft, Kenneth and Deborah; W x land now or formerly of Town of Islip; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 14, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567.

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

WHEREAS, KENNETH VAN ESSENDELFT has made application of said above described parcel and KENNETH VAN ESSENDELFT has paid the application fee and \$5,246.64, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KENNETH VAN ESSENDELFT and DEBORAH VAN ESSENDELFT, his wife, 94 Tyler Avenue, West Sayville, New York 11796, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1536-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 600 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LONDONDERRY HOLDINGS LLC (SCTM NO. 0200-978.10-01.00-052.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 978.10, Block 01.00, Lot 052.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, Lot numbers 11 through 15 inclusive in Block 608, on the map entitled "8th NY & Brooklyn Suburban Investment Co. New York" and filed in the Suffolk County Clerk's Office the 30th day of July, 1890 as Map No. 173; 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 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

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

WHEREAS, LONDONDERRY HOLDINGS LLC, by J. Bradford Kenealy, as Member, has made application of said above described parcel and LONDONDERRY HOLDINGS LLC, by J. Bradford Kenealy, as Member, has paid the application fee and \$5,649.28, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6

N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to LONDONDERRY HOLDINGS LLC, 553 Broadway, Massapequa, New York 11758, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1537-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 601 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ROBERT I. TOUSSIE a/k/a ROBERT TOUSSIE (SCTM NO. 0200-973.80-03.00-045.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 973.80, Block 03.00, Lot 045.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots 43 and 44 and part of 42 and 45 in Block 718 on a certain map entitled, "Map of New York and Brooklyn Suburban Investment Co." and filed in the Office of the Clerk of the County of Suffolk on August 5, 1890 as Map No. 102; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

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

WHEREAS, ROBERT I. TOUSSIE a/k/a ROBERT TOUSSIE has made application of said above described parcel and ROBERT TOUSSIE a/k/a ROBERT I. TOUSSIE has paid the application fee and \$2,310.61, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROBERT I. TOUSSIE a/k/a ROBERT TOUSSIE, 290 Exeter Street, Brooklyn, New York 11235, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 13, 2007

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

Intro. Res. No. 1538-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 602 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF DAISY L. PHILLIPS by Rita Phillips as Administratrix (SCTM NO. 0100-205.00-03.00-043.000)

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

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

Property Tax Service Agency as District 0100, Section 205.00, Block 03.00, Lot 043.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 648, and otherwise known as and by Town of Babylon, known and designated as and by Lots 1 to 4 inclusive, Block 17, on a certain map entitled, "Map of Property of Fanny R. Smith", and filed in the Suffolk County Clerk's Office on October 14, 1904, as Map #504; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 648.

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

WHEREAS, RITA PHILLIPS as Administratrix of the Estate of Daisy L. Phillips, has made application of said above described parcel and RITA PHILLIPS as Administratrix of the Estate of Daisy L. Phillips, has paid the application fee and will be paying \$42,963.94 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF DAISY L. PHILLIPS by Rita Phillips as Administratrix, 54 Sand Street, Massapequa, New York 11758, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1539-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 603 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT NEIL J. RUSSELL and ELIZABETH M. RUSSELL, his wife (SCTM NO. 0200-892.00-04.00-016.000)

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 892.00, Block 04.00, Lot 016.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lots Numbered 1190 and 1191 as shown on a certain map entitled, "Map of Patchogue Lakes, Canaan Lake Section" Suffolk County, Long Island, Sub-division revised from Canaan Lake Park, Section "A", by May and Smith, Inc., Patchogue, New York, June, 1919 as Map Number 96; and

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

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

WHEREAS, ELIZABETH M. RUSSELL has made application of said above described parcel and ELIZABETH M. RUSSELL has paid the application fee and \$848.78, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to NEIL J. RUSSELL and ELIZABETH M. RUSSELL, his wife, 3 Cedar Place, Patchogue, New York 11772, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1540-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 604 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PATRICIA CURRAN (SCTM NO. 0200-494.40-01.00-614.000)

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 494.40, Block 01.00, Lot 614.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, known and designated as Unit No. 614 together with a .78763% undivided interest in the common elements of the condominium hereinafter described as the same is defined in the Declaration of Condominium hereinafter referred to. The real property above described is a Unit shown on the plans of a Condominium prepared and certified by Teas. Barrett, Lanzisera and Frink, Licensed Engineers and Surveyors and filed in the Office of the Clerk of the County of Suffolk on the 5th day of May, 1984 as Map No. 97 defined in the Declaration of Condominium entitled, "Bretton Woods Condominium VI" made by Birchwood Bretton Woods Corp., under Article 9-B of the New York Real

Property Law dated May 4, 1984, and recorded in the Office of the Clerk of the County of Suffolk on the 8th day of May 1984 in Liber 9558 of Conveyances at Page 303; and

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

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

WHEREAS, PATRICIA CURRAN has made application of said above described parcel and PATRICIA CURRAN has paid the application fee and \$17,774.35, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b) (2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of law is a Type II action constituting a legislative decision in connection with routine or continuing agency

administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d) (15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PATRICIA CURRAN, 190 Birchwood Road, Coram, New York 11727, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1541-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 605 -2007, AUTHORIZING
THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT GREENSTAR
INTERPRISES, INC. (SCTM NO. 0200-453.00-03.00-
006.000)**

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 453.00, Block 03.00, Lot 006.000, and acquired by tax deed on August 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004, in Liber 12341, at Page 445, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as the easterly half of Lot 88 Section 9, filed in the Suffolk County Clerk's Office on 10/4/45 as Map No. 1450; 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 16, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445.

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

WHEREAS, GREENSTAR ENTERPRISES, INC., by Robert Toussie as President, has made application of said above described parcel and GREENSTAR ENTERPRISES, INC., by Robert Toussie as President, has paid the application fee and \$1,316.68, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to GREENSTAR ENTERPRISES, INC., 290 Exeter Street, Brooklyn, New York 11235, to

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1543-2007

Laid on Table 6/12/2007

Introduced by the Presiding Officer Lindsay

**RESOLUTION NO. 606 -2007, APPROVING
PAYMENT TO GENERAL CODE PUBLISHERS FOR
ADMINISTRATIVE CODE PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 77 to update the Suffolk County Administrative Code totaling \$7,557.65; and

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

1st RESOLVED, that the payment of \$7,557.65 for the provisions of such pages is hereby approved.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1584-2007

Laid on Table 6/12/2007

Introduced by Presiding Office, on request of the County Executive

**RESOLUTION NO. 607 -2007, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL
PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT GPN Ltd., a Delaware
Corporation by John Vios, as President (SCTM
NO. 0400-077.00-02.00-042.012)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 077.00, Block 02.00, Lot 042.012, and acquired by tax deed on August 16, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 24, 2006, in Liber 12466, at Page 48, and otherwise known as and by Town of Huntington, known and designated as Lot No. 12 on a certain map entitled "Map of Lyn Farms, Section 2" and filed in the Office of the Clerk of Suffolk County on October 11, 1979 as Map No. 6861; 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 16, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 24, 2006 in Liber 12466 at Page 48.

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

WHEREAS, JOHN N. VIOS, as President of GPN Ltd., has made application of said above described parcel and JOHN N. VIOS, as President of GPN Ltd., has paid the application fee and will be paying \$50,588.51 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through 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 GPN Ltd., a Delaware Corporation having a principal place of business at Corporation Trust Center, 1209 Orange Street, Wilmington, New Castle, Delaware 19801-1120, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1585-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 608 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES R. OHRNBERGER and CYNTHIA E. EAGLE, his wife (SCTM NO. 0100-183.00-01.00-038.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 183.00, Block 01.00, Lot 038.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Town of Babylon, known and designated as Lot Nos. 72-74 incl. Map of Amity Harbor, filed in the Suffolk County Clerk's Office on April 29, 1926 as Map No. 1007; and

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

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

WHEREAS, CYNTHIA E. EAGLE has made application of said above described parcel and CYNTHIA E. EAGLE has paid the application fee and \$2,552.70, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES R. OHRNBERGER and CYNTHIA E. EAGLE, his wife, 21 Kent Place, Amityville, New York 11701, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1515-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Treasurer

**RESOLUTION NO. 609 –2007, AUTHORIZING
THE COUNTY TREASURER TO BORROW CASH
FUNDS FROM OTHER COUNTY FUNDS FOR 2007**

WHEREAS, the County Treasurer recommends that moneys be borrowed from a variety of County Funds to meet a temporary shortfall of cash during the remainder of 2007; and

WHEREAS, in accordance with Section 9-a of the NEW YORK GENERAL MUNICIPAL LAW, moneys can be temporarily advanced between funds, but must be repaid with interest by the end of the fiscal year; and

WHEREAS, the original intent of the Suffolk County Legislature and New York State Laws in creating said funds will not be circumvented by the enactment of this resolution; and

WHEREAS, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; 1011-2001 and 827-2000 and prior years; and

WHEREAS, it is prudent fiscal management for the County to borrow from its own funds since the County will not incur borrowing fees, such as the cost of issuance from such action; now, therefore be it

1st RESOLVED, that the County Treasurer is hereby authorized and empowered to borrow available cash from individual County Funds to the extent this cash is not needed for budgeted expenditures of said funds; and be it further

2nd RESOLVED, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2007; and be it further

3rd RESOLVED, that the County Treasurer is hereby directed to provide the County Legislature, County Executive, County Comptroller, County Executive Budget Office, and the Legislative Budget Review Office with a report within five business days following any transaction that increases or decreases the fund balance in any County Fund through an internal transfer between funds.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1579-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 610 -2007, AMENDING THE
2007 OPERATING BUDGET AND APPROPRIATING
FUNDS IN CONNECTION WITH BONDING A
SETTLEMENT FOR A MEDICAL MALPRACTICE
CASE**

WHEREAS, a Medical Malpractice Liability case was approved for settlement by the Ways and Means Committee for a total amount of \$2,500,000; and

WHEREAS, the Ordered Settlement is a mandated expense that must be paid by the County; and

WHEREAS, sufficient funds for these Medical Malpractice Liability settlements are not available in the 2007 Operating Budget; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$2,500,000 in Suffolk County Serial Bonds to cover the cost of said settlements; now, therefore be it

1st RESOLVED, that this settlement in the amount of \$2,500,000 be bonded and paid under the authority of the Office of Risk Management, County Department of Civil Services, in conjunction with the County Department of Audit and Control and the County Executive's Budget Office; and be it further

2nd RESOLVED, that the 2007 Operating Budget is hereby amended and that proceeds of Two Million Five Hundred Thousand (\$2,500,000) Dollars in Suffolk County Serial Bonds be and are hereby appropriated as follows:

REVENUES:	<u>Amount</u>
038-2780 Proceeds: Debt	\$2,500,000
APPROPRIATIONS:	
	Miscellaneous Medical Malpractice Insurance 038-MSC-9090 Mandated
4880 - Claims and Losses	\$2,500,000

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No.1579A-2007

BOND RESOLUTION NO. 611 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS TO FINANCE THE COST OF PAYMENT OF SETTLEMENTS IN MEDICAL MALPRACTICE LIABILITY CASES

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 \$2,500,000 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 the cost of payment of settlements in medical malpractice liability cases, as authorized in the 2007 Operating Budget, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,500,000. The plan of financing includes the issuance of \$2,500,000 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. 33 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1553-2007

Laid on Table 6/12/2007

Introduced by Deputy Presiding Officer Viloría-Fisher

**RESOLUTION NO. 612 –2007, DESIGNATING
POET LAUREATE FOR SUFFOLK COUNTY
(DAVID B. AXELROD)**

WHEREAS, Resolution No. 658-2002, as amended by Resolution Nos. 66-2003 and 402-2004, authorizes the selection of a Poet Laureate to be designated for Suffolk County for a two year term; and

WHEREAS, the Selection Panel has recommended the designation of David B. Axelrod as the third Poet Laureate of Suffolk County; now, therefore be it

1st RESOLVED, that David B. Axelrod of Selden is hereby designated as the Suffolk County Poet Laureate for the period of April 1, 2007 through March 30, 2009; 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

**RESOLUTION NO. 613 -2007, AUTHORIZING
PLANNING STEPS FOR ACQUISITION UNDER
SUFFOLK COUNTY SAVE OPEN SPACE (SOS),
FARMLAND PRESERVATION, AND HAMLET PARKS
FUND (PROPERTY OF GRACE PRESBYTERIAN
CHURCH) TOWN OF BROOKHAVEN (SCTM NO. 0200-
392.00-03.00-017.000)**

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

WHEREAS, there are sufficient revenues to fund land acquisition in Capital Project No. 8706.210, Project Name: Hamlet Greens, Hamlet Parks or Pocket Parks; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 8706.210, to acquire title to the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund for Hamlet Greens, Hamlet Parks, or Pocket Parks purposes;

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 392.00 Block 03.00 Lot p/o 017.000	±4	Grace Presbyterian Church 425 Hawkins Road Selden, New York 11784

and be it further

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

3rd RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

4th **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS) Farmland Preservation and Hamlet Parks Fund; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1144-2007
Introduced by Legislators Viloría-Fisher and Browning

Laid on Table 2/6/2007

**RESOLUTION NO. 614 -2007, ADOPTING LOCAL
LAW NO. 22 -2007, A LOCAL LAW TO PROHIBIT
THE SALE, INTRODUCTION AND PROPAGATION OF
INVASIVE, NON-NATIVE PLANT SPECIES**

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 PROHIBIT THE SALE, INTRODUCTION AND PROPAGATION OF INVASIVE, NON-NATIVE PLANT SPECIES**"; now, therefore be it

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

LOCAL LAW NO. 22 -2007, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO PROHIBIT THE SALE, INTRODUCTION
AND PROPAGATION OF INVASIVE, NON-NATIVE PLANT
SPECIES**

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

Section 1. Legislative Intent.

This Legislature hereby finds that Resolution No. 985-2005 established the Suffolk County Water and Land Invasives Control Task Force in order to develop a long term plan for controlling invasive species in Suffolk County.

This Legislature determines that the Suffolk County Water and Land Invasives Control Task Force recommended that certain invasive species be prohibited from being sold in Suffolk County as a first step in preventing these species from being introduced in Suffolk County through a “Do Not Sell” list.

This Legislature further determines that the Suffolk County Water and Land Invasives Control Task Force recommended the establishment of a Suffolk County Water and Land Invasives Advisory Board.

This Legislature hereby finds and determines that invasive nonnative aquatic plants can displace native species and alter natural ecosystems and are considered to be the second leading cause of species extinction and endangerment worldwide.

This Legislature also finds and determines that these invasive plants can negatively impact agriculture, industry and human health.

This Legislature further finds and determines that during the 20th Century, invasive species were responsible for documented losses of 97 billion dollars to the U.S. economy.

Therefore, the purpose of this law is to protect the ecology of Suffolk County by prohibiting the sale of invasive plants in Suffolk County.

Section 2. Definitions.

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

“INVASIVE SPECIES”— a plant species that is (1) non-native to the ecosystem under consideration, and (2) whose introduction causes or is likely to cause economic or environmental harm or harm to human health, including their cultivars and varieties, which harm must significantly outweigh any benefits.

“NON-NATIVE”— with respect to a particular ecosystem, a species that has not historically occurred in that ecosystem, and which is not listed in the New York Flora Atlas as being native to New York.

“PERSON”— any individual, firm, partnership, corporation, company, society, association, or any organized group of persons whether incorporated or not.

“PROPAGATE” – purposefully increasing the population of a species by means of manipulating its sexual and/or asexual reproduction process.

Section 3. Prohibitions.

- A) No person shall knowingly sell, transport, distribute, propagate or knowingly cause to be sold, transported, distributed, or propagated to any person located within the County of Suffolk, or to any person making the purchase from within the County of Suffolk, any invasive species as listed on Exhibit "A" herein, as said Exhibit may be amended by law from time to time, with the advice of the Water and Land Invasives Advisory Board.
- B) No person shall knowingly sell, transport, distribute, propagate or knowingly cause to be sold, transported, distributed, or propagated to any person located within the County of Suffolk, or to any person making the purchase from within the County of Suffolk, any invasive species as listed on Exhibits "A" and "B" herein on or after January 1, 2011, as said Exhibits may be amended by law from time to time, with the advice of the Water and Land Invasives Advisory Board.

Section 4. Creation of a Suffolk County Water and Land Invasives Advisory Board.

- A) There is hereby created a Suffolk County Water and Land Invasives Advisory Board, which shall consist of the following nine (9) members:
 - 1) The Chairperson of the Suffolk County Legislature's Environment, Planning and Agriculture Committee, or his/her designee, who shall serve as chair;
 - 2) The Commissioner of the Suffolk County Department of Environment and Energy, or his/her designee;
 - 3) The Suffolk County Executive, or his/her designee;
 - 4) The Presiding Officer of the Suffolk County Legislature, or his/her designee;
 - 5) The Commissioner of the Suffolk County Department of Parks, Recreation & Conservation, or his/her designee;
 - 6) A member of an environmental group chosen by the Chairperson of the Suffolk County Legislature's Environment, Planning and Agriculture Committee;
 - 7) A representative chosen by the Long Island Farm Bureau;
 - 8) A representative chosen by the Long Island Nursery and Landscape Association; and
 - 9) A member of the Long Island Invasive Species Management Area (LIISMA).
- B) The Suffolk County Water and Land Invasives Advisory Board shall advise the Commissioner of the Suffolk County Department of Environment and Energy and the Suffolk County Legislature on matters relating to invasive species in the County, and shall recommend to the Suffolk County Legislature appropriate revisions to the "Do Not Sell" list established pursuant to Section 3 of this law, on no less than an annual basis.
- C) The Suffolk County Water and Land Invasives Advisory Board shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed.

- D) The members of the Suffolk County Water and Land Invasives Advisory Board shall serve without compensation and members number 6 through 9 listed in subsection A, above, shall be appointed to serve initial terms ending on December 31, 2008, and shall be appointed to serve a term of two year thereafter.
- E) Five (5) members of the Suffolk County Water and Land Invasives Advisory Board shall constitute a quorum for the purposes of conducting the business of the Board.
- F) The Suffolk County Water and Land Invasives Advisory Board shall hold regular meetings, keep a record of all of its proceedings and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request thereof signed by at least five (5) members of the Suffolk County Water and Land Invasives Advisory Board. Written notice of the time and place of such special meetings shall be given to each member at least four (4) days before the date fixed by the notice for such special meeting.
- G) All clerical services involving the month-to-month operation of the Suffolk County Water and Land Invasives Advisory Board, as well as supplies and postage as necessary, shall be provided by the staff of the Clerk of the County Legislature. The Suffolk County Water and Land Invasives Advisory Board may request, receive, and utilize such facilities, resources, and data of any department, office, or agency of Suffolk County as it may reasonably request to properly carry out its powers and duties.
- H) The Suffolk County Water and Land Invasives Advisory Board shall hold no less than four (4) meetings annually, and shall conduct at least two (2) public hearings within the County of Suffolk for the purpose of obtaining necessary information or other data from the public. The time and place of each public hearing shall be published in the official County newspapers.
- I) All vacancies in the membership of the Suffolk County Water and Land Invasives Advisory Board shall be filled in the manner provided for their original appointment.

Section 5. Exemptions.

- A.) The prohibitions contained in this law shall not apply to bona fide scientific experiments or for educational purposes, provided that no invasive species used in such bona fide scientific experiments or for educational purposes shall be permitted to be sold or distributed.
- B) Any person desiring to use any invasive species for bona fide scientific experiments or for educational purposes shall be required to apply for a written waiver of the provisions of this law from the Suffolk County Department of Environmental and Energy, on a form to be prescribed in Exhibit "C" herein.

Section 6. Penalties.

Any person who violates Section 3 of this law shall be guilty of a violation, punishable by a fine of \$1,000 for a first and second offense; and shall be guilty of an

unclassified misdemeanor for a third, and each subsequent offense, punishable by a fine of \$2000 and/or no more than 30 days in jail.

Section 7. Rules and Regulations.

The Suffolk County Department of Environment and Energy shall issue and promulgate such rules and regulations as it deems necessary and appropriate to carry out the provisions of this law.

Section 8. Applicability.

- A) The prohibition described in Section 3(A) of this law shall apply to actions occurring on or after January 1, 2009.
- B) The prohibition described in Section 3(B) of this law shall apply to actions occurring on or after January 1, 2011.

Section 9. Severability.

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

Section 10. 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)(6) 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 11. Effective Date.

This law shall take effect on the sixtieth (60) day immediately subsequent to filing in the Office of the Secretary of State.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

After a public hearing duly held on July 10, 2007
Filed with the Secretary of State on August 6, 2007

EXHIBIT "A"

Scientific Name

Alliaria petiolata
Ampelopsis brevipedunculata
Anthriscus sylvestris
Aralia elata
Artemisia vulgaris
Cabomba caroliniana A. Gray
Cardamine impatiens L.
Caulerpa taxifolia
Celastrus orbiculatus
Centaurea maculosa (biebersteinii)
Cirsium arvense
Cynanchum louiseae / nigrum (AKA Vincetoxicum nigrum)
Cynanchum rossicum (AKA Vincetoxicum rossicum)
Egeria densa
Eleagnus angustifolia
Eleagnus umbellata
Euphorbia cyparissias
Euphorbia esula
Froelichia gracilis (Hook.) Moq.
Glaucium flavum Crantz
Glossostigma diandrum
Heracleum mantegazzianum
Hesperis matronalis L.
Humulus japonicus
Hydrilla verticillata
Hydrocharis morsus-ranae
Impatiens glandulifera Royle
Lepidium latifolium
Lespedeza cuneata
Ligustrum obtusifolium Sie.&Zucc
Ludwigia hexapetala
Ludwigia peploides

Common Name

Garlic mustard
Porcelain-berry
wild chervil
Japanese Angelica Tree
mugwort, common wormwood
Carolina fanwort; Cabomba
Narrowleaf bittercress
the marine "killer algae"
Oriental bittersweet
Spotted knapweed
Canada thistle
Black Swallow-wort
Pale Swallow-wort
Brazilian water weed
Russian olive
Autumn Olive
Cypress spurge
Leafy spurge
Cottonweed
sea poppy, yellow horned poppy
Mudmat
Giant hogweed
Dame's rocket
Japanese Hops
Hydrilla
European Frog-bit (aquatic)
Tall impatiens; purple balsam
Tall pepperweed, perennial pepperweed
Chinese lespedeza
Border privet
Water primrose
Floating primrose-willow; water purslane

<i>Lythrum salicaria</i>	Purple loosestrife
<i>Microstegium vimineum</i>	Japanese stilt grass
<i>Myriophyllum aquaticum</i> (Vell.) Verdc (AKA <i>M. brasilense</i>)	Parrot feather, Brazilian water milfoil
<i>Myriophyllum spicatum</i> L.	Eurasian water milfoil
<i>Najas minor</i> Allioni	Eutrophic water-nymph
<i>Nelumbo nucifera</i>	pink lotus
<i>Nymphoides peltata</i>	yellow floating heart
<i>Paulownia tomentosa</i>	Princess Tree
<i>Phalaris arundinacea</i> L.	Reed Canary-grass
<i>Phragmites australis</i>	Common reed grass (nonnative genotype)

Scientific Name

Polygonum cuspidatum
Polygonum perfoliatum
Polygonum sachaliensis (Fallopia)
Potamogeton crispus L.
Pueraria montana var. *lobata*
Ranunculus ficaria
Rhamnus cathartica
Rosa multiflora
Rubus phoenicolasias Maxim.
Salvinia molesta
Senecio jacobaea
Silphium perfoliatum L.
Trapa natans
Vitex rotundifolia L. f.

Common Name

Japanese knotweed
Mile a minute vine
Giant knotweed
Curly leaf pondweed
Kudzu
Lesser celandine
Common buckthorn
Multiflora rose
Wineberry
Giant salvinia
Tansy ragwort; stinking willie
Cup-plant
Water chestnut
Beach vitex; roundleaf chastetree

EXHIBIT "B"

Scientific Name

Lonicera bella
Lonicera morrowii
Lonicera maackii "Rem Red"
Lonicera japonica
Lonicera tatarica
Lonicera xylosteum L.

Myosotis scorpioides L.

Common Name

Bell's honeysuckle
Morrow's honeysuckle
honeysuckle
Japanese honeysuckle
Tartarian honeysuckle
Dwarf, Fly
honeysuckle
Forget-me-not
(aquatic)

Return this form to the Suffolk County Department of Environment and Energy

All requirements of this form must be completed by the applicant. The information that you provide must be legible. Please type or print (clearly) in black ink.

Requested Invasive Species Information

Scientific Name:	
------------------	--

Common Name:	
--------------	--

Applicant Information

Name:					
Affiliation:					
Phone Number:		Fax Number:			
Mailing Address:					
City:		State:		Zip Code:	
E-Mail Address:					

Purpose/Need for Variance

Project Description: (please attach additional pages if necessary)					
Purpose of Project:					
Start Date:		End Date:			
Project Location:					
City:		State:		Zip Code:	

What measures will be taken to ensure that the invasive species being applied for in this variance will not escape, spread or negatively affect the surrounding natural environment, agriculture or forest crop, and/or human health?

Once the project has ended, how will the species be disposed of (please describe in detail)?

Additional Material Required

- USGS Topographical Map with Site clearly shown
- Photographs before project begins and after project ends
- A description of the results/findings of the research work

Applicant's Signature

Date

or Department of Environment and Energy Use Only

Does the applicant meet the requirements for a variance?

Yes No

Notes:

Approved: _____ Date: _____

Denied: _____ Date: _____

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

Intro. Res. No. 1466-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 615 -2007, TO REAPPOINT
MEMBER OF THE SUFFOLK COUNTY PLANNING
COMMISSION (EDWARD JAMES PRUITT)**

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 member representing the Town of Brookhaven expired on December 31, 2006; and

WHEREAS, Steve Levy, the County Executive of Suffolk has reappointed **EDWARD JAMES PRUITT**, currently residing at 53 Felway Drive, Coram, New York 11727, as a member of the Suffolk County Planning Commission; now, therefore be it

1st RESOLVED, that **EDWARD JAMES PRUITT**, currently residing at 53 Felway Drive, Coram, New York 11727 is hereby reappointed as a member of the Suffolk County Planning Commission to represent the Town of Brookhaven for a term of office expiring December 31, 2010.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1471-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 616 -2007, TO REAPPOINT MEMBER
OF THE SUFFOLK COUNTY PLANNING COMMISSION (JESSE
R. GOODALE, III)**

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 member Jesse R. Goodale, III expired on December 31, 2006; and

WHEREAS, Steve Levy, the County Executive of Suffolk has reappointed **JESSE R. GOODALE, III**, currently residing at 1295 Pulaski Street, Riverhead, New York 11901, as a member of the Suffolk County Planning Commission; now, therefore be it

1st RESOLVED, that **JESSE R. GOODALE, III**, currently residing at 1295 Pulaski Street, Riverhead, New York 11901 is hereby reappointed as member of the Suffolk County Planning Commission representing the Town of Riverhead to a term of office expiring December 31, 2010.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 12-2-4-0. Legislators Caracappa and Losquadro voted no. Legislators Romaine, Schneiderman, Alden, and Kennedy abstained.

Intro. Res. No. 1483-2007
Introduced by Presiding Officer Lindsay

Laid on Table 5/15/2007

RESOLUTION NO. 617 –2007, APPOINTING MEMBER TO THE SUFFOLK COUNTY WATER AUTHORITY (JANE R. DEVINE)

WHEREAS, the term of office of **George Proios** will expire on May 28, 2007; now, therefore be it

1st RESOLVED, that **Jane R. Devine**, residing in Huntington, New York, is hereby appointed as a member of the Suffolk County Water Authority for a term of office expiring on May 28, 2012, said appointment having been made pursuant to the provisions of Section 1077(1) of the NEW YORK PUBLIC AUTHORITIES LAW; and be it further

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

Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 26, 2007

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

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

Intro. Res. No. 1519-2007
Introduced by Legislator Browning

Laid on Table 6/12/2007

RESOLUTION NO. 618 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (FORGE RIVER WATERSHED 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"; and

WHEREAS, the County of Suffolk will seek partnerships with the Town of Brookhaven and the State of New York to fund the acquisitions contemplated herein; now, therefore be it

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

PARCEL: SUFFOLK COUNTY TAX MAP NUMBER: ACRES: REPUTED OWNER AND ADDRESS:

No. 1 District Section Block **SEE EXHIBIT "B"**

Lot

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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

*** PRIMARY CRITERIA**

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

- B. Size or Shape (30 Points)**
 - 15 – Over 50 acres
 - 5 – Between 20 – 50 acres
 - 10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)
- C. Proximity or Contiguity to Other Public Open Space (20 Points)**
 - 10 – Abutting or adjacent to County land
 - 5 – Abutting or adjacent to other protected land
 - 5 – Strategic parcel associated with further compatible acquisition
- D. Greenbelts, Trails, and Public Access (10 Points)**
 - 5 – Trail link or public access to shore or water body
 - 5 – Greenbelt link or buffer

SECONDARY CRITERIA

- E. Development Pressure (15 Points)**
 - 10 – Preliminary development plans filed, and zoning in place
 - 5 – Municipal zoning action pending (rezoning)
- F. Stewardship (5 Points)**
 - 5 – Adopt a park or intermunicipal agreement

** Maximum possible score -----110 points*
Minimum score necessary for
consideration for acquisition-----25 points

EXHIBIT "A"

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

Intro. Res. No. 1600-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 619 -2007, AUTHORIZING
 PLANNING STEPS FOR ACQUISITION UNDER THE
 SUFFOLK COUNTY SOS (SAVE OPEN SPACE)
 PROGRAM –HAMLET PARKS COMPONENT – FOR
 THE AERO WORLD CORP. PROPERTY (TOWN OF
 ISLIP)**

WHEREAS, Local Law No. 34-2004, approved by the electorate in 2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" which authorizes the acquisition of open space, farmland and hamlet parks, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, the Town of Islip has expressed their interest in partnering with Suffolk County to assume full responsibility for development/maintenance of this property under the SOS (Save Open Space) Program, Hamlet Parks component, for multi-purpose community recreational use; now, therefore be it

1st **RESOLVED**, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A.(2) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local Law No. 34-2004 for hamlet parks:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 355.00 Block 01.00 Lot 001.000 p/o	3.75±	Aero World Corp. Daniel Carbone, President c/o Lark J. Shlimbaum, Esq. 265 Main Street, P.O. Box 8 Islip, NY 11751
No. 2	District 0500 Section 355.00 Block 01.00 Lot 005.0000.67±		Aero World Corp. Daniel Carbone, President c/o Lark J. Shlimbaum, Esq. 265 Main Street, P.O. Box 8 Islip, NY 11751

Total = 4.42± acres

and be it further

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

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of this proposed parcel shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program; and be it further

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1601-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 620 -2007, AUTHORIZING
PLANNING STEPS FOR ACQUISITION UNDER THE
SUFFOLK COUNTY SOS (SAVE OPEN SPACE)
PROGRAM – HAMLET PARKS COMPONENT – FOR
THE RD ASSOCIATES, INC. PROPERTY (TOWN OF
BABYLON)**

WHEREAS, Local Law No. 34-2004, approved by the electorate in 2004, "A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER established the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund" which authorizes the acquisition of open space, farmland and hamlet parks, as determined by a duly enacted resolution of the County of Suffolk; and

WHEREAS, the Town of Babylon has expressed their interest in partnering with Suffolk County to assume full responsibility for development/maintenance of this property under the SOS (Save Open Space) Program, Hamlet Parks component, for hamlet park use; now, therefore be it

1st RESOLVED, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A.(2) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local Law No. 34-2004 for hamlet parks:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0100 Section 177.00 Block 02.00 Lot 083.000	0.1±	RD Associates, Inc. c/o Robert DeFeo, Pres. 2 Sandra Drive Dix Hills, NY 11746

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

3rd **RESOLVED**, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of this proposed parcel shall be appropriated to future and subsequent acquisitions under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program; and be it further

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 6, 2007

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

Intro. Res. No. 1602-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 621 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT FOR THE PEIPMAN PROPERTY - FORGE RIVER WATERSHED ADDITION (TOWN OF BROOKHAVEN – SCTM NO. 0200-750.00-03.00-037.002)

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

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

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

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

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Two Thousand One Hundred Dollars (\$2,100.00±), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 750.00 Block 03.00 Lot 037.002	0.0274±	Fred Peipman 86 Jagger Lane Westhampton, NY 11977

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Two Thousand One Hundred Dollars (\$2,100.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,100.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including,

but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1603-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 622 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE CASTO PROPERTY MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-984.60-03.00-039.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Twenty Four Thousand Five Hundred Dollars (\$24,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0200	.39±	Salvatore & Maria Casto
	Section	984.60		538 Suffolk Avenue
	Block	03.00		Massapequa, NY 11758
	Lot	039.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Twenty Four Thousand Five Hundred Dollars (\$24,500.00), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2007 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	\$24,500.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$24,500.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$24,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$24,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$24,500.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or 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:

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

and be it further

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

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

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

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

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

that the proposes acquisition and preservation of the site would

have; and be it further

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1605-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 623 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE ALGIERI PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-984.60-01.00-028.000)

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each

year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk;
and

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Eight Thousand Dollars (\$8,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 984.60 Block 01.00 Lot 028.000	.09±	Dominick & Adriana Algieri, his wife 70 Alton Avenue Greenlawn, NY 11740

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 Eight Thousand Dollars (\$8,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$8,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$8,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$8,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Water Protection Program	\$8,000.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$8,000.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or 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:

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

and be it further

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

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

12th RESOLVED, that the project will not have a significant effect on the environment

for the following reasons:

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

- 2.) the proposed use of the subject parcel(s) is passive recreation; and

- 4.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the proposes acquisition and preservation of the site would have; and be it further

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1606-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 624 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE T. & S. BUILDERS, INC. PROPERTY – OVERTON PRESERVE (TOWN OF BROOKHAVEN – SCTM NO. 0200-495.00-05.00-001.000)

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

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

WHEREAS, Resolution No. 203-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Town of Brookhaven ("Town") has approved Resolution No. 26A on November 9, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of One Million Four Hundred Seventy Thousand Dollars (\$1,470,000.00±), at \$120,000.00 per acre, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Seven Hundred Thirty Five Thousand Dollars (\$735,000.00±), for a fifty percent (50%) undivided interest; and the Town's share, totaling Seven Hundred Thirty Five Thousand Dollars (\$735,000.00±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0200	12.25±	T. & S. Builders, Inc.
	Section	495.00		251 Hawkins Road
	Block	05.00		Centereach, NY 11720
	Lot	001.000		Sal Malguanera, President

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 Seven Hundred Thirty Five Thousand Dollars (\$735,000.00±), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$735,000.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$735,000.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$735,000.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$735,000.00±*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$735,000.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

9th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or 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

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

- c.) any tract of land located fully or partially within a statutorily designates 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;

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

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

13th RESOLVED, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation is hereby authorized to negotiate and to enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this

program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1607-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 625 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT - FOR THE BAY AVENUE PROPERTIES L.L.C. PROPERTY (TOWN OF BROOKHAVEN - SCTM NOS. 0200-915.00-03.00-001.000, 0200-915.00-03.00-002.000, 0200-916.00-01.00-003.010, 003.011, 003.012, 003.013, 003.014 p/o & 003.015)

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

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

WHEREAS, Resolution No. 1221-2006, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of One Million Nine Hundred Ninety Eight Thousand Six Hundred Eighty Four Dollars (\$1,998,684.00±), at \$236,000.00 per acre for 8.469± acres, subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	SUFFOLK COUNTY		<u>ACRES:</u>	REPUTED OWNER
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0200	8.469±	Bay Avenue Properties L.L.C. c/o Mario Vigliotta 9 Laurel Street Mastic Beach, NY 11951
	Section	915.00		
	Block	03.00		
	Lot	001.000		
No. 2	District	0200		
	Section	915.00		
	Block	03.00		
	Lot	002.000		
No. 3	District	0200		
	Section	916.00		
	Block	01.00		
	Lot	003.010		
No. 4	District	0200		
	Section	916.00		
	Block	01.00		
	Lot	003.011		
No. 5	District	0200		

	Section	916.00
	Block	01.00
	Lot	003.012
No. 6	District	0200
	Section	916.00
	Block	01.00
	Lot	003.013
No. 7	District	0200
	Section	916.00
	Block	01.00
	Lot	003.014 p/o
No. 8	District	0200
	Section	916.00
	Block	01.00
	Lot	003.015

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of One Million Nine Hundred Ninety Eight Thousand Six Hundred Eighty Four Dollars (\$1,998,684.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,998,684.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, Six (6) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and, be it further

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1608-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 626 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE GRAHAM ESTATE PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-984.70-01.00-011.000)

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

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

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

WHEREAS, the 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 Ten Thousand Five Hundred Dollars (\$10,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 984.70 Block 01.00 Lot 011.000	.14±	Estate of Clifford T. Graham, Jr. by Junelee Graham Rose 12 Emily Court Greenlawn, NY 11740

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 Ten Thousand Five Hundred Dollars (\$10,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$10,500.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$10,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$10,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$10,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,500.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or 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.) freshwater/tidal wetlands and buffer lands for same;
- d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

and be it further

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

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

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

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

residential purposes; incurring far greater environmental impact
that the proposes acquisition and preservation of the site would
have; and be it further

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1609-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 627 -2007 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE DRAGO PROPERTY – DOXSEE’S CREEK ADDITION (TOWN OF ISLIP - SCTM NO. 0500-271.00-03.00-013.000)

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

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the

Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Twenty Nine Thousand Three Hundred Seventy Five Dollars (\$129,375.00±), 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>SQUARE FEET:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0500 Section 271.00 Block 03.00 Lot 013.000	28,750± s.f.	Calogero & Rosario Drago 141 Calvert Avenue West Babylon, NY 11704

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Twenty Nine Thousand Three Hundred Seventy Five Dollars (\$129,375.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$129,375.00±, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDX2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1611-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Nowick, Stern

RESOLUTION NO. 628 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT FOR THE ARTHUR H. COTINS REVOCABLE TRUST PROPERTY – MILLS POND (TOWN OF SMITHTOWN - SCTM NO. 0800-040.00-02.00-002.000)

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

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

WHEREAS, Resolution No. 172-2006, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Park component, for a total purchase price of Eight Hundred Fifty Thousand Dollars (\$850,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
-----------------------	--	----------------------	--

No. 1	District	0800	2.085±	Arthur H. Cotins Revocable Trust
	Section	040.00		Arthur H. & Carol C. Cotins, Trustees
	Block	02.00		178 Mills Pond Road
	Lot	002.000		St. James, NY 11780

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of Eight Hundred Fifty Thousand Dollars (\$850,000.00), subject to final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$850,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for Hamlet Park use as described in Section C36-1(A)(2) of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1612-2007

Laid on Table 6/12/2007

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

**RESOLUTION NO. 629 -2007, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM –
LAND PRESERVATION PARTNERSHIP PROGRAM – FOR
THE ROSS SCHOOL PROPERTY – AIRPORT**

**PRESERVE ADDITION (TOWN OF EAST HAMPTON –
SCTM NO. 0300-181.00-01.00-007.000)**

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

WHEREAS, Resolution No. 277-2007 appropriated \$11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 621-2004 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of East Hampton (“Town”) has approved Resolution No. 2007-580 on April 19, 2007 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Seven Million Eight Hundred Nineteen Thousand Seven Hundred Ninety Dollars (\$7,819,790.00±), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Three Million Nine Hundred Nine Thousand Eight Hundred Ninety Five Dollars (\$3,909,895.00±) for a fifty percent (50%) undivided interest; and the Town’s share, totaling Three Million Nine Hundred Nine Thousand Eight Hundred Ninety Five Dollars (\$3,909,895.00±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

	SUFFOLK COUNTY			REPUTED OWNER	
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>AND ADDRESS:</u>	
No. 1	District	0300	71.089±	The Ross School	
	Section	181.00		Goodfriend Park	
	Block	01.00		East Hampton, NY 11937	
	Lot	007.000			

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County's share of the purchase price of Three Million Nine Hundred Nine Thousand Eight Hundred Ninety Five Dollars (\$3,909,895.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,909,895.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

C. The Open Space Preservation Program (natural resource preservation)

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

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

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

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

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

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

11th RESOLVED, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 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. 1613-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 630 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS),

**FARMLAND PRESERVATION, AND HAMLET PARKS FUND –
FARMLAND COMPONENT - FOR THE FARR
PROPERTY (SCTM NO. 0600-080.00-01.00-003.002 p/o – F/K/A
003.001 - TOWN OF RIVERHEAD)**

WHEREAS, Local Law No. 34-2004, “A Charter Law adding Article XXXVI to the SUFFOLK COUNTY CHARTER to provide a Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund” authorizes the acquisition of farmland development rights, as determined by duly enacted resolution of the County of Suffolk; and

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

WHEREAS, Resolution No. 1020-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

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

Director of the Division of Real Property Acquisition and Management to negotiate the acquisition;

now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00±), at \$90,000.00 per acre, for 27.0± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600	27.0+/-	Reginald Farr & Connie Farr, his wife
	Section 080.00		156 Youngs Avenue
	Block 01.00		Calverton, NY 11933
	Lot 003.002 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER, for the purchase price of Two Million Four Hundred Thirty Thousand Dollars (\$2,430,000.00±), at \$90,000.00 per acre for 27.0± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,430,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Funds, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including,

but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 10, 2007

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

RESOLUTION NO. 631 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM FOR THE REEVE PROPERTY TOWN OF RIVERHEAD – (SCTM NOS. 0600-008.00-02.00-012.004 p/o & 0600-008.00-02.00-012.005 p/o)

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(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(C) of the SUFFOLK COUNTY CHARTER, from 7.35 percent of the sales and compensating tax proceeds, for the acquisition of farmland development rights; and

WHEREAS, Resolution No. 1020-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

WHEREAS, the Town of Riverhead (“Town”) has approved Resolution No. 367-2007 on April 17, 2007 authorizing the acquisition of farmland development rights of the subject property in partnership with the County of Suffolk; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for a total purchase price of One Million Eight Hundred Ninety Nine Thousand Dollars (\$1,899,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 21.10± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million Three Hundred Twenty Nine Thousand Three Hundred Dollars (\$1,329,300.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling Five Hundred Sixty Nine Thousand Seven Hundred Dollars (\$569,700.00±), for a thirty percent (30%) undivided interest, as tenants in common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments, for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600 Section 008.00 Block 02.00 Lot 012.004 p/o	21.10±	Frederick Y. and Lois W. Reeve 5558 Sound Avenue Riverhead, NY 11901
No. 2	District 0600 Section 008.00 Block 02.00 Lot 012.005 p/o		Lois W. Reeve 5558 Sound Avenue Riverhead, NY 11901

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) 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, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the purchase price of One Million Eight Hundred Ninety Nine Thousand Dollars (\$1,899,000.00±), subject to a final survey, of which the County's contribution will be One Million Three Hundred Twenty Nine Thousand Three Hundred Dollars (\$1,329,300.00±), at \$90,000.00 per acre for 21.10± acres, subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2007 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	\$1,329,300.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$1,329,300.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$1,329,300.00± from the Fund 477, New Drinking Water Protection Program, Farmland Development Rights, Section C12-2(C) 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-8708.210	New Drinking Water Protection Program	\$1,329,300.00±*

*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 and to pay these interfund revenues and effectuate these

interfund transfers, including the associated cash transfers, as described above, to the Capital Fund required to finance this capital project; and be it further

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,329,300.00±, subject to payment by the Town of its share of the purchase and subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8708.210, the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

8th RESOLVED, that title to this acquisition shall be held by the County and the Town, as tenants-in-common, with the County owning seventy percent (70%) undivided interest and the Town owning thirty percent (30%) undivided interest; and, be it further

9th 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

10th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 10, 2007

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

Intro. Res. No. 1626-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

**RESOLUTION NO. 632 –2007, AUTHORIZING
ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY MULTIFACETED LAND
PRESERVATION PROGRAM – FOR THE ZILNICKI
PROPERTY (TOWN OF RIVERHEAD – SCTM NO. 0600-
043.00-01.00-003.000 p/o)**

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

WHEREAS, Resolution No. 277-2007 appropriated \$11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 1020-2006 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Riverhead (“Town”) has approved Resolution No. 369-2007 on April 17, 2007 authorizing the acquisition of the farmland development rights for the subject property in partnership with the County of Suffolk; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for a total purchase price of Six Million Three Hundred Sixty Three Thousand Dollars (\$6,363,000.00±), at \$90,000.00 per acre for 70.7± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share totaling Four Million Four Hundred Fifty Four Thousand One Hundred Dollars (\$4,454,100.00±), for a seventy percent (70%) undivided interest; and the Town’s share totaling One Million Nine Hundred Eight Thousand Nine Hundred Dollars (\$1,908,900.00±), for a thirty percent (30%) undivided interest, at tenants in common, subject to a final survey, and hereby authorized additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	70.7±	<u>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0600		Helen Zilnicki
	Section 043.00		3675 Sound Avenue
	Block 01.00		Riverhead, NY 11901
	Lot 003.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the purchase price of Six Million Three Hundred Sixty Three Thousand Dollars (\$6,363,000.00±), of which the County contribution will be Four Million Four Hundred Fifty Four Thousand One Hundred Dollars (\$4,454,100.00±), at \$90,000.00 per acre for 70.7± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$4,454,100.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning seventy percent (70%) undivided interest and the Town owning thirty percent (30%) undivided interest; and be it further

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

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 6 NYCRR Sections 617.5c(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 10, 2007

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

Intro. Res. No. 1514-2007
Introduced by Legislator Nowick

Laid on Table 6/12/2007

**RESOLUTION NO. 633 –2007, DESIGNATING AUGUST AS
“MEDICINE ABUSE AWARENESS MONTH” IN SUFFOLK
COUNTY**

WHEREAS, a new category of substance abuse has emerged in America; teens are abusing prescription (Rx) and over-the-counter (OTC) medications intentionally to get high; and

WHEREAS, the Partnership for a Drug Free America (PDFA) found that 1 in 10 teenagers has abused cough/cold medications, some taking 25-30 times the recommended dose, which can cause vomiting, tremors, and comas; and

WHEREAS, the Consumer Healthcare Products Association (CHPA) feels the scope of this misuse and abuse is one element of a larger problem, in that 1 in 5 teens has abused prescription drugs and 1 in 6 has abused inhalants; and

WHEREAS, the CHPA in conjunction with the Partnership for a Drug Free America has created an educational program which underscores the need for increased parental involvement and expanded educational programs; and

WHEREAS, when prescription drugs are abused, they are most often obtained through “friends and relatives”; and

WHEREAS, parents should also be aware that the Internet gives teens access to websites that promote the abuse of cough medicines to get high; and

WHEREAS, adolescent abuse of prescription and over-the-counter medications represents one of the most significant substance abuse trends in recent memory; and

WHEREAS, the Suffolk County Legislature wishes to promote the message that over-the-counter and prescription medicines are to be taken only as labeled or prescribed; and

WHEREAS, the Suffolk County Legislature wishes to educate parents and teenagers about the risks of abusing prescription and over-the-counter medications and prevent the intentional abuse of these medications; now, therefore be it

1st RESOLVED, that beginning in 2007 and continuing every year thereafter, the month of August shall be designated as “**Medicine Abuse Awareness Month**” in Suffolk County; and be it further

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1566-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 634 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079)

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of Environmental Health Laboratory Equipment; and

WHEREAS, it is necessary to purchase new and replacement instrumentation and equipment at the Public & Environmental Health Laboratory; and

WHEREAS, the new instrumentation and equipment is needed to meet the requirements of new analytical methods mandated by State and Federal laboratory accreditation programs and to meet the analytical needs of other user departments; and

WHEREAS, over time some instrumentation and equipment becomes outdated and unusable requiring immediate replacement so as to keep pace with the ever increasing volume of work; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Project Number 4079; 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, 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 \$145,000 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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR"), Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of \$145,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-4079.519 (Fund 001-Debt Service)	40	Purchase of Environmental Health Laboratory Equipment	\$145,000

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1566A-2007

BOND RESOLUTION NO. 635 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$145,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR THE ENVIRONMENTAL HEALTH LABORATORY (CP 4079.519)

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 \$145,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for the Environmental Health Laboratory, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$145,000. The plan of financing includes the issuance of \$145,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1567-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 636 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226) AND APPROVING THE PURCHASE OF A VEHICLE IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE SUFFOLK COUNTY CODE AND IN ACCORDANCE WITH THE COUNTY VEHICLE STANDARD

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of equipment for Groundwater Monitoring and Well Drilling; and

WHEREAS, the equipment will be used to drill wells and conduct groundwater research to protect Suffolk County's sole-source aquifer and assist the Brownfield/ERP projects and the Comprehensive Water Resource Management Plan; and

WHEREAS, this research data will be used for critical decision making for the protection of Suffolk County's vital water supply and surface water resources while accommodating Smart Growth Workforce Housing and sustainable growth initiatives; and

WHEREAS, the equipment request includes funds to replace one Drill Rig and Carrier Truck used for well drilling; and

WHEREAS, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless “explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature”; and

WHEREAS, there are sufficient funds within the 2007 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8226; 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, 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 \$190,000 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 the purchase of one replacement Drill Rig and Carrier Truck used for well drilling activities, fleet number 13323, is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; 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 the New York Code of Rules and Regulations (“NYCRR”), Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

4th RESOLVED, that the proceeds of \$190,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8226.523 (Fund 001-Debt Service)	20	Purchase of Equipment for Groundwater Monitoring and Well Drilling	\$190,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1567A-2007

BOND RESOLUTION NO. 637 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$190,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR GROUNDWATER MONITORING AND WELL DRILLING (CP 8226.523)

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 \$190,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for groundwater monitoring and well drilling, 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 \$190,000. The plan of financing includes the issuance of \$190,000 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. 28 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1628-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive and Legislators Kennedy, Browning, Schneiderman

RESOLUTION NO. 638 -2007, AMENDING RESOLUTION NO. 1092-2004, TO PURCHASE A DIGITAL MAMMOGRAPHY UNIT FOR THE MARILYN SHELLABARGER SOUTH BROOKHAVEN FAMILY HEALTH CENTER IN SHIRLEY (CP 4055)

WHEREAS, Resolution No. 1092-2004 provided funding of \$500,000 in Capital Project 4055 for repairs to the existing Mammography Van and to purchase and install Mammography units for the Shirley, Patchogue, and Maxine S. Postal Tri-Community Health Centers; and

WHEREAS, in December of 2005, the Mammography Van was repaired with a power aid source and the installation of a diesel generator; and

WHEREAS, there is insufficient space at both Patchogue and Maxine S. Postal Tri-Community Health Centers to accommodate Mammography units; and

WHEREAS, the technology standard has changed from analog to digital, which has tripled the unit cost; and

WHEREAS, there is sufficient space at the Marilyn Shellabarger South Brookhaven Family Health Center in Shirley for a Digital Mammography unit; now, therefore be it

1st RESOLVED, that the remaining funds of \$460,543 in Capital Project Number 525-CAP-4055.524 be used to purchase one Digital Mammography unit for the Marilyn Shellabarger South Brookhaven Family Health Center.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1392-2007 Laid on Table 4/24/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 639 -2007, AMENDING THE OPERATING BUDGET TO CREATE A NEW POSITION IN THE SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Appraisals and Condemnations Unit is minimally staffed since the retirement of an employee in the title of General Real Estate Appraiser; and

WHEREAS, the Department of Public Works has requested that in lieu of filling this vacant position in its current title, two Real Estate Appraisal Technician I positions be filled to assume various duties in the Condemnation Unit in the Department; and

WHEREAS, the Suffolk County Department of Human Resources, Personnel and Civil Service will be requested to earmark the vacant Grade 32 General Real Estate Appraiser position to the Grade 16 title of Real Estate Appraisal Technician I; and

WHEREAS, one new position of Real Estate Appraisal Technician I must be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Suffolk County Department of Public Works Operating Budget to cover the cost; now, therefore be it

1ST RESOLVED, that the Suffolk County Department of Public Works Operating Budget be and is hereby amended as follows:

AMENDMENT TO OPERATING BUDGET
ADDITION

<u>Position No.</u>	<u>Spec. No.</u>	<u>JC</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>	<u>Number of Positions Created</u>
01-1490	0636	C	Real Estate Appraisal Technician I	16	02	01

and be it further

2ND RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1599-2007

Laid on Table 6/12/2007

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

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

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

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

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

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

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

and be it further

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

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

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1614-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 641 –2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF ISLIP FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit "A" attached hereto:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 367.00, Block 03.00, Lot 090.000, and acquired from the Department of Public Works as surplus property on March 20, 2006 and described as follows:

ALL, that certain piece, or parcel of land situated at Bay Shore, Town of Islip, Suffolk County, New York, being more particularly described as follows:

BEGINNING, at the corner formed by the intersection of the northerly boundary of Montauk Highway (County Road 80) and the westerly boundary of Lakeview Avenue, said point being 75+ - feet distant northerly, measured at right angles from station 189 + 34 + - of the existing survey centerline for CR 50, Union Street; thence southerly without access along the last mentioned boundary 17 + - feet to a point 57.50 feet distant northerly, measured at right angles from station 189 + 34.00 of said centerline; thence through the land of Suffolk, reputed owner, the following three (3) courses and distances:

1. southwesterly, without access 28 + - to a point 37.50 feet northerly, measured at right angles from station 189 + 14.00 of said centerline,
2. westerly, without access 130+ - to a point 37.50 feet northerly, measured at right angles from station 187 + 84.00 of said centerline; and

3. northerly, 37 + - feet to a point on the first mentioned boundary of Montauk Highway, CR 80, the mentioned point being 75 + - feet northerly, measured at right angles from station 187 + 84.+ - of said centerline; thence, along the last mentioned boundary 150 + - feet to the Point of Beginning

Being 5,425 + - S.F. or 0.12 Acres More or Less.

Excepting also and reserving to any and all utilities, the right of access at all times for the update, maintenance and service of their facilities, otherwise known as and by Town of Islip; and

WHEREAS, said parcel is surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-h of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Islip, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the transfer of this parcel is pursuant to and in accordance with Local Law Nos. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Planning has approved the use of these parcels for the purposes stated above; now, therefore be it

1st **RESOLVED**, the subject parcels shall be conveyed to the Town of Islip, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

1. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
2. The Town of Islip shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2007, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
3. The Town of Islip and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

2nd **RESOLVED**, the subject parcels shall be conveyed to the Town of Islip, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

1. Principal residence of owner for a period of 5 years;

2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director of Affordable Housing after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution of the Legislature.

For Rental Housing:

1. Income of tenant limited to 80% of median income based on family size;
2. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
3. Home must meet local building and zoning codes;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director of Affordable Housing after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution of the Legislature.
5. Property must remain as an affordable unit for at least 10 years.

3rd **RESOLVED**, the conveyance of the parcel described into the Town of Islip for the purposes described herein shall be for the sum of One Dollar (to be waived), plus the pro rata share of the current taxes; and be it further

4th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c) (20) and (27)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR) Section 617.5(a).

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 17-1-0-0. Legislator Caracappa voted no.

Intro. Res. No. 1467-2007
Introduced by Legislators Stern, Cooper and Browning

Laid on Table 5/15/2007

RESOLUTION NO. 643 -2007, ADOPTING LOCAL LAW NO. 23 -2007, A LOCAL LAW TO AMEND PARK RULES AND REGULATIONS RELATING TO DOG RUN AREAS IN COUNTY PARKS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 15, 2007, a proposed local law entitled, "**A LOCAL LAW TO AMEND PARK RULES AND REGULATIONS RELATING TO DOG RUN AREAS IN COUNTY PARKS;**" now, therefore be it

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

LOCAL LAW NO. 23 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AMEND PARK RULES AND REGULATIONS RELATING TO DOG RUN AREAS IN COUNTY PARKS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County Park Rules and Regulations do not permit dogs to be off-leash on County parklands outside of authorized, fenced-in dog runs.

This Legislature further finds that the County of Suffolk is working to make county parks more accessible to persons and families that own dogs.

This Legislature also determines that efforts are under way to identify suitable unfenced areas in County parks where dogs would be allowed to run unleashed.

Therefore, the purpose of this local law is to amend Chapter 378 of the SUFFOLK COUNTY CODE to permit dogs to run off-leash in designated fenced and unfenced dog run areas in County parks.

Section 2. Amendments.

Chapter 378 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 378, PARK RULES AND REGULATIONS

* * * *

§ 378-4. Prohibited acts.

A. No person in a County park shall:

* * * *

- (5) Bring in or permit any horses, cattle, livestock or domestic animals of any kind in or on any parkland, except that a dog or cat may be permitted to use County parkland on a leash, in areas designated for such use [and in accordance with the provisions of Resolution No. 566-1998 “Authorizing County Department of Parks, Recreation and Conservation to Construct Dog Runs within County Parks”]. No dogs shall be permitted off leash outside of an authorized [fenced in] dog run area that is fenced in, bordered by natural boundaries or otherwise segregated from other park users. Horses may be permitted on approved trails and special permits must be obtained from the Commissioner for any events involving horses, dogs, etc. No animals shall be allowed at large except as provided in this section.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 27, 2007

After a public hearing duly held on July 10, 2007
Filed with the Secretary of State on August 10, 2007

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

Intro. Res. No. 1450-2007

Laid on Table 5/15/2007

Introduced by Legislators Kennedy, Losquadro, Romaine, Cooper, Alden, Schneiderman, and Mystal

RESOLUTION NO. 644 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS TO CREATE ONE ADDITIONAL SUPERVISING PROBATION OFFICER AND TEN ADDITIONAL PROBATION OFFICERS FOR THE ELECTRONIC MONITORING PROGRAM

WHEREAS, the 2007 Operating Budget does not include sufficient staffing to administer the Department of Probation's Electronic Monitoring Program that utilizes the Global Positioning System (GPS) as an alternative to incarceration; and

WHEREAS, additional staff in the Department of Probation's Electronic Monitoring Program can assist the County in its endeavors to reduce the jail population for appropriate offenders, to better track and exclude level 2 and 3 sex offenders from areas around schools and other places where young children congregate, to increase the utilization of SCRAM (Secure Continuous Remote Alcohol Monitor) devices to determine whether high-risk DWI offenders are abstaining from the use of alcohol and to insure that all types of offenders are participating in those activities that promote stability and public safety; and

WHEREAS, the 2007 Operating Budget contains surplus funds in the Department of Public Works; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget and transfer a total of \$128,449 to pay for the salaries and FICA benefits for

one Supervising Probation Officer and ten additional Probation Officers to enable the expansion of the Electronic Monitoring Program in the Probation Department for the last quarter of 2007; and

WHEREAS, that the provision of these ten new Probation Officer positions and one additional Supervising Probation Officer in combination with the filling of one vacant Principal Probation Officer position plus other Probation Officer positions currently awaiting SCIN form approval by the County Executive's Office will provide the full complement of staffing to enable the Probation Department to step up the use of the Global Positioning System (GPS) and to meet the increased demand for all the services provided by the Electronic Monitoring Program on a 24-hours-a-day/7 days-a-week basis; and

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

1st RESOLVED, that the 2007 Operating Budget be amended as follows to create 11 positions in the Electronic Monitoring Program in the Probation Department and to provide sufficient appropriations to fill these positions effective October 1, 2007:

<u>Fd-Agy-Unit-Act-Obj</u>	<u>Position Title</u>	<u>Grade</u>	<u>Number Created</u>
001-PRO-3189-0100	Supervising Probation Officer	26	+1
001-PRO-3189-0100	Probation Officer	21	+10
	Total		+11

and be it further

2nd 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	1494	0000	3650	Repairs: Buildings	-\$128,449

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	PRO	3189	0000	1100	Permanent Salaries	+\$119,321
001	EMP	9030	0000	8330	Social Security	+\$9,128

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 salaries and FICA benefits for one additional Supervising Probation Officer and ten additional Probation Officer positions in the Probation Department's Electronic Monitoring Program for the last quarter of 2007; and be it further

4th RESOLVED, that the Director of Probation is to provide a verbal status report at a regularly scheduled Public Safety Committee that follows ninety days after the adoption of this resolution as to the status of all SCIN form requests and approvals by the County Executive to fill positions in the Probation Officer title series and how many of the eleven Probation Officer positions provided in this resolution are filled or vacant.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 13, 2007

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

Intro. Res. No. 1494-2007

Laid on Table 5/15/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 645 -2007, APPROVING THE PURCHASE OF VEHICLES AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011)

WHEREAS, Local Law No. 20-2003, as amended, requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the Commissioner of Parks has requested funds for the Purchase of Heavy Duty Equipment for County Parks; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of purchasing heavy duty equipment under Capital Project 7011; 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 \$355,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that the purchase of seven (7) replacement vehicles as detailed on attached Addendum 1 is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty three (43) 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 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 purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA ; and be it further

4th RESOLVED, that the proceeds of the \$355,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project NO.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7011.524 (Fund 001-Debt Service)	60	Heavy Duty Equipment for County Parks	\$355,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

ADDENDUM 1

HEAVY EQUIPMENT FOR COUNTY PARKS (CP 7011)

ADOPTED 2007 CAPITAL BUDGET

VEHICLE TYPE	QUANTITY	PRICE PER UNIT	TOTAL ESTIMATED COST
4WD Front End Loader	1	\$40,000	\$40,000
Large Rotary Mower	1	\$50,000	\$50,000
4WD Landscape Dump Trucks	4	\$50,000	\$200,000
Bob Cat (Rubber Tracks)	1	\$65,000	\$65,000
		TOTAL:	\$355,000

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

Intro. Res. No. 1494A-2007

BOND RESOLUTION NO. 646 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$355,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF HEAVY DUTY EQUIPMENT FOR COUNTY PARKS (CP 7011.524)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$355,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to

finance the cost of the purchase of heavy duty equipment for County parks, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$355,000. The plan of financing includes the issuance of \$355,000 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. 28 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1544 -2007
Introduced by Presiding Officer Lindsay

Laid on Table 6/12/2007

RESOLUTION NO. 647 -2007, AUTHORIZING USE OF LONG ISLAND MARITIME MUSEUM PROPERTY BY FRIENDS OF BRADSTOCK FOR A MUSIC AND ARTS FESTIVAL FUNDRAISER

WHEREAS, the Friends of Bradstock is a not-for-profit organization; and

WHEREAS, the Friends of Bradstock would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their annual Music and Arts Festival Fundraiser, the proceeds of which go to local not-for-profits organizations throughout the County of Suffolk based on need and amount of funds raised; and

WHEREAS, the festival will be held on the grounds of the Long Island Maritime Museum on Sunday, September 2, 2007 between the hours of 10:00 a.m. to 10:00 p.m.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Five Hundred and 00/100 Dollars (\$500.00), payment of which shall be guaranteed by Friends of Bradstock; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Friends of Bradstock; and

WHEREAS, the use of County property for such a fundraiser to support local not-for-profit organizations promotes the general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Long Island Maritime Museum in the County Park in West Sayville, in consideration of the payment of Five Hundred and 00/100 Dollars (\$500.00), for the purpose of hosting a Music and Arts Festival Fundraiser on September 2, 2007 between the hours of 10:00 a.m. and 10:00 p.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the entity Friends of Bradstock, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that before this event shall be permitted to occur, the Friends of Bradstock must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the support of local not-for-profit organizations throughout the County of Suffolk by the Friends of Bradstock at the Long Island Maritime Museum in the County Park in West Sayville; and be it further

4th RESOLVED, that the Friends of Bradstock shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law,

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1565-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 648 -2007, APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF WEST NECK FARM, HUNTINGTON (CP 7096)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for construction for restoration of West Neck Farm, Huntington; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said improvements under Capital Program Number 7096; 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, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 427-1997 determined that these actions constitute a Type I action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617 and Suffolk County Local Law No. 22-1985 and will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) Upgrades within the facility are necessary to bring it up to building and fire code standards;
- 3.) The proposed work is necessary for the restoration of the historic landmark Coindre Hall Boathouse and was approved by the Suffolk County Historic Trust;

and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7096.315 (Fund 001-Debt Service)	26	Construction for Restoration of West Neck Farm, Huntington	\$100,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 18-0.
Intro. Res. No. 1565A-2007

BOND RESOLUTION NO. 649 -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 RESTORATION OF WEST NECK FARM (CP 7096.315)

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 restoration of West Neck Farm, 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 \$900,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 673-2006, (b) the issuance of \$700,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1032-2006 (\$50,000 for planning and \$650,000 for construction), (c) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (3) of the Law, is ten (10) years, computed from November 1, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 673-2006.

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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1576-2007
Introduced by Legislators Cooper and Romaine

Laid on Table 6/12/2007

**RESOLUTION NO. 650 –2007, AMENDING RESOLUTION
NO. 50-2007 REGARDING PARK FEES FOR VETERANS**

WHEREAS, Suffolk County Resolution No. 50-2007 directed the Suffolk County Department of Parks, Recreation and Conservation to establish a fee schedule for veteran's use of County parks and facilities equivalent to that offered to senior citizens; and

WHEREAS, Resolution No. 50-2007 conditioned a veteran's eligibility for the reduced fees on their submission of a DD Form 214; and

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

1st RESOLVED, that the 3rd RESOLVED clause of Resolution No. 50-2007 is hereby amended to read as follows:

3rd RESOLVED, that eligibility under this program [for exemption from such fees] for veterans shall be conditioned upon submission of a DD Form 214, along with submission of proof that said veteran is a Suffolk County resident or, in the alternative, a Suffolk County Veteran Resident ID Card; and be it further

and be it further

2nd RESOLVED, that the provisions of Resolution No. 50-2007 shall remain in full force and effect; and be it further

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

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1597-2007
Introduced by Legislator Losquadro

Laid on Table 6/12/2007

**RESOLUTION NO. 651 –2007, ESTABLISHING A PROGRAM
FOR RESPONSIBLE OUTDOOR RECREATION IN SUFFOLK
COUNTY**

WHEREAS, the residents of Suffolk County are fortunate to live in close proximity to many County parks that provide areas for camping, hiking, biking and many other outdoor recreational activities; and

WHEREAS, in order to preserve these parks for future generations, those who utilize them now must do so in a responsible manner which respects the delicate nature of the environment; and

WHEREAS, organizations, such as the Leave No Trace Center for Outdoor Ethics, have the goal of educating outdoor enthusiasts with skills, information and guidelines on the best practices for enjoying the outdoors; and

WHEREAS, The New York State Department of Environmental Conservation, and at least one town in New York, has already partnered with the Leave No Trace Center for Outdoor Ethics to provide educational material and training programs, among other benefits, to help educate outdoor enthusiasts; and

WHEREAS, it is in the best interests of the residents of Suffolk County to continue and expand the stewardship programs in the County, and to make use of all available resources to achieve that goal; now, therefore be it

1st RESOLVED, that the Commissioner of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Sections C28-4(A) and (C) of the SUFFOLK COUNTY CHARTER, to establish a program to promote responsible outdoor recreation throughout Suffolk County; and be it further

2nd RESOLVED, that the Commissioner of Parks, Recreation and Conservation is further authorized, empowered and directed, subject to any applicable competitive procurement statute, to make application to, and partner with, any non-profit organization whose objective is to provide educational services regarding responsible decisions while hiking, picnicking, camping, biking, or while otherwise engaged in any outdoor activities at Suffolk County Parks; 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 26, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JULY 13, 2007

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

Intro. Res. No. 1619-2007
Introduced by Legislator Alden

Laid on Table 6/12/2007

RESOLUTION NO. 652 -2007, AMENDING THE 2007
CAPITAL PROGRAM AND BUDGET AND
APPROPRIATING FUNDS FOR THE RECONSTRUCTION
OF THE BULKHEAD AT TIMBER POINT MARINA POLICE
MARINE BUREAU (CP 5377)

WHEREAS, the Police Department is currently in the process of reconstructing a portion of the bulkhead at the Timber Point Marina Police Marine Bureau; and

WHEREAS, Resolution No. 1484-2006 appropriated \$630,000 in funding to replace approximately 400 feet of bulkhead; and

WHEREAS, the remainder of the project can be completed with an additional appropriation of \$200,000; and

WHEREAS, during the Nor'easter of April 15, 2007 the marina suffered damage to the floating docks as a result of the lack of protection from the wave action in the Great South Bay; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is determined that this program 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. 571-1998 and reaffirmed by Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

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

Project No.: 1755

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

Cost Elements	Total Estimated <u>Cost</u>	Current 2007 Capital Program & <u>Budget</u>	Revised 2007 Capital Program & <u>Budget</u>
3. Construction	\$371,000	\$571,000 B	\$371,000 B
6. Total	\$371,000	\$571,000	\$371,000

Project No.: 5377

Project Title: Reconstruction of Bulkhead at Timber Point Marina

Cost Elements	Total Estimated <u>Cost</u>	Current 2007 Capital Program & <u>Budget</u>	Revised 2007 Capital Program & <u>Budget</u>
3. Construction	\$800,000	\$0	\$200,000 B
6. Total	\$850,000	\$0	\$200,000

and be it further

3rd RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5377.310	Reconstruction of Bulkhead at Timber Point Marina	\$200,000

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

5th RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1201-2006 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c) (1) (2) and Chapter 279 of the Suffolk County Code, which project involves the maintenance, repair, replacement, rehabilitation or reconstruction of a structure in-kind on the same site.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1619A-2007

BOND RESOLUTION NO. 653 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE A PART OF THE COST OF CONSTRUCTION OF IMPROVEMENTS TO BULKHEADS AT TIMBER POINT MARINA, TOWN OF ISLIP (CP 5377.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of construction of improvements to bulkheads at Timber Point Marina, 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 \$830,000. The plan of financing includes (a) the issuance of \$630,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1485-2006 (\$80,000 for planning and \$550,000 for construction), (b) the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 22 (a) of the Law of the Law, is thirty (30) 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1624-2007

Laid on Table 6/12/2007

Introduced by Legislators Horsley, Barraga, Eddington, Romaine, Nowick, Browning, Vilorio-Fisher, D'Amaro, and Mystal

RESOLUTION NO. 654 -2007, TO EXEMPT DEPLOYED OR MOBILIZED (FOR OTHER THAN REQUIRED TWO WEEK DUTY) ACTIVE DUTY MILITARY PERSONNEL FROM PAYING COUNTY PARKS DAILY FEES

WHEREAS, Chapter 688 of the SUFFOLK COUNTY CODE granted authority to the Suffolk County Department of Parks, Recreation, and Conservation to establish a fee schedule for the use of County Parks by residents of Suffolk County and nonresidents; and

WHEREAS, Resolution No. 541-2004 exempted the families of deployed or mobilized active duty military personnel from County park fees; and

WHEREAS, in an effort to show our appreciation of those countrymen who have been deployed or mobilized (for other than required two week duty) to defend our country, this Legislature wishes to extend this fee exemption to the military members who are actually deployed or mobilized for active duty; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, and Conservation is hereby prohibited, pursuant to Sections 28-3(4) and 28-4(A) of the SUFFOLK COUNTY CHARTER, and Section 378-11 of the SUFFOLK COUNTY CODE, from charging Parks daily fees, excluding golf fees, for any member of the Armed Forces who has been deployed or mobilized (for other than required two week duty) on active duty; and be it further

2nd RESOLVED, that the eligibility under this program for exemption from such fees shall be conditioned upon submission of mobilization and/or deployment orders and a military identification card and submission of proof that the deployed or mobilized active duty military personnel are stationed in, or are, Suffolk County residents; and be it further

3rd RESOLVED, requires such personnel must have retained his or her active duty status for at least 30 consecutive days to claim exemption; and be it further

4th RESOLVED, that this resolution shall apply to all fees imposed on or after the effective date of this resolution and shall be in effect until the end of the calendar year. Renewal of eligibility for such waiver of fees must be made each calendar year by submitting the required documentation at that time; and be it further

5th RESOLVED, that Section 688 of the SUFFOLK COUNTY CODE, Park Fees, is hereby amended by the addition of such exemption from the Park entrance fees as set forth herein above.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1572-2007

Laid on Table 6/12/2007

Introduced by Legislator Losquadro

RESOLUTION NO. 655 -2007, REAPPOINTING DONALD J. NIMPHIUS AS A MEMBER OF THE SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND EXTENSION BOARD

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk County Vocational, Education, and Extension Board for the purpose of giving instruction to the volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW; and

WHEREAS, the term of office of **Donald J. Nimphius** will expire on July 31, 2007; now, therefore be it

1st RESOLVED, that **Donald J. Nimphius**, currently residing in Miller Place, New York 11764, be and he hereby is reappointed to the Suffolk County Vocational, Education, and Extension Board for a term of office to expire on July 31, 2016, said appointment having been made pursuant to the provisions of Section 1101(2) of the NEW YORK EDUCATION LAW.

DATED: June 26, 2007

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

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

Intro. Res. No. 1578-2007

Laid on Table 6/12/2007

Introduced by Legislators Stern, Losquadro, and Mystal

RESOLUTION NO. 656 -2007, CREATING AN UNDERAGE DRINKING TASK FORCE

WHEREAS, underage drinking continues to plague communities across the nation; and

WHEREAS, by their senior year of high school, nearly four out of five students have consumed alcohol; and

WHEREAS, underage drinking is a public safety and public health issue: serious criminal, health, social and economic problems result from alcohol use by young people; and

WHEREAS, several studies have shown that underage drinking is widespread in New York State; and

WHEREAS, several municipalities in New York State have undertaken aggressive campaigns to curb underage drinking and Suffolk County needs to do the same; and

WHEREAS, Suffolk County must develop an effective strategy to combat underage drinking which, at a minimum, should include law enforcement and educational components; and

WHEREAS, underage drinking occurs at private parties as well as licensed retail establishments; now, therefore be it

1st RESOLVED, that there is hereby established an Underage Drinking Task Force which shall study the problem of underage drinking in Suffolk County and make recommendations to effectively address this problem; and be it further

2nd RESOLVED, that this Task Force shall be comprised of the following members:

- 1.) the Commissioner of the Suffolk County Police Department, or his representative;
- 2.) the Director of the Suffolk County Probation Department, or his representative;
- 3.) the Commissioner of the Suffolk County Department of Health Services, or his designee;
- 4.) a representative of the Suffolk County Chapter of the Mothers Against Drunk Driving (MADD);
- 5.) a representative of the hospitality industry, to be appointed by the Presiding Officer of the Suffolk County Legislature;
- 6.) a representative of the Suffolk County Chapter of Students Against Drunk Driving (SADD);
- 7.) the Director of Suffolk County's Stop-DWI Program;
- 8.) a representative of the Nassau/Suffolk School Boards Association;
- 9.) A medical professional expert in the field of drug and/or alcohol rehabilitation to be appointed by the Minority Leader of the Suffolk County Legislature; and
- 10.) A Suffolk County Legislator appointed by the Presiding Officer, who shall serve as Chair of the Task Force;

and be it further

3rd RESOLVED, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chair of the Task Force, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

4th **RESOLVED**, that the members of said Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

5th **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chair upon his or her own initiative or upon receipt of a written request therefor signed by at least three (3) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

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

7th **RESOLVED**, that the Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Five Thousand Dollars (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

8th **RESOLVED**, that clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the Suffolk County Legislature; and be it further

9th **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

10th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

11th **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committees use, upon request, any records and other data it may accumulate or obtain; and be it further

12th **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least three (3) public hearings throughout the County of Suffolk to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

13th **RESOLVED**, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one hundred eighty (180) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

14th RESOLVED, that the Task Force shall expire, and the terms of office of its members terminate thirty (30) days subsequent to submission of its written report, at which time the Task Force shall deposit the records of its proceedings with the Clerk of the Legislature; and be it further

15th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1586-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 657 -2007, APPROVING THE RE-APPOINTMENT OF SCOTT DAVONSKI, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Scott Davonski, 10 Woodleigh Place, East Quogue, NY 11942, as a representative of the Southampton Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1587-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 658 -2007, APPROVING THE APPOINTMENT OF RICHARD GIMBL, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the appointment of Richard Gimbl, 310 Singing Wood Drive, Holbrook, NY 11741, as a representative of the Islip Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1588-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 659 -2007, APPROVING THE RE-APPOINTMENT OF ANTHONY LaFERRERA, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Anthony LaFerrera, 104 Kime Avenue, North Babylon, NY 11703, as a representative of the Fire Chiefs' Association of the Town of Babylon on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term

of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1589-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 660 -2007, APPROVING THE RE-APPOINTMENT OF NORMAN REILLY, JR., AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Norman Reilly, Jr., PO Box 235, Mattituck, NY 11952, as a representative of the Southold Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1590-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 661 -2007, APPROVING THE RE-APPOINTMENT OF DREW SILVERMAN, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Drew Silverman, 6 High Pasture Circle, Huntington Station, NY 11746, as a representative of the Suffolk County Ambulance Chiefs' Association, on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1591-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive and Legislator Stern

RESOLUTION NO. 662 -2007, APPROVING THE APPOINTMENT OF RICHARD SORRENTINO, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the appointment of Richard Sorrentino, 316 Martin Street, Dix Hills, NY 11746, as a representative of the Huntington Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning immediately and expiring December 31, 2007, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1592-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 663 -2007, APPROVING THE RE-APPOINTMENT OF EDWARD TULLY, JR., AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Edward Tully, Jr., 50 Columbus Avenue, Brentwood, NY 11717, as a representative of the Suffolk County Fire District Officers' Association on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1593-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 664 -2007, APPROVING THE RE-APPOINTMENT OF CRAIG ZITEK, AS A MEMBER OF THE SUFFOLK COUNTY FIRE, RESCUE AND EMERGENCY SERVICES COMMISSION

RESOLVED, that the re-appointment of Craig Zitek, PO Box 926 Jamesport, NY 11947, as a representative of the Riverhead Town Fire Chiefs' Council on the Suffolk County Fire, Rescue and Emergency Services Commission, for the term of office beginning January 1, 2007 and expiring December 31, 2009, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provision of C-11.4 of the Suffolk County Charter, Article XI.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1410-2007 Laid on Table 4/24/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Mystal, Stern

RESOLUTION NO. 665 -2007, ADOPTING LOCAL LAW NO. 21 -2007, A LOCAL LAW ESTABLISHING REGULATIONS FOR SUPPORTED SCAFFOLDS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on April 24, 2007 a proposed local law entitled “**A LOCAL LAW ESTABLISHING REGULATIONS FOR SUPPORTED SCAFFOLDS;**” and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted as follows:

LOCAL LAW NO. 21 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW ESTABLISHING REGULATIONS FOR SUPPORTED SCAFFOLDS

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 supported scaffolds are often utilized as part of a construction project and that the erection of supported scaffolds in excess of twenty feet in height in connection with construction projects potentially poses a risk to the safety of the public as well as public and private property within the County of Suffolk.

This Legislature also hereby finds that, over the past ten years, scaffolding collapses have led to property damage, severe injury, and even death not only to construction workers, but to members of the public as well.

This Legislature further finds that the risk of injury and death to members of the public and the threat of costly damage to property will be reduced and overall public safety will

be enhanced by a requirement that persons working with scaffolds within the County of Suffolk have the requisite training and expertise to utilize and maintain supported scaffolds in a responsible and safe manner.

Therefore, the purpose of this law is to establish a requirement that individuals working with scaffolds in excess of twenty feet in height within the County of Suffolk first complete approved training and refresher courses offered by Occupational Safety and Health Administration (OSHA) certified instructors.

Section 2. Definitions.

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

COMMISSIONER: The Commissioner of the Department of Public Works, or his or her designee.

SUPPORTED SCAFFOLD: One or more platforms supported by outrigger beams, brackets, poles, legs, uprights, posts, frames, or similar rigid support twenty feet in height or more and including, but not limited to, sidewalk bridge scaffolds, single pole scaffolds, tube and coupler scaffolds, fabricated frame scaffolds, tubular welded frame scaffolds, outrigger scaffolds, needle beam scaffolds, mobile scaffolds, repair bracket scaffolds, mast climber scaffolds that are mechanized or motorized, back structures for personnel hoists and/or material hoists and system scaffolds. Any sidewalk shed that provides a base for a supported scaffold will subject the entire structure, including the sidewalk shed, to the requirements of this law.

Section 3. Requirements.

It is unlawful for any individual to erect, dismantle, repair, maintain or modify any supported scaffold within the County of Suffolk, or to be on any supported scaffold assisting in the erection, dismantling, repair, maintenance or modification of any supported scaffold within the County of Suffolk unless such individual has been issued a supported scaffold certificate of completion under the provisions of this law.

Section 4. Exemptions.

The provisions of this law shall not apply to:

- A.) The erection, dismantling, repair, maintenance or modification of any supported scaffold performed by an employee of a public utility or any federal, state or local government or any agencies thereof when such supported scaffold is located within the interior of a building or structure owned or operated by such utility or federal, state or local government or any agencies thereof, and when such public utility or federal, state or local government or any agencies thereof has a safety training program of not less than thirty-two hours for its employees who erect, dismantle, repair, maintain or modify such scaffolds.
- B.) Employees of a public utility or any federal, state or local government or any agencies thereof performing work while using a supported scaffold, provided that such employees are trained, pursuant to the United States Department of Labor OSHA's requirements to be able to recognize the hazards associated with the type of supported scaffold being used, and to understand the procedures to control those hazards.

- C.) The erection, dismantling, repair, maintenance or modification of stand alone, one story sidewalk sheds.

Section 5. Scaffold Certificate of Completion.

In order to obtain and hold a supported scaffold certificate of completion, an individual shall have successfully completed the thirty-two hour training program or course pursuant to the United States Department of Labor OSHA's thirty-two hour scaffold safety and training curriculum and conducted pursuant to a registered New York State Department of Labor apprenticeship program or conducted by an educational institution or school chartered, licensed or registered by the New York State department of education, and, if such training program or course has been completed more than two years previously, taken an eight hour scaffold safety and training refresher program or course. Successful completion of the training program or course shall be evidenced by a dated supported scaffold certificate of completion issued by the provider of the training program or course to the individual participant named on such certificate. This certificate of completion, or a true copy thereof, shall be readily available to the Commissioner upon request. Such supported scaffold certificate shall be deemed valid if such certificate is dated within two years of its date of issuance. Any training program or course presented under the provisions of this section must be presented by instructors who are certified under the applicable provisions established by the United States Department of Labor OSHA for construction safety.

Section 6. Violations and Penalties.

- A.) The Commissioner shall have the power to impose a fine not to exceed \$500 for a first violation and \$1,500 for any subsequent violation upon an individual who violates any of the provisions of this law.
- B.) No fine shall be imposed until after a hearing has been held before the Commissioner upon a least five business days' notice to the alleged violator. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of the alleged violator and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations. The alleged violator may be represented by counsel and may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Commissioner may administer oaths, take testimony, subpoenas witnesses and compel the production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

Section 7. Powers of the Commissioner.

- A.) The Commissioner shall have the power to:
 - (1) keep records of all fines adjudged; and
 - (2) promulgate such rules and regulations not inconsistent with the provisions of this law as may be necessary with respect to the administration and enforcement of this law and other matters incidental or appropriate to his or her powers and duties as

prescribed by this law, and to amend or repeal any such rules and regulations.

- B.) No rule or regulation may be promulgated pursuant to Subsection A (2) herein unless a public hearing is held by the Commissioner. At least seven business days' prior notice of such public hearing shall be published in the official newspapers of the County of Suffolk. A copy of all rules and regulations promulgated and any amendments thereto shall be filed in the office of the Clerk of the County Legislature.
- C.) Whenever in this law the Commissioner is empowered to or charged with the responsibility to do or perform any act, he or she may deputize, in writing, any officer or employee of the Office to do or perform the act in his or her place and stead.

Section 8. Injunctive Relief.

Upon application of the Commissioner, the County Attorney may commence an action in the name of the County of Suffolk to restrain, prevent and enjoin a violation of this law or any rule or regulation promulgated hereunder or any continuance of such violation.

Section 9. Applicability.

This law shall apply to any actions occurring on or after its effective date.

Section 10. 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 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 11. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) 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 12. Effective Date.

This law shall take effect twelve months after its filing in the Office of the Secretary of State.

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
Date: July 12, 2007
After a public hearing duly held on July 10, 2007
Filed with the Secretary of State on August 6, 2007

Legislator Sterm made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 14-0-0-4. Legislators Caracappa, Montano, Kennedy and Mystal were not present.

Intro. Res. No. 1563-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 666 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH REMOVAL OF TOXIC AND
HAZARDOUS BUILDING MATERIALS & COMPONENTS AT
VARIOUS COUNTY FACILITIES (CP 1732)**

WHEREAS, the Commissioner of Public Works has requested funds for the Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$187,500 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-nine (69) 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. 256-2005 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 \$187,500 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-1732.121 (Fund 001-Debt Service)	20	Planning for Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities	\$12,500
525-CAP-1732.327 (Fund 001-Debt Service)	20	Removal of Toxic and Hazardous Building Materials & Components at Various County Facilities	\$175,000

DATED: June 26, 2007

APPROVED BY:

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

Date: July 5, 2007

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

Intro. Res. No. 1563A-2007

BOND RESOLUTION NO. 667 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$187,500 BONDS TO FINANCE A PART OF THE COST OF THE REMOVAL OF TOXIC AND HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES (CP 1732.121 and .327)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$187,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the removal of toxic and hazardous building materials and components at various County facilities, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$462,500. The plan of financing includes (a) the issuance of \$275,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 446-2005 (\$75,000 for planning and \$200,000 for removal), (b) the issuance of \$187,500 bonds or bond anticipation notes authorized pursuant to this resolution (\$12,500 for planning and \$175,000 for removal) and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 446-2005.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of

1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

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

Date: July 5, 2007

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

Intro. Res. No. 1564-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 668 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH MODIFICATIONS FOR COMPLIANCE
WITH AMERICANS WITH DISABILITIES ACT (ADA) (CP 1738)**

WHEREAS, the Commissioner of the Department of Public Works has requested funds for Modifications for Compliance with Americans with Disabilities Act (ADA); 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 has established a priority ranking system 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 \$175,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8, Resolution No. 377-1994, which was reconfirmed by CEQ Resolution No. 09-05, classified the action contemplated by this as a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c), (21); and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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 \$175,000 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-1738.313 (Fund 001-Debt Service)	20	Modifications for Compliance with Americans with Disabilities Act (ADA)	\$175,000

DATED: June 26, 2007

APPROVED BY:

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

Date: July 9, 2007

Legislator Caracappa made motion for the following resolution, seconded by

Legislator Browning. The resolution was passed 18-0.

Intro. Res. No. 1564A-2007

BOND RESOLUTION NO. 669 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$175,000 BONDS TO FINANCE A PART OF THE COST OF CONSTRUCTION OF MODIFICATIONS TO COUNTY FACILITIES FOR COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (CP 1738.313)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$175,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of construction of modifications to County facilities for compliance with the Americans with Disabilities Act (ADA), as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$450,000. The plan of financing includes (a) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 991-2004, (b) the issuance of \$75,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 442-2005, (c) the issuance of \$175,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Sections 11.00 a. 12(a)(2) and 11.00 a. (20)(c) of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No 991-2004.

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

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

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

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

Date: July 9, 2007

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

Intro. Res. No. 1568-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 670 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301)

WHEREAS, the Commissioner of Public Works has requested funds for Safety Improvements at CR 31, Old Riverhead Road @ CR 104, Quogue-Riverhead Road, Town of Southampton; 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 \$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 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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 461-2006; and be it further

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

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

Project No.: 5054
 Project Title: Traffic Signal Improvements

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	<u>\$530,000</u>	<u>\$200,000</u>	<u>\$100,000</u>
TOTAL	\$6,850,000	\$200,000	\$100,000

Project No.: 3301
 Project Title: Safety Improvements at Various Intersections

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	<u>\$1,042,000</u>	<u>\$100,000</u>	<u>\$200,000</u>
TOTAL	\$13,297,000	\$100,000	\$200,000

and be it further

5th 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-3301.119 (Fund 001-Debt Service)	50	Safety Improvements at CR 31, Old Riverhead Road @ CR 104, Quogue-Riverhead Road	\$100,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 2, 2007

Intro. Res. No. 1746-2007

Laid on Table 8/7/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 883 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 670-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 670-2007; and

WHEREAS, this resolution when adopted contained 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. 670-2007

In the 5th RESOLVED paragraph change the Project No.

FROM:

TO:

Project No.

525-CAP-3301.119
(Fund 001-Debt Service)

Project No.

525-CAP-3301.121
(Fund 001-Debt Service)

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1568A-2007

BOND RESOLUTION NO. 671 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE THE COST OF PLANNING FOR SAFETY IMPROVEMENTS AT CR 31, OLD RIVERHEAD ROAD, AT CR 104, QUOGUE-RIVERHEAD ROAD (CP 3301.119)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for safety improvements at CR 31, Old Riverhead Road, at CR 104, Quogue-Riverhead Road, 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 \$100,000. The plan of financing includes the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1569-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 672 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH THE RECONSTRUCTION OF THE
SHINNECOCK CANAL LOCKS, TOWN OF SOUTHAMPTON
(CAPITAL PROGRAM NUMBER 5343)**

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of the Shinnecock Canal Locks; 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 has established a priority ranking system 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 \$350,000 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. 391 of 1993 classified the action contemplated by this as a Type II action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-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 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 \$350,000 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 5343.314 (Fund 001-Debt Service)	50	Reconstruction of Shinnecock Canal Locks	\$350,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1569A-2007

BOND RESOLUTION NO. 673 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$350,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE SHINNECOCK CANAL LOCKS, TOWN OF SOUTHAMPTON (CP 5343.314)

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 \$350,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the Shinnecock Canal locks, 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 \$420,000. The plan of financing includes (a) the issuance of \$70,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1326-2005, (b) the issuance of \$350,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 3 of the Law, is thirty (30) 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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro Res. No. 1570-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 674 -2007, AUTHORIZING THE FILING OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION FINANCIAL ASSISTANCE FOR MASS TRANSPORTATION PROJECTS FOR SUFFOLK COUNTY AUTHORIZED BY 49 U.S.C. CHAPTER 53 TITLE 23 UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for mass transportation projects; and

WHEREAS, in Federal Fiscal Year 2006 and 2007, it is anticipated that Suffolk County will be allocated at least \$5,600,000 in federal capital funds for each year respectively, (\$11,200,000 in federal funds over 2 fiscal years) under Section 5307 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, the County of Suffolk is a Designated Recipient of Federal formula funds for mass transportation capital projects as defined by 49 U.S.C. Section 5307(a)(2); and

WHEREAS, the grant contracts for Federal and State financial assistance will impose certain obligations upon the County, and will require the County to commit resources necessary to cover the entire grant with the understanding that reimbursement at the ratio of 80% Federal funds and 20% non-federal funds will be made and that the State share will be used to fund up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded projects costs and

that the County will provide the remaining 10% local share of project costs; and

WHEREAS, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and

WHEREAS, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore be it

1st **RESOLVED,** that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file an application for Federal assistance on behalf of the County of Suffolk with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

2nd **RESOLVED,** that the County proposes to utilize allocated Federal Fiscal Year 2006 and 2007 funds to aid in the financing of capital mass transportation projects pursuant to Section 5307 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

<u>Related Capital Program Number</u>	<u>Program of Projects</u>	<u>Estimated Total Cost</u>
5658	Purchase of Replacement 35-ft Transit Buses (and related equipment)	\$6,800,000
5658	Purchase Replacement Paratransit Vans (and related equipment)	\$1,000,000
5658	Purchase New Service Paratransit Vans (and related equipment)	\$400,000
5648	Upgrade of Diesel Engine Emissions Components	\$600,000
5651	Acquire-Bus Passenger Shelters	\$650,000
5658	Purchase Support Vehicles	\$120,000
--	Acquire-ADP Hardware	\$100,000
--	Acquire-ADP Software	\$100,000
5652	Construction of Storage Facility	\$600,000
5648	Acquire Vehicle Locator System	\$800,000
--	Contingencies	\$330,000
--	Project Administration	\$200,000
--	Preventive Maintenance	\$1,800,000

--	Complimentary Service ADA	\$500,000
	Total Estimated Cost of the Program of Projects	\$14,000,000
	Estimated Federal Share: 80%	\$11,200,000
	Estimated State Share: 10%	\$1,400,000
	Estimated County Share: 10%	\$1,400,000

and be it further

3rd **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

4th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the Capital Assistance Program of Projects and Budget herein described; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1574-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 675 –2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH PEDESTRIAN SAFETY IMPROVEMENTS ON CR 85, MONTAUK HIGHWAY IN THE VICINITY OF HIDDINK STREET, SAYVILLE, TOWN OF ISLIP (CP 5077)

WHEREAS, the Suffolk County Department of Public Works is in need of funds for pedestrian safety improvements on CR 85, Montauk Highway in the vicinity of Hiddink Street in Sayville, Town of Islip; and

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

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$150,000 in Suffolk County Serial Bonds; and

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-seven (57) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter “SEQRA”), 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 Suffolk County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (W) of the Suffolk County Charter; and be it further

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

Project Number: 1755

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

<u>Cost Elements</u>	Total Estimated Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	\$571,000	\$721,000B	\$571,000B
TOTAL	\$571,000	\$721,000	\$571,000

Project Number: 5077

Project Title: Pedestrian Safety Improvements on CR 85, Montauk Highway in the Vicinity of Hiddink Street, Sayville, Town of Islip

<u>Cost Elements</u>	Total Estimated Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	\$50,000	\$0B	\$50,000B
5. Furniture & Equipment	\$100,000	\$0B	\$100,000B
TOTAL	\$150,000	\$0	\$150,000

and be it further

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

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5077.311	50	Construction of Curb, Sidewalk and Median for Pedestrian Safety Improvements on CR 85, Montauk Highway, Sayville, Town of Islip	\$50,000
525-CAP-5077.511	50	Installation of Traffic Signal and Thermoplastic Crosswalk for Pedestrian Safety Improvements on CR 85, Montauk Highway, Sayville, Town of Islip	\$100,000

and be it further

6th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1574A -2007

BOND RESOLUTION NO. 676 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE THE COST OF PEDESTRIAN SAFETY IMPROVEMENTS ON CR 85, MONTAUK HIGHWAY IN THE VICINITY OF HIDDINK STREET, SAYVILLE, TOWN OF ISLIP (CP 5077.311 and .511)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$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 the cost of pedestrian safety improvements on CR 85, Montauk Highway in the vicinity of Hiddink Street, Sayville, 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 \$150,000. The plan of financing includes the issuance of \$150,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$50,000 for curb, sidewalk and median improvements and \$100,000 for traffic signals and thermoplastic crosswalk) 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. 24 and 11.00 a. 72 of the Law of the Law, is ten (10) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in

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

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1580-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 677 -2007, APPROVING THE PURCHASE OF SIX (6) USED SNOW FIGHTING TRUCKS IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE SUFFOLK COUNTY CODE

WHEREAS, Resolution No. 321-2003, as amended by Resolution No. 1322-2005, requires that no vehicle shall be purchase or leased unless “explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature”; and

WHEREAS, the Commissioner of Public Works has determined that the use of used snow fighting trucks is a cost-effective method of supplementing existing County snow fighting equipment; and

WHEREAS, there are sufficient funds in the 2007 Adopted Snow Removal Budget to cover the cost to purchase (6) used snow trucks equipped with plows and spreaders; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works is authorized to purchase of six (6) used snow trucks pursuant to Section 186-2(b)(6) of the SUFFOLK COUNTY CODE; and be it further

2nd **RESOLVED**, that the Department of Public Works, in adherence with New York State General Municipal Law, is hereby authorized to conduct a formal sealed bid process for the acquisition of these vehicles; and be it further

3rd **RESOLVED**, that the Department of Public Works is duly authorized to purchase six (6) used snow trucks with plows and spreaders.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1581-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 678 -2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2007 OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR ENGINEERING SERVICES AND CONSTRUCTION FOR AN INFILTRATION AND INFLOW STUDY/REHABILITATION IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST (CP 8181)

WHEREAS, the sanitary sewer collection system of Sewer District 3 - Southwest has experienced an increase of extraneous flows entering as infiltration or inflow (I/I); and

WHEREAS, there exists a need to determine the extent of the extraneous flows, their location and recommendation for rehabilitation and removal of those extraneous flows; and

WHEREAS, the Administrative Head of the Sewer District had requested and received funds to cover study costs associated with the I/I study; and

WHEREAS, the Administrative Head of the Sewer District has requested that additional funds be appropriated to implement the initial phase of improvements which involves engineering design and sewer system rehabilitation; and

WHEREAS, it is proposed that \$1,650,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing this phase of the project; and

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

1st RESOLVED, that pursuant to State Environmental Quality Review Act, Environmental Conservation Law Article 8, (hereinafter "SEQRA") Resolution No. 368 of 2006 determined that the proposed improvements and/or rehabilitation to Sewer District No. 3 – Southwest constitutes a Type II action pursuant to the provision of NCRR Part 617.5; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-one (71), 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 Assessment Stabilization Reserve Fund shall provide the sum of \$1,650,000 for the purpose of implementing the project; and be it further

4th **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2007 Adopted Operating Budget, transfer funds and accept proceeds as follows:

<u>Interfunds</u>	<u>Amount</u>
404-IFT-E528-Transfer to Fund 528	\$1,650,000
528-IFT-R404-Transfer from Fund 404	\$1,650,000

and be it further

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

Program No.: 8181
 Project Name: Infiltration and Inflow (I/I) Study/Rehabilitation and Interceptor Monitoring at Suffolk County Sewer District No. 3 - Southwest

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning, Design & Supervision	\$2,925,000	\$2,000,000X	\$2,000,000X \$250,000A
3. Construction	\$7,400,000	\$ - 0 -	\$1,400,000A
TOTAL	\$11,325,000	\$2,000,000	\$4,150,000

A - Assessment Stabilization Reserve Fund

and be it further

6th **RESOLVED**, that funds in the amount of \$1,650,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
528-CAP-8181.111	Planning for an Infiltration and Inflow Study/Rehabilitation in Sewer District 3 - Southwest	\$250,000
528-CAP-8181.310	Construction for an Infiltration and Inflow Study/Rehabilitation in Sewer District 3 - Southwest	\$1,400,000

and be it further

7th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers to and from the Capital Sewer fund required to finance this Capital Project; and be it further

8th **RESOLVED**, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the Sewer District No. 3 - Southwest Infiltration/Inflow Study/Rehabilitation.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1582-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 679 -2007, CALLING A PUBLIC HEARING UPON A PROPOSAL TO INCREASE THE ANNUAL RATE CHARGED FOR SEWAGE TREATMENT IN THE PROPOSED SUFFOLK COUNTY SEWER DISTRICT NO. 2 – TALLMADGE WOODS IN THE TOWN OF BROOKHAVEN

WHEREAS, in accordance with New York County Law Article 5-A, and following the submission of maps, plans, and reports regarding the proposed establishment of Suffolk County Sewer District No. 2 – Tallmadge Woods, and following a Public Hearing regarding the proposed establishment of Suffolk County Sewer District No. 2 – Tallmadge Woods held at the County Center in Hauppauge, New York on April 20, 2004, the County Legislature of the County of Suffolk, New York, duly adopted on June 28, 2004, and signed by the County Executive on June 28, 2004, Suffolk County Resolution No. 734-2004, Making Certain Findings and Determinations Upon a Proposal to Form Suffolk County Sewer District No. 2 – Tallmadge Woods in the Town of Brookhaven; and

WHEREAS, the County Legislature of the County of Suffolk, New York, duly adopted on April 5, 2005, and signed by the County Executive on April 8, 2005, Suffolk County Resolution No. 324-2005, Amending Resolution No. 734-2004 In Connection with Making Certain Findings and Determinations Upon a Proposal to Form Suffolk County Sewer District No. 2 – Tallmadge Woods in the Town of Brookhaven; and

WHEREAS, pursuant to Article 5-A of the New York County Law and Suffolk County Resolution Nos. 734-2004 and 324-2005, Suffolk County established Suffolk County Sewer District No. 2 – Tallmadge Woods in the Town of Brookhaven; and

WHEREAS, pursuant to Article 5-A of the New York County Law, on or about April 8, 2005, Suffolk County notified the New York State Comptroller's Office of the establishment of Suffolk County Sewer District No. 2 – Tallmadge Woods and advised the New York State Comptroller that the establishment of this district did not require any debt, in any form, to be incurred by the County of Suffolk; and

WHEREAS, while Suffolk County Sewer District No. 2 – Tallmadge Woods was duly established in accordance with Article 5-A of the New York County Law, said Sewer District has not yet completed the acquisition through dedication of all necessary sewage facilities and therefore said Sewer District is not currently operating any sewage facility or charging for sewage treatment and disposal service; and

WHEREAS, it is now proposed that the current proposed rate for treatment of the sewage that will be treated by Suffolk County Sewer District No. 2 – Tallmadge Woods be increased from the \$420 per year per typical residential connection originally represented in the creation report of 2002, duly submitted to the Suffolk County Legislature, to \$503 per year per typical residential connection; and

WHEREAS, as a result of this proposed increase and resulting modification to the original plan of service for Suffolk County Sewer District No. 2 – Tallmadge Woods, it is now required to call a public hearing pursuant to Sections 253-b and 254 of the New York County Law; now, therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. A meeting of the County Legislature of the County of Suffolk, New York, shall be held at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the day of August 7, 2007 at 2:30 o'clock, Prevailing Time for the purpose of conducting a public hearing on the proposed annual sewage treatment rate for County Sewer District No. 2 from \$420 per year per typical residential connection to \$503.00 per year per typical residential connection in and for said County,

Section 2. The Clerk of said County Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of said County, and such other newspaper as the Legislature may designate, if any, said publication to be made in each of such newspapers not less than ten, nor more than twenty days before the day set herein for said public hearing. Such notice shall be in substantially the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the County Legislature of the County of Suffolk, New York, will meet at the County Center in the meeting room of the County Legislature in Hauppauge, New York, in said County, on the day of August 7, 2007 at 2:30 o'clock, Prevailing Time, for the purpose of conducting a public hearing upon a proposal for the modification of the original plan for service for Suffolk County Sewer District No. 2 – Tallmadge Woods resulting in an

annual sewage treatment rate increase for Suffolk County Sewer District No. 2 from \$420 per year per typical residential connection to \$503.00 per year per typical residential connection.

Suffolk County Sewer District No. 2 is comprised of area laying entirely within the Town of Brookhaven, known as the Hamlets of Mount Sinai and Miller Place, such area being more particularly bounded and described as follows:

**Parcel I - The Ranches at Mount Sinai, Timber Ridge Villages
and The Hamlet at Willow Creek**

All that certain plot, piece or parcel of land situate lying and being in Mount Sinai, Town of Brookhaven, Suffolk County, New York, being more particularly bounded and described as follows:

BEGINNING at the Northeasterly corner of Mt. Sinai-Coram Road and Patchogue-Mount Sinai Road (CR 83);

RUNNING THENCE Northerly along the Easterly line of Patchogue-Mount Sinai Road, the following three (3) courses and distances:

- 1) North 34 degrees 45 minutes 51 seconds West, 30.00 feet
 - 2) North 03 degrees 45 minutes 51 seconds West, 303.33 feet;
 - 3) along the arc of a curve to the left, having a radius of 1969.86 feet, an arc length of 72.42 feet;
- THENCE North 58 degrees 45 minutes 20 seconds East, 125.00 feet;
- THENCE North 31 degrees 14 minutes 40 seconds West, 25.00 feet;
- THENCE North 58 degrees 45 minutes 20 seconds East, 724.25 feet;
- THENCE North 42 degrees 14 minutes 30 seconds West, 63.41 feet;
- THENCE North 35 degrees 35 minutes 32 seconds West, 178.10 feet;
- THENCE North 40 degrees 39 minutes 00 seconds West, 252.00 feet;
- THENCE North 40 degrees 51 minutes 10 seconds West, 813.65 feet to the Southerly line of N.Y.S. Route 25A;

THENCE Easterly along the Southerly line of N.Y.S. Route 25A, the following five (5) courses and distances:

- 1) along the arc of a curve to the left, having a radius of 4458.50 feet, an arc length of 304.82 feet;
- 2) North 58 degrees 10 minutes 16 seconds East, 290.32 feet;
- 3) along the arc of a curve to the right, having a radius of 3,249.57 feet; an arc length of 1,011.60 feet;

- 4) along the arc of a curve to the right, having a radius of 3,732.38 feet, an arc length of 670.02 feet;
 - 5) North 65 degrees 29 minutes 09 seconds West, 28.84 feet;
- THENCE South 28 degrees 02 minutes 20 seconds East, 157.06 feet;
- THENCE South 61 degrees 57 minutes 40 seconds West, 199.84 feet;
- THENCE South 36 degrees 08 minutes 40 seconds East, 353.53 feet;
- THENCE South 28 degrees 02 minutes 20 seconds East, 1,175.00 feet;
- THENCE South 61 degrees 57 minutes 40 second West, 3.00 feet;
- THENCE South 28 degrees 02 minutes 20 seconds East, 100.00 feet;
- THENCE North 61 degrees 57 minutes 40 seconds East, 3.00 feet;
- THENCE South 28 degrees 02 minutes 20 seconds East, 493.10 feet;
- THENCE South 48 degrees 59 minutes 40 seconds East, 275.88 feet;
- THENCE North 39 degrees 00 minutes 20 seconds East, 321.32 feet;
- THENCE South 26 degrees 28 minutes 40 seconds East, 78.64 feet;
- THENCE North 63 degrees 31 minutes 40 seconds East, 150.00 feet;
- THENCE South 26 degrees 28 minutes 40 seconds East, 68.16 feet;
- THENCE South 11 degrees 43 minutes 40 seconds East, 337.17 feet;
- THENCE South 27 degrees 55 minutes 40 seconds East, 319.83 feet;
- THENCE South 03 degrees 46 minutes 40 seconds East, 216.30 feet;
- THENCE South 39 degrees 12 minutes 57 seconds East, 939.84 feet;
- THENCE South 07 degrees 45 minutes 00 seconds East, 1,296.66 feet;
- THENCE North 82 degrees 14 minutes 55 seconds East, 49.50 feet;
- THENCE North 07 degrees 45 minutes 00 seconds East, 3,551.40 feet to the Northeasterly line of Mount Sinai-Coram Road;
- THENCE Northeasterly along the Northeasterly line of Mount Sinai-Coram Road, the following seven (7) courses and distances:
- 1) North 50 degrees 24 minutes 50 seconds West, 320.95 feet;

2) North 40 degrees 29 minutes 00 seconds West, 623.59 feet;
3) North 30 degrees 08 minutes 30 seconds West, 1,425.71 feet;
4) North 17 degrees 18 minutes 50 seconds West, 566.84 feet;
5) North 26 degrees 44 minutes 30 seconds West, 488.55 feet;
6) North 47 degrees 21 minutes 40 seconds West, 494.00 feet;
7) North 44 degrees 20 minutes 00 seconds West, 672.41 feet;
THENCE North 47 degrees 24 minutes 11 seconds East, 436.89 feet;
THENCE North 49 degrees 30 minutes 34 seconds West, 1,094.83 feet;
THENCE South 07 degrees 44 minutes 52 seconds East, 383.89 feet;
THENCE South 23 degrees 29 minutes 30 seconds West, 168.08 feet;
THENCE North 66 degrees 30 minutes 30 seconds West, 380.95 feet;
THENCE North 47 degrees 09 minutes 40 seconds West, 294.00 feet;
THENCE North 40 degrees 50 minutes 10 seconds East, 252.15 feet;
THENCE South 47 degrees 09 minutes 40 seconds East, 62.81 feet;
THENCE North 42 degrees 50 minutes 20 seconds East, 95.00 feet;
THENCE North 47 degrees 09 minutes 40 seconds West, 184.00 feet;
THENCE South 42 degrees 50 minutes 20 seconds West, 347.00 feet;
THENCE North 47 degrees 09 minutes 40 seconds West, 333.50 feet;
THENCE North 46 degrees 55 minutes 16 seconds West, 126.72 feet;
THENCE North 44 degrees 45 minute 20 seconds East, 200.00 feet;
THENCE North 46 degrees 55 minutes 16 seconds West, 200.00 feet;
THENCE South 44 degrees 45 minutes 20 seconds West, 200.00 feet;
THENCE North 47 degrees 10 minutes 27 seconds West, 759.45 feet;
THENCE North 42 degrees 49 minutes 33 seconds East, 17.00 feet;
THENCE along the arc of a curve to the left, having a radius of 2,333.83 feet, an arc length of 293.69 feet to the POINT OF PLACE OF BEGINNING.

Parcel II - Tallmadge Woods, Meadow Ponds at Miller Place,
Miller Place Village, Maintenance Area for Hamlet a Willow Creek
and Tallmadge Woods Wastewater Treatment Plant

All that certain plot, piece or parcel of land, situated lying and being in the Town of Brookhaven, Suffolk County, State of New York, being more particularly bounded and described as follows:

BEGINNING at the Northwest corner of the Northerly line of Tallmadge Woods, the same being the Southerly line of New York State Route 25A;

RUNNING THENCE Easterly along the Southerly line of New York State Route 25A and lands of the State of New York, the following eight (8) courses and distances:

- 1) North 83 degrees 33 minutes 35 seconds East, 267.85 feet;
- 2) North 81 degrees 13 minutes 20 seconds East, 698.06 feet;
- 3) along the arc of a curve to the left, having a radius of 16,832.59 feet, an arc length of 228.99 feet;
- 4) North 81 degrees 10 minutes 00 seconds East, 214.35 feet;
- 5) South 08 degrees 50 minutes 00 seconds East, 150.00 feet;
- 6) North 81 degrees 10 minutes 00 seconds East, 190.00 feet;
- 7) North 08 degrees 50 minutes 00 seconds West, 150.00 feet;
- 8) North 81 degrees 10 minutes 00 seconds East, 644.13 feet;

THENCE South 06 degrees 54 minutes 56 seconds East, 361.92 feet;

THENCE South 06 degrees 54 minutes 59 seconds East, 352.25 feet;

THENCE South 59 degrees 59 minutes 34 seconds West, 88.91 feet;

THENCE South 10 degrees 37 minutes 41 seconds East, 295.37 feet;

THENCE South 79 degrees 22 minutes 19 seconds West, 707.11 feet;

THENCE North 07 degrees 29 minutes 12 seconds West, 47.84 feet;

THENCE South 59 degrees 59 minutes 34 seconds West, 15.58 feet;

THENCE South 83 degrees 02 minutes 10 seconds West, 150.34 feet;

THENCE South 07 degrees 45 minutes 00 seconds East, 720.74 feet;

THENCE North 82 degrees 18 minutes 46 seconds East, 145.00 feet;

THENCE South 07 degrees 45 minutes 00 seconds East, 2,275.00 feet;
THENCE South 82 degrees 18 minutes 46 seconds West, 345.00 feet;
THENCE North 07 degrees 45 minutes 00 seconds West, 50.00 feet;
THENCE South 82 degrees 18 minutes 46 seconds West, 145.00 feet;
THENCE North 07 degrees 45 minutes 00 seconds West, 136.96 feet;
THENCE North 39 degrees 12 minutes 57 seconds West, 938.87 feet;
THENCE North 03 degrees 46 minutes 20 seconds West, 211.06 feet;
THENCE North 27 degrees 55 minutes 20 seconds West, 323.37 feet;
THENCE North 11 degrees 43 minutes 20 seconds West, 336.53 feet;
THENCE North 26 degrees 28 minutes 20 seconds West, 232.65 feet;
THENCE North 25 degrees 18 minutes 20 seconds West, 252.73 feet;
THENCE North 29 degrees 22 minutes 20 seconds West, 696.56 feet;
THENCE North 19 degrees 36 minutes 20 seconds West, 276.02 feet;
THENCE North 20 degrees 13 minutes 20 seconds West, 546.67 feet;
THENCE North 83 degrees 32 minutes 40 seconds East, 300.21 feet;
THENCE North 20 degrees 13 minutes 20 seconds West, 263.52 feet to the POINT OR
PLACE OF BEGINNING.

Parcel III - Island Estates at Mt. Sinai II

All that piece or parcel of land, situate, lying and being at Mount Sinai, Town of Brookhaven, County of Suffolk, and State of New York, being more particularly bounded and described as follows:

BEGINNING at the intersection of the Easterly line of Patchogue-Mt. Sinai Road with the Southwesterly line of Mt. Sinai-Coram Road;

THENCE from said POINT OF BEGINNING, the following four (4) courses and distances along said Southwesterly line of Mt. Sinai-Coram Road;

1) along the arc of a curve to the right, having a radius of 2249.83 feet, an arc length of 142.04 feet;

2) North 42 degrees 47 minutes 42 seconds East, 17.00 feet;

3) South 47 degrees 12 minutes 18 seconds East, 1852.00 feet;

4) South 66 degrees 26 minutes 28 seconds East, 30.58 feet;

THENCE South 23 degrees 33 minutes 32 seconds West, along the lands N/F of Salvatore Maresca Jr., 250.00 feet;

THENCE South 86 degrees 12 minutes 31 seconds West, along the lands N/F of the Town of Brookhaven and Map of New England Village Section 7, 1364.82 feet;

THENCE North 03 degrees 47 minutes 29 seconds West, along the Easterly line of Patchogue-Mt. Sinai Road, 1646.00 feet;

THENCE North 65 degrees 42 minutes 31 seconds East, 73.00 feet to the POINT OR PLACE OF BEGINNING; containing 33.139 acres, more or less.

Parcel IV - Crossroads at Miller Place

BEGINNING at the Northwesterly end of the line connecting the Northerly side of North Country Road (NYS Route 25A) with the Easterly side of Sylvan Avenue;

RUNNING THENCE along the Easterly side of Sylvan Avenue the following two (2) courses and distances:

1) North 18 degrees 48 minutes 25 seconds West, 420.10 feet;

2) North 22 degrees 49 minutes 00 seconds West, 104.95 feet;

THENCE North 85 degrees 55 minutes 00 seconds East, 1,171.42 feet;

THENCE South 00 degrees 41 minutes 10 seconds West, 613.58 feet to the Northerly side of said North Country Road;

THENCE along said road line the following two (2) courses and distances:

1) North 89 degrees 00 minutes 07 seconds West, 403.62 feet;

2) Westerly along the arc of a curve bearing to the right, having a radius of 16,720.59 feet and a length of 561.01 feet;

THENCE along the line connecting the Northerly side of said North Country Road with the Easterly side of Sylvan Avenue, North 65 degrees 22 minutes 44 seconds West, 22.83 feet to the POINT OR PLACE OF BEGINNING

Section 3. 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.

Section 4. This resolution shall take effect immediately.

DATED: June 26, 2007

APPROVED BY:

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

Date: July 5, 2007

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

Intro. Res. No. 1583-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 680 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE DREDGING OF COUNTY WATERS (CP 5200)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Dredging of County Waters; 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 \$110,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$110,000 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-5200.114 (Fund 001-Debt Service)	50	Engineering for Dredging of County Waters	\$110,000

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1583A-2007

BOND RESOLUTION NO. 681 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$110,000 BONDS TO FINANCE THE COST OF ENGINEERING IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200.114)

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 \$110,000 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 engineering in connection with dredging of County waters, 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 \$110,000. The plan of financing includes the issuance of \$110,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1618-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 682 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH IMPROVEMENTS TO WATER SUPPLY
SYSTEMS (CP 1724)**

WHEREAS, the Commissioner of Public Works has requested funds for Improvements to Water Supply Systems; 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 \$60,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, 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 Resolution No. 692-1995. 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 to complete this project; and be it further

4th RESOLVED, that the proceeds of \$60,000 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-1724.315 (Fund 001-Debt Service)	20	Improvements to Water Supply Systems	\$60,000

DATED: June 26, 2007

APPROVED BY:

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

Date: July 5, 2007

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

Intro. Res. No. 1615-2007

Laid on Table 6/12/2007

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

RESOLUTION NO. 683 -2007, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH DEER PARK ENTERPRISE, ACCEPTING A PAYMENT OF MONEY IN LIEU OF PERFORMANCE OF CERTAIN MITIGATION MEASURES, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING THESE FUNDS IN CONNECTION WITH THE INTENDED MITIGATION MEASURES

WHEREAS, the Developer of premises constituting approximately 94.64 acres in the Town of Babylon desires to construct a retail outlet mall at the site; and

WHEREAS, pursuant to the Town of Babylon Site Plan approval, the developer is required to make certain improvements to County roads in order to mitigate the impacts that the construction will have on the County roads; and

WHEREAS, the County and the developer have identified mitigation measures to be performed by the Developer; and

WHEREAS, the County and the developer have agreed to a payment of cash in lieu of performance of certain mitigation measures; 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 acceptance and appropriation of the initial monetary payment of \$500,000 by the developer to the County for the performance of studies, traffic assessments and engineering to assess the mitigation measures required due to the impacts that the construction of a retail outlet mall will have on the County roads; now, therefore be it

1st RESOLVED, that the County Executive is hereby authorized and directed to execute an agreement, in substantial conformance with the form attached, on behalf of the County of Suffolk providing for the municipality's participation in these projects; 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/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, 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; and be it further

3rd RESOLVED, 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

4th RESOLVED, that it is hereby determined that these projects, with a priority ranking of fifty-three (53) for Capital Project 3301 and sixty-one (61) for Capital Project 5565 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 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 these projects; and be it further

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

Project No.: 3301

Project Title: Safety Improvements at Various Intersections

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	\$1,142,000	\$100,000 B	\$100,000 B \$200,000 O
	<hr/>	<hr/>	<hr/>
TOTAL	\$13,397,000	\$1,860,000	\$2,060,000

Project No.: 5565

Project Title: Sagtikos Corridor/Commack Road By-pass

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	\$300,000	\$0	300,000 O
	<hr/>	<hr/>	<hr/>
TOTAL	\$1,300,000	\$0	\$300,000

and be it further

7th RESOLVED, that the payments received in the amount of \$500,000 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-3301.118	50	Safety Improvements at Various Intersections – Engineering Services for DGEIS Traffic Impact Study Review - Project I	\$100,000

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3301.120	50	Safety Improvements at Various	\$100,000

Intersections –Traffic Impact Assessment for County Roads within the Study Area - Project II

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5565.110	50	Sagtikos Corridor/Commack Road By-pass – Study, Design and Engineering for Connector Roadway from Long Island Avenue to “G” Road at Pilgrim State Facilities - Project III	\$300,000

and be it further

8th RESOLVED, in accordance with Exhibit I attached hereto and made a part hereby; and be it further

9th RESOLVED, that the County Treasurer and the County Comptroller are authorized to receive and accept these payments in connection with these projects.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1618A-2007

BOND RESOLUTION NO. 684 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$60,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO WATER SUPPLY SYSTEMS (CP 1724.315)

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 \$60,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to water supply systems, 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 \$60,000. The plan of financing includes the issuance of \$60,000 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. 1 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 26, 2007

APPROVED BY:

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

Date: July 5, 2007

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

Intro. Res. No. 1620-2007
Introduced by Legislator Kennedy

Laid on Table 6/12/2007

RESOLUTION NO. 685 -2007, AUTHORIZING TRANSFER OF SIX (6) SURPLUS COUNTY COMPUTERS AND TWO (2) SURPLUS COUNTY PRINTERS TO RSVP

WHEREAS, the Suffolk County Department of Public Works has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, RSVP has requested the donation of computers and printers 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:

TO:

RSVP
1 West Main Street
Smithtown, NY 11787

Contact: Irene Grvegorczyk
Telephone: 631-979-9490

COMPUTER SERIAL NO:

6RJKR11
CH7KR11
5F8KR11
4ZPVS01
5F7WS01
6YPVS01

PRINTER SERIAL NO:

USHC100200
USHC100203

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 26, 2007

APPROVED BY:

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

Date: July 9, 2007

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

Intro. Res. No. 1621-2007
Introduced by Legislator Kennedy

Laid on Table 6/12/2007

RESOLUTION NO. 686 -2007, AUTHORIZING TRANSFER OF TWO (2) SURPLUS COUNTY COMPUTERS AND ONE (1) SURPLUS COUNTY PRINTER TO THE SMITHTOWN PARKINSON'S THERAPY ASSOCIATION

WHEREAS, the Suffolk County Department of Public Works has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, the Smithtown Parkinson's Therapy Association has requested the donation of computers and a printer 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:

TO:
Smithtown Parkinson's Therapy Association
230 Middle Country Road
Smithtown, NY 11787

Contact: Julie Garofalo
Telephone: 631-265-6621

COMPUTER SERIAL NO:
3H22H11
J4VLR11

PRINTER SERIAL NO:
USFC278502

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 26, 2007

APPROVED BY:

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

Date: July 9, 2007

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

Intro. Res. No. 1403-2007
Introduced by Deputy Presiding Officer Viloría-Fisher

Laid on Table 4/24/2007

RESOLUTION NO. 687 –2007, CREATING THE SUFFOLK MUNICIPAL ACADEMIC REGIONAL TRANSIT (SMART) TRANSPORTATION TASK FORCE

WHEREAS, mass transportation on Long Island provides an effective means for residents to get to work, shopping, and perform day to day functions; and

WHEREAS, many college students on Long Island are dependent on public transportation; and

WHEREAS, transportation connectivity between the various college campuses in Suffolk County would enable students to enroll in courses at a college which may not be available on their home campus; and

WHEREAS, it would be prudent to investigate the feasibility of providing mass transportation between institutions of higher education in Suffolk County; now, therefore be it

1st **RESOLVED**, that the Suffolk Municipal Academic Regional Transit (SMART) Transportation Task Force is hereby created to study the creation of a network of public transportation to connect institutions of higher education in Suffolk County, prepare maps of potential routes and hold public hearings; and be it further

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

- 1.) The Director of Transportation Operations within the Department of Public Works, who shall serve as Chair;
- 2.) The Chair of the Suffolk County Legislature's Economic Development, Higher Education and Energy Committee, or designee;
- 3.) The Chair of the Suffolk County Legislature's Public Works and Transportation Committee, or designee;
- 4.) The Suffolk County Executive, or designee;
- 5.) A member of Suffolk County's New York State Assembly Delegation who is a member of the Assembly's Committee on Transportation, or designee;
- 6.) A member of Suffolk County's New York State Senate Delegation who is a member of the Senate's Committee on Transportation, or designee;
- 7.) A member of Suffolk County's Congressional Delegation who is a member of the House Transportation and Infrastructure Committee, or designee;
- 8.) A representative from Suffolk County Community College;
- 9.) A representative from SUNY Stony Brook;
- 10.) A representative from SUNY Farmingdale; and
- 11.) A representative from the Suffolk County Transportation Advisory Board;

and be it further

3rd **RESOLVED**, that the Task Force shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairman of the Task Force, for the purpose of organization and the appointment of a vice chairperson and a secretary; and be it further

4th **RESOLVED**, that all meetings of the SMART Task Force shall be held on the campuses of Suffolk County Community College, with the locations and dates to be decided by the Committee; and be it further

5th **RESOLVED**, that the members of the Task Force shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

6th **RESOLVED**, that the Task Force shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chairperson upon his or her own initiative or upon receipt of a written request therefor signed by at least six (6) members of the Task Force. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

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

8th **RESOLVED**, that the Task Force may submit requests to the County Executive and/or the County Legislature for approval for the provision of secretarial services, travel expenses, or retention of consultants to assist the Task Force with such endeavors, said total expenditures not to exceed Five Thousand (\$5,000.00) per fiscal year, which services shall be subject to Legislative approval; and be it further

9th **RESOLVED**, that the clerical services involving the month-to-month operation of this Task Force, as well as supplies and postage as necessary, will be provided by the staff of the County Legislature; and be it further

10th **RESOLVED**, that the Task Force may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

11th **RESOLVED**, that the Task Force may delegate to any member of the Task Force the power and authority to conduct such hearings and meetings; and be it further

12th **RESOLVED**, that the Task Force shall cooperate with the Legislative Committees of the County Legislature and make available to each Committee's use, upon request, any records and other data it may accumulate or obtain; and be it further

13th **RESOLVED**, that the Task Force is hereby authorized, empowered, and directed to hold at least two (2) public hearings, one at the Legislature's Rose Y. Caracappa Auditorium in Hauppauge, and one at the Maxine S. Postal Auditorium in Riverhead to assemble the data and information necessary to complete the valuation, study, and report required with all reasonable efforts to be made to ascertain the views, wishes, and opinions of the residents of Suffolk County; and be it further

14th **RESOLVED**, that this Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than one year subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

15th **RESOLVED**, that the Task Force shall expire, and the terms of office of its members terminate five (5) business days following the submission of its written report, at which time the Task Force shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

16th **RESOLVED**, that this study shall not be performed by any outside consultant or consulting firm unless explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the County Legislature; and be it further

17th **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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1518-2007
Introduced by Presiding Officer Lindsay

Laid on Table 6/12/2007

RESOLUTION NO. 688 -2007, APPROVING THE APPOINTMENT OF A RELATIVE OF AN ACTING SUPREME COURT JUDGE IN THE SUFFOLK COUNTY TREASURER'S OFFICE

WHEREAS, §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of a Suffolk County District Court Judge, Suffolk County Family Court Judge, Suffolk County Court Judge, Suffolk County Surrogate, Suffolk County Supreme Court Justice, or Judge of any court, when the position will not be filled pursuant to a Civil Service Law competitive examination; and

WHEREAS, Emily E. Hudson, daughter of Acting Supreme Court Justice James C. Hudson, has been offered employment in the Treasurer's Office as an Intern I; now, therefore be it

1st RESOLVED, that the appointment of Emily E. Hudson as an Intern I for the Suffolk County Treasurer's Office is hereby approved pursuant to §A6-3(E) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

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

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 12, 2007

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

Intro. Res. No. 1545-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 689 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 KATHLEEN ENNESSER (SCTM NO. 0200-975.90-05.00-023.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 975.90 Block 05.00 Lot 023.000 and acquired by Tax Deed on July 5, 2001 from Joseph Sawicki Jr. the Chief Deputy County Treasurer of Suffolk County, New York, and recorded on July 12, 2001 in Liber 12129 at Page 300 and described as follows, Town of Brookhaven, known and designated as “Map No. 13, The New York and Brooklyn Suburban Investment Co. of New York,” filed in the Suffolk County Clerk’s Office on November 28, 1890 as Map No. 23, Lots 18 & 19, Block 638; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Kathleen Ennesser, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,100.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$2,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,100.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Kathleen Ennesser, 106 Hagerman Avenue, Patchogue, NY 11772.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1546 -2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 690 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JUAN HERNANDEZ and ALBINA HERNANDEZ,

TENANTS BY ENTIRETY (SCTM NO. 0100-054.00-02.00-059.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 054.00 Block 02.00 Lot 059.000 and acquired by Tax Deed on June 28, 1999, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 3, 1999, in Liber 11979 at Page 952 and described as follows, Town of Babylon, known and designated as Lot No. 41 in Block 40 on a certain map entitled "Map 28 of Wyandanch Spring Park" filed in the Office of the Clerk of the County of Suffolk as Map No. 44; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Juan Hernandez and Albina Hernandez, Tenants by Entirety, 51 South 30th St., Wyandanch, NY 11798, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$2,500. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$2,500, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$2,500, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot.

There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Wayne Thompson, Real Property Management Supervisor, and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Juan Hernandez and Albina Hernandez, Tenants by Entirety, 51 South 30th St., Wyandanch, NY 11798.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1547-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 691 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-
1976 KAREN COIO (SCTM NO. 0200-952.00-05.00-025.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 952.00 Block 05.00 Lot 025.000 and acquired by Tax Deed on August 1, 1994, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 11, 1994, in Liber 11689 at Page 213 and described as follows, Town of Brookhaven, known and designated as Lot No. 15 in Block 14 on a certain map entitled "Map of Highlands of Patchogue" filed in the Office of the Clerk of the County of Suffolk on May 4, 1914 as Map No. 91; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Karen Coio, 87 Mulford St., Patchogue, NY 11772, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,005. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,000, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$4,005, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Wayne Thompson, Real Property Management Supervisor, and/or his designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Karen Coio, 87 Mulford St., Patchogue, NY 11772.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1548-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 692 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOHN A. CINCOTTA AND MONICA CINCOTTA, TENANTS BY ENTIRETY (SCTM NO. 0200-810.00-03.00-025.006)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 810.00 Block 03.00 Lot 025.006 and acquired by Tax Deed on June 15, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 24, 1997 in Liber 11864 at Page 147 and described as follows, Town of Brookhaven, being 20x 470 N/C P/O Lot No. 33, as shown on Map No. 1, Map of the Property of O.L. Schwencke Land and Investment Company filed in the Office of the Clerk of the County of Suffolk on December 11, 1901 as Map No. 587; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, John and Monica Cincotta, 212 Oak St., Medford, NY 11763, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,600. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,600, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$3,600, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Wayne Thompson, Real Property Management Supervisor, and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John A. Cincotta and Monica Cincotta, Tenants by Entirety, 212 Oak St., Medford, NY 11763.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1549-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 693 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
KELLY FRANCIS (SCTM NO. 0200-810.00-03.00-025.008)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 810.00 Block 03.00 Lot 025.008 and acquired by Tax Deed on June 15, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 24, 1997 in Liber 11864 at Page 147, and described as follows, Town of Brookhaven, being 20 x 419 N/C P/O Lot No. 33 as shown on Map No. 1, Map of the Property of O.L. Schwencke Land and Investment Company, filed in the Office of the Clerk of the County of Suffolk on December 11, 1901 as Map No. 587; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, KELLY FRANCIS, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,600.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne R. Thompson, Real Property Management Supervisor, of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$3,600.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot.

There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said KELLY FRANCIS, 214 Oak Street, Medford, New York 11763.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1550-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 694 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 SATNARINE MAHARAJ (SCTM NO. 0100-058.00-04.00-050.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 058.00 Block 04.00 Lot 050.000 and acquired by Tax Deed on March 24, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 25, 2003 in Liber 12242 at Page 399, and corrected by Correction Tax Deed on March 7, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 12, 2007, in Liber 12495, at Page 894, and described as follows, Town of Babylon, Filed Map 223 Blk 32 Lots 44 & 45 & P/O 46; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, SATNARINE MAHARAJ, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,001.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne R. Thompson, Real Property Management Supervisor, of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$6,001.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said SATNARINE MAHARAJ, 18 Lake Drive, Wyandanch, New York 11798.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

Intro. Res. No. 1551-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 695 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
KENNETH KLAPAK and GLORIA KLAPAK as Joint Tenants
with Right of Survivorship (SCTM NO. 0500-441.00-03.00-
039.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 441.00 Block 03.00 Lot 039.000 and acquired by Tax Deed on June 15, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 23, 1999 in Liber 11970 at Page 897 and described as follows, Town of Islip, N x now or formerly of Kenneth & Gloria Klapak; E x Burnett Ave.; S x now or formerly of Peter Famularo; W x now or formerly of Clare A. Vara; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, KENNETH KLAPAK and GLORIA KLAPAK have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,101.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne R. Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$4,101.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Real Property Management Supervisor, Wayne R. Thompson and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said KENNETH KLAPAK and GLORIA KLAPAK , 16 Burnett Avenue, Bay Shore, New York 11706.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1552-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 696 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976**

THE WAY BACK, INC. (SCTM NO. 0206-021.00-03.00-025.001)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Port Jefferson, 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 0206 Section 021.00 Block 03.00 Lot 025.001 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 14, 1998 in Liber 11916 at Page 755 and described as follows, Incorporated Village of Port Jefferson, Town of Brookhaven, N x The Way Back, Inc.; E x To A Point; S x Spiliotis; W x Main Street; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, THE WAY BACK, INC., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,700.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,700.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$3,700.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town

and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd RESOLVED, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said THE WAY BACK, INC., 1401 Main Street, Port Jefferson, New York 11777.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1557-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 697 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 NANCY SAPORITO (SCTM NO. 1000-
078.00-09.00-078.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000 Section 078.00 Block 09.00 Lot 078.000 and acquired by Tax Deed on October 25, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 27, 1999 in Liber 11997 at Page 374 and described as follows, Town of Southold, N x North Bayview Road Extension, E x now or formerly Jack A. & Mary E. Guild and now or formerly Town of Southold, S x Liberty Lane, W x now or formerly Thomas W. & Dorothy E. Wall and now or formerly Barbara J. McLaughlin and now or formerly Nancy Saporito; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Nancy Saporito, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,101.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,101.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, be it therefore,

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Nancy Saporito, P.O. Box 1600, North Bayview RD. EXT., Southold, N.Y. 11971.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1559-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 698 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 PAUL J. McCORMICK AND BETH M.
McCORMICK, HIS WIFE (SCTM NO. 0904-003.00-03.00-
052.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Southampton, Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0904 Section 003.00 Block 03.00 Lot 052.000 and acquired by Tax Deed on July 26, 1999 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 9, 1999 in Liber 11981 at Page 309 and described as follows, Incorporated Village of Southampton, Town of Southampton, N x now or formerly Nicholas & Kathleen Kinsch, his wife, E x now or formerly Alfred S. Canoro, now or formerly Nancy H. Adams, now or formerly known as Jan Rosenblatt, S x Cooper Street, W x now or formerly Paul J. & Beth M. McCormick, his wife; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Paul J. McCormick and Beth M. McCormick, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,825.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,300.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$3,825.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Paul J. McCormick and Beth M. McCormick, 500 East 77th Street, Suite 704, New York, N.Y. 11062.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 699 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976
JACOB GOLDMAN AND ANDREA GOLDMAN, TENANTS BY
ENTIRETY (SCTM NO. 0400-276.00-01.00-050.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 276.00 Block 01.00 Lot 050.000 and acquired by Tax Deed on May 19, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on May 26, 2004 in Liber 12321 at Page 374 and described as follows, Town of Huntington, known and designated as Lots No. 7 & 8, Block No. 13, in a certain map entitled "Map of Wheatley Heights Estates, Section 1" and filed in the Office of the Clerk of the County of Suffolk on January 4, 1912, as Map No. 33; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Jacob Goldman and Andrea Goldman, Tenants by Entirety, 5 Kantor Ave., Dix Hills, NY 11746, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$15,000. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$15,000, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Wayne Thompson, Real Property Management Supervisor of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$15,000, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

1st RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action,

the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1); and be it further

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that Wayne Thompson, Real Property Management Supervisor, and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Jacob Goldman and Andrea Goldman, Tenants by Entirety, 5 Kantor Ave., Dix Hills, NY 11746.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1561-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 700 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 JAYPRAKASH B. MODY AND DEVAL
J. MODY, AS JOINT TENANTS WITH RIGHTS OF
SURVIVORSHIP (SCTM NO. 0400-280.00-03.00-068.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

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 280.00 Block 03.00 Lot 068.000 and acquired by

Tax Deed on September 14, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 18, 2000 in Liber 12071 at Page 501 and described as follows, Town of Huntington, County of Suffolk, being known and designated as Lots 11 & 12 in Block 1, on a certain map entitled "Map of Deer Park Terrace" Section 6, and filed June 20, 1927 as Map No. 653; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Jayprakash B. Mody and Deval J. Mody, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,200.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$5,200.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$5,200.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them. Further, this sale is made subject to rights and easements of record.

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Quitclaim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Jayprakash B. Mody and Deval J. Mody, 34 Clarendon Street, Dix Hills, NY 11746.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1573-2007

Laid on Table 6/12/2007

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 701 -2007, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR A COMPLETE EXAMINATION AND ANALYSIS OF TELEPHONE BILLING FOR THE DEPARTMENT OF AUDIT & CONTROL

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 Audit & Control requested an RFP for "Complete Examination and Analysis of the County's Telephone Billing"; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to thirty (30) potential vendors and received only one response from Phone Review; and

WHEREAS, an independent evaluation committee reviewed the proposal from Phone Review, and found their quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and has recommended that the Department of Audit & Control enter into a contractual agreement with the provider; and

WHEREAS, there are no costs to the 2007 Suffolk County Operating Budget to cover the cost of this contract as the vendor will only receive a percentage of any money saved; 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 Audit & Control enter into a

contractual agreement with Phone Review for the provision of examination and analysis of the County's telephone billing.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

Intro. Res. No. 1595-2007 Laid on Table 6/12/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 702 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 JOHN BRATTA AND DOMINIC
BRATTA (SCTM NO. 0500-107.00-01.00-048.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 107.00 Block 01.00 Lot 048.000 and acquired by Tax Deed on July 25, 1996 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 5, 1996 in Liber 11785 at Page 839 and described as follows, Town of Islip, Lots #29 and #30 & E ½ Lot #28 on map known as "Ronkonkoma, Lake Beach, Second Edition Section 2" which map was filed with the County of Suffolk on March 19, 1931; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, John Bratta and Dominic Bratta, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$6,600.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Patricia B. Zielenski, Director of the Division of Real Property Acquisition and Management, and/or her designee, has received and deposited the sum of \$6,600.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land, now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that Director Patricia B. Zielenski and/or her designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said John Bratta and Dominic Bratta, 2285 Pine Avenue, Ronkonkoma, NY 11779.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

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

**RESOLUTION NO. 703 -2007, ACCEPTING A
GRANT AWARD FROM THE UNITED STATES
FEDERAL AVIATION ADMINISTRATION, AND
APPROPRIATING FUNDS IN 2007 CAPITAL BUDGET
AND PROGRAM IN CONNECTION WITH THE
PAVEMENT MANAGEMENT REHABILITATION AT
GABRESKI AIRPORT (CONSUMER PROTECTION
5739)**

WHEREAS, the Department of Economic Development and Workforce Housing has received a \$171,000 grant award from the United States Federal Aviation Administration; and

WHEREAS, this funding will assist with the engineering portion only of the Rehabilitation of a portion of Runway 6-24 at Francis S. Gabreski Airport; 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 \$4,500 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns preliminary planning, other studies and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of eighty (80) 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 Department of Economic Development and Workforce Housing, and the Department of Public Works pursuant to Section C35-2 (A) and C8-2 (X) of the Suffolk County Charter, are hereby authorized, empowered and directed to take such action as may be necessary 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.: 5739

Project Title: *Pavement Management Rehabilitation at Francis S. Gabreski Airport*

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning and Design	\$ 650,000	\$ 0	\$ 4,500B \$ 4,500S
TOTAL	<u>\$12,420,000</u>	<u>\$ 0</u>	<u>\$171,000F</u> <u>\$180,000</u>

and be it further

5th RESOLVED, that the proceeds of \$4,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110 (Fund 625-Debt Service)	<i>Pavement Management Rehabilitation</i>	<i>\$4,500</i>

and be it further

6th RESOLVED, that State Aid be and it hereby is appropriated as follows:

<u>Project No.:</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110	<i>Pavement Management Rehabilitation</i>	<i>\$4,500</i>

and be it further

7th RESOLVED, That Federal Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110	Pavement Management Rehabilitation	\$171,000

and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive or his designee to execute any necessary agreement with the New York State Department of Transportation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

9th 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1676-2007 Laid on Table 6/26/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 704 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR SOUTHAMPTON ALTERNATIVES

WHEREAS, the State has provided additional 100% Federal and State Aid to Southampton Alternatives to facilitate the conversion of their non-medically supervised outpatient services to medically supervised outpatient services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded a 2.8% Cost of Living Adjustment increase (COLA) to certain chemical dependence programs, effective January 1, 2007; and

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

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

REVENUES

001-HSV-4491 Federal Aid: Alcoholism	\$ 79,351
001-HSV-3486 State Aid: Narcotics Addition Control	\$ 3,581

ORGANIZATIONS

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

2007
2007 Modified

<u>XORG Object Name</u>	<u>Adopted</u>	<u>Adopted</u>	<u>+Change</u>
AQX2 Southampton Alternatives	\$751,895	\$834,827	\$82,932

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Southampton Alternatives; and be it further

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

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

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1677-2007 Laid on Table 6/26/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 705 -2007, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN/WALK AND BARBECUE" FUNDRAISER

WHEREAS, Cystic Fibrosis Foundation – Greater New York Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 425 Broad Hollow Road, Melville, New York; and

WHEREAS, the Cystic Fibrosis Foundation would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Run / Walk and Barbecue Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Sunday, July 29, 2007; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Cystic Fibrosis Foundation; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Long Island Maritime Museum by the Cystic Fibrosis Foundation for the purpose of hosting a fundraiser on Sunday, July 29, 2007, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Cystic Fibrosis Foundation and the payment of the Two Hundred Fifty Dollars (\$250.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to Section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Long Island Maritime Museum by the Cystic Fibrosis Foundation.

DATED: June 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1692-2007 Laid on Table 6/26/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 706 -2007, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO VARIOUS

**CONTRACT AGENCIES FOR A COST OF LIVING
ADJUSTMENT (COLA)**

WHEREAS, the 2007-08 New York State Legislative Enacted Budget included a 2.3 percent Cost Of Living Adjustment (COLA) for certain chemical dependence and compulsive gambling treatment and prevention programs, effective April 1, 2007; and

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

WHEREAS, this unallocated 100% additional Federal and State Aid from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) is not currently included in the 2007 Adopted Operating Budget; now, therefore be it

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

<u>REVENUES:</u>	<u>\$157,499</u>
001- 3486 State Aid: Narcotics Addition Control	\$82,060
001- 3488 State Aid: Compulsive Gambling	\$ 5,346
001- 4491 Federal Aid: Alcoholism	\$70,093

ORGANIZATIONS

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

<u>PSEUDO</u>	<u>AGENCY/CONTRACT NAME</u>	<u>+CHANGE</u>
AUG1	TOWN OF HUNTINGTON/STARSHINE	\$8,571
AQX2	SOUTHAMPTON ALTERNATIVES	\$11,863
AYU1	YMCA OF L I INC	\$15,834
ATC1	TOWN OF BABYLON NARC GUID CNC	\$5,595
AVH1	TOWN OF SMITHTOWN/HORIZONS	\$9,114
ABZ1	BRENTWOOD UFSD	\$2,818
AFM2	DRUG ABUSE PREVENTION COUNCIL	\$83
AED1	CONNETQUOT CSD	\$1,090
AIJ1	GREATER HAMPTONS INTERFAITH COUNCIL	\$3,758
AOH1	RIVERHEAD COMMUNITY AWARENESS	\$2,705
ABN1	BOCES II	\$19,181
ACN4	CATHOLIC CHARITIES TALBOT HOUSE	\$23,555
AET2	CTH CHARITY CHEM DEPENDENCY CLINIC	\$3,272
AKT1	ST CHRISTOPHER OTTILE	\$14,114
AAA2	ACCESS-TOWN OF ISLIP	\$2,363
AUT1	TOWN OF ISLIP/ACCESS	\$4,562
AJF1	ISLIP ACCESSO CLINIC	\$5,186
GGX1	THREE VILLAGE CSD	\$791
GNC1	PROJECT OUTREACH	\$5,393
AIS2	HUGS INC	\$263

ANL9	PEDERSON-KRAG COMPULSIVE GAMBLING	\$2,375
ANL7	PEDERSON-KRAG CLINIC INC	\$5,096
AGW1	FAMILY SERVICE LEAGUE	\$2,885
HKC1	WSNCHS EAST/SOUTH OAKS HOSPITAL	\$2,971
AJR1	J MATHER MEMORIAL HOSPITAL	\$1,446
H2Q1	BROOKHAVEN MEMORIAL HOSPITAL/MEDICAL CNTR	\$2,615

and be it further

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

3rd RESOLVED, that 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 26, 2007

APPROVED BY:

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

Date: June 29, 2007

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

Intro. Res. No. 1693-2007

Laid on Table 6/26/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 707 -2007, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BABYLON CHILD CARE CENTER, INC., NOAH'S ARK DAY CARE CENTER AND COLONIAL YOUTH AND FAMILY SERVICES DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, a new Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Babylon Child Care Center, Inc., Noah's Ark Day Care Center and Colonial Youth and Family Services day care providers, have submitted an Application for Hardship Assistance and other prescribed forms to document the need for financial assistance; and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy; and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Social Services seeks to continue its contractual relationship with the day care providers to enable families that are eligible for Social Service Programs to maintain their relationship with these resources; and

WHEREAS, based on a financial review, the Department of Social Services recommended and the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$89,632.00 be awarded for the period January 1, 2007 to December 31, 2007; and

WHEREAS, it is in the best interest of the County to provide the funding to Babylon Child Care Center, Inc. (\$29,062.00) Noah's Ark Day Care Center (\$5,170.00) and Colonial Youth and Family Services (\$55,400.00) in the amount up to a maximum of \$89,632.00; now, therefore be it

1st RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$89,632.00

TO:

001-DSS-6015-4770 Client Benefits Special Services \$89,632.00
and be it further

2nd RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Babylon Child Care Center, Inc., Noah's Ark Day Care Center and Colonial Youth and Family Services.

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

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

Intro. Res. No. 1696-2007
Introduced by Legislator Romaine, Schneiderman

Laid on Table 6/26/2007

**RESOLUTION NO. 708 –2007, AMENDING THE 2007
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH A TICK ERADICATION STUDY
(CP 4085)**

WHEREAS, ticks-borne diseases present a major public health problem in Suffolk County; and

WHEREAS, the “4-Poster” machine has proved to be an effective tool in eradicating ticks from deer in other states, however, it is not approved in New York; and

WHEREAS, Cornell Cooperative Extension has developed a “Scope of Study” to apply for a “Special Local Needs” permit to allow the use of the “4-Poster” system in Suffolk County; and

WHEREAS, it is the desire of the Legislature to create a Capital Project to providing funding to the Cornell Cooperative Extension Study; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$155,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 45 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

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

Project Number: 1755
Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	Total Estimated <u>Cost</u>	Current 2007 Capital Budget & <u>Program</u>	Revised 2007 Capital Budget & <u>Program</u>
3. Construction	\$216,000	\$371,000B	\$216,000
TOTAL	\$216,000	\$371,000	\$216,000

Project Number: 4085
Project Title: Tick Eradication Study

<u>Cost Elements</u>	Total Estimated <u>Cost</u>	Current 2007 Capital Budget <u>Program</u>	Revised 2007 Capital Budget & <u>Program</u>
4. Furniture & Equipment	\$155,000	\$0	\$155,000B
TOTAL	\$155,000	\$0	\$155,000

and be it further

3rd RESOLVED, that the Legislature hereby states its intention to finance this transfer of funds to the Tick Eradication Study by the issuance of Suffolk County Serial Bonds; and be it further

4th RESOLVED, that the proceeds of \$155,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-4085.510	20	Tick Eradication Study	\$155,000

and be it further

5th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

6th RESOLVED, the expenditure of the appropriations contained herein, is contingent upon:

- a) receipt of all permits and/or approvals issued by and/or required by the New York State Department of Environmental Conservation; and be it further
- b) issuance of a waiver from the New York State Department of Environmental Conservation for the use of Premethrin on Shelter Island; and be it further
- c) executive of a binding written agreement between all of the parties including, but not limited to, the Town of Shelter Island, County of Suffolk, and the New York State Department of Environment Conservation limiting the County's commitment to the study to no more than one year and limiting total County funding in connection with his program to no more than \$155,000; and be it further

7th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environment 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 Regulation ("NYCRR"), and the Legislature has no further responsibilities under SEQRA .

DATED: June 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 12, 2007

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

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

RESOLUTION NO. 709 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE COSCIA PROPERTY- EMERALD ESTATES (TOWN OF HUNTINGTON – SCTM NO. 0400-168.00-02.00-082.000 p/o)

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

WHEREAS, Resolution No. 277-2007 appropriated \$11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 315-2004 authorized planning steps for acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Two Hundred Eighty Five Thousand Dollars (\$285,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>REPUTED OWNER ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0400	1.0±	Patricia & Massimo Coscia	
	Section 168.00		211 Cuba Hill Road	
	Block 0200		Huntington, NY 11743	
	Lot 082.000 p/o			

and be it further

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

Land Preservation Program, for a purchase price of Two Hundred Eight Five Thousand Dollars (\$285,000.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$285,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

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

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

8th RESOLVED, that in accordance with Section 279-5(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 26, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2007

***ADJOURNED 7:29 PM
TIM LAUBE, CLERK OF THE LEGISLATURE***