TWELFTH DAY

REGULAR MEETING

AUGUST 21, 2007

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

The meeting was called to order at 4:01 p. m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloria-Fisher, Legislators Romaine, Schneiderman, Browning, Losquadro, Eddington, Montano, Alden, Barraga, Nowick, Horsley, Mystal, Stern, and D'Amaro.

Legislator Cooper arrived at 4:10 p.m.
Legislator Kennedy arrived at 4:20 p.m.
Legislator Caracappa arrived at 4:35 p.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED AT 8:55 P.M. AND RESUMED AT 9:22 P.M.

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

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

Introduced by Presiding Officer Lindsay Laid on Table 8/21/07

MOTION NO. 13 –2007, PROCEDURAL RESOLUTION
CHANGING DATE OF LEGISLATURE MEETING

WHEREAS, pursuant to Resolution No. 7-2007, the Suffolk County Legislature has a meeting scheduled in Riverhead on September 18, 2007; and

WHEREAS, this date conflicts with the New York State Election calendar; now, therefore be it

1st **RESOLVED**, that the date of the County Legislature's scheduled meeting on September 18, 2007, shall be changed to Thursday, September 20, 2007, at the Maxine S. Postal Legislative Auditorium at the Riverhead County Center; and be it further

2nd **RESOLVED**, that this meeting will begin at the scheduled time of 9:30 A.M.; and be it further

3rd **RESOLVED**, that the Clerk of the County Legislature is hereby directed to advertise the changed date of the Legislature's meeting.

DATED: Adopted August 21, 2007

Effective pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER.

s:\procedural\r-change-date-legis-meeting

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

Introduced by Presiding Officer Lindsay Laid on Table 8/21/07

MOTION NO. 14 –2007, PROCEDURAL RESOLUTION
CHANGING LOCATION OF LEGISLATURE MEETING

WHEREAS, pursuant to Resolution No. 7-2007, the Suffolk County Legislature has a meeting scheduled in Riverhead on December 3, 2007; and

WHEREAS, the Department of Public Works advises that as a result of construction at the Riverhead County Center, the Maxine S. Postal Legislative Auditorium can not be used on December 3, 2007; now, therefore be it

1st **RESOLVED**, that the location of the County Legislature's scheduled meeting on December 3, 2007, shall be changed from the Maxine S. Postal Legislative Auditorium at the Riverhead County Center to the Rose Y. Caracappa Auditorium at the William H. Rogers Building, Hauppauge; and be it further

2nd **RESOLVED**, that this meeting will begin at the scheduled time of 9:30 A.M.; and be it further

3rd **RESOLVED**, that the Clerk of the County Legislature is hereby directed to advertise the changed location of the Legislature's meeting on December 3, 2007.

DATED: Adopted August 21, 2007

Effective pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER.

s:\procedural\r-change-location-legis-meeting

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

Introduced by Presiding Officer Lindsay Laid on Table 8/21/07

MOTION NO. 15 –2007, PROCEDURAL RESOLUTION AUTHORIZING FUNDING FOR COMMUNITY SUPPORT INITIATIVES (PHASE VI)

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:

Agency		**Sponsor**		**Amount**
Babylon Village Youth Project, Inc.		Horsley		$2,000
Lion District 20-S Leo Club		Eddington		$1,000
Lifeline Mediation Center		Romaine		$2,000
Long Island Pine Barrens Society		Losquadro		$1,500
John J. McMahon Jr. Memorial Roller Hockey Club		D'Amaro		$2,000
Northport Arts Coalition		Cooper		$1,000
Historical Society of Islip Hamlet		Alden		$1,000
Helping Hand Rescue Mission		D'Amaro		$1,000
Heckscher Museum of Art		Cooper		$1,000
Eastport Fire District		Romaine		$2,900
Lake Grove Triangle Soccer		Caracappa		$10,000
Mentoring Partnership of Long Island		Cooper		$2,000
Greater Patchogue Foundation, Inc.		Eddington		$4,000
Three Village Garden Club		Viloria-Fisher		$1,000
Frank Melville Memorial Foundation		Viloria-Fisher		$1,000
Westhampton Beach Performing Arts Center,		Alden		$5,000

Inc.				
Centereach High School PTA		Caracappa		$1,000
Friends of Flax Pond		Viloria-Fisher		$1,000
Coastal Steward, Inc.		Viloria-Fisher		$1,000
EAC, Inc.		Nowick		$3,500
St. James Chamber of Commerce		Nowick		$10,000
East Islip Main Street Restoration		Alden		$1,000
Northport Historical Society		Nowick		$1,000
Heckscher Museum of Art		D'Amaro		$3,000
Marine Corps League, Inc., Huntington Chapter 792		D'Amaro		$2,000
Huntington Breast Cancer Action Coalition		D'Amaro		$5,000
St. Joseph the Worker Outreach		Browning		$1,000
Elwood Taxpayers Association, Inc.		Stern		$1,500
Our Daily Bread Soup Kitchen and Food Pantry at St. James Church		Viloria-Fisher		$1,000
EAC, Inc.		Mystal		$1,000
Huntington Village Lacrosse Club, Inc.		Cooper		$1,000

and be it further

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

DATED: Adopted August 21, 2007

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

Legislator Schneiderman made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 10-4-2-2. Legislators Eddington, Barraga, Kennedy and Nowick voted no. Legislators Alden and Cooper abstained. Legislators Caracappa and Montano were not present.

Mem. Res. No. 47 -2007 LOT 6/12/07
Introduced by Legislator Schneiderman

MEMORIALIZING RESOLUTION IN SUPPORT OF LEGISLATION TO PROHIBIT THE USE OF MOBILE TELEPHONES TO TEXT MESSAGE WHILE DRIVING (SENATE BILL S.5527 AND ASSEMBLY BILL A.7820)

WHEREAS, a recent national survey found that distracted drivers were responsible for eight out of every ten motor vehicle accidents; and

WHEREAS, text messaging while driving affects driver attention and reaction time, inevitably decreasing safety on the roadways; and

WHEREAS, reports show that 32% of young drivers text message while driving; and

WHEREAS, legislation has been introduced in the New York State Legislature that would prohibit the use of mobile telephones to text message while driving; and

WHEREAS, enactment of this legislation would make the roads of our state safer; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports the passage of New York State Senate Bill S. 5527 and New York State Assembly Bill A.7820, to amend the Vehicle and Traffic Law to prohibit the use of mobile telephones to text message while driving; and be it further

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

DATED: August 21, 2007

s:\memres\mr-text-message-driving

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

Intro. Res. No. 1726-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. 773 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #280

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
Southampton:				
0900-165.00-01.00-001.000 (Item #509475.00)	2006/07	$35,313.62	$0.00	$35,313.62
0900-182.00-01.00-001.001 (Item #110689.00)	2006/07	$ 4,654.84	$0.00	$ 4,654.84

DATED: August 21, 2007

APPROVED BY:

/s/ Paul Sabatino II
County Executive of Suffolk County

Date: August 23, 2007

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

Intro. Res. No. 1733-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 774 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL NO. 776-2007)

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

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

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

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

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

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

RESOLUTION NO. CONTROL# 776-2007

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BABYLON	05/06	N/A	100 15 7 22	4,511.00	765.73	3,745.27
A	BROOKHAVEN	06/07	N/A	200 882 8 10.3	13,089.29	10,261.23	2,828.06
C	EASTHAMPTON	06/07	N/A	300 189 6 11.5	41,298.44	35,940.20	5,358.24

A	SOUTHAMPTON	06/07	N/A	904 17 1 26	15,245.20	11,128.80	4,116.40
A	SOUTHAMPTON	06/07	N/A	905 17 3 2.1	8,975.26	4,316.95	4,281.74

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

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro Res. No. 1734-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 775 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #277

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid

SEE ATTACHED LISTING

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

CANCELLATION OF TAXES-TOWN OF BROOKHAVEN-2006/07 TAX YEAR

SCTM#	ITEM#	AMOUNT
0200-270.00-01.00-003.002	8539301	$2,599.23
0200-355.00-02.00-005.000	8509651	$2,647.42
0200-238.00-01.00-005.000	8736423	$2,741.88
0200-238.00-01.00-003.003	8217614	$2,789.48
0200-355.00-02.00-004.000	8504160	$2,883.80
0200-299.00-03.00-003.000	8539412	$2,932.47
0200-299.00-02.00-013.000	8539823	$3,332.35
0200-358.00-02.00-001.000	8505098	$3,441.66
0200-299.00-02.00-014.000	8539810	$3,465.64
0200-270.00-02.00-001.000	8539740	$3,465.64
0200-412.00-01.00-003.000	8504170	$3,555.12
0200-299.00-02.00-012.000	8539821	$3,565.62
0200-270.00-01.00-001.000	8539310	$3,598.94
0200-355.00-04.00-006.000	8538980	$4,132.11
0200-270.00-01.00-002.000	8539290	$4,265.41
0200-299.00-02.00-020.000	8539410	$4,798.58
0200-355.00-02.00-007.000	8503734	$7,185.88
0200-238.00-01.00-003.004	8736426	$7,616.32
0200-355.00-02.00-011.000	8504870	$7,753.19

0200-263.00-02.00-001.003	8215804	$8,377.95
0200-270.00-04.00-001.000	8539750	$9,263.93
0200-301.00-01.00-046.001	8539361	$11,796.52
0200-244.00-01.00-001.000	8737617	$12,376.52
0200-300.00-01.00-002.001	8539336	$13,502.69
0200-512.00-01.00-020.000	8541430	$15,506.36
0200-238.00-01.00-002.006	8217613	$23,858.12
0200-465.00-04.00-001.000	8542040	$24,583.26
0200-238.00-01.00-004.000	8736424	$74,601.86
0200-238.00-01.00-002.004	8736425	$170,605.57

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

Intro. Res. No. 1735-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 776 2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE # 279

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
Riverhead				
0600-108-02-003	2006/07	$287,948.89	$0.00	$287,948.89
0600-135-01-070.030	2006/07	$ 2,985.69	$0.00	$ 2,985.69

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1772-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 777 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #278

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
0200-587.00-02.00-015.000 ITEM #5428690	**2006/07**	**$5212.19**	**$0.00**	**$5212.19**
0200-076.00-05.00-004.001 ITEM #1522755	**2005/06**	**$6893.19**	**$0.00**	**$6893.19**
0200-076.00-05.00-004.001 ITEM #1522755	**2006/07**	**$14,711.99**	**$0.00**	**$14,711.99**

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1793-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. 778 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #281

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

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

1st RESOLVED, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated; and

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
SEE ATTACHED LIST	**2006/07**			

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

SCTM#	ITEM#	ORIG. TAX	CORR.TAX	CHARGEBACK
0208-015.00-02.00-002.027	61-56548	$3,571.47	$0.00	$3,571.47
0208-015.00-02.00-002.028	61-56549	$3,561.44	$0.00	$3,561.44
0208-015.00-02.00-002.032	61-56553	$5,016.12	$0.00	$5,016.12
0208-015.00-02.00-002.035	61-56556	$21,494.08	$0.00	$21,494.08
0208-015.00-02.00-002.037	61-56558	$5,216.77	$0.00	$5,216.77
0208-015.00-02.00-002.042	61-56563	$21,494.08	$0.00	$21,494.08
0208-015.00-02.00-002.046	61-56567	$4,940.88	$0.00	$4,940.88
0208-015.00-02.00-002.047	61-56568	$5,216.77	$0.00	$5,216.77
0208-015.00-02.00-002.048	61-56569	$20,089.57	$0.00	$20,089.57
0208-015.00-02.00-002.049	61-56570	$9,121.80	$0.00	$9,121.80
0208-015.00-02.00-002.050	61-56571	$9,731.28	$0.00	$9,731.28
0208-015.00-02.00-002.051	61-56572	$9,643.48	$0.00	$9,643.48

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

Intro. Res. No. 1704-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 779 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CAPITAL PROJECT 7452 – VANDERBILT PLANETARIUM REPLACEMENT OF TECHNICAL SHOW EQUIPMENT, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Capital Project 7452 – Vanderbilt Planetarium Replacement of Technical Show Equipment, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the purchase and installation of technical show production equipment within an existing theatre; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Vanderbilt Museum in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(25) and Chapter 279 of the Suffolk County Code because it involves the purchase of equipment; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 21, 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 Capital Project 7452 – Vanderbilt Planetarium Replacement of Technical Show Equipment, Town of Huntington, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(25) and Chapter 279 of the Suffolk County Code, which project involves the purchase of equipment; 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1705-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 780 -2007, MAKING A RECOMMENDATION CONCERNING ADOPTION OF THE FINAL SCOPE FOR THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT ON THE SUFFOLK COUNTY

SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY, TOWNS OF SOUTHAMPTON, EAST HAMPTON, RIVERHEAD, SOUTHOLD AND SHELTER ISLAND

WHEREAS, the Suffolk County Legislature approved Resolution No. 241-2007, which adopted a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay, Towns of Southampton, East Hampton, Riverhead, Southold and Shelter Island; and

WHEREAS, on May 3, 2007 the Suffolk County Aquaculture Lease Program Advisory Committee and the Council on Environmental Quality had a Scoping Hearing concerning the DGEIS on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay, Towns of Southampton, East Hampton, Riverhead, Southold and Shelter Island, at which time written and oral comments from the public and various agencies were received; and

WHEREAS, at its June 20, 2007 meeting, the Council on Environmental Quality (CEQ) reviewed a Draft Scope for the DGEIS on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay, Towns of Southampton, East Hampton, Riverhead, Southold and Shelter Island, together with the comments received and the response to the comments; now, therefore be it

1st **RESOLVED**, that this Legislature hereby determines that, based on the information received, and pursuant to Chapter 279 of the Suffolk County Code, the Final Scope for the DGEIS on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay, Towns of Southampton, East Hampton, Riverhead, Southold and Shelter Island, be adopted; 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 all required SEQRA notices.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1706-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 781 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA I ADDITION – SFERRAZZA PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area I Addition – Sferrazza Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.32 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area I Addition – Sferrazza 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1707-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 782 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – MCLAUGHLIN PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition - McLaughlin Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.09 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition - McLaughlin Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

2. 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1708-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 783 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – STIFFEL PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Stiffel 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Stiffel 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1709-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 784 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – VALENTA PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Valenta Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.03 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition - Valenta 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1710-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 785 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FORGE RIVER WATERSHED ADDITION – PANDOLFI PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Forge River Watershed Addition – Pandolfi Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.72 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Forge River Watershed Addition – Pandolfi 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1711-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 786 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SEATUCK COVE – PHEASANT MEADOW FARMS, INC. PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Seatuck Cove – Pheasant Meadow Farms, Inc. Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-30.7 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Seatuck Cove – Pheasant Meadow Farms, Inc. 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1712-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 787 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE BLUFFS AT SHOREHAM – HALLOCK LANDING AT SHOREHAM, LLC PROPERTY – TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Bluffs at Shoreham – Hallock Landing at Shoreham, LLC Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-19.28 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 June 20, 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 June 21, 2007 of said recommendations; and

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

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

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

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1713-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 788 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE BAYPORT COUNTY WETLANDS ADDITION – FARLEY PROPERTY, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Bayport County Wetlands Addition – Farley Property, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of +/-0.69 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 June 20, 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 617and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 21, 2007 of said recommendations; and

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

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

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

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

2.) The 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1714-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 789 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED SUFFOLK COUNTY EELGRASS RESTORATION INITIATIVE

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Suffolk County Eelgrass Restoration Initiative, pursuant to Section 6 of Local Law No. 22-1985 which project involves the planting of 9.75 acres (total) of eelgrass over three years within Long Island Sound (LIS), Peconic Estuary (PE) and the South Shore Estuary Reserve (SSER); and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Cornell Cooperative Extension of Suffolk County and subsequently sent out to all concerned parties; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Cornell Cooperative Extension of Suffolk County; 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 June 21, 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 Suffolk County Eelgrass Restoration Initiative 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(c) 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 and the Suffolk County Code;

3.) Eelgrass beds play an important role in the marine environment; and

4.) The action will result in minimal bottom disturbance;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1715-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 790 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HANGAR DEVELOPMENT FOR THE FRANCIS S. GABRESKI AIRPORT – MAILAND HANGARS, INC., TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Hangar Development for the Francis S. Gabreski Airport – Mailand Hangars, Inc., Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the proposed construction of 20 small aircraft hangars on 3 acres in the northern portion of Francis S. Gabreski Airport; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development & Workforce Housing, Aviation Division of the Francis S. Gabreski Airport and subsequently sent out to all concerned parties; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing, Aviation Division of the Francis S. Gabreski Airport; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(10) and Chapter 279 of the Suffolk County Code since it involves the physical alteration of more than 2.5 acres adjacent to publicly operated parkland; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 20, 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 Hanger Development for the Francis S. Gabreski Airport – Mailand Hangars, Inc., Town of Southampton constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(10) and Chapter 279 of the Suffolk County Code since it involves the physical alteration of more than 2.5 acres adjacent to publicly operated parkland, 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 proposed improvements are in conformance with the Gabreski Airport Master Plan which was previously reviewed by CEQ and approved by Suffolk County in 1990 after having undergone a SEQRA review which resulted in a Negative Declaration being issued;

5.) The project is in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan adopted by the N.Y.S. Department of Environmental Conservation which directs new industrial development be allowed in such areas where such uses already exist including Suffolk County Airport;

6.) The project is in conformance with the 1995 Central Pine Barrens Comprehensive Land Use Plan and standards within the CGA as demonstrated in Parts I, III and Appendix B of the EAF;

7.) The project is in conformance with the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan; LI200 Zoning and Aquifer Protection Overlay District requirements. The plan update specifically notes that the Gabreski site “offers the unique potential for both aviation and non-aviation development”;

8.) As required by the Legislature in 1990, the facility will be hooked up to the existing on site sewage treatment plant which was built by the County to accommodate the future growth at the airport as called for in the 1990 Airport Master Plan;

9.) All aspects of the proposal will meet the requirements of Articles 6, 7, and 12 of the Suffolk County Sanitary Code and obtain all necessary approval and permits from the Suffolk County Department of Health Services as called for by the Legislature in the 1990 Airport Master Plan. Suffolk County's regulations to protect the sole source aquifer, the deep recharge areas and water supply sensitive areas are some of the most stringent in the United States and therefore minimize any potential impacts to groundwater;

10.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations." The Department of Economic Development & Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community; and

11.) The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have recommended channeling new growth into the previously disturbed and developed airport while preserving the undisturbed, natural outlying areas to the west, north and east of the site. This is a "Smart Growth" concept;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1716-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 791 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HANGAR DEVELOPMENT FOR THE FRANCIS S. GABRESKI AIRPORT – NORTHSIDE HANGARS, INC., TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Hangar Development for the Francis S. Gabreski Airport – Northside Hangars, Inc., Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the proposed construction of 20 small aircraft hangars on 2.59 acres in the northern portion of Francis S. Gabreski Airport; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development & Workforce Housing and subsequently sent out to all concerned parties; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(10) and Chapter 279 of the Suffolk County Code since it involves the physical alteration of more than 2.5 acres adjacent to publicly owned parkland; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 20, 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 Hanger Development for the Francis S. Gabreski Airport – Northside Hangars, Inc., Town of Southampton constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(10) and Chapter 279 of the Suffolk County Code since it involves the physical alteration of more than 2.5 acres adjacent to publicly owned parkland, 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 Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment;

13.) 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;

14.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);

15.) The proposed improvements are in conformance with the Gabreski Airport Master Plan which was previously reviewed by CEQ and approved by Suffolk County in 1990 after having undergone a SEQRA review which resulted in a Negative Declaration being issued;

16.) The project is in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan adopted by the N.Y.S. Department of Environmental Conservation which directs new industrial development be allowed in such areas where such uses already exist including Suffolk County Airport;

17.) The project is in conformance with the 1995 Central Pine Barrens Comprehensive Land Use Plan and standards within the CGA as demonstrated in Parts I, III and Appendix B of the EAF;

18.) The project is in conformance with the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan; LI200 Zoning and Aquifer Protection Overlay District requirements. The plan update specifically notes that the Gabreski site "offers the unique potential for both aviation and non-aviation development";

19.) As required by the Legislature in 1990, the facility will be hooked up to the existing on site sewage treatment plant which was built by the County to accommodate the future growth at the airport as called for in the 1990 Airport Master Plan;

20.) All aspects of the proposal will meet the requirements of Articles 6, 7, and 12 of the Suffolk County Sanitary Code and obtain all necessary approval and permits from the Suffolk County Department of Health Services as called for by the Legislature in the 1990 Airport Master Plan. Suffolk County's regulations to protect the sole source aquifer, the deep recharge areas and water supply sensitive areas are some of the most stringent in the United States and therefore minimize any potential impacts to groundwater;

21.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations." The Department of Economic Development & Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community; and

22.) The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have recommended channeling new growth into the previously disturbed and developed airport while preserving the undisturbed, natural outlying areas to the west, north and east of the site. This is a "Smart Growth" concept;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1717-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 792 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HANGAR DEVELOPMENT FOR THE FRANCIS S. GABRESKI AIRPORT – BROOKWOOD – WESTHAMPTON, INC. HANGARS, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Hangar Development for the Francis S. Gabreski Airport – Brookwood – Westhampton, Inc. Hangars, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the proposed construction of 4 small aircraft hangars and 2 large aircraft hangars on 4.137 acres in the northern portion of Francis S. Gabreski Airport; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development & Workforce Housing and subsequently sent out to all concerned parties; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development & Workforce Housing; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I 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 June 20, 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 Hanger Development for the Francis S. Gabreski Airport – Brookwood – Westhampton, Inc. Hangars, Town of Southampton constitutes a Type I 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:

23.) 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;

24.) 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;

25.) The parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);

26.) The proposed improvements are in conformance with the Gabreski Airport Master Plan which was previously reviewed by CEQ and approved by Suffolk County in 1990 after having undergone a SEQRA review which resulted in a Negative Declaration being issued;

27.) The project is in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan adopted by the N.Y.S. Department of Environmental Conservation which directs new industrial development be allowed in such areas where such uses already exist including Suffolk County Airport;

28.) The project is in conformance with the 1995 Central Pine Barrens Comprehensive Land Use Plan and standards within the CGA as demonstrated in Parts I, III and Appendix B of the EAF;

29.) The project is in conformance with the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan; LI200 Zoning and Aquifer Protection Overlay District requirements. The plan update specifically notes that the Gabreski site “offers the unique potential for both aviation and non-aviation development”;

30.) As required by the Legislature in 1990, the facility will be hooked up to the existing on site sewage treatment plant which was built by the County to

accommodate the future growth at the airport as called for in the 1990 Airport Master Plan;

31.) All aspects of the proposal will meet the requirements of Articles 6, 7, and 12 of the Suffolk County Sanitary Code and obtain all necessary approval and permits from the Suffolk County Department of Health Services as called for by the Legislature in the 1990 Airport Master Plan. Suffolk County's regulations to protect the sole source aquifer, the deep recharge areas and water supply sensitive areas are some of the most stringent in the United States and therefore minimize any potential impacts to groundwater;

32.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations." The Department of Economic Development & Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community; and

33.) The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have recommended channeling new growth into the previously disturbed and developed airport while preserving the undisturbed, natural outlying areas to the west, north and east of the site. This is a "Smart Growth" concept;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1718-2007 Laid on Table 8/7/2007
Introduced by the Presiding Officer

RESOLUTION NO. 793 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HERTZ CAR RENTAL COUNTER DEVELOPMENT FOR THE FRANCIS S. GABRESKI AIRPORT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Hertz Car Rental Counter Development for the Francis S. Gabreski Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the construction of counter space in the terminal building and the utilization of 10 existing parking spaces; and

WHEREAS, at its June 20, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Economic Development & Workforce Housing in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c) (7) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated June 22, 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 Hertz Car Rental Counter Development for the Francis S. Gabreski Airport, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(7) and Chapter 279 of the Suffolk County Code, which project involves the construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1750-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 794 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RELOCATION OF THE BIG DUCK TO ITS FORMER SITE IN THE HAMLET OF FLANDERS, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Relocation of the Big Duck to its Former Site in the Hamlet of Flanders, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the relocation of the Big Duck, a well known Long Island historic landmark and historic resource, which is owned by the County of Suffolk and is listed on the New York State and National Registers of Historic Places, from County-owned Sears-Bellows County Park at 63 Bellows Park Road, in the vicinity of Hampton Bays, to its former roadside location in the Hamlet of Flanders. The new site is to be licensed to the County of Suffolk on part of the 11.3 acres of Town-owned land, at the former Martin Maurer Duck Farm at 1012 Flanders Road (east of NYS Route 24), Flanders, Town of Southampton, Suffolk County; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ office by the Suffolk County Department of Parks, Recreation and Conservation, together with the Town of Southampton and subsequently sent out to all concerned parties; and

WHEREAS, at its July 18, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Parks, Recreation and Conservation, together with the Town of Southampton; 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 because it will enhance the historic significance of the Big Duck; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 19, 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 the CEQ, as members of the Historic Trust, approves of the Proposed Relocation of the Big Duck back to its original location provided the conditions as set forth below are implemented by the Town of Southampton and the County of Suffolk; and be it further

2nd **RESOLVED**, that in the judgment of the CEQ, based on the information received and presented, the above activity is an unlisted action under the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code because it will enhance the historic significance of the Big Duck; and be it further

3rd **RESOLVED**, that this Legislature hereby determines that the Proposed Relocation of the Big Duck Back to its Former Location in Hamlet of Flanders, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter or the Suffolk County Code; and

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); and be it further

4th **RESOLVED**, that the Negative Declaration is conditioned on the imposition of the specific mitigation measures set forth below:

1.) The Big Duck must be moved in its entirety without any disassembly;

2.) Any damage resulting from the move will be repaired by the Town of Southampton;

3.) A new foundation, electric service, phone and alarm lines must be in place before the move of The Big Duck. The Big Duck will be placed on the new foundation and utilities connected on the day that the Big Duck is moved, all costs incurred will be the sole responsibility of the Town of Southampton;

4.) The Suffolk County Department of Parks, Recreation and Conservation will have final approval of the new foundation and the replacement of the termite shield at the base of the Big Duck at the Flanders Duck Farm location;

5.) The handicap entrance ramp, rear deck, and outside basement doors will be replaced at its new location by the Town of Southampton;

6.) The Town of Southampton will provide the Certificate of Occupancy for the Big Duck at the Flanders Duck Farm location;

7.) Water service and bathrooms will be installed on site within a reasonable amount of time by the Town of Southampton, until such time, the Town of Southampton will make arrangements for restroom facilities for the Big Duck staff;

8.) The Town of Southampton agrees to maintain the grounds and landscaping surrounding the Big Duck at the Flanders Duck Farm;

9.) The Town of Southampton will provide public access and parking at the front entrance of the Big Duck;

10.) The Town of Southampton will provide parking areas for special events at the Big Duck, including but not limited to, the Holiday Lighting in November of every year;

11.) The Suffolk County Department of Parks, Recreation and Conservation will only be required to obtain a Southampton Town Park Permit for special events at the Big Duck;

12.) The Town of Southampton will provide a renewable long term lease at no cost to Suffolk County for the area surrounding the Big Duck along Route 24 at its new location at the Flanders Duck Farm;

13.) The Town of Southampton will bear all costs relating to the move and relocation of the Big Duck to its new foundation at the Flanders Duck Farm;

14.) The Town of Southampton will work with The New York State Office of Historic Preservation to write the "new" New York State and National Register Nomination form to re-list the Big Duck and possibly add additional buildings and property to the Flanders Duck Farm;

15.) The Town of Southampton will install a sub meter for electric service inside the Big Duck;

16.) The Town of Southampton will remove all of the existing foundation, and will also backfill and grade the existing site of the Big Duck;

17.) Visitors, regardless of the residency, will have access to the Big Duck and will not be charged any parking fees by the Town of Southampton; and

18.) The above conditions will be included as part of the agreement between the Town of Southampton and Suffolk County for the relocation of the Big Duck from Sears Bellows County Park to the Flanders Duck Farm;

and be it further

5th **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

6th **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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1751-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 795 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CAPITAL PROJECT 5375 REHABILITATION OF ABET'S CREEK BULKHEAD, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Capital Project 5375 Rehabilitation of Abet's Creek Bulkhead, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves removing and disposing of approximately 300 linear feet of deteriorated timber bulkhead, and replacing it with a new cantilevered bulkhead, made of fiberglass reinforced recycled plastic lumber; and

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

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 19, 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 Capital Project 5375 Rehabilitation of Abet's Creek Bulkhead, Town of Brookhaven, constitutes a Type

II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2) and Chapter 279 of the Suffolk County Code, which project involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; 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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1752-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 796 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – D'ALESSO PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – D'Alesso Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.227 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its July 18, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 18, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – D'Alesso 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 Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

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 than the proposed acquisition and preservation of the site would have;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1753-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 797 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – GRAM PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Gram Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.07 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its July 18, 2007, 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 July 18, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Gram 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 Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

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 than the proposed acquisition and preservation of the site would have;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1754-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 798 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE BEAVERDAM CREEK COUNTY WETLANDS – ESTATE OF ANGELO GIAMBALVO PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space

Preservation Purposes Known as the Beaverdam Creek County Wetlands – Estate of Angelo Giambalvo Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.03 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its July 18, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 19, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Beaverdam Creek County Wetlands – Estate of Angelo Giambalvo 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 Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form;

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 than the proposed acquisition and preservation of the site would have;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1755-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 799 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MONTAUK COUNTY PARK ADDITION – FOLEY 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 for Open Space Preservation Purposes Known as the Montauk County Park Addition – Foley Property, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 3.13 acres of land by Suffolk County for open space preservation purpose; 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 July 18, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 18, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Montauk County Park Addition – Foley 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:

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, as demonstrated in the Environmental Assessment Form;

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 than the proposed acquisition and preservation of the site would have;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1756-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 800 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION

PURPOSES KNOWN AS THE PECONIC LAND TRUST, INC., AS CONTRACT VENDEE – CACKLE HILL 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 for Open Space Preservation Purposes Known as the Peconic Land Trust, Inc., as Contract Vendee – Cackle Hill Property, Town of Shelter Island", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 17.1 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its July 18, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated July 18, 2007 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Peconic Land Trust, Inc., as Contract Vendee – Cackle Hill 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:

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, as demonstrated in the Environmental Assessment Form;

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 than the proposed acquisition and preservation of the site would have;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1757-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer

RESOLUTION NO. 801 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND KNOWN AS THE LEWIS OLIVER PROPERTY, TOWN OF HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land Known as the Lewis Oliver Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2 acres of land, which was a previously developed dairy farm, by Suffolk County for community park/educational farm use; 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 June 20, 2007 and July 18, 2007 meetings, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning and the Senior Environmental Analyst for the Town of Huntington; 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 July 19, 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 Known as the Lewis Oliver Property, Town of Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

1.) The proposed action will not exceed any of the criteria in 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); and

4.) If the Phase II Environmental Assessment reveals that there is contamination of the property with toxic and hazardous substances, the Town of Huntington would be responsible to provide mitigation as per the terms of the contract;

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: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1806-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 802 -2007, ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE UNITED STATE DEPARTMENT OF HOMELAND SECURITY/FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE RECRUITMENT AND RETENTION OF VOLUNTEERS FOR THE VOLUNTEER FIRE DEPARTMENTS SERVING SUFFOLK COUNTY

WHEREAS, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA), has awarded the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) funds to conduct a comprehensive recruitment and retention program for fire departments operating in Suffolk County; and

WHEREAS, FRES has received a grant from FEMA under the Staffing for Adequate Fire and Emergency Response (SAFER) program (Grant Number: EMW-2006-FF-03869 (the "Grant") to build the capacity of local fire departments; and

WHEREAS, pursuant to the terms of the Grant, FRES will expand the pre-existing recruitment program approved by the Legislature in 1999 through mass media recruitment; and

WHEREAS, FRES maintains responsibility for the Suffolk Educational program for Recruitment in the Voluntary Emergency Service (SERVES) pursuant to Resolution No. 818-2002 and the grant requires expansion from a recruitment program to a recruitment and retention program; and

WHEREAS, this is a grant program, effective immediately to August 24, 2009 in which Suffolk County has been awarded $1,168,283 from FEMA; and

WHEREAS, $1,168,283 of said funds have not been included in the 2007 Operating Budget; now, therefore be it

1st RESOLVED, that FRES is directed to amend the SERVES Administration Guide to expand the program from new recruits to all members of volunteer fire departments operating within the County; and

2nd RESOLVED, that the following position be and they hereby are created in the Department of Fire, Rescue & Emergency Services as follows:

Department of Fire, Rescue & Emergency Services

SAFER Grant
001-FRE-3414

Position No.	Spec.No.	Position Title	JC	Grade	No. Created
3414-0100-0001	3768	Volunteer Programs Coordinator	C	21	1

and be it further

3rd RESOLVED, that the County Executive's Budget Office is authorized to assign appropriate pseudo codes as necessary; and be it further

4th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the position created by this Resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

5th RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $1,168,283 and appropriate said grant funds as follows:

REVENUES:	AMOUNT
001-4089 Federal Aid: Other	$1,168,283

ORGANIZATIONS:

Department of Fire, Rescue & Emergency Services
Staffing for Adequate Fire and Emergency Response (SAFER)
001-FRE-3414 - $1,162,864

1000 – Personal Services		$44,526.00
1100	Permanent Salaries	$44,526.00
4000 – Contractual Expenses		$1,118,338.00
4330	Employee Travel	$450.00
4560	Fees for Services-Non Employees	$666,040.00
4980	Contracted Agencies	$451,848.00

Employee Benefits

Social Security

001-EMP-9030-$3,936

Employee Benefits	**$3,936.00**
8330 – Social Security	**$3,936.00**

Employee Benefits

Retirement

001-EMP-9010-$1,483

Employee Benefits	**$1,483.00**
8280 – Retirement	**$1,483.00**

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1807-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 803 -2007, ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR THE SUFFOLK COUNTY MEDICAL RESERVE CORPS.

WHEREAS, the National Association of County and City Health Officials (NACCHO), has awarded the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) funds to conduct a Regional Training Conference in conjunction with the Nassau County Department of Health; and

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-01, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps. ("MRC") units; and

WHEREAS, pursuant to the terms of the Grant, NACCHO has agreed, among other things, to provide funding support the Suffolk County MRC unit, a component of the Suffolk County Citizen Corps. Council and to encourage this unit to provide certain information to the Office of the Surgeon General's MRC Program Office ("MRC Program Office"); and

WHEREAS, FRES maintains responsibility for the Suffolk County Citizen Corps. Council pursuant to Resolution No. 1283-2004. The MRC is a component of the Citizen Corps. Council Program; and

WHEREAS, the MRC was created to allow for accredited health care professionals to volunteer in public health matters during times of natural or manmade crisis; and

WHEREAS, this is a grant program, effective immediately to September 30, 2007 in which Suffolk County has been awarded $10,000 from NACCHO; and

WHEREAS, $10,000 of said funds have not been included in the 2007 Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $10,000 and appropriate said grant funds as follows:

REVENUES:	AMOUNT
001-4089 Federal Aid: Other	$10,000

ORGANIZATIONS:

Medical Reserve Corps
001-FRE-3400- $10,000

3000 – Supplies, Materials & Other Expenses	$4,500
3500 - Other, Unclassified	$4,500
4000 – Contractual Expenses	$5,500
4560 - Fees for Services	$5,500

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1821-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 804 -2007, ACCEPTING & APPROPRIATING A GRANT IN THE AMOUNT OF $50,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S SEXUAL OFFENDERS REGISTRATION ACT (SORA) ENFORCEMENT PROGRAM WITH 100% SUPPORT

WHEREAS, the New York State Department of Criminal Justice Services has made $50,000 in Legislative funding available to Suffolk County for the implementation of the Suffolk County Police Department's Sexual Offenders Registration Act (SORA) Enforcement Program; and

WHEREAS, this program is designed to enhance enforcement of the Sexual Offenders Registration Enforcement Act and local sexual offender legislation within Suffolk County; and

WHEREAS, the operational period of the Program will be from January 1, 2007 through December 31, 2008 and

WHEREAS, said grant funds have not been included in the 2007 Suffolk County Operating Budget; now, therefore be it

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

REVENUE:	AMOUNT
001-3362-State Aid: SORA Enforcement Program	$50,000

ORGANIZATIONS:

Police Department (POL)
SORA Enforcement Program
001-POL-3216

1000-Personal Services	$42,248
1120-Overtime Salaries	42,248

Employee Benefits
Retirement
001-EMP-9010

8000-Employee Benefits	$7,139
8280-Employee Retirement System	7,139

Employee Benefits

Social Security

001-EMP-9030

8000-Employee Benefits	$613
8330-Social Security	613

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1721-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 805 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2007 ADOPTED OPERATING BUDGET FOR CERTAIN CONTRACT AGENCIES

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

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

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	PKS	7110	GTN1	4980	Babylon Arts Council	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	PKS	7110	HKP1	4980	Babylon Citizens Council On The Arts	+10,000

and be it further

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

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1727-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 806 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT NEW AFRICAN METHODIST EPISCOPAL ZION CHURCH OF WEST BABYLON (SCTM NO. 0100-102.00-01.00-051.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the 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 102.00, Block 01.00, Lot 051.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Town of Babylon, County of Suffolk, State of New York, known and designated as a certain map filed in the Office of the Clerk of the County of Suffolk on the 25th day of November, 1924, and amended map filed July 1st, 1927 entitled, " Map of Addition No. 1, Wyandanch Little Farms, situated at Wyandanch, Town of Babylon, Suffolk County, New York" as Plot No. 2, Block G; 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, NEW AFRICAN METHODIST EPISCOPAL ZION CHURCH OF WEST BABYLON, by Mark Murray, as Trustee, has made application of said above described parcel and NEW AFRICAN METHODIST EPISCOPAL ZION CHURCH OF WEST BABYLON, by Mark Murray, as Trustee, has paid the application fee and will be paying $10,346.34 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 NEW AFRICAN METHODIST EPISCOPAL ZION CHURCH OF WEST BABYLON, 1151 Straight Path, West Babylon, New York 11704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1728-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 807 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BRIGITTA A. TOOKER, as Surviving Tenant by the Entirety (SCTM NO. 0102-018.00-02.00-004.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Babylon, 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 0102, Section 018.00, Block 02.00, Lot 004.000, and acquired by tax deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007, in Liber 12505, at Page 268, and otherwise known as and by Incorporated Village of Babylon, Town of Babylon, County of Suffolk and State of New York, known and designated as part of Plot 5 on a certain map entitled, "Map of Paradise Point" filed in the Office of the Clerk of the County of Suffolk on 5/3/1961 as Map No. 3337; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 14, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 15, 2007 in Liber 12505 at Page 268.

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, BRIGITTA A.TOOKER has made application of said above described parcel and BRIGITTA A. TOOKER has paid the application fee and $26,319.82, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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 BRIGITTA A. TOOKER, as Surviving Tenant by the Entirety, 7 Green Avenue, Babylon, New York 11702, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1729-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 808 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LUIGI RUSSO and JEANNIE RUSSO a/k/a JEANINE RUSSO (SCTM NO. 0200-980.30-03.00-021.000)

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 980.30, Block 03.00, Lot 021.000, and acquired by tax deed on September 30, 1993, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on October 25, 1993, in Liber 11649, at Page 338, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot No. 116 on a certain map entitled "Map of Shirley, Long Island Unit F., County of Suffolk and State of New York" filed in the Office of the Clerk of the County of Suffolk on March 27, 1951 as Map No. 1828; 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 September 30, 1993, from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on October 25, 1993 in Liber 11649 at Page 338.

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, LUIGI RUSSO and JEANINE RUSSO a/k/a JEANNIE RUSSO have made application of said above described parcel and LUIGI RUSSO and JEANINE RUSSO a/k/a JEANNIE RUSSO have paid the application fee and $7,125.98, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 LUIGI RUSSO and JEANNIE RUSSO a/k/a JEANINE RUSSO, 597 East 187th Street, Apt. 7, Bronx, New York 10458, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1730-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 809 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JEFFREY O'BRIEN and AIMEE O'BRIEN, his wife (SCTM NO. 0300-175.00-04.00-001.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 175.00, Block 04.00, Lot 001.000, and acquired by tax deed on April 11, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 20, 2007, in Liber 12501, at Page 908, and otherwise known as and by Town of East Hampton, more particularly bounded and described as Lot No. 1 in Block No. 3, as shown on a certain map entitled "Subdivision Map of Section No. 4, Beach Hampton, situate in the Town of East Hampton, Suffolk County, New York", made according to

survey by Theodore F. Squires, C.E. and filed in the Office of the Clerk of Suffolk County at Riverhead, New York, on the 20th day of September, 1940 as Map No. 1319; 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 11, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 20, 2007 in Liber 12501 at Page 908.

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, JEFFREY O'BRIEN and AIMEE O'BRIEN, his wife, have made application of said above described parcel and JEFFREY O'BRIEN and AIMEE O'BRIEN, his wife, have paid the application fee and $10,929.66, 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 JEFFREY O'BRIEN and AIMEE O'BRIEN, his wife, 121 Chase Road, Manhasset, New York 11030, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1731-2007 Laid on Table 8/7/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 810 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT STEVEN NATALELLO (SCTM NO. 0400-069.00-05.00-043.000)

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 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 069.00, Block 05.00, Lot 043.000, and acquired by tax deed on May 4, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2007, in Liber 12504, at Page 473, and otherwise known as and by Town of Huntington, N x Town of Huntington; S x now or formerly Liborio Prime Inc; E x New Street; W x Town of Huntington; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on May 4, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2007 in Liber 12504 at Page 473.

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

WHEREAS, STEVEN NATALELLO has made application of said above described parcel and STEVEN NATALELLO has paid the application fee and $12,408.50, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to STEVEN NATALELLO, 16 E. Shore Road, Huntington, New York 11743, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1732-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 811 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CRAIG LICHTE and COLLEEN LICHTE, his wife (SCTM NO. 0500-152.00-03.00-011.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 152.00, Block 03.00, Lot 011.000, and acquired by tax deed on June 14, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 15, 2005, in Liber 12392, at Page 604, and otherwise known as and by Town of Islip, "Map of County Farms at Holbrook" filed in the Suffolk County Clerk's Office on June 17, 1965 as Map No. 1379 as and by Lot No. 13; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 14, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 15, 2005 in Liber 12392 at Page 604.

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, COLLEEN LICHTE, has made application of said above described parcel and COLLEEN LICHTE, has paid the application fee and will be paying $44,657.35 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through 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 CRAIG LICHTE and COLLEEN LICHTE, his wife, 31 Opal Street, Holbrook, New York 11741, to transfer the interest of Suffolk County in the above described property and on the above described terms.
DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1739-2007 Laid on Table 8/7/2007
Introduced by Legislator Kennedy

RESOLUTION NO. 812 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2007 ADOPTED OPERATING BUDGET FOR THE CLUBHOUSE OF SUFFOLK

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

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

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	HSV	4330	ADK1	4980	Clubhouse Of Suffolk	-$6,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	HSV	4320	XXXX	4980	Clubhouse Of Suffolk	+$6,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Clubhouse of Suffolk; 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 Clubhouse of Suffolk.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1741-2007 Laid on Table 8/7/2007
Introduced by Legislator Romaine

RESOLUTION NO. 813 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO RESOLUTION NO. 708-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 708-2007; and

WHEREAS, when adopted this resolution contained technical errors; and

WHEREAS, the County Legislature desires to make technical corrections to Resolution No. 708-2007; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections:

Resolution No. 708-2007

In the 2nd RESOLVED clause change the cost element for project 4085:

FROM:	**TO:**
4. Furniture & Equipment	1. Planning

In the 4th RESOLVED clause change the point number for project 4085:

FROM:	**TO:**
.510	.110

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1773-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 814 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOAN STUART as to 50% interest and THE ESTATE OF ANNA M. KUNZ, a/k/a ANNA KUNZ as to 50% interest by Walter Kunz, as Administrator (SCTM NO. 0900-306.00-03.00-038.000)

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 Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0900, Section 306.00, Block 03.00, Lot 038.000, and acquired by tax deed on July 26, 2006, from Angie M. Carpenter, the County Treasurer of

Suffolk County, New York, and recorded on August 14, 2006, in Liber 12464, at Page 302, and otherwise known as and by Town of Southampton, County of Suffolk and State of New York, known and designated as "Map of Westhampton Shores", and filed in the Office of the Clerk of the County of Suffolk on May 7, 1927 as Map No. 234, as Lots 16 to 26, inclusive in Block 41; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 26, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 14, 2006 in Liber 12464 at Page 302; and

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

WHEREAS, JOAN STUART, and WALTER KUNZ, as Administrator of the Estate of Anna M. Kunz, a/k/a Anna Kunz, have made application of said above described parcel and JOAN STUART, and WALTER KUNZ, as Administrator of the Estate of Anna M. Kunz, a/k/a Anna Kunz, have paid the application fee and $237.09, 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 JOAN STUART as to 50% interest, 2827 Ithaca Drive, Prescott, Arizona 86301 and THE ESTATE OF ANNA M. KUNZ, a/k/a ANNA KUNZ as to 50% interest by Walter Kunz, as Administrator, 126 South Ocean Avenue, Islip, New York 11751, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1776-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 815 -2007, AUTHORIZING A CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1341-2006

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1341-2006; and

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

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

1ST RESOLVED, that the Clerk of the Legislature shall make the following technical correction:

Resolution No. 1341-2006

In the 3rd RESOLVED paragraph should read as follows:

3rd RESOLVED, the conveyance of the parcel to the Town of Riverhead for the purposes described herein shall be for the sum of one and 00/100 Dollar (to be waived); and be it further

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1672-2007 Laid on Table 6/26/2007
Introduced by Legislators Romaine and Losquadro

RESOLUTION NO. 816 -2007, LINKING COUNTY PARK FEES FOR COMMUNITY EMERGENCY RESPONSE TEAM VOLUNTEERS TO PARK FEES FOR SENIOR CITIZENS

WHEREAS, Resolution No. 1283-2004 authorized the creation of a Community Emergency Response Team (CERT) to educate the public about disaster preparedness, provide training in basic response skills, and empower citizens with necessary skills to assist their neighbors in the event of a public safety emergency; and

WHEREAS, under the auspices of the Department of Fire, Rescue and Emergency Services, the CERT program is now 300 members strong; and

WHEREAS, the County Department of Parks, Recreation and Conservation currently charges senior citizens a discounted rate for the use of County parks; and

WHEREAS, the County of Suffolk has recently extended the discounted rate for use of County parks to veterans; and

WHEREAS, it is the desire of this Legislature to extend this rate structure, on a permanent basis, to all CERT volunteers; now, therefore be it

1st **RESOLVED**, that the County Department of Parks, Recreation and Conservation is hereby empowered, authorized and directed, pursuant to Sections C28-3(A)(4) and C28-4(A) of the SUFFOLK COUNTY CHARTER, and Section 378-11 of the SUFFOLK COUNTY CODE, to charge CERT volunteers a fee for the use of County parks and facilities, except as to golf fees, that is equivalent to the prevailing fee for senior citizens for any such use or activity in any County park, effective immediately, and those portions of Section 688-3 of the SUFFOLK COUNTY CODE, pertaining to such fees are hereby amended by the addition of such language requiring parity of fees; and be it further

2nd **RESOLVED**, that this program shall be implemented under the supervision of the Commissioner of the County Department of Parks, Recreation and Conservation, which Department shall promulgate rules and regulations to implement this Resolution; and be it further

3rd **RESOLVED**, that eligibility under this program shall be conditioned upon submission of a valid Suffolk County CERT Team Member Photo Identification Card, which will include an expiration date; and be it further

4th **RESOLVED**, nothing contained herein is intended to revoke or amend the exemptions contained in Sections 688-4 and 688-5 of the SUFFOLK COUNTY CODE, which will remain in full force and effect; 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) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1759-2007 Laid on Table 8/7/2007
Introduced by Legislators Losquadro and Viloria-Fisher

RESOLUTION NO. 817 -2007, TO APPOINT ALLAN H. VARELA, JR. AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the term of **Bradlee Bing,** as a member of the Suffolk County Citizens Advisory Board for the Arts, has expired as of June 30, 2000; now, therefore be it

1st **RESOLVED**, that **Allan H. Varela, Jr.**, currently residing at Port Jefferson Station, New York 11776, is hereby appointed as a member of the Suffolk County Citizens Advisory Board for the Arts for a three year term of office to expire on June 30, 2009, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1760-2007 Laid on Table 8/7/2007
Introduced by Legislator D'Amaro

RESOLUTION NO. 818 -2007, TO AMEND ADOPTED RESOLUTION NO. 522-2006, TO EXTEND THE DEADLINE FOR THE "SCHOOL DISTRICT EXPENSES AND EFFICIENCY" COMMISSION

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

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

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

* * * *

14th **RESOLVED**, that the Commission shall expire, and the terms of office of its members terminate, as of [September 1, 2007] December 31, 2007 at which time the Commission shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

* * * *

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 522-2006 shall remain in full force and effect; and be it further

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

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1761-2007 Laid on Table 8/7/2007
Introduced by Legislator Romaine

RESOLUTION NO. 819 -2007, TO REAPPOINT PATRICIA SNYDER AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the term of **Patricia Snyder,** as a member of the Suffolk County Citizens Advisory Board for the Arts, has expired as of June 30, 2006, and she has been in holdover status since then; now, therefore be it

1st **RESOLVED**, that **Patricia Snyder**, currently residing at Jamesport, New York 11947, be and she is hereby reappointed as a member of the Suffolk County Citizens Advisory Board for the Arts for the remainder of a three year term of office to expire on June 30, 2009, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1775-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 820 -2007, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR SITE SAFETY IMPROVEMENTS EASTERN CAMPUS – DESIGN (CP 2146.111) TO SITE SAFETY IMPROVEMENTS EASTERN CAMPUS – CONSTRUCTION (CP 2146.311)

WHEREAS, Resolution No. 360-2003 approved funding in connection with Site Safety Improvements Eastern Campus; and

WHEREAS, the planning phase is under budget; and

WHEREAS, additional security and safety lighting improvements are in the best interests of the College and the County; and

WHEREAS, there exists enough funding in the planning phase of this project to cover the additional construction costs; and

WHEREAS, the College Board of Trustees, by Resolution No. 94-145 dated August 24, 1994, issued a negative SEQRA declaration for the comprehensive Master Plan which includes Life Safety Alterations; and

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

WHEREAS, its is necessary to amend Resolution No. 360-2003 by re-appropriating $25,000 ($12,500 serial bonds and $12,500 State Aid) from planning to construction; now, therefore be it

1st RESOLVED, that the 2nd Resolved clause of Resolution No. 360-2003 is hereby amended as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-2146.111	Planning for Site Safety Improvements – Eastern Campus	30	[$37,500] $25,000
525-2146.311	Construction for Site Safety Improvements – Eastern Campus	30	[$187,500] $200,000

and be it further

2nd RESOLVED, that the 3rd Resolved clause of Resolution No. 360-2003 is hereby amended as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-2146.111	Planning for Site Safety Improvements – Eastern Campus	30	[$37,500] $25,000
525-2146.311	Construction for Site Safety Improvements – Eastern Campus	30	[$187,500] $200,000

and be it further

3rd RESOLVED, the appropriation for construction has been increased by $25,000 for a total appropriation of $400,000 and the appropriation for planning has been reduced by an equal amount to $50,000; and be it further

4th RESOLVED, that the total authorization for serial bonds and State Aid has not changed.

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-2-0-0. Legislators Losquadro and Alden voted no.

Intro. Res. No. 1775A-2007

BOND RESOLUTION NO. 821 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED MAY 13, 2003 AND AMENDED AUGUST 21, 2007, AUTHORIZING THE ISSUANCE OF $225,000 BONDS TO PAY THE COST OF THE PLANNING AND CONSTRUCTION OF

SITE SAFETY IMPROVEMENTS - EASTERN CAMPUS (CP 2146)

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

Section A. The bond resolution heretofore duly adopted on May 13, 2003 by the County of Suffolk, New York (herein called the "County") entitled:

Bond Resolution No. 359 of 2003

A Resolution Authorizing the Issuance of $225,000 Serial Bonds of the County of Suffolk, New York, to Pay the Cost of the Planning and Construction of Safety Improvements - Eastern Campus (CP 2146)

is hereby amended by inserting a new Section 2 which shall replace the original Section 2 appearing in the resolution as adopted on May 13, 2003. The new Section 2 shall read as follows:

"Section 2. (a) by the issuance of the $225,000 ($25,000 for planning and $200,000 for construction) serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and

(b) by the expenditure of the $225,000 ($25,000 for planning and $200,000 for construction) in State Aid monies hereby appropriated therefore by the County Legislature."

Section B. This amendment of the bond resolution that was adopted on May 13, 2003 shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended

Section C. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by _____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

CERTIFICATE

I, TIM LAUBE, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Bond Resolution No. ____ - 2007 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on August 21, 2007, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on August 21, 2007 and approved by the County Executive on _____, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this _____ day of August, 2007.

(SEAL)

_____
Tim Laube
Clerk of the Legislature

Legislator Mystal made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 17-1-0-0. Legislator Barraga voted no.

Intro. Res. No. 1293-2007 Laid on Table 3/20/2007
Introduced by Legislators Mystal, Horsley, Eddington, Kennedy, Nowick, Deputy Presiding Officer Viloria-Fisher, Browning and Romaine

RESOLUTION NO. 822 –2007, AUTHORIZING PAYMENTS TO DAY CARE PROVIDERS IN ADVANCE OF AUDIT

WHEREAS, the County of Suffolk contracts with numerous day care operators to provide necessary services to citizens receiving assistance through the Department of Social Services; and

WHEREAS, late payments from the County of Suffolk often leads to serious cash flow problems for these day care providers; and

WHEREAS, the County of Suffolk can assist day care providers and ensure that important services are delivered to the public by making timely payments for services; and

WHEREAS, New York County Law authorizes counties to make pre-audit payments to day care providers subject to adjustments following an audit; now, therefore be it

1st **RESOLVED**, that Section 596-1 of the Suffolk County Code is hereby amended to read as follows:

Section 596-1. Payment in advance of audit authorized.

The Commissioner of the Department of Social Services and the County Comptroller are hereby authorized pursuant to § 834-a of New York County Law to pay 75% of the total claim submitted by a contracted and/or non-contracted day care operator/provider for services previously provided as authorized, in advance of audit, subject to subsequent adjustment of accounts following audit.

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: August 21, 2007

VETOED BY COUNTY EXECUTIVE ON SEPTEMBER 6, 2007
VETO SUSTAINED ON SEPTEMBER 20, 2007

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

Intro. Res. No. 1796-2007 Laid on Table 8/7/2007
Introduced by Legislator Caracappa

RESOLUTION NO. 823 -2007, TO REAPPOINT RONAN MULVEY AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the term of **Ronan Mulvey,** as a member of the Suffolk County Citizens Advisory Board for the Arts, has expired as of December 31, 2005; and

WHEREAS, **Ronan Mulvey** is a holdover member of said Board; now, therefore be it

1st **RESOLVED**, that **Ronan Mulvey**, currently residing at 125 Selden Boulevard, Centereach, New York 11720, is hereby reappointed as a member of the Suffolk County Citizens Advisory Board for the Arts for a three year term of office to expire on December 31, 2008, pursuant to Section 68-3(C)(1) of the SUFFOLK COUNTY 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-2-0. Legislator Alden and Kennedy abstained.

Intro. Res. No. 1809-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 824 –2007, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR LIFE SAFETY ALTERATIONS – PLANNING (CP 2167.111) TO LIFE SAFETY ALTERATIONS – CONSTRUCTION (CP 2167.311)

WHEREAS, Resolution Nos. 557-2000 and 787-2001 approved funding in connection with Life Safety Alterations; and

WHEREAS, the planning phase is complete and under budget; and

WHEREAS, additional life safety construction improvements to existing buildings are in the best interests of the College and the County; and

WHEREAS, there exists enough funding in the planning phase of this project to cover the additional construction costs; and

WHEREAS, the College Board of Trustees, by Resolution No. 94-145 dated August 24, 1994, issued a negative SEQRA declaration for the comprehensive Master Plan which includes Life Safety Alterations; and

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

WHEREAS, its is necessary to amend Resolution No. 557-2000 by re-appropriating $64,504 ($32,252 serial bonds and $32,252 State Aid) from planning to construction; now, therefore be it

1st RESOLVED, that the 2nd Resolved clause of Resolution No. 557-2000 is hereby amended as follows:

Project No: 2167
Project Title: Life Safety Alterations and Fire Alarm Upgrades – College Wide

	Total Est'd. Cost	Current 2000 Capital Budget & Program	Revised 2000 Capital Budget & Program
1. Planning, Design & Supervision	[$232,189] $167,685	$ 0	[$37,500] $5,248B [$37,500] $5,248S
3. Construction	[$1,600,810] $1,665,315	$ 0	[$150,000] $182,252B [$150,000] $182,252S
6. Total	[$1,833,000]	$ 0	$375,000

and be it further

2nd RESOLVED, that the 3rd Resolved clause of Resolution No. 557-2000 is hereby amended as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-CAP-21086 Ref. No. 525-2167.111	Planning for Life Safety Alterations and Fire Alarm Upgrades – College Wide	30	[$37,500] $5,248
525-CAP-CAP-21090	Life Safety Alterations and Fire	30	[$150,000] $182,252

Ref. No. 525-2167.311	Alarm Upgrades – College Wide

and be it further

3rd RESOLVED, that the 4th Resolved clause of Resolution No. 557-2000 is hereby amended as follows:

Project No.	**Project Title**	***JC***	***Amount***
525-CAP-CAP-21086 Ref. No. 525-2167.111	Planning for Life Safety Alterations and Fire Alarm Upgrades – College Wide	30	[$37,500] $5,248
525-CAP-CAP-21090 Ref. No. 525-2167.311	Life Safety Alterations and Fire Alarm Upgrades – College Wide	30	[$150,000] $182,252

and be it further

4th RESOLVED, the appropriation for construction has been increased by $64,504 for a total appropriation of $739,504 and the appropriation for planning has been reduced by an equal amount to $10,496; and be it further

5th RESOLVED, that the total authorization for serial bonds and State Aid has not changed.

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-2-0. Legislator Alden and Kennedy abstained.

Intro. Res. No. 1809A-2007

BOND RESOLUTION NO. 825 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED AUGUST 28, 2001 AND AMENDED AUGUST 21, 2007, AUTHORIZING THE ISSUANCE OF $187,500 BONDS

TO FINANCE A PART OF THE COST OF LIFE SAFETY ALTERATIONS AND FIRE ALARM UPGRADES – COLLEGE WIDE, AT SUFFOLK COMMUNITY COLLEGE (CP 2167)

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

Section A. The bond resolution heretofore duly adopted on August 28, 2001 by the County of Suffolk, New York (herein called the "County") entitled:

Bond Resolution No. 786 of 2001

A Resolution Authorizing the Issuance of $187,500 Serial Bonds of the County of Suffolk, New York, to Pay Part of the Cost of Life Safety Alterations and Fire Alarm Upgrades – College Wide, at Suffolk County Community College (CP 2167)

is hereby amended by inserting a new Section 2a. which shall replace the original Section 2a. appearing in the resolution as adopted on August 28, 2001. The new Section 2a. shall read as follows:

"Section 2a. By the issuance of the $187,500 serial bonds ($5,284 for planning and $182,252 for construction) of said County heretofore authorized to be issued therefore pursuant to Bond Resolution No. 556 of 2000, dated June 27, 2000;"

Section B. This amendment of the bond resolution that was adopted on August 28, 2001 shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section C. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by _____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1510-2007 Laid on Table 5/15/2007
Introduced by Legislators Viloria-Fisher, Losquadro, Romaine and Browning

RESOLUTION NO. 826 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO ESTABLISH A PROMPT PAYMENT POLICY

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 ESTABLISH A PROMPT PAYMENT POLICY**"; now, therefore be it

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

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

A LOCAL LAW TO ESTABLISH A PROMPT PAYMENT POLICY

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that extensive testimony at legislative hearings has established that many child care providers do not receive prompt payment from the County of Suffolk for services rendered and, in fact, often receive payment many months after they submit vouchers/invoices to the Department of Social Services.

This Legislature further finds that the County's failure to make timely payments to child care providers is particularly troubling, as it threatens the very existence of agencies that deliver a vital service to Suffolk County families.

This Legislature also determines that Suffolk County government, like any other person or entity, has an obligation to pay its debts in a reasonably timely manner and the failure to do so is morally indefensible.

This Legislature further finds and determines that pursuant to NEW YORK GENERAL MUNICIPAL LAW, all contracts made or awarded by state political subdivisions for public works projects must provide for prompt payment to contractors. This Legislature believes this policy should be extended to child care providers.

Therefore, the purpose of this law is to establish a policy to pay County child care providers in a prompt manner.

Section 2. Definitions.

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

CONTRACT – A written agreement entered into by the County of Suffolk with any person, corporation or other entity for the provision of child care services.

CHILD CARE – care for a child of six (6) weeks to twelve (12) years of age on a regular basis, provided away from the child's residence. This term shall not be construed to include foster care services or institutional placements.

COUNTY – the County of Suffolk, any agency, office, department, division, bureau, board, commission or unit of Suffolk County government.

DEPARTMENT – the Suffolk County Department of Social Services.

LETTER OF APPROVAL – a written document issued by the Department, authorizing a child care provider to provide child care services for a specific child for a specified period of time.

PROPER INVOICE – a written request for payment that is submitted by a child care provider setting forth services delivered or rendered and the price for said services, in such form and supported by such other documentation as the County of Suffolk may require.

RECEIPT OF INVOICE – the date on which a proper invoice is actually received by the Department.

SET-OFF – a reduction by the County of payment due to a child care provider by an amount equal to the amount of an unpaid legally enforceable debt owed by the child care provider to the County.

Section 3. Prompt Payment Policy.

A. Notwithstanding the provisions of any other law to the contrary, the County shall make payment for services rendered by a child care provider pursuant to a contract or letter of approval within thirty (30) days of the Department's receipt of invoice. Should the County fail to make payment by the required payment date, the County shall make an interest payment to the affected child care provider on the amount of the payment due. Interest shall be computed at the rate equal to the overpayment rate set by the New York State Commissioner of Taxation and Finance pursuant to subsection (e) of section one thousand ninety-six of NEW YORK TAX LAW.

B. The County shall not be required to make payment within thirty (30) days of receipt of invoice when:

1. the necessary appropriation required to authorize payment has not been enacted;

2. the County is entitled to a set-off against the invoice amount;

3. statutory or contractual provisions, if any, make payment within 30 days impossible; or

4. some or all of the invoice amount must be withheld to satisfy claims, liens or judgments against the child care provider; any remaining amount due the child care provide shall be paid within 30 days of receipt of invoice.

C. The County may, within fifteen (15) days after receipt of invoice, notify a child care provider of defects in the delivered services; defects in the invoice; or other suspected improprieties. The existence of such defects or improprieties shall toll the commencement of the time period specified in subsection (A) of this section. If the County fails to provide reasonable grounds for its contention that a defect or impropriety exists, the date by which contract payment must be made in order for the County not to become liable for interest payments shall be calculated from the date of receipt of invoice.

Section 4. Applicability.

This law shall apply to actions occurring on or after the effective date of this law.

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to its filing in the Office of the Secretary of State.

DATED: August 21, 2007

VETOED BY COUNTY EXECUTIVE ON SEPTEMBER 18, 2007
VETO SUSTAINED ON SEPTEMBER 20, 2007

Legislator Cooper made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 15-0-3-0. Legislators Romaine, Horsley, and Mystal abstained.

Intro. Res. No. 1666-2007 Laid on Table 6/26/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 827 -2007, AUTHORIZING THE LEASE OF PREMISES LOCATED AT SOUTH SECOND STREET, BAY SHORE, NY FOR USE BY THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Department of Social Services wishes to lease building space for use as a client center in the Bay Shore area; and

WHEREAS, Landy Realty, LLC has offered to lease approximately 34,068 square feet of space for use by the Department of Social Services for a term of twenty years, commencing on or about August 1, 2007 at a annual rental rate of $843,183.00 for the first year of the lease term and an annual escalation of two and three-quarters percent (2.75%); and

WHEREAS, the premises to be leased are located at South Second Street, Bay Shore, NY; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease on May 17, 2007; and

WHEREAS, sufficient funds shall be included in the 2008 Operating Budget for lease payments for the proposed premises; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(1), (2), (7), (20) and (27) of the New York Code of Rules and Regulations (NYCRR) and Section 8-0109 of the New York Environmental Conservation Law. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices; and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a Lease Agreement in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1737-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 828 -2007, AMENDING THE SCHEDULE OF FEES IN CONNECTION WITH THE PURCHASE OF THE SUFFOLK COUNTY TAX MAP AND OTHER ITEMS PERTAINING THERETO

WHEREAS, Resolution No. 890-1972 and amending Resolution No. 447-1974, and No. 752-1976, and No. 298-1982, and No. 1146-1982, and No. 826-1989, and No. 161-2003, established schedules of charges in connection with the purchase of tax map sections; and

WHEREAS, the costs of supplies and services have changed since said schedules were last amended; and

WHEREAS, new technology has been put into operation and through this technology new services can be offered; and

WHEREAS, the Director of the Real Property Tax Service Agency has recommended that the fee schedules be amended for the printing of tax map sections, etc., and established for new services; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(21) 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; and be it further

2nd RESOLVED, that the schedule of fees in connection with the Suffolk County Tax Map and other items pertaining thereto be and are hereby amended as follows:

SCHEDULE OF FEES

TABLE 1.		
TAX MAPS - PRINTED AND CERTIFIED SECTIONS		
	CURRENT	**AMENDED**
Size B (Map Size 11" x 17") [Complete Town/Village cost per section]	None	$2.50
Size D (Map Size 24" x 36") Single Section	$ 25.00	$ 15.00
Certified Copy Per Single Section plus the cost of map relative to section size B Size C Size D Size	$ 50.00 None None None	$ 50.00 $4.00 $6.00 $15.00

TABLE 2.		
KEY MAPS – PRINTED MAPS		
	CURRENT	**AMENDED**
42" x Variable Per Sheet (All Ten Towns)	$1,000.00	$750.00

TABLE 3.		
CUSTOM, DIGITAL ORTHOIMAGERY, AND OTHER PRINTED MAPS		
Custom Map - A composite of tax map sections and Radius maps (Black and White maps) Tax map outline that may include dimensions, tax map numbers and coordinates.		
	CURRENT	**AMENDED**

	Cost Per Tax Map Section $ 20.00	$20.00 processing fee plus $5.00 for each Tax Map Section assembled to print (Minimum fee $25.00 for one section).	
		Additional copies of the same composite maps B Size C Size D Size	 $5.00 $7.50 $15.00
Digital Orthoimagery with Tax Map Parcel Lines overlay **(Color Maps)**			
	CURRENT	**AMENDED**	
		Cost Per first Copy of Map	Cost Per Additional Copies of Same Maps
(Size B) (Map Size 11"x17") (Size C) (Map Size 17" x 24") (Size D) (Map Size 24" x 36")	None $150.00 $250.00	$35.00 $55.00 $75.00	$7.50 $15.00 $25.00

and be it further

3rd RESOLVED, that all other fees not amended or modified in this Resolution shall remain in full force and effect; and be it further

4th RESOLVED, that the Real Property Tax Service Agency is hereby authorized to amend its annual Land Information System service in regard to the production of the Tax Map Albums and accompanying CD-ROM commensurate with the costs of material production and fair market value.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro Res. No. 1698-2007 **Laid on Table 8/7/2007**

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

RESOLUTION NO. 829 -2007, DONATION AND DEDICATION OF CERTAIN LANDS NOW OWNED BY ROSE BRESLIN ASSOCIATES LLC TO THE COUNTY OF SUFFOLK (SCTM NOS. 0200-456.00-01.00-003.001 and 0200-583.00-01.00-004.002)

WHEREAS, Rose Breslin Associates LLC is the owner of environmentally sensitive properties with no site or building improvements thereon located in the hamlets of Middle Island and Yaphank, Town of Brookhaven; and

WHEREAS, said properties, totaling 0.31 acres, is currently in a natural state, within both the Pine Barrens Core Area and the Carmans River watershed; and

WHEREAS, the Suffolk County Department of Planning recommends that the County acquire this property for groundwater and watershed protection purposes; and

WHEREAS, Rose Breslin Associates LLC has offered to donate these properties at no cost to the County of Suffolk for preservation purposes; and

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

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

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**	**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District 0200 Section 456.00 Block 01.00 Lot 003.001	0.12±	Rose Breslin Associates LLC 1 Executive Blvd. Yonkers, NY 10701
No. 2	District 0200 Section 583.00 Block 01.00 Lot 004.002	0.19±	Rose Breslin Associates LLC 1 Executive Blvd. Yonkers, NY 10701
	Total	0.31±	

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 accept this donation of parcels(s) listed herein above from the reputed owner, and to pay such additional expenses as may be necessary and appropriate to consummate such donation, including, but not limited to, securing appraisals, title

insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program; and be it further

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

4th RESOLVED, that the Assessor of the Town of Brookhaven, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said properties are owned by the County of Suffolk and are hereby exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law pursuant to Section 406(1) of the New York Real Property Tax Law; and be it further

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

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 for protection of environmentally sensitive lands/passive recreation; and

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

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1764-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 830 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM FOR THE GHASSEMI PROPERTY (TOWN OF SOUTHOLD – SCTM NOS. 1000-031.00-01.00-001.002 p/o – f/k/a 1000-031.00-01.00-001.000)

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(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions, 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. 1201-2000, authorized planning steps for the acquisition of farmland development rights of the subject property; 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, effective as of December 1, 2000, for a total purchase price of One Million Two Hundred Ninety One Thousand Eighty Dollars ($1,291,080.00+), at Fifty Eight Thousand Dollars ($58,000.00) per acre for 22.26+ 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	1000	22.26+	Ghassemi & Co. LLC
	Section	031.00		a Limited Liability Company
	Block	01.00		23 Langdon Place
	Lot	001.002 p/o		Lynbrook, NY 11563

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 County's purchase price of One Million Two Hundred Ninety One Thousand Eighty Dollars ($1,291,080.00±), at Fifty Eight Thousand Dollars ($58,000.00) per acre for 22.26± 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$1,291,080.00±*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$1,291,080.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the $1,291,080.00± from the Fund 477, New Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program-Farmland	$1,291,080.00±*

*subject to a final survey

and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, 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 $1,291,080.00±, subject to a final survey, from 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 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 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1765-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Alden and Schneiderman

RESOLUTION NO. 831 -2007, APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – JULY 2007

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

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

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to Resolution No. 751-1997; pursuant to the traditional Suffolk County Open Space Program (in accordance with criteria attached thereto as Exhibit "A"); pursuant to Chapter 8 of the SUFFOLK COUNTY CODE; for parkland purposes; for environmentally sensitive land acquisition; for watershed and/or estuary protection; for drinking water protection purposes; or in accordance with the programmatic criteria set forth in Resolution No. 603-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program; and

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

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

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

2nd RESOLVED, that this list of farmlands identified by Exhibit "A " for the acquisition of farmland development rights in Suffolk County, is hereby approved and/or confirmed, as a supplement to parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk; and be it further

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

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

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

and be it further

4th RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

5th RESOLVED, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

6th RESOLVED, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

7th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

8th RESOLVED, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

9th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

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

10th RESOLVED, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(B) and (E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution to acquire the farmland development rights for the parcels listed herein below, from the reputed owners, in addition to the parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, for inclusion in the Suffolk County Land Preservation Partnership Program, the funding for which shall be provided under Resolution Nos. 751-1997 and 1092-1997 as supplemented by subsequent appropriations:

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

and be it further

11th RESOLVED, that Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

12th RESOLVED, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of Resolution Nos. 751-1997 and 1092-1997; and be it further

13th RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works, are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

14th RESOLVED, that any unencumbered, unallocated funds available at the conclusion of the consummation of the acquisition of these proposed parcels shall be appropriated to future and subsequent acquisitions under the Suffolk County Land Preservation Partnership Program; and be it further

III.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

15th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 3rd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire the farmland development rights of the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Preservation Program, together with those parcels previously approved for consideration for acquisition via duly enacted resolutions of the County of Suffolk, to be consummated pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

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

and be it further

16th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy Environment and Energy, or her designee, is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

17th RESOLVED, that this proposed acquisition shall be consummated in accordance with, and subject to, the provisions of the 5th RESOLVED clause of Resolution No. 459-2001; and be it further

18th RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Department of Planning, the County Planning Department, and/or the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

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

19th RESOLVED, that the parcels listed below are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund Program authorized, empowered and directed by Section 36-1.A(3) of the SUFFOLK COUNTY CHARTER and implemented under Article XXXVI of the SUFFOLK COUNTY CHARTER, by Local law No. 34-2005 for acquisition of farmland development rights:

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

and be it further

20th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

21st RESOLVED, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel in accordance with Resolution No. 423-1988; and be it further

22nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee, is hereby authorized, empowered, and directed, pursuant to Section 14-10 (B) of the SUFFOLK COUNTY CHARTER, to have the subject parcel appraised, environmentally audited, and searched for title; and be it further

23rd RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XXXVI of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

24th RESOLVED, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, or her designee is hereby further authorized, empowered, and directed, pursuant to Section 14-10(E) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

25th RESOLVED, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel; and be it further

26th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) AND WITHIN THE MEANING OF Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

EXHIBIT A
FARMLAND PARCELS

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER
No. 01	District Section Block Lot	0200 751.00 01.00 003.000	5.32	Eric & Feemy Lundstrom 19 Golf Course Road Bellport, NY 11713
No. 02	District	0200	1.63	Eric & Feemy Lundstrom

	Section	751.00		19 Golf Course Road
	Block	01.00		Bellport, NY 11713
	Lot	004.000		
No. 03	District	0200	5.6	John Leuthardt
	Section	794.00		607 Montauk Highway
	Block	03.00		East Moriches, NY 11940
	Lot	002.000		
No. 04	District	1000	14.9	Philip & Patricia Marco
	Section	098.00		170 Indian Neck Lane
	Block	01.00		Peconic, NY 11958
	Lot	001.003		
No. 05	District	1000	10.6	Philip & Patricia Marco
	Section	098.00		4170 Indian Neck Lane
	Block	01.00		Peconic, NY 11958
	Lot	002.001		
No. 06	District	1000	78.3	Philip & Patricia Marco
	Section	098.00		4170 Indian Neck Lane
	Block	01.00		Peconic, NY 11958
	Lot	027.001		
No. 07	District	1000	10.4	Phil Marco Productions
	Section	097.00		4170 Indian Neck Lane
	Block	09.00		Peconic, NY 11958
	Lot	010.004		
No. 08	District	1000	34.7	Patricia Marco
	Section	097.00		4170 Indian Neck Lane
	Block	09.00		Peconic, NY 11958
	Lot	012.000		

TOTAL ACRES
161.45

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

Intro. Res. No. 1766-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Nowick

RESOLUTION NO. 832 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT FOR THE SCHMIDT REVOCABLE TRUST PROPERTY – SAN REMO RIVIERA (TOWN

OF SMITHTOWN – SCTM NOS. 0800-019.00-02.00-035.000, 054.000 & 055.000)

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

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

WHEREAS, Resolution Nos. 877-2005 and 621-2004, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Five Hundred Thousand Dollars ($500,000.00), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0800	1.09+	Susanne L. Schmidt as Trustee of the Roy F. Schmidt Revocable Trust 280 Winooski Avenue Burlington, VT 05401
	Section	019.00		
	Block	02.00		
	Lot	035.000		
No. 2	District	0800		
	Section	019.00		
	Block	02.00		
	Lot	054.000		
No. 3	District	0800		
	Section	019.00		
	Block	02.00		
	Lot	055.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-

1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Five Hundred Thousand Dollars ($500,000.00), 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 $500,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, Two (2) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1767-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 833 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE FOLEY PROPERTY – MONTAUK COUNTY PARK ADDITION - TOWN OF EAST HAMPTON – (SCTM NOS. 0300-014.00-02.00-002.001, 0300-014.00-02.00-002.002 & 0300-014.00-02.00-002.003)

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 Two Million Six Hundred Twenty Five Thousand Dollars ($2,625,000.00), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0300	.93+	Donald T. Foley
	Section	014.00		P.O. Box 778
	Block	02.00		Montauk, NY 11954
	Lot	002.001		
No. 2	District	0300	1.1+	Donald T. Foley & Anna Foley
	Section	014.00		1 Bradley Avenue

	Block	02.00		Staten Island, NY 10314
	Lot	002.002		
No. 3	District	0300	1.1+	Donald T. Foley
	Section	014.00		P.O. Box 778
	Block	02.00		Montauk, NY 11954
	Lot	002.003		

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 Two Million Six Hundred Twenty Five Thousand Dollars ($2,625,000.00), 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$2,625.000.00*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$2,625,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $2,625,000.00 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:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water	$2,625,000.00*

Protection Program

*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 $2,625,000.00, 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:

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1768-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 834 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE D'ALESSO PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II -TOWN OF BROOKHAVEN – (SCTM NO. 0200-983.40-07.00-016.000)

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

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

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

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

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

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	.227+	Peter M. D'Alesso
	Section	983.40		358 West 23rd Street
	Block	07.00		New York, NY 10011
	Lot	016.000		

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 Sixteen Thousand Dollars ($16,000.00), 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$16,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$16,000.00*

*subject to a final survey

and be it further

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

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$16,000.00*

*subject to a final survey

and be it further

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

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

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

e.) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1769-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine and Cooper

RESOLUTION NO. 835 -2007, AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE CORNELL COOPERATIVE EXTENSION ASSOCIATION OF SUFFOLK COUNTY FOR PROGRAMS AND EXTENSION WORK

WHEREAS, The Cornell Cooperative Extension Association of Suffolk County ("Cornell") operates as a county extension service pursuant to Section 224 of the New York State County Law; and

WHEREAS, Cornell and the County of Suffolk are subject to numerous contracts and agreements setting forth the rights and obligations of the parties with regard to programs and extension work provided by Cornell under those contracts and agreements; and

WHEREAS, Cornell provides many programs and services under those contracts and agreements, including but not limited to educational, agricultural, and ecological programs and services; and

WHEREAS, various terms, principles and definitions under those contracts and agreements are not uniform; and

WHEREAS, more uniformity of the various terms, principles and definitions is necessary in order for the County to properly administer those contracts and agreements; and

WHEREAS, Cornell and the County of Suffolk desire to apply a uniform set of principles, definitions and terms to all existing and prospective contracts and agreements between the parties; now, therefore be it

1st RESOLVED, that pursuant to Section 224 of the New York State County Law, the County Executive or his designee is authorized to enter into a memorandum of agreement with Cornell, the executed form of which is annexed hereto as Exhibit "1" that will apply a uniform set of principles, definition and terms to all existing and prospective contracts and agreements between the parties; 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 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 ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1770-2007 Laid on Table 8/7/2007

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

RESOLUTION NO. 836 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE ESTATE OF ANGELO GIAMBALVO PROPERTY - BEAVERDAM CREEK WATERSHED – TOWN OF BROOKHAVEN – (SCTM NOS. 0200-961.00-02.00-032.000, 035.000, 037.000, 039.000, 041.000 & 045.000)

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. 615-1999, 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 Four Hundred Twenty Five Thousand Five Hundred Dollars ($425,500.00), 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:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	1.03+	Estate of Angelo Giambalvo
	Section	961.00		Rose Giambalvo, Executrix
	Block	02.00		133 Clemens Road
	Lot	032.000		Mineola, NY 11501
No. 2	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	035.000		
No. 3	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	037.000		
No. 4	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	039.000		
No. 5	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	041.000		
No. 6	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	045.000		

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 Four Hundred Twenty Five Thousand Five Hundred Dollars ($425,500.00), 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$425,500.00*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$425,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $425,500.00 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:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$425,500.00*

*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 $425,500.00, 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:

f.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and be it further

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

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

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

3.) the proposed action will not exceed any of the criteria of 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant

effect on the environment, as demonstrated in the Environmental

Assessment Form; and

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

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1771-2007 Laid on Table 8/7/2007

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

RESOLUTION NO. 837 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE GRAM PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II TOWN OF BROOKHAVEN - (SCTM NO. 0200-984.60-02.00-028.000)

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 Nineteen Thousand Dollars ($19,000.00), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.07+	Robert Gram
	Section	984.60		104 Magnolia Woods Drive
	Block	02.00		Cary, NC 27511
	Lot	028.000		

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 Nineteen Thousand Dollars ($19,000.00), 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$19,000.00*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$19,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $19,000.00 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:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$19,000.00*

*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 $19,000.00, 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:

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

6.) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1774-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO.
838 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE PECONIC LAND TRUST, INC. AS CONTRACT VENDEE PROPERTY – CACKLE HILL - TOWN OF SHELTER ISLAND - (SCTM NO. 0700-013.00-02.00-036.000 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(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

WHEREAS, the Town of Shelter Island ("Town") has approved Resolution No. 594-2006 on December 8, 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 Two Million Nine Hundred Ninety Two Thousand Five Hundred Dollars ($2,992,500.00±), at $175,000.00 per acre for 17.1± 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 Four Hundred Ninety Six Thousand Two Hundred Fifty Dollars ($1,496,250.00±), for a fifty percent (50%) undivided interest; and the Town's share, totaling One Million Four Hundred Ninety Six Thousand Two Hundred Fifty Dollars ($1.496.250.00±), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0700	17.1+	Peconic Land Trust, Inc.
	Section	013.00		as Contract Vendee
	Block	02.00		John V.H. Halsey, President
	Lot	036.00 p/o		296 Hampton Road
				Southampton, NY 11968

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 purchase price of Two Million Nine Hundred Ninety Two Thousand Five Hundred Dollars ($2,992,500.00+), at $175,000.00 per acre for 17.1+ acres, of which the County contribution will be One Million Four Hundred Ninety Six Thousand Two Hundred Fifty Dollars ($1,496,250.00+), 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:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$1,496,250.00+*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$1,496,250.00+*

*subject to a final survey

and be it further

5th RESOLVED, that the $1,496,250.00+ 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:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$1,496,250.00+*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,496,250.00+, 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:

d.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County; and be it further

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

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

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

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

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

5.) 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: August 21, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 23, 2007

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

Intro. Res. No. 1740-2007 Laid on Table 8/7/2007

Introduced by Legislator Alden

RESOLUTION NO. 839 -2007, AUTHORIZING ESTEE LAUDER BREAST CANCER AWARENESS PROGRAM AT H. LEE DENNISON EXECUTIVE OFFICE BUILDING AND COHALAN COURT COMPLEX

WHEREAS, the Estee Lauder Companies Breast Cancer Awareness Program and The Breast Cancer Research Foundation (Foundation) were established in 1993 to help find a cure for this dreadful disease; and

WHEREAS, the Foundation's campaign has made the "pink ribbon" a universal symbol of the fight to eradicate breast cancer and a potent reminder to all women of the importance of early detection in saving lives; and

WHEREAS, this campaign has:

- reached 300,000 people through media coverage;
- raised $20,000,000 in the United States to benefit the Research Foundation; and
- helped Research Foundation grantees make exciting breakthroughs into new therapies and genetic links in finding a cure for breast cancer;

and

WHEREAS, to renew the public's support for its 2007 Breast Cancer Awareness Program, the Foundation wishes to initiate a "Victory Landmark Illumination Project" for breast cancer awareness on the night of Monday, October 1, 2007 at 7:00 p.m. by illuminating landmark buildings in as many major cities as possible throughout the USA and all around the world to create a visible hazy pink glow that will galvanize the national commitment to end this dreaded disease; and

WHEREAS, Suffolk County wishes to show its enthusiasm and pledge its allegiance to this cause by participating in the illumination project, just as it did on October 2, 2000, pursuant to Resolution No. 659-2000, on October 1, 2001, pursuant to Resolution No. 641-2001, on October 1, 2002, pursuant to Resolution No. 885-2002, on October 1, 2003, pursuant to Resolution No. 574-2003, on October 1, 2004, pursuant to Resolution No. 493-2004, on September 30, 2005, pursuant to Resolution No. 159-2005, and on September 29, 2006, pursuant to Resolution No. 831-2006; now, therefore be it

1st **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway and the Cohalan Court Complex at the south east corner of Carleton Avenue, Central Islip at 7:00 p.m., with a pink glow, on the night of Monday, October 1, 2007 in support of The Breast Cancer Research Foundation's illumination project; and be it further

2nd **RESOLVED**, that the presence of employees or representatives of the Estee Lauder Companies Breast Cancer Awareness Program and the Breast Cancer Research Foundation and representatives of breast cancer advocacy groups or organizations, in connection with such celebration, shall be permitted at the two (2) sites.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1780-2007 **Laid on Table 8/7/2007**

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 840 -2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR FAMILY AND CHILDREN'S ASSOCIATION WITHIN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the 2007 Operating Budget includes funding for an RFP to allow the Suffolk County Department of Social Services to select a new vendor for an enhanced Independent Living Service Program; and

WHEREAS, the Department is charged with the responsibility of ensuring the provision of independent living services to youth in foster care who are between 14 and 21 years of age either directly or via contract with a voluntary agency; and

WHEREAS, the Department does not expect the new program to be fully operational before the end of 2007 and funding for the existing Independent Living Program operated by Family and Children's Association is not sufficient to continue the current contract through to the end of the this year; and

WHEREAS, it would be beneficial for the Suffolk County Department of Social Services to use the funds initially allocated for the Independent Living RFP to continue funding Family and Children's Association to ensure continuation of this mandated service; now, therefore be it

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

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	DSS	6010	0000	4980	Contracted Services	-$116,310

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	DSS	6010	GNJ1	4980	Family & Children's Association	+$116,310

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Family and Children's Association; and be it further

3rd RESOLVED, that the County Executive and the Commissioner of Social Services be and they hereby are authorized to execute a contract amendment with Family and Children's Association through the end of this year.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1816-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 841 –2007, AMENDING THE CLASSIFICATION AND SALARY PLAN AND AUTHORIZING A FEE SCHEDULE FOR THE SUFFOLK COUNTY BOARD OF ELECTIONS ELECTION INSPECTORS

WHEREAS, the New York State Election Law requires that there be at least four inspectors in each election district; and

WHEREAS, there are presently 1047 Election Districts throughout Suffolk County as a result of the Federal Census completed in 2000; and

WHEREAS, Board Certified Election Inspectors are required to work a sixteen (16) hour day for all Primary, Special and General Elections; and

WHEREAS, effective 2007 such inspectors have been paid $160.00 per day or $10.00 per hour with additional compensation of $28.00 for attending classes and passing exams; and

WHEREAS, the Board of Elections has experienced difficulty in recruiting new inspectors due mainly to the low compensation for the services they are expected to provide; now, therefore be it

1st **RESOLVED**, that the Classification and Salary Plan be and hereby is amended to provide an hourly wage of $12.50 per hour ($200.00 per diem), as follows:

SPEC NO.	POSITION	GRADE	RATE OF PAY
9255	INSPECTIONS	TEMPORARY	$12.50 per hr $200.00
9204	POLL CLERKS	TEMPORARY	$12.50 per hr $200.00
9215	INTERPRETER	TEMPORARY	$12.50 per hr $200.00
9217	CHAIRPERSON	TEMPORARY	$12.50 per hr $200.00

and be it further

2nd **RESOLVED**, that additional compensation for attending classes and passing exam is amended to pay $37.50, however no additional compensation will be paid for attending classes and passing exam if the inspector does not work on Election Day; and be it further

3rd **RESOLVED**, each inspector who attends class and passes exam and works for two elections shall receive a bonus of $35.00; and be it further

4th **RESOLVED**, that these increases will take effect immediately upon the adoption of this resolution.

DATED: August 21, 2007

VETOED BY COUNTY EXECUTIVE ON SEPTEMBER 6, 2007
VETO OVERRIDE ADOPTED ON SEPTEMBER 20, 2007

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

Intro. Res. No. 1703-2007 Laid on Table 8/7/2007
Introduced by Legislators Browning and Alden

RESOLUTION NO. 842 –2007, AUTHORIZING THE USE OF SMITH POINT COUNTY PARK PROPERTY, CATHEDRAL PINES COUNTY PARK, SOUTHAVEN COUNTY PARK, AND SMITH POINT MARINA BY THE LONG ISLAND 2 DAY WALK TO FIGHT BREAST CANCER, INC., FOR BREAST CANCER WALK

WHEREAS, The Long Island 2 Day Walk to Fight Breast Cancer, Inc., is a not-for-profit corporation dedicated to finding a cure for breast cancer; and

WHEREAS, The Long Island 2 Day Walk to Fight Breast Cancer, Inc., would like to use the Smith Point County Park, Cathedral Pines County Park, Southaven County Park, and Smith Point

Marina for the purpose of hosting a walkathon to raise funds for breast cancer outreach and educational efforts, as well as to help local organizations with their fight against breast cancer; and

WHEREAS, the walkathon would be held on Friday, June 6, 2008, Saturday, June 7, 2008, and Sunday, June 8, 2008; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Long Island 2 Day Walk to Fight Breast Cancer, Inc.; and

WHEREAS, the use of County property for a walkathon would promote and protect the public health and general welfare of the residents of Suffolk County; now, thereforebe it

1st **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, in consideration of the payment of Fifty and 00/100 Dollars ($50.00) per diem, for the purpose of a walkathon to fight breast cancer on Friday, June 6, 2008 from 12:00 noon through the next day, Saturday, June 7, 2008 to 6:00 p.m., and on Sunday, June 8, 2008 from 2:00 p.m. to 5:00 p.m., the proceeds of which shall be allocated directly to breast cancer organizations to fund breast cancer outreach and educational activities, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Long Island 2 Day Walk to Fight Breast Cancer, Inc., and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel and Civil Service; and be it further

2nd **RESOLVED**, that the use of County-owned property, i.e. the Cathedral Pines County Park in Middle Island, in consideration of the payment of Fifty and 00/100 Dollars ($50.00) per diem, for the purpose of a walkathon to fight breast cancer on Friday, June 6, 2008 from 12:00 noon through Sunday, June 8, 2008 12:00 noon, the proceeds of which shall be allocated directly to breast cancer organizations to fund breast cancer outreach and educational activities, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Long Island 2 Day Walk to Fight Breast Cancer, Inc., 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

3rd **RESOLVED**, that the use of County-owned property, i.e. the Southaven Park in Shirley, in consideration of the payment of Fifty and 00/100 Dollars ($50.00) per diem, for the purpose of a walkathon to fight breast cancer on Friday, June 6, 2008 from 12:00 noon through the next day, Saturday, June 7, 2008 to 6:00 p.m., and on Sunday, June 8, 2008 from 2:00 p.m. to 5:00 p.m., the proceeds of which shall be allocated directly to breast cancer organizations to fund breast cancer outreach and educational activities, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Long Island 2 Day Walk to Fight Breast Cancer, Inc., 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

4th **RESOLVED**, that the use of County-owned property, i.e. the Smith Point Marina in Shirley, in consideration of the payment of Fifty and 00/100 Dollars ($50.00) per diem, for the purpose of a walkathon to fight breast cancer on Sunday, June 8, 2008 from 11:00 a.m. to 2:00 p.m., the proceeds of which shall be allocated directly to breast cancer organizations to fund breast cancer outreach and educational activities, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Long Island 2 Day Walk to Fight Breast Cancer, Inc., 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

5th **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the public-safety services provided by The Long Island 2 Day Walk to Fight Breast Cancer, Inc., at Smith Point County Park in Shirley, Cathedral Pines County Park in Middle Island, Southaven Park in Shirley, and Smith Point Marina by The Long Island 2 Day Walk to Fight Breast Cancer, Inc.; and be it further

6th **RESOLVED**, that The Long Island 2 Day Walk to Fight Breast Cancer, Inc., 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 in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

7th **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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1722-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 843 -2007, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CHILDREN'S FOUNDATION OF SUFFOLK FOR THEIR ANNUAL PIG ROAST FUNDRAISER

WHEREAS, the Children's Foundation of Suffolk, Inc. is a not-for-profit organization; and

WHEREAS, the Children's Foundation of Suffolk would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Pig Roast Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Saturday, September 8, 2007; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Children's Foundation of Suffolk, Inc.; 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 Children's Foundation of Suffolk, Inc. for the purpose of hosting a fundraiser on Saturday, September 8, 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 Children's Foundation of Suffolk, Inc. and the payment of the Five Hundred Dollars ($500.00) event fee to the Long Island Maritime Museum, 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 Children's Foundation of Suffolk, Inc.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1723 -2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 844 -2007, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR PICNIC AND BARBECUE FUNDRAISER

WHEREAS, Contractors for Kids, Inc. is a not-for-profit organization; and

WHEREAS, Contractors for Kids would like to use Southaven County Park for the purpose of hosting their Picnic and Barbecue Fundraiser to raise money for the organization; and

WHEREAS, the fundraiser will be held on the grounds of Southaven County Park on Saturday, September 15, 2007; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Contractors for Kids; 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 Southaven County Park by Contractors for Kids, Inc. for the purpose of hosting a fundraiser on Saturday, September 15, 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 Contractors for Kids, Inc. and the payment of the Five Hundred Dollars ($500.00) 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 Southaven County Park by Contractors for Kids, Inc.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1724-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Stern

RESOLUTION NO. 845 -2007, AUTHORIZING USE OF CEDAR POINT COUNTY PARK BY THE NATIONAL MULTIPLE SCLEROSIS SOCIETY-LONG ISLAND CHAPTER FOR ITS MS150 TWIN FORKS BIKE TOUR FUNDRAISER

WHEREAS, the National Multiple Sclerosis Society-Long Island Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 40 Marcus Drive, Suite 100, Melville, New York; and

WHEREAS, National Multiple Sclerosis Society-Long Island Chapter would like to use Cedar Point County Park as a rest point for the first day of its MS150 Twin Forks Bike Tour Fundraiser; and

WHEREAS, the first day of the MS150 Twin Forks Bike Tour Fundraiser is scheduled for September 15, 2007; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by National Multiple Sclerosis Society-Long Island Chapter; 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 Cedar Point County Park by National Multiple Sclerosis Society-Long Island Chapter for the purpose its fundraiser on Saturday, September 15, 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 National Multiple Sclerosis Society-Long Island Chapter and the payment of 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 Cedar Point County Park by National Multiple Sclerosis Society-Long Island Chapter.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1725-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 846 -2007, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE MARINE CORPS LEAGUE FOR ITS RUN-WALK FUNDRAISER

WHEREAS, the Marine Corps League is a 501(c)(4) nonprofit organization having its principal place of business at 30 Fresh Pond Road, Fort Salonga, New York; and

WHEREAS, the Marine Corps League would like to hold its Run-Walk Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the proceeds raised at the Run-Walk Fundraiser will be used to fund a memorial for Long Island Service Members killed in action since September 11, 2001; and

WHEREAS, the Run-Walk Fundraiser is scheduled to be held on Sunday, September 9, 2007; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Marine Corps League; 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 Blydenburgh County Park by the Marine Corps League for the purpose of hosting a fundraiser on Sunday, September 9, 2007, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Marine Corps League and the payment of Two Hundred and Fifty Dollars ($250.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

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 Blydenburgh County Park by the Marine Corps League.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1736-3007 **Laid on Table 8/7/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 847 -2007, AUTHORIZING USE OF DEEPWELLS FARM AT DEEPWELLS FARM HISTORIC PARK IN ST. JAMES BY THE DEEPWELLS FARM HISTORICAL SOCIETY

WHEREAS, Deepwells Farm Historical Society is an education corporation whose mission includes supporting the conservation and preservation of the Deepwells Farm Historic Estate; and

WHEREAS, the Suffolk County Historic Trust has authorized Deepwells Farm Historical Society to act as custodian of Deepwells Farm; and

WHEREAS, Deepwells Farm Historical Society is willing to use its staff and volunteers to coordinate with the Suffolk County Department of Parks, Recreation and Conservation to provide the services necessary to assist in the restoration, maintenance and management of Deepwells Farm, including the objects of the collection therein, and to perform regular tours to the public throughout the year; and

WHEREAS**, Deepwells Farm Historical Society would like to enter into an agreement for a term of five (5) years with two (2) optional terms of an additional five (5) years each with the County of Suffolk for the non-exclusive use of the main house, shed, and surrounding grounds including the field on the west side of Taylor Lane at Deepwells Farm Historic Park, supported by annual program schedules to be submitted to, and approved by, the Commissioner of the County Department of Parks, Recreation and Conservation; now, therefore be it**

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into an Agreement containing two options to renew for five years each, at the Commissioner's discretion, with Deepwells Farm Historical Society for the non-exclusive use of the Deepwells Farm main house, shed, and surrounding grounds including the field on the west side of Taylor Lane in exchange for the provision of services and assistance with maintenance and restoration as outlined above; and be it further

2nd RESOLVED, that the main house, shed, and surrounding grounds including the field on the west side of Taylor Lane used by Deepwells Farm Historical Society on said premises shall be returned to the County of Suffolk at the conclusion of any agreements authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1745-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 848 –2007, REAPPOINT MEMBER TO THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION (GREGORY S. DAWSON)

WHEREAS, Gregory S. Dawson, representing the Town of Islip, is currently a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, his membership is set to expire November 30, 2007; now, therefore be it

1st **RESOLVED**, that Gregory S. Dawson, currently residing in Oakdale, New York, be reappointed, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of Islip, for a term of office to expire on November 30, 2012; and be it further

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

DATED: August 21, 2007

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

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

Intro. Res. No. 1758-2007 **Laid on Table 8/7/2007**
Introduced by Legislator Browning

RESOLUTION NO. 849 -2007, AUTHORIZING USE OF SMITH POINT PARK PROPERTY BY MASTIC KNIGHTS OF COLUMBUS FOR 5K RACE

WHEREAS, the Mastic Knights of Columbus is a not-for-profit organization; and

WHEREAS, the Mastic Knights of Columbus would like to use Smith Point Park for the purpose of a 5K Race to benefit various charitable purposes; and

WHEREAS, the Race would be held on Sunday, November 11, 2007 between the hours of 5:00 a.m. and 1:00 p.m.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred Fifty and 00/100 ($350.00), payment of which shall be guaranteed by the Mastic Knights of Columbus; and

WHEREAS, the Mastic Knights of Columbus have requested the use of the adjoining parking lot for this event; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Mastic Knights of Columbus; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, Smith Point Park in Shirley, by the Mastic Knights of Columbus, in consideration of the payment of Three Hundred Fifty and 00/100 ($350.00), for the purpose of holding a 5K Race on November 11, 2007, between the hours of 5:00 a.m. and 1:00 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 Mastic Knights of Columbus 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 Mastic Knights of Columbus 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 benefit various charitable purposes; and be it further

4th **RESOLVED**, that the Mastic Knights of Columbus 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1812-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 850 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF THE FORMER GATR SITE FOR USE AS A MAINTENANCE AND OPERATIONS BUILDING (CP 7173)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for reconstruction of a maintenance and operations facility at Theodore Roosevelt County Park (the former Ground-to-Air-Transmit and Receive (GATR) facility) as well as other locations; and

WHEREAS, the maintenance facility is approximately 3,100 square feet and will be used to make minor repairs and for equipment storage. The operations facility is

approximately 1,500 square feet and will house two offices, a lunch/training room, bathroom and mechanical equipment room; and

WHEREAS, funding will also be used for solar power and heating infrastructure, water service and paving; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 7173; and

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

WHEREAS, the County Legislature, by resolution of even date herewith has authorized the issuance of $1,000,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 ("SEQRA"), Resolution No. 1204-05 determined that the Proposed Adaptive Reuse of the GATR Facility, constitutes a Type II action, pursuant to the provisions of (c)(2) and Chapter 279 of the Suffolk County Code, which project involves "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of this part"; 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 the $1,000,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-7173.313 525-CAP-7173.313 (Fund 001-Debt Service)	26	Reconstruction of a Maintenance and Operations Building at Theodore Roosevelt County Park, Montauk (the former GATR site)	$1,000,000

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1812A-2007

BOND RESOLUTION NO. 851 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,000,000 BONDS TO FINANCE A PART OF THE COST OF RECONSTRUCTION OF THE FORMER GATR SITE AT THEODORE ROOSEVELT COUNTY PARK FOR USE AS A MAINTENANCE AND OPERATIONS FACILITY (CP 7173.313)

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 $1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the former GATR site at Theodore Roosevelt County Park for use as a maintenance and operations facility, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $1,720,000. The plan of financing includes (a) the issuance of $720,000 bonds or bond anticipation notes heretofore authorized ($80,000 for planning and $640,000 for construction) pursuant to Bond Resolution No. 427-2006 (as amended by Bond Resolution No. 1348-2006), (b) the issuance of $1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(3) of the Law of the Law, is ten (10) years computed from November 1, 2006, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 427-2006 (as amended by Bond Resolution No. 1348-2006).

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1823-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 852 -2007, AUTHORIZING EXECUTION OF A MUNICIPAL MUTUAL AID AND ASSISTANCE AGREEMENT FOR LOCAL DISASTERS AND OTHER RELATED EMERGENCIES

WHEREAS, local governments in New York State and throughout the country have developed a greater awareness and recognition within the last few years of their vulnerabilities when confronted with local disasters or other emergencies and the need to plan for coordinated responses and sharing of essential resources to respond to such disasters or emergencies; and

WHEREAS, the Counties of Nassau and Westchester, and the City of New York, have communicated to Suffolk County a desire to enter into a Municipal Aid and Assistance Agreement in order to provide for the sharing of resources, personnel and equipment in the event of a local disaster or other emergency; and

WHEREAS, Suffolk County shares the concerns and desires of these Counties to be as prepared as possible in the event of a local disaster or emergency; and

WHEREAS, the County of Suffolk owns and controls various County services and equipment and is willing to utilize these services and equipment to assist its neighboring Counties in times of need, and to accept the assistance of the other Counties in times when it may need assistance beyond the availability of its own resources; and

WHEREAS, the County, acting by and through its Department of Fire Rescue and Emergency Services (FRES), is responsible for, among other things, coordination and dispatch of responses to disasters and emergencies, including the coordination of intra-County and inter-County mutual aid responses of its local municipalities, independent fire districts, Incorporated Volunteer Ambulance Corps., Hospital Based Emergency Medical Services units and certain commercial EMS providers; and

WHEREAS, a Mutual Aid and Assistance Agreement will enable the County, and the Counties of Nassau and Westchester and the City of New York, to have greater resources available should a local disaster or emergency arise, while limiting financial impact to only times of absolute need; and

WHEREAS, the State of New York and the United States Department of Homeland Security have recognized the importance of the concept of written Mutual Aid

Agreements between all levels of government to facilitate response, coordinating, command and control and reimbursement; now, therefore be it

1st RESOLVED, that the County Executive, or his designee, is authorized to execute a Mutual Aid and Assistance Agreement for Local Disasters and Emergencies with the Counties of Westchester and Nassau, and the City of New York, in the form annexed.

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Municipal Mutual Aid and Assistance Agreement For Local Disasters and Other Related Emergencies

THIS AGREEMENT made this _____ day of _____, 2007 by and between the Counties of Suffolk, Nassau, Westchester and the City of New York

RECITALS

WHEREAS, the Counties of Suffolk, Nassau, Westchester ("the Counties") and the City of New York ("the City") are desirous of entering into a Municipal Aid and Assistance Agreement in order to provide for the sharing of resources, personnel and equipment in the event of a local disaster or other emergency; and

WHEREAS, the County of Westchester owns and controls certain Westchester County resources and is willing to utilize these resources subject to availability in accordance with the terms herein; and

WHEREAS, the County of Westchester, acting by and through its Department of Emergency Services, is responsible for, among other things, coordination and dispatch

of responses to disasters and emergencies, including the coordination of intra-County and inter-County mutual aid responses of its 43 local municipalities, independent fire districts, incorporated volunteer ambulance corps, hospital based Emergency Medical Services (EMS) units and certain commercial EMS providers; and

WHEREAS, the County of Westchester is in a position to request those local municipalities and organizations to provide their services and resources, subject to the discretion of that local municipality/organization as to whether to participate; and

WHEREAS, such an agreement will permit the Counties and the City to have greater resources available in the event of a local disaster or other emergency, while limiting financial impact to only the times of absolute need; and

WHEREAS, the State of New York and the United States Department of Homeland Security have recognized the importance of the concept of written mutual aid agreements between all levels of government to facilitate response, coordinating, command and control, and reimbursement; and

NOW, THEREFORE, the parties agree as follows:

SECTION I

DEFINITIONS

A. "Agreement": this "Municipal Mutual Aid and Assistance Agreement."

B. "Aid and Assistance": the provision of personnel, equipment, facilities, services, supplies, and other resources that are not already covered by another agreement e.g.: Fire, EMS, Law Enforcement, or State Fire Mobilization Plan.

C. "Authorized Representative": an official of a party to this Agreement who has been authorized in writing by that party pursuant to the terms of this Agreement, to request, offer, or provide assistance under the terms of this Agreement.

D. "FEMA": the Federal Emergency Management Agency.

E. “Disaster or other emergency” or "Local Disaster or other emergency": the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property resulting from any natural or man–made causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, intentional, accidental or unintended release of any substance or material in any form or quantity which poses an unreasonable risk to safety and health and to property when released, natural incidents, explosions, fires, collapses, blight, drought, infestation, radiological accident, water contamination, bridge failure or bridge collapse or any other incident which directly affects public safety.

F. “Provider”: a party to this Agreement that is providing (or, in the case of Westchester County, coordinating and dispatching) Aid and Assistance to a party in need (the “Recipient”)

G. “Recipient”: a party to this Agreement receiving Aid and Assistance from the other party in the event of a Local Disaster or other emergency.

SECTION II

OBLIGATIONS OF THE PARTIES

A. The recitals set forth hereinabove are incorporated into and made a part of this Agreement.

B. Provision of Aid and Assistance: Pursuant to the terms and conditions set forth in this Agreement, the parties hereto shall provide each other with Aid and Assistance in the event of a Local Disaster or other emergency.

C. Ability to Provide Assistance: The parties shall attempt to render Aid and Assistance in accordance with the terms of this Agreement. It is mutually understood that each party’s foremost responsibility is to its own residents and businesses. As such, this Agreement shall not be construed to impose an absolute obligation on any party to this Agreement to provide Aid and Assistance pursuant to a request from another party. Accordingly, when Aid and Assistance have been requested, a party at its sole discretion may deem itself unavailable to respond and shall so inform the party setting forth the request by telephone, or any available mode of two-way communication, to be followed as soon as practicable by a written denial (transmitted by facsimile) of that request. There will be no liability should a party determine not to provide Aid and Assistance.

D. Procedures for Requesting Assistance: When a party hereto is in need of additional resources in order to deal with a Local Disaster or other emergency,

that party's Authorized Representative may request Aid and Assistance by communicating the request to the Authorized Representative of the other party. Said request must indicate that it is made pursuant to this Agreement. The request may be made by telephone, or any available mode of two-way communication, to be followed as soon as practicable by a written confirmation (transmitted by facsimile) of that request. All communications shall be conducted directly between the Authorized Representatives of Recipient and Provider.

(1) The New York City Office of Emergency Management (NYC OEM) Watch Command shall serve as the primary communications center for New York City, and NYC OEM shall be responsible for coordinating all requests for resources to and from New York City. Facsimile number:

(2) Suffolk County Department of Fire Rescue and Emergency Services (SCDFRES) shall serve as the primary communications center for Suffolk County and shall be responsible for coordinating all requests for resources to and from Suffolk County. Facsimile number:

(3) The Westchester County Emergency Communications Center ("ECC") a/k/a "60-Control" shall serve as the primary communications center for Westchester County and shall be responsible for coordinating all requests for resources to and from Westchester County. Facsimile number: 914-231-1848

(4) Nassau County Office of Emergency Management (OEM) shall serve as the primary communications center for Nassau County and shall be responsible for coordinating all requests for resources to and from Nassau County. Facsimile number:

(5) Requests for Aid and Assistance (other than routine day to day) shall only be made by and between the communications centers authorized to coordinate a Mutual Aid response. For New York City, requests must be initiated to and from NYC OEM Watch Command; for Suffolk County, SCDFRES; for Westchester County, the Westchester County ECC, and for Nassau County, Nassau County OEM.

(6) The jurisdiction requesting Aid and Assistance for a designated location shall provide as much of the following information as possible:

(1) Exact location of the incident.
(2) Nature of incident and any personal protective equipment needed or precautions to be taken.

(3) Type and number of Mutual Aid Resources and/or Specialized Resources being requested.
(4) Best access route entry point etc.
(5) Staging areas with best approach - access routes.
(6) Location of the Interagency Command Post.

The responding jurisdiction's communications center shall provide (if possible) an estimate of the resources available to respond to the Mutual Aid request as well as an estimated time of arrival of those resources to the designated staging area. It shall be the responsibility of the responding jurisdiction to inform the requesting jurisdiction that the requested resources are unavailable as quickly as possible.

E. Designation of Authorized Representative: Each party to this Agreement shall designate an individual as an Authorized Representative of such party. This designation shall be communicated, in writing, to the Chief Executive Officer of the other parties upon the execution of this agreement. Any change in the designation of an Authorized Representative shall be communicated to the other parties in writing by January 1st of each year,

F. Traveling Employees: Unless otherwise specified by Recipient or agreed to by the parties in writing, it is mutually understood that Recipient shall pay for all reasonable out-of-pocket costs and expenses of Provider's personnel, such as transportation expenses for travel to and from the disaster/emergency area. Recipient shall provide food and lodging to Provider's personnel at Recipient's sole cost and expense. Lodging is to be provided only when it is reasonably impracticable, in Provider's discretion, for Provider's personnel to travel to and from such personnel's usual place of abode. If Recipient cannot provide such food and/or lodging, Recipient shall so advise Provider, and shall specify in its request for assistance that only personnel who can provide for their own needs are requested. In such event, Recipient shall reimburse Provider's personnel the reasonable costs and expenses for food and/or lodging.

G. Designation of Supervisory Personnel and Coordination of Effort: Provider shall designate supervisory personnel amongst its employees sent to render Aid and Assistance to Recipient. Recipient shall provide necessary credentials to Provider's personnel authorizing them to operate on behalf of the Recipient. Recipient shall assign work tasks to Provider's supervisory personnel, and unless the Parties agree otherwise, Recipient shall have the responsibility for coordination between Provider's supervisory personnel and Recipient. Based upon such assignments set forth by Recipient, Provider's supervisory personnel shall have the authority to:

(1) Assign work and establish work schedules for Provider's personnel;

(2) Maintain daily personnel time records, material records, and a log of equipment hours;

(3) Report work progress to Recipient at regular intervals as specified by Recipient.

H. Period of Service; Renewability: The duration of the Provider's assistance shall be for an initial period of up to twenty-four (24) hours, starting from the time of arrival of Provider's personnel, equipment and/or other resources. Thereafter, assistance may be extended in increments agreed upon by the Authorized Representatives of Provider and Recipient. Unless otherwise provided in writing agreed to by the parties, additional increments of assistance shall not exceed twenty-four (24) hours.

I. Recall: Provider's personnel, equipment and other resources shall remain subject to recall by Provider to provide for its own residents and businesses, as determined in Provider's sole discretion. Provider shall make a good faith effort to provide at least eight (8) hours advance notification to Recipient of Provider's intent to terminate the Aid and Assistance, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances shall be provided.

J. Reimbursement For Aid and Assistance: Except as otherwise provided below, it is understood that Recipient shall reimburse Provider for the following documented costs and expenses incurred by Provider as a result of providing Aid and Assistance to Recipient.

(1) Personnel: During the period that Aid and Assistance is rendered, Provider shall continue to pay its employees according to its then prevailing ordinances, rules, regulations and agreements, and shall submit an invoice to Recipient for said costs. Such costs shall include, but not be limited to regular time, overtime pay and fringe benefits that Provider's employee would have received from Provider in the ordinary course of the employee's duties.

(2) Equipment: Provider shall be reimbursed by Recipient for the use of its equipment according to established FEMA equipment rates. (To the extent not covered by FEMA, NYSDOT rates shall apply.) Costs for fuel, labor, supplies and materials used for the maintenance of equipment shall not be separately billed, and shall be considered to be reimbursed as a component of said FEMA billing rates.

(3) Materials and Supplies: Provider shall be reimbursed for all materials and supplies furnished by it, used, or damaged in providing Aid and Assistance to Recipient. The Recipient shall not be responsible for reimbursing Provider for the costs of any damage caused to Provider's equipment by gross negligence, willful or wanton misconduct, intentional misuse, or recklessness of Provider's personnel. Provider's personnel shall use reasonable care at all times in the use and control of all materials and supplies used by them during the period of assistance. The measure of reimbursement for materials and supplies shall be determined in accordance with established FEMA and New York State reimbursement policies. In the alternative, the parties may agree in writing that Recipient will replace the materials and supplies used or damaged, with materials and supplies of like kind and quality.

(4) Record Keeping: Recipient shall provide information, instructions, and assistance for record keeping to Provider's personnel. Provider shall maintain records and invoices for reimbursement.

(5) Billing and Payment Schedule: Provider shall send an invoice for reimbursable costs and expenses, together with appropriate documentation as required by Recipient, as soon as practicable after said the period of assistance. Recipient shall pay the bill, or advise of any disputed items, not later than ninety (90) days following the billing date.

K. Inspection of Records: The Provider agrees that it shall make its records regarding costs and expenses for work assistance provided under this Agreement available for audit and inspection upon request by the Recipient, New York State and the Federal Government, and shall keep such records available for inspection and evaluation by properly authorized personnel of the aforestated government entities for at least seven (7) years after the date of final payment under this Agreement. If such an audit discloses overpayments by the Recipient to the Provider, the Provider shall repay the amount of such overpayment by check to the Recipient.

SECTION III

PROVIDER'S EMPLOYEES

When Provider's employees are rendering Aid and Assistance pursuant to this Agreement, such employees shall remain the financial and legal responsibility of the Provider and shall retain the same powers, duties, immunities, and privileges they would ordinarily possess if performing their duties within the geographic limits of

Provider. Provider's employees are not to be considered employees of Recipient for any purpose whatsoever.

SECTION IV

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) COMPLIANCE

Parties to this Agreement shall implement and remain compliant with ongoing NIMS benchmarks as required by the Department of Homeland Security's NIMS Integration Center. Provider's personnel who respond to another jurisdiction pursuant to the terms of this Agreement shall have appropriate ICS training (in accordance with NIMS Training Guidelines) for the job which they will perform.

SECTION V

NONDISCRIMINATION IN EMPLOYMENT AND SERVICES

A. In accordance with Article 15 of the New York State Executive Law (also known as the Human Rights Law) and all other applicable local, State and Federal constitutional, statutory and administrative nondiscrimination provisions, the parties to this Agreement shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, sexual orientation, national origin, age, disability, military status or marital status.

B. The parties hereto, in providing services under this Agreement, shall not, on the grounds of race, creed, color, sex, sexual orientation, national origin, age, disability, military status or marital status:

(1) Deny an individual any services or other benefits provided under the agreement

(2) Provide any services or other benefits to an individual which are different, or are provided in a different manner, from those provided to others under the Agreement;

(3) Subject an individual to segregation or separate treatment in any matter related to his/her receipt of any services or other benefits provided under the Agreement;

(4) Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any services or other benefits provided under the Agreement;

(5) Treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or conditions which individuals must meet in order to receive any aid, care, services, or other benefits provided under the Agreement.

C. The parties in determining:

(1) The types of services or other benefits to be provided under the agreement, or

(2) The class of individuals to whom, or the situations in which, such services or other benefits will be provided under the agreement, or

(3) The class of individuals to be afforded an opportunity to participate in the agreement, shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of race, creed, color, sex, sexual orientation, national origin, age, disability, military status or marital status.

SECTION VI

HOLD HARMLESS

To the extent permitted by law, each party (as Indemnitor) agrees to protect, defend, indemnify, and hold the other party (as Indemnitee), and its officers, employees and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees, and other expenses or liabilities of every kind and nature arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of Indemnitor's negligence, acts, errors and/or omissions in the performance of any duties or obligations pursuant to this agreement. To the extent that immunity does not apply pursuant to law including but not limited to N.Y. Exec. Law Sect.25(5)….", each party shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what types of insurance, and in what amounts, it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep, and save harmless the other parties to this Agreement.

The obligations stated herein shall not be construed to imply that a party shall be obligated to indemnify its officers, employees and agents or another party and its officers, employees and agents for actions outside the scope of this agreement or the course of employment.

SECTION VII

TERM OF AGREEMENT; RENEWAL; TERMINATION

A. Term: The term of this Agreement shall be for five (5) years from the date of execution by all parties, unless the Agreement is renewed or terminated as set forth below.

B. The Agreement may be extended for an additional five (5) year term by written agreement of the parties hereto, subject to necessary approvals.

C. Any party may terminate this Agreement upon thirty (30) days written notice to all parties. A termination shall not affect the obligation of any party to reimburse the other for the costs and expenses of rendering aid and assistance incurred prior to the effective date of termination. It is understood that the termination of this Agreement by any one party will have no effect on the Agreement between the remaining Parties.

SECTION VIII

NOTICES

All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or sent by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by overnight courier), to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt.

Suffolk County:

Steve Levy, County Executive
H. Lee Dennison Building
100 Veterans Memorial Highway
PO Box 6100
Hauppauge, NY 11788-0099

Joseph F. Williams, Commissioner
Department of Fire, Rescue and
Emergency Services
Po Box 127 Yaphank, NY 11980-0127

With a copy to County Attorney
Same address as above.

Nassau County

County Executive
1 West Street
Mineola, NY 11501

Commissioner
Office of Emergency Management
100 Carman Avenue
East Meadow, NY 11554

Westchester County

County Executive
Michaelin Office Building
148 Martine Avenue
White Plains, NY 10601

Commissioner
Department of Emergency Services
4 Dana Road
Valhalla, NY 10595

With a Copy to:

County Attorney
Michaelian Office Building
148 Martine Avenue, 6th Floor
White Plains, NY 10601

City of New York:

Mayor
City Hall
New York, NY 10007

Commissioner
Office of Emergency Management
11 Water Street
Brooklyn, NY 11201

SECTION IX

GRATUITIES

The parties represent and warrant that they have not offered or given any gratuity to any official, employee or agent of the Counties or the City or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement.

SECTION X

NO BENEFIT TO THIRD PARTIES

All functions and activities performed under this Agreement are carried out for the benefit of the general public and not for the benefit of any specific individual or individuals. Accordingly, this Agreement shall not be construed as or deemed to be an agreement for the benefit of any third parties or persons and no third parties or persons shall have any right of action under this Agreement for any cause whatsoever.

SECTION XI

HEADINGS

The headings of various sections and subsections of this Agreement have been inserted for convenient reference only and shall not be construed as modifying, amending, or affecting in any way the express terms and provisions of this Agreement.

SECTION XII

SEVERABILITY; NO IMPLIED WAIVER

(A) It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance, shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby; and every other

term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

(B) No waiver shall be inferred from any failure or forbearance of any party hereto to enforce any provision of this Agreement in any particular instance or instances, but the same shall otherwise remain in full force and effect notwithstanding any such failure or forbearance.

SECTION XIII

MERGER; NO ORAL CHANGES

It is expressly agreed that this Agreement represents the entire agreement of the parties, that all previous understandings are merged in this Agreement, and that no modification of this Agreement shall be valid unless written and executed by both parties.

SECTION XIV

STATUS OF THE PARTIES

The parties hereto agree that that none of the parties, nor any of their officers, directors or employees will hold itself or themselves out as, or claim to be, an officer or employee of the other party by reason of this Agreement, and that neither it nor any of them will, by reason thereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the other party, including, but not limited to, Workers' Compensation coverage, unemployment insurance benefits, Social Security coverage, or retirement membership or credits.

SECTION XV

NO ASSIGNMENT

The parties agree not to assign, transfer, convey, sublet or otherwise dispose of the Agreement, or any of their right, title or interest therein, or their power to execute this Agreement, or assign all or any portion of the monies that may be due or become due hereunder, to any other person or corporation, without the prior consent in writing of

the other party, and any attempt to do any of the foregoing without such consent shall be of no effect.

SECTION XVI

EFFECTIVE DATE

This Agreement shall take effect upon its execution by all parties.

SECTION XVII

This Agreement may be executed in counterparts.

IN WITNESS WHEREOF, each of the parties have caused this Municipal Aid and Assistance Agreement to be duly executed in its name and behalf by its chief executive officer, who has signed accordingly with seals affixed and attested with concurrence of a majority of its governing board, on the day and year first above written.

Michael R. Bloomberg
Steve Levy
Mayor, City of New York
County Executive, Suffolk County

Thomas R. Suozzi
Andrew J. Spano
County Executive, Nassau County
County Executive, Westchester County

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

Intro. Res. No. 1747-2007 Laid on Table 8/7/2007
Introduced by Legislator Kennedy

RESOLUTION NO. 853 -2007, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY COMPUTER AND ONE (1) SURPLUS COUNTY MONITOR TO THE SMITHTOWN PARKINSON'S THERAPY ASSOCIATION

WHEREAS, the Suffolk County Department of Information Technology has submitted documentation to the Purchasing Department declaring a computer and a monitor as surplus property; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, the Smithtown Parkinson's Therapy Association has requested the donation of a computer and a monitor 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:
2MBMR11

MONITOR SERIAL NO:
KR-08164D-47602-074AEKF

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1778-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 854 - 2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS FOR IMPROVEMENT TO THE YAPHANK COUNTY CENTER WASTEWATER TREATMENT FACILITY (CP 8158)

WHEREAS, the Yaphank County Center Wastewater Treatment Facility requires the treatment process to be rehabilitated and expanded; and

WHEREAS, a schedule of completion has been required of New York State Department of Environmental Conservation; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Introductory Resolution No. 1459-2007 determined that the proposed improvement constitutes a Type II Code action pursuant to the provisions of 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code; and

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

WHEREAS, it is proposed that $160,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the engineering portion of the project; now, therefore be it

1ST **RESOLVED**, that it is hereby determined that this project, with a priority ranking sixty-five (65) 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 additional funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of $160,000 for the purpose of initiating the project; and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller be and they are hereby authorized to amend the 2007 Adopted Operating Budget to transfer funds and accept proceeds as follows:

Interfunds	**Amount**
404-IFT-E527-Transfer to Fund 527	$160,000
527-IFT-R404-Transfer from Fund 404 (Ref. 527-CAP-IFTR-R404)	$160,000

and be it further

4th **RESOLVED**, that the 2007 Capital Budget be and it hereby is amended as follows:

Program: 8158
Project Name: Improvements to Yaphank County Center Wastewater Treatment Facility

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning	$220,000	$60,000B	$60,000B $160,000A
TOTAL	$720,000	$60,000	$220,000

A- Assessment Stabilization Reserve Fund

and be it further

5th **RESOLVED**, that funds in the amount of $160,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

Project No.	**Project Title**	**Amount**
527-CAP-8158.110	Improvements to Yaphank County Center Wastewater Treatment Facility	$160,000

and be it further

6th **RESOLVED**, that the Administrative Head of Sewer Districts be and he hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the engineering of improvements at the Yaphank County Center Wastewater Treatment Facility.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1784-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 855 -2007, AMENDING RESOLUTION NO. 1155-2002 FOR PARTICIPATION IN ENGINEERING FOR THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY, TOWN OF ISLIP (CP 5172)

WHEREAS, Resolution No. 1155-2002 appropriated $440,000 under Capital Project No. 5172.113 for this project; and

WHEREAS, Resolution No. 1155-2002 erroneously stated that Federal funds were available for this project under the Transportation Equity Act for the 21st Century (TEA-21) in an apportionment of eighty (80%) Federal and twenty (20%) County funds; and

WHEREAS, the County was required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal portion based on actual expenditures; and

WHEREAS, the County Treasurer and County Comptroller were authorized and directed to accept Federal funding in the amount of $352,000; and

WHEREAS, the County Comptroller was directed to limit the serial bond borrowing to the County share or $88,000 and issue bond anticipation notes for the Federal share of $352,000; now, therefore be it

1st RESOLVED, that the apportionment of the cost of the $440,000 appropriated by Resolution No. 1155-2002 be amended to reflect forty (40%) percent Federal funds and sixty (60%) percent County funds; and be it further

2nd RESOLVED, that the County Comptroller is directed to revise the serial bond borrowing to reflect the amended County share of $264,000; and be it further

3rd RESOLVED, that the County Treasurer and County Comptroller are authorized and directed to accept the amended Federal funding in the amount of $176,000.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1784A-2007

BOND RESOLUTION NO. 856 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED DECEMBER 17, 2002 AND AMENDED AUGUST 21, 2007, AUTHORIZING THE ISSUANCE OF $440,000 BONDS TO FINANCE THE COST OF THE ENGINEERING FOR THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY, TOWN OF ISLIP (CP 5172.113)

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

Section A.The bond resolution heretofore duly adopted on December 17, 2002 by the County of Suffolk, New York (herein called the "County") entitled:

Bond Resolution No. 1154 of 2002

A Resolution Authorizing the Issuance of $440,000 Serial Bonds of the County of Suffolk, New York, to Pay the Cost of the Engineering for the Reconstruction of CR 67, Motor Parkway, Town of Islip (CP 5172.113)

is hereby amended by inserting a new Section 3 which shall replace the original Section 3 appearing in the resolution as adopted on December 17, 2002. The new Section 3 shall read as follows:

"Section 3. The County expects to be reimbursed for a portion of the cost of the aforesaid specific object or purpose by receipt of Federal funds in the amount of forty percent (40%) of such cost under the Transportation Equity Act for the 21st Century (TEA-21). The County Comptroller is directed to limit the serial borrowing to the County share of $264,000 (60%)."

Section B. This amendment of the bond resolution that was adopted on December 17, 2002 shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended

Section C. This resolution shall take effect immediately.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1783-2007 **Laid on Table 8/7/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 857 -2007, AUTHORIZING THE TRANSFER OF CERTAIN PROPERTIES TO THE SUFFOLK COUNTY DEPARTMENT OF PARKS, RECREATION & CONSERVATION

WHEREAS, the County of Suffolk is the owner of a certain parcel of real property that is presently under the jurisdiction of the Suffolk County Department of Public Works, said parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 187.00 Block 02.00 Lot 001.000, said parcel commonly referred to as "Indian Island Park"; and

WHEREAS, said parcel was acquired by the County of Suffolk by condemnation for park purposes by Suffolk County Supreme Vesting Order dated February 8, 1965 under Index Number 117060, a copy of said Order being attached hereto and marked as Exhibit "A"; and

WHEREAS, jurisdiction over said parcel was never formally transferred from the Suffolk County Department of Public Works to the Suffolk County Department of Parks, Recreation & Conservation; and

WHEREAS, said parcel is surplus to the needs of the Suffolk County Department of Public Works; and

WHEREAS, jurisdiction over said parcel should be transferred to the Suffolk County Department of Parks, Recreation & Conservation for park purposes; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works or his duly appointed Designee is hereby authorized to transfer to the Suffolk County Department of Parks, Recreation & Conservation the interest of Suffolk County in the above-described property for the above-stated stated reasons and purposes; and be it further

2nd RESOLVED, that said parcel is held in public use and is free of taxation under Section 406(1) of the New York State Real Property Tax Law and the Assessor of the Town of Babylon and all other Assessors having jurisdiction thereof, be and there hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforestated Assessors for this purpose; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto (NYCRR Section 617.2(b)(2)). The Legislature 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 a major re-ordering of priorities (NYCRR Section 617.13(d)(15),(21)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)(1)).

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1785-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Mystal and Horsley

RESOLUTION NO. 858 -2007, AMENDING RESOLUTION NO. 926-2005 FOR THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY, TOWN OF BABYLON (CP 5851)

WHEREAS, Resolution No. 926-2005 appropriated $200,000 under Capital Project No. 5851.111 for this project; and

WHEREAS, Resolution No. 926-2005 erroneously stated that Federal funds were available for this project under the Transportation Equity Act for the 21st Century (TEA-21) formally known as the Intermodal Surface Transportation Efficiency Act (ISTEA) and apportioned the funding allocation at 80% in federal funds and 20% in County funds; and

WHEREAS, the County was required to first instance fund the entire cost of the project and subsequently receive reimbursement for the federal and state portions based on actual expenditures; and

WHEREAS, the County Treasurer and County Comptroller were authorized and directed to accept Federal funding in the amount of $160,000; and

WHEREAS, the County Comptroller was directed to limit the serial bond borrowing to the County share or $40,000 and issue bond anticipation notes for the Federal share of $160,000; now, therefore be it

1st RESOLVED, that the apportionment of the cost of the $200,000 appropriated by Resolution No. 926-2005 be amended to reflect 100% County funds; and be it further

2nd RESOLVED, that the County Comptroller is directed to borrow serial bonds for the total project cost of $200,000.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1787-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator D'Amaro and Stern

RESOLUTION NO. 859 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD, FROM NYS RTE. 27 TO NYS RTE. 231, TOWNS OF BABYLON AND ISLIP (CP 5523)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with the Reconstruction of CR 57, Bay Shore Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0756.69, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

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

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5523 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $2,200,000 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. 410 of 2005 classified the action contemplated by this as an Unlisted 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 sixty-one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of CR 57, Bay Shore Road; and be it further

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

Project No.: 5523
Project Title: Reconstruction of CR 57, Bay Shore Road

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
		$ 360,000B	$ 440,000B
2. Land Acquisition	$2,250,000	$1,440,000F	$1,760,000F
TOTAL	$21,250,000	$1,800,000	$2,200,000

and be it further

5th RESOLVED, that the proceeds of $440,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 5523.211 (Fund 001-Debt Service)	50	Reconstruction of CR 57, Bay Shore Road	$440,000

and be it further

6th RESOLVED, that Federal Aid be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 5523.211	50	Reconstruction of CR 57, Bay Shore Road	$1,760,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $440,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $1,760,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $1,760,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1787A-2007

BOND RESOLUTION NO. 860 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $2,200,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 57, BAY SHORE ROAD, TOWNS OF BABYLON AND ISLIP (CP 5523.211)

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 $2,200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 57, Bay Shore Road, Towns of Babylon and 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 $4,600,000. The plan of financing includes (a) the issuance of up to $900,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 753-2003 (the bond issuance being limited to the County share of 5% or $45,000 pursuant to Resolution No. 418-2004), with the expectation that Federal grant funds in the amount of 80% or $720,000 and State Marchiselli aid in the amount of 15% or $135,000 shall be received, (b) the issuance of $1,500,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 194-2006 (the bond issuance being limited to the County share of 7% or $105,000 pursuant to Resolution No. 467-2007), with the expectation that Federal grant funds in the amount of 80% or $1,200,000 and New York State Marchiselli Aid in the amount of 13% or $195,000 shall be received, (c) the issuance of $2,200,000 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or $440,000), with the expectation that Federal grant funds in the amount of 80% or $1,760,000 shall be received, 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. It is expected that Federal/State Aid shall be received to pay a part of the cost of the project and any such aid is authorized to be expended for such purpose.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 of the Law, is fifteen (15) years, computed from May 1, 2004, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 753-2003.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance

Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 194-2006 is hereby amended and restated to be fifteen (15) years.

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1788-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 861 -2007, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS UNDER RESOLUTION NO. 1093-1998 FOR FUNDING CONSTRUCTION IMPROVEMENTS AT THE SUFFOLK COUNTY SEWER DISTRICT NO. 13 - WINDWATCH (CP 8123)

WHEREAS, Resolution No. 1093-1998 amended the 1998 Capital Budget & Program for Suffolk County Sewer District No. 13 – Windwatch, appropriating funds for equipment from the Fund 213 fund balance; and

WHEREAS, only $99,961 of the $292,323 appropriated in the 1998 Capital Program & Budget was expended leaving a balance of $192,362; and

WHEREAS, these previously appropriated funds are only available in the equipment line item; and construction related improvements to the wastewater treatment building are needed; and

WHEREAS, Resolution No. 858-1996 (SEQRA Resolution) determined that the action is a Type 1 and issued a negative declaration on same; and

WHEREAS, it is necessary to amend Resolution No. 1093-1998 by reallocating the appropriations of $100,000 from equipment to construction; now, therefore be it

1st RESOLVED, that the 3rd resolved clause of Resolution No. 1093-1998 be and it hereby is amended as follows:

Program: 8123
Project Name: Improvements to Suffolk County Sewer District No. 13 – Windwatch

	Total Est'd Cost		Current 1998 Capital Budget & Program	Revised 1998 Capital Budget & Program	
3. Construction	$100,000		$ 0	$100,000	
5. Equipment	[$292,323]	$192,323	$ 0	[$292,323]	$192,323
TOTAL	$292,323		$0	$292,323	

and be it further

2nd RESOLVED, that the 4th Resolved clause of Resolution No. 1093-1998 is hereby amended as follows:

APPROPRIATIONS:

Project No.	**Project Title**	**Amount**
527-CAP-8123.310	Improvements to Proposed Sewer District No. 13 – Windwatch	$100,000
527-CAP-CAP-8123.510 (Ref. No. 527-8123.510)	Improvements to Proposed Sewer District No. 13 – Windwatch	[$292,323] $192,323

and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized, empowered, and directed to modify the appropriated funds and to transfer the associated cash to the construction account from the equipment account.

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

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1790-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 862 -2007, AUTHORIZING THE FILING OF A FEDERAL GRANT APPLICATION ON BEHALF OF THE TOWN OF BROOKHAVEN FOR MASS TRANSPORTATION CAPITAL ASSISTANCE FOR THE PURCHASE OF VANS FOR THE TOWN'S SENIOR CITIZEN TRANSPORTATION PROGRAMS

WHEREAS**, the Federal Transit Administration, an operating administration of the United States Department of Transportation awards grants for federal transportation capital assistance for mass transportation projects as authorized by 49 U.S.C Chapter 53, Title 23, United States Code and other federal statutes administered by the Federal Transit Administration; and**

WHEREAS**, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for transportation projects; and**

WHEREAS, in Federal Fiscal Year 2005 the Town of Brookhaven was allocated capital financial assistance funds to acquire vans under Section 5309 of the Transportation Equity Act of the 21st Century (TEA-21) for the town's transportation program for the elderly and disabled; and

WHEREAS, the County of Suffolk is a Designated Recipient as defined by 49 U.S.C. Section 5307(a)(2); and

WHEREAS**, in order to expedite the grant making process, Suffolk County will file for and accept the grant on behalf of the Town of Brookhaven; 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 total project costs of the 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 total project costs and that the County will provide the remaining10% local share of project costs; and**

WHEREAS, the Town of Brookhaven has agreed to reimburse the County for its ten percent 10% share of the actual cost of the vans, and related parts; and

WHEREAS**, there is no cost to the County for this project; and**

WHEREAS**, the County will provide all annual certifications and assurances required for the project to the Federal Transit Administration; and**

WHEREAS, upon approval of the grant, Suffolk County will acquire the vehicles from an approved New York State Department of Transportation (NYSDOT) vendor, and subsequently, transfer right, title and interest in the vehicles to the Town of Brookhaven; and

WHEREAS**, the County will execute a Transfer of Title Agreement with the Town of Brookhaven to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof; and**

WHEREAS, it is required by the U.S. Department of Transportation, in accord with the provision of Title VI of the Civil Rights Act of 1964, as amended, that the County give an assurance that it will comply with the Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements there under; now, therefore be it

1st RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file an application for Federal assistance on behalf of the Town of Brookhaven with the Federal Transit Administration for federal capital financial assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration; and be it further

2nd RESOLVED, that the Town of Brookhaven proposes to utilize allocated Federal Fiscal Year 2005 funds to aid in the financing of a capital assistance project pursuant to Section 5309 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

Related Capital Program Number	Program of Projects	Estimated Cost
5658	Purchase of Vans and Related Equipment for the Town of Brookhaven	$151,840
	Total Estimated Project Cost	$151,840
	Estimated Federal Share: 80%	$121,472
	Estimated State Share: 10%	$ 15,184
	Estimated Town of Brookhaven Share: 10%	$ 15,184

and be it further

3rd RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the Program of Projects and Budget; and be it further

4th RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute grant agreements on behalf of the County of Suffolk with the U.S. Department of Transportation and the New York State Department of Transportation for aid in the financing of the capital Program of Projects and Budget herein described; and be it further

5th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

6th RESOLVED, that the Designee of the County Executive of Suffolk County is hereby authorized to execute a Transfer of Title Agreement with the Town of Brookhaven to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof in connection with said grant.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1792-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Losquadro, Eddington and Viloria-Fisher

RESOLUTION NO. 863 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM BY ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF $600,000 FROM LONG ISLAND POWER AUTHORITY (LIPA) IN CONNECTION WITH THE DESIGN AND INSTALLATION OF A SOLAR PHOTOVOLTAIC SYSTEM AT SUFFOLK COUNTY FOURTH PRECINCT BUILDING (CP 3184)

WHEREAS, the Commissioner of Public Works has requested the acceptance and appropriation of grant funds, to partially offset the costs of a solar photovoltaic system to be constructed at the Fourth Police Precinct; and

WHEREAS, Long Island Power Authority (LIPA), a State Authority, has awarded the County a grant for the design and installation of a solar photovoltaic system at the Suffolk County Fourth Precinct Building which is to be constructed in the North County Complex in Hauppauge; and

WHEREAS, the LIPA funds are provided for in accordance with the attached contract between LIPA and the County of Suffolk; and

WHEREAS, LIPA will make available to the County a maximum of $600,000, in grant funds for this project; and

WHEREAS, the County must in the first instance fund the cost of the project and will subsequently be reimbursed by LIPA in accordance with the schedule set forth in the contract; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the acceptance of $600,000 in Long Island Power Authority (LIPA), a State Authority, grant funds; now, therefore be it

1st RESOLVED, that this Legislature determined via Resolution No. 566-2007 that the proposed relocation and construction of the Suffolk County Police Department 4th Precinct in the North County Complex, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2. The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;

3. The Parcel does not appear to suffer from any severe environmental development constraints (no poor soil properties, no high groundwater and no unmanageable slopes);

4. The facility is to be hooked up to an existing sewage treatment plant which has the capacity to handle the increased load;

5. The project will be in conformance with Articles 6, 7, and 12 of the Suffolk County Sanitary Code;

6. According to the LEED VERSION 2.1 SUMMARY CHART in the EAF, the project will obtain at least 28 points or more which will rank it as "certified" and in compliance with Suffolk County Resolution No. 126-2006; and

7. All necessary N.Y.S. D.E.C. permits will be obtained;

and be it further

2nd RESOLVED, that it is determined that this program with a priority ranking of sixty-four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, the 2007 Capital Budget and Program be amended as follows:

Project No.: CP 3184
Project Title: Renovation, Construction, and Addition to Police Precinct Buildings

	Total Est'd. Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	$23,425,000	$14,000,000B	$14,000,000B $ 600,000S
TOTAL	$27,785,000	$14,500,000	$15,100,000

and be it further

4th RESOLVED, that the proceeds of $600,000 in Long Island Power Authority (LIPA), a State Authority, Aid be and is hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP- 3184.318	21	Renovation, Construction and Addition to Police Precinct Buildings	$600,000

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 this project; and be it further

6th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept the LIPA funds in connection with this project; and be it further

7th RESOLVED, that the County Executive and/or the Commissioner of Public Works are authorized to accept the grant on behalf of the County of Suffolk, and to take all necessary actions, and to execute all necessary agreements to effectuate this grant.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1794-2007 Laid on Table 8/7/2007
Introduced by Legislator Montano

RESOLUTION NO. 864 -2007, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY PLANETARY CAMERA TO THE CENTRAL ISLIP PUBLIC LIBRARY

WHEREAS, the Office of County Clerk has submitted documentation to the Purchasing Division declaring a Recordak Microfilm Planetary Camera as surplus property, which has been taken out of service because of obsolescent technology; and

WHEREAS, the Central Islip Public Library has requested the donation of the Recordak Microfilm Planetary Camera from the County; and

WHEREAS, the public library 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 local government agency, for use within its facilities for nominal consideration:

TO:	**DESCRIPTION OF ITEM:**
Central Islip Public Library 33 Hawthrone Avenue Central Islip, NY 11722 Contact: Paul Facchiano, Director Telephone: 631-234-9333 x110	Recordak Microfile - Model MRG-1

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 local government agency 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1800-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Eddington

RESOLUTION NO. 865 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO CR 80, MONTAUK HIGHWAY, BETWEEN NYS 112 AND CR 101, SILLS ROAD, TOWN OF BROOKHAVEN (CP 5534)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with improvements to CR 80, Montauk Highway; 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, 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, 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 $275,000 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. 666 of 2002 classified the action contemplated by this as an Unlisted Action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 5528
Project Title: Improvements to North Highway, CR 39, from Sunrise Highway to Montauk Highway

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
2. Land Acquisition	$5,500,000	$500,000B	$235,000B
TOTAL	$17,500,000	$500,000	$235,000

Project No.: 5529
Project Title: Reconstruction of CR 58, Old Country Road, Town of Riverhead

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
2. Land Acquisition	$10,650,000	$50,000B	$40,000B

TOTAL	$23,725,000	$2,150,000	$2,140,000

Project No.: 5534
Project Title: Improvements to CR 80, Montauk Highway, between NYS 112 and CR 101, Town of Brookhaven

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	$6,225,000	$ 0	$275,000B
TOTAL	$8,555,000	$ 0	$275,000

and be it further

5th RESOLVED, that the proceeds of $275,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5534.310	50	Improvements to CR 80, Montauk Highway, between NYS 112 and CR 101	$275,000

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1800A-2007

BOND RESOLUTION NO. 866 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $275,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO CR 80, MONTAUK HIGHWAY, BETWEEN NYS 112 AND CR 101, TOWN OF BROOKHAVEN (CP 5534.310)

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 $275,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to CR 80, Montauk Highway, between NYS 112 and CR 101, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $8,700,000. The plan of financing includes (a) the issuance of $300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 116-1998, (b) the issuance of $25,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution Number 1122-2000, (c) the issuance of $1,600,000 bonds or bond anticipation notes ($200,000 for planning and $1,400,000 for land acquisition) heretofore authorized pursuant to Bond Resolution No. 1053-2002, (d) the issuance of $3,550,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 747-2003, (e) the issuance of $2,400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 712-2005, (f) the issuance of $200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 917-2005, (g) the issuance of $250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1439-2006, (h) the issuance of $100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1506-2006, (i) the issuance of $275,000 bonds or bond anticipation notes authorized pursuant to this resolution and (j) 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. It is hereby determined that the planning for this project shall be financed as part of the capital project, and the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years, computed from December 1, 1998, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 116-1998.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes

issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1801-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 867 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE STRENGTHENING AND IMPROVING CR 80, MONTAUK HIGHWAY, TOWNS OF BROOKHAVEN AND SOUTHAMPTON (CP 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving CR 80, Montauk Highway, from the vicinity of Seatuck Road to the vicinity of Summit Boulevard; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT 2160, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

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

WHEREAS, 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, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5014 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $938,000 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. 1171 of 1995 classified the action contemplated by this as a Type II Action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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 the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Strengthening and Improving CR 80, Montauk Highway; and be it further

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

Project No.: 5014
Project Title: Strengthening and Improving County Roads

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3.Construction	$54,438,000	$5,500,000B	$5,688,000B $ 750,000F
TOTAL	$54,438,000	$5,500,000	$6,438,000

and be it further

5th RESOLVED, that the proceeds of $188,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.343 (Fund 001-Debt Service)	50	Strengthening and Improving CR 80, Montauk Highway, from Seatuck Road to Summit Boulevard	$188,000

and be it further

6th RESOLVED, that Federal Aid in the amount of $750,000 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.343	50	Strengthening and Improving CR 80, Montauk Highway, from Seatuck Road to Summit Boulevard	$750,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $188,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $750,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $750,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1801A-2007

BOND RESOLUTION NO. 868 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $938,000 BONDS TO FINANCE THE COST OF THE STRENGTHENING AND IMPROVING OF CR 80, MONTAUK HIGHWAY, TOWNS OF BROOKHAVEN AND SOUTHAMPTON (CP 5014.343)

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 $938,000 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 strengthening and improving of CR 80, Montauk Highway, from the vicinity of Seatuck Road to the vicinity of Summit Boulevard, 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 $938,000. The plan of financing includes (a) the issuance of $938,000 bonds or bond

anticipation notes authorized pursuant to this resolution and (b) 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. Federal Aid in the amount of $750,000 is expected to be received in connection with this project and any such Federal Aid is authorized to be expended to pay a part of the cost of the project or to pay principal and interest on debt issued therefor or to be budgeted as an offset to the taxes to be raised. The principal amount of long-term serial bonds issued by the County shall not exceed the County's share of $188,000, but bond anticipation notes are authorized to be issued by the County to provide temporary financing for the Federal share and/or the County share.

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. 20(c) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1802-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Viloria-Fisher

RESOLUTION NO. 869 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE STRENGTHENING AND IMPROVING CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving CR 97, Nicolls Road, from the vicinity of NYS 347 to the vicinity of Lower Sheep Pasture Road; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT 2159, with a share allocation of eighty percent (80%) Federal funds and twenty percent (20%) County funds; and

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

WHEREAS, 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, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5014 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $938,000 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. 1171 of 1995 classified the action contemplated by this as a Type II Action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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 the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Strengthening and Improving CR 97, Nicolls Road; and be it further

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

Project No.: 5014
Project Title: Strengthening and Improving County Roads

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	$54,438,000	$5,500,000B	$5,688,000B $ 750,000F
TOTAL	$54,438,000	$5,500,000	$6,438,000

and be it further

5th RESOLVED, that the proceeds of $188,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.344 (Fund 001-Debt Service)	50	Strengthening and Improving CR 97, Nicolls Road, from NYS 347 to Lower Sheep Pasture Road	$188,000

and be it further

6th RESOLVED, that Federal Aid in the amount of $750,000 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.344	50	Strengthening and Improving CR 97, Nicolls Road, from NYS 347 to Lower Sheep Pasture Road	$750,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $188,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $750,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $750,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1802A-2007

BOND RESOLUTION NO. 870 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $938,000 BONDS TO FINANCE THE COST OF THE STRENGTHENING AND IMPROVING OF CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN FROM NYS 347 TO LOWER SHEEP PASTURE ROAD (CP 5014.344)

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 $938,000 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 strengthening and improving of CR 97, Nicolls Road, Town of Brookhaven from NYS 347 to Lower Sheep Pasture 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 $938,000. The plan of financing includes (a) the issuance of $938,000 bonds or bond anticipation notes authorized pursuant to this resolution and (b) 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. Federal Aid in the amount of $750,000 is expected to be received in connection with this project and any such Federal Aid is authorized to be expended to pay a part of the cost of the project or to pay principal and interest on debt issued therefor or to be budgeted as an offset to the taxes to be raised. The principal amount of long-term serial bonds issued by the County shall not exceed the County's share of $188,000 but bond anticipation notes are authorized to be issued by the County to provide temporary financing for the Federal share and/or the County share.

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. 21(c) 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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1803-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 871 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF CR 83, PATCHOGUE-MT. SINAI ROAD, TOWN OF BROOKHAVEN (CP 5563)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Rehabilitation of CR 83, Patchogue-Mt. Sinai Road, from the vicinity of the LIE to the vicinity of NYS 25; and

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

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,400,000 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. 1171 of 1995 classified the action contemplated by this as a Type II Action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-five (65) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Rehabilitation of CR 83, Patchogue-Mt. Sinai Road; and be it further

4th RESOLVED, that the proceeds of $1,400,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5563.311 (Fund 001-Debt Service)	50	Rehabilitation of CR 83, Patchogue-Mt. Sinai Road	$1,400,000

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1803A-2007

BOND RESOLUTION NO. 872 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,400,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 83, PATCHOGUE-MT. SINAI ROAD, TOWN OF BROOKHAVEN (CP 5563.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 83, Patchogue-Mt. Sinai Road, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $2,150,000. The plan of financing includes (a) the issuance of $750,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 607-2005, (b) the issuance of $1,400,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 of

the Law, is fifteen (15) years computed from November 1, 2006, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 607-2005.

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1805-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 873 -2007, AMENDING RESOLUTION NOS. 1325 OF 2005, AS AMENDED, AND 929 OF 2006 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY, TOWN OF BABYLON (CP 5851)

WHEREAS, Resolution No. 1325 of 2005 appropriated $9,280,000 under Capital Project No. 5851.310 for this project and allocated the funding at 80% Federal and 20% County; and

WHEREAS, Resolution No. 600 of 2006 amended Resolution No. 1325 of 2005 revising this apportionment of funding to 80% Federal, 10.81% State and 9.19% County; and

WHEREAS, Resolution No. 565 of 2007 further amended the apportionment of funding for Resolution No. 1325 of 2005 and Resolution No. 600 of 2006 to the maximum reimbursement of 80% Federal funds, 15% State Marchiselli Aid, and 5% County; and

WHEREAS, Resolution No. 929 of 2006 appropriated an additional $2,600,000 under Capital Project No. 5851.310 for this project and allocated the funding at 80% Federal and 20% County; and

WHEREAS, New York State has subsequently allocated additional State Marchiselli funding in the amount of $313,300 against the funding appropriated in Resolution No. 929-2006; and

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

1st RESOLVED, that Resolution No. 929 of 2006 be amended to reflect the additional State Marchiselli Aid in the amount of $313,300 dedicated to Capital Project 5851.310; and be it further

2nd RESOLVED, that the apportionment of the cost of Capital Project 5851.310 be amended to reflect a total cost of $11,880,000 with 80% Federal reimbursement in the amount of $9,504,000, 14.354377% State Marchiselli Aid reimbursement in the amount of $1,705,300, and a 5.645623% County share in the amount of $670,700; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to $670,700; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of $670,700 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept increased State funding for up to $1,705,300; and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to $9,504,000; and be it further

7th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State share of $11,209,300; and be it further

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

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1810-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO.
874 -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 IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 10 – STONY BROOK (CP 8175)

WHEREAS, the pumping stations of Sewer District No. 10 - Stony Brook require improvements to extend their useful life and minimize emergency maintenance response; and

WHEREAS, Resolution No. 272-2005 determined that the project constituted an unlisted action to the provisions of NYCRR Part 617.7(c) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the Administrative Head of Sewer District No. 10 – Stony Brook has requested that funds be appropriated to allow the project to be initiated and contracts awarded; and

WHEREAS, it is proposed that the Assessment Stabilization Reserve Fund loan the district $200,000 for the purpose of implementing the project; and

WHEREAS, the repayment amount and schedule of payback of said loan will be a payback period of twenty years; and

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-four (64), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of $200,000 for the purpose of implementing the project; and be it further

3rd 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:

Interfunds	Amount
404-IFT-E527-Transfer to Fund 527	$200,000
527-IFT-R404-Transfer from Fund 404 (Ref. 527-CAP-IFTR-R404)	$200,000

and be it further

4th RESOLVED, that the 2007 Capital Budget be and it hereby is amended as follows:

Program No. 8175
Program Name: Suffolk County Sewer District No. 10 – Stony Brook Improvements

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	$200,000	$200,000 - X	$200,000 - A
TOTAL	$200,000	$200,000	$200,000

A – Assessment Stabilization Reserve Fund Loan
X – Serial Bonds

and be it further

5th RESOLVED, that funds in the amount of $200,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

Project No.	Project Title	Amount
527-CAP-8175.312	Improvements to Sewer District 10 – Stony Brook	$200,000

and be it further

6th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers to and from the Capital fund required to finance this Capital Project; and be it further

7th RESOLVED, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to the wastewater treatment and disposal system to SD 10 – Stony Brook.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1811-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 875 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH ELEVATOR CONTROLS AND SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760)

WHEREAS, the Commissioner of Public Works has requested funds for Elevator Controls and Safety Upgrading 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, pursuant to Resolution No. 675-2006, the application of the 5-25-5 Law has been waived during fiscal year 2007, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $200,000 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. 996-1997 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No: 1760
Project Title: Elevator Controls & Safety Upgrading at Various County Facilities

	Total Est'd Cost	Current 2007 Capital Budget & Program	Modified 2007 Capital Budget & Program
3. Construction	$1,345,000	$200,000G	$200,000B
TOTAL	$1,345,000	$200,000	$200,000

and be it further

5th RESOLVED, that the proceeds of $200,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1760.313 (Fund 001-Debt Service)	20	Elevator Controls & Safety Upgrading at Various County Facilities	$200,000

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1813-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 877 -2007, AMENDING RESOLUTION NO. 560 OF 2003 FOR PARTICIPATION IN ENGINEERING IN CONNECTION WITH IMPROVEMENTS TO NORTH HIGHWAY, CR 39, TOWN OF SOUTHAMPTON (CP 5528)

WHEREAS, Resolution No. 560 of 2003 appropriated $2,800,000 in County funding under Capital Project No. 5528.111 for this project; and

WHEREAS, Federal Highway Administration funds now are available on $2,500,000 for this project; and

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

1st RESOLVED, that the apportionment of the cost of Capital Project 5528.111 be amended to reflect the addition of 80% Federal Aid on $2,500,000 of this $2,800,000 dedicated in the amount of $2,000,000; and be it further

2nd RESOLVED, that the apportionment of the cost of Capital Project 5528.111 be amended to reflect a total cost of $2,800,000, of which $2,500,000 is federally aided, with 80% Federal reimbursement in the amount of $2,000,000 and a 20% County share in the amount of $500,000; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to $800,000; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of $800,000 for the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding for up to $2,000,000; and be it further

6th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $2,000,000; and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project, and be it further

8th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1814-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Eddington and Browning

RESOLUTION NO. 878 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE RECONSTRUCTION OF CR 16, HORSEBLOCK ROAD, FROM THE VICINITY OF THE LONG ISLAND RAILROAD TO THE VICINITY OF CR 21, YAPHANK AVENUE, TOWN OF BROOKHAVEN (CP 5511)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 16, Horseblock Road, from the vicinity of the Long Island Railroad to the vicinity of CR 21, Yaphank Avenue; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN OT1909, with a share allocation of 58.3% Federal funds and 41.7% County funds; and

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

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5511 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

WHEREAS, it is also our intent to offset $1,000,000 in construction funds from CP 5186 to augment this project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $6,000,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 243 of 2007 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 sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of CR 16, Horseblock Road, Town of Brookhaven; and be it further

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

Project No.: 5186
Project Title: Reconstruction of CR 16, Horseblock Road, from the Vicinity of the Long Island Railroad to the Vicinity of CR 21, Yaphank Avenue

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	$ 0	$1,000,000 B	$ 0
TOTAL	$ 0	$1,000,000	$ 0

Project No.: 5511
Project Title: Reconstruction of CR 16, Horseblock Road, from the Vicinity of the Long Island Railroad to the Vicinity of CR 21, Yaphank Avenue

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
		525,000B	2,500,000B
3. Construction	$30,000,000	$2,100,000F	$3,500,000F
TOTAL	$44,410,000	$2,625,000	$6,000,000

and be it further

5th RESOLVED, that the proceeds of $2,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5511.310 Fund 001 Debt Service	50	Reconstruction of CR 16, Horseblock Road, from the Vicinity of the Long Island Railroad to the Vicinity of CR 21, Yaphank Avenue	$2,500,000

and be it further

6th RESOLVED, that Federal Aid be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5511.310	50	Reconstruction of CR 16, Horseblock Road, from the Vicinity of the Long Island Railroad to the Vicinity of CR 21, Yaphank Avenue	$3,500,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $2,500,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $3,500,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of $3,500,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1814A-2007

BOND RESOLUTION NO. 879 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $6,000,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, HORSEBLOCK ROAD, TOWN OF BROOKHAVEN (CP 5511.310)

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 $6,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 16, Horseblock Road, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $6,330,000. The plan of financing includes (a) the expenditure of $30,000 transferred from the General Fund (Operating Fund) pursuant to Resolution No. 1349-2004), (b) the issuance of $300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 196-2006, (c) the issuance of $6,000,000 serial bonds 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. Federal Aid in the amount of $3,500,000 is expected to be received in connection with this project and any such Federal Aid is authorized to be expended to pay a part of the cost of the project or to pay principal and interest on debt issued therefor or to be budgeted as an offset to the taxes to be raised. The principal amount of long-term serial bonds issued by the County shall not exceed the County's share of $2,500,000 but bond anticipation notes are authorized to be issued by the County to provide temporary financing for the Federal share and/or the County share.

Section 2. It is hereby determined that the planning for this project shall be financed as part of the capital project, and the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years, computed from November 1, 2006, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 196-2006.

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1829-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Viloria-Fisher and Losquadro

RESOLUTION NO. 880 -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 (FFY) 2006 Suffolk County was allocated $396,000 in Federal capital funds for Bus and Bus Facilities under Section 5309 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 remaining10% 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 funds to aid in the financing of capital mass transportation projects pursuant to Section 5309 of the Federal Transit Act, a Program of Projects and Budget being described as follows:

Related Capital Program Number	Program of Projects	Estimated Total Cost
5648	Upgrade of Diesel Engine Emissions Components	$495,000
	Total Estimated Cost of the Program of Projects	$495,000
	Estimated Federal Share: 80%	$396,000
	Estimated State Share: 10%	$49,500
	Estimated County Share: 10%	$49,500

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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Caracappa was not present.

Intro. Res. No. 1598-2007 Laid on Table 6/12/2007
Introduced by Legislator Schneiderman

RESOLUTION NO. 881 -2007, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO THOMAS J. HAYNIA

WHEREAS, the County of Suffolk is the fee owner of the following described parcel:

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0900, Section 323.00, Block 03.00, Lot 012.000, and acquired by tax deed on November 13, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 24, 2003 in Liber 12285 at Page 585, and otherwise known as and by Town of Southampton, N-Plunkett; S-Bant; E-Alanson Ln; W-Pallister & Ors.

and

WHEREAS, Thomas Haynia was the former owner of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Schneiderman has determined that said non-payment of taxes on the part of Thomas Haynia was not an intentional act but was due to circumstances beyond his control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at Twenty Three Thousand Five Hundred Dollars ($23,500.00); and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of Nine Thousand Eight

Hundred Sixty Dollars and 82/100 ($9,860.82) together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Thomas J. Haynia
24 Alanson Lane
Hampton Bays, NY 11946

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1674-2007 Laid on Table 6/26/2007
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 882 -2007, ADOPTING LOCAL LAW NO. 27 -2007, A LOCAL LAW CORRECTING TECHNICAL ERROR CONTAINED IN SUFFOLK COUNTY CODE SECTION A42-4

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on June 26, 2007, a proposed local law entitled, "**A LOCAL LAW CORRECTING TECHNICAL ERROR CONTAINED IN SUFFOLK COUNTY CODE SECTION A42-4**;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 27 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW CORRECTING TECHNICAL ERROR CONTAINED IN SUFFOLK COUNTY CODE SECTION A42-4

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 A42-4 of the Suffolk County Code incorrectly makes reference to Suffolk County Code Section A42-4 instead of Suffolk County Code Section A42-3 in connection with amounts the County shall deduct from payments made to applicants eligible to receive sums upon disposition of property acquired by the County through the Suffolk County Tax Act.

This Legislature further finds that a technical correction to the law is necessary to ensure that the County does not pay greater sums to applicants than was provided in the Suffolk County Code.

Therefore, the purpose of this law is to correct a typographical error contained in the Suffolk County Code in order to properly reflect amounts that may be deducted from payments made to applicants eligible to receive sums upon disposition of property acquired by the County through the Suffolk County Tax Act.

Section 2. Amendment.

Section 42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended to read as follows:

§ A42-4. Disposition of Property Acquired through the Suffolk County Tax Act.

***

L.) In the event that an auction parcel is improved by a owner-occupied residence which has been owner-occupied for a period of at least five years prior to the

date of the recording of the County's deed, then the prior owner may make application in writing to the County Division of Real Property Acquisition and Management in the Department for a distribution from the proceeds of the auction sale. The amount that the applicant is eligible to receive is a sum equal to the remaining proceeds after deducting (1) payment for all sums set forth in § A42-[4] 3 hereinabove and (2) an amount equal to the sum of all valid liens, judgments, or encumbrances which existed on the date that the County took title to the subject parcel. For the purposes of this Paragraph, "proceeds" shall be defined as either the amount of the sale at auction or the amount of an appraisal made as of the date which the County took title, whichever amount is less.

***

Section 4. SEQRA Determination.

This Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Envtl. Conserv. Law Art. 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") §§617.5(c)(20) and (27), in that the law pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

Section 5. Severability.

If any clause, sentence, paragraph, section or part of this law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this law that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 6. Applicability.

This law shall apply to the disposition of all properties acquired through the Suffolk County Tax Act on or after the effective date of this law.

Section 7. Effective Date.

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

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

DATED: August 21, 2007

APPROVED BY:

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

Date: September 6, 2007
After a public hearing duly held on September 4, 2007
Filed with the Secretary of State on September 26, 2007

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

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

Intro. Res. No. 1763-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 884 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
Luciano J. Valla and Alisa M. Valla, his Wife (SCTM NO. 0400-275.00-03.00-057.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 275.00 Block 03.00 Lot 057.000 and acquired by

Tax Deed Torrens CTF 1207 on March 25, 1985 from General L. Rains, the County Deputy Treasurer of Suffolk County, New York, and recorded on March 25, 1985 in Liber 9757 at Page 531 and described as follows, Town of Huntington, and N x now or formerly of Vanessa Baird & Elston Streeter and Robert M. & Tina L. Vespoli; E x now or formerly of Luciano J. & Alisa M. Valla; S x now or formerly of Talha & Farzana T. Ahmad; Steven N. George & Ava E. Avelin; Dinesh K. & Geet Soon; Anthony F. & Rosalie Colasacco and Kenneth F. & Maria A. Mizzi; W x Point on Seaman Neck Road; 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, Luciano J. Valla and Alisa M. Valla, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1500.00. 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 $1000.00, 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 $1500.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that Director 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 Luciano J. Valla and Alisa M. Valla, 10 Wentworth Drive, Dix Hills, NY 11746.

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

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

Intro. Res. No. 1779-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 885 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 JOHN J. AMICUCCI, LOIS AMICUCCI, NICOLE AMICUCCI, KATHRYN AMICUCCI and JOHN JOSEPH AMICUCCI JR. (SCTM NO. 0300-120.00-03.00-017.001)

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; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300 Section 120.00 Block 03.00 Lot 017.001 and acquired by Tax Deed on May 30, 1996 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 5, 1996 in Liber 11777 at Page 28 and described as follows, Town of East Hampton, Map of "Olympic Heights Extension" Filed Map #171 Section 3 Block 1 Lot Pt 24 filed in the Clerk's Office of Suffolk County on April 15, 1913; 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 J. AMICUCCI, LOIS AMICUCCI, NICOLE AMICUCCI, KATHRYN AMICUCCI and JOHN JOSEPH AMICUCCI JR., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $1,002.00. 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 $1,000.00, 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 $1,002.00, 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; and be it further

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 JOHN J. AMICUCCI, LOIS AMICUCCI, NICOLE AMICUCCI, KATHRYN AMICUCCI and JOHN JOSEPH AMICUCCI JR., residing at 3-54 28th Street, Fair Lawn, New Jersey 07410

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

Legislator D'Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 17-0-0-1. Legislator Caracappa was not present.

Intro. Res. No. 1781-2007 *Laid on Table 8/7/2007*

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 886

-

2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $153,770 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, TO PROVIDE ENHANCED DEFENSE REPRESENTATION FOR CASES REFERRED TO THE LEGAL AID SOCIETY OF SUFFOLK COUNTY BY THE SEX OFFENDER COURT WITH 90% SUPPORT

WHEREAS, the State of New York Division of Criminal Justice Services has made $153,770 in Federal pass-through monies from the 2005 Byrne Justice Assistance Grant Program to Suffolk County for the enhancement of defense representation for cases assigned to the Legal Aid Society of Suffolk County by the Sex Offender Court; and

WHEREAS, the operational period of the Program will be from January 1, 2007, through December 31, 2007; and

WHEREAS, said grant funds totaling $153,770 have not been included in the 2007 Suffolk County Operating Budget; and

WHEREAS, the local matching funds totaling $17,086 have not been included in the 2007 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2007 County Operating Budget to provide the 10% local match of $17,086 as follows;

ORGANIZATIONS:

Law Department (LAW)
Bar Association Indigent Defenders
001-LAW-1171

	2007 Adopted	2007 Modified	Difference
4000 - Contractual Expenses	**$4,250,000**	**$4,232,914**	**($17,086)**
4770 - Special Services	$4,250,000	$4,232,914	($17,086)

and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds of $153,770 as follows;

REVENUES:		**AMOUNT**
001-4317 Federal Aid:	DCJS Sex Offender Program	$153,770

ORGANIZATIONS:

Legal Aid Society (LAS)
DCJS Sex Offender Program
001-LAS-1177

	2007 Adopted	2007 Modified	Difference
4000 - Contractual Expenses	**$0**	**$170,856**	**$170,856**
4770 - Special Services	$0	$170,856	$170,856

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1798-2007 **Laid on Table 8/7/2007**
Introduced by Legislators Montano and Barraga

RESOLUTION NO. 887 -2007, AUTHORIZING USE OF DEER PARK TRAIN STATION PROPERTY BY THE SALVADORAN ALLIANCE OF NEW YORK, INC., FOR THEIR CENTRAL AMERICAN FESTIVAL

WHEREAS, the Salvadoran Alliance of New York, Inc., would like to use the Deer Park Train Station for the purpose of hosting a Central American Festival; and

WHEREAS, the Central American Festival would be held on Sunday, September

16, 2007; now, therefore be it

1st **RESOLVED**, that the use of the Deer Park Train Station for the purpose of hosting a Central American Festival on Sunday, September 16, 2007 between the hours of 10:00 a.m. and 7:00 p.m. and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that the Commissioner of the County Department of 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 Central American Festival at the Deer Park Train Station by the Salvadoran Alliance of New York, Inc.; and be it further

3rd **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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Caracappa was not present.

Intro. Res. No. 1826-2007 Laid on Table 8/7/2007
Introduced by Legislator Schneiderman

RESOLUTION NO. 888 -2007, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF ABANDONMENT OF THE INTEREST OF THE COUNTY OF SUFFOLK AS TO A ONE-HALF INTEREST; AND THE SALE OF THE REMAINING ONE-HALF INTEREST IN COUNTY-OWNED REAL ESTATE, PETER CARTER (SCTM NO. 0900-139.00-01.00-022.000)

WHEREAS, the COUNTY OF SUFFOLK acquired an interest in a parcel of property lying, situate and being in the Town of Southampton, designated as Suffolk County Tax

Map Number 0900-139.00-01.00-022.000, known as Sch Dist 02 N-Jenkins E-Vail Ave. formerly assessed to Irene Tardd and Peter Carter, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the County of Suffolk acquired said property designated as Suffolk County Tax Map Number 0900-139.00-01.00-022.000 for unpaid 1995/1996 taxes by tax deed dated May 24, 2000, and recorded on June 6, 2000 in the Suffolk County Clerk's Office in liber 12046 at page 828; and

WHEREAS, prior to and after the time of the County's acquisition of the property, Peter Carter, the prior tenant in common/owner of a one-half interest in the property, has resided at the premises and the County has collected license fees from him since acquiring title to the property; and

WHEREAS, it has been determined that Peter Carter, the prior tenant in common/owner of a one-half interest may not have received proper notice and his one-half interest in the property might not have been taken, and the property has been the subject of an appraisal and the County is willing to allow Peter Carter to purchase from the County the other one-half interest in the property formerly owned by Irene Tardd so that he may remain in his residence; now, therefore be it

1st RESOLVED, upon approval of the certificate of abandonment as to the County's interest in the one-half ownership interest of Peter Carter, the Division of Real Estate will apply license fees collected from Peter Carter towards accrued taxes, penalties and interest, and the purchase price for the other one-half of the property in the amount of $74,882.78 shall be due and paid by Peter Carter to the Division of Real Estate; and be it further

2nd RESOLVED, that pursuant to Section 40-c of the Suffolk County Tax Act, after receiving payment in full of all monies due to the County of Suffolk, including but not limited to accrued taxes, penalties and interest as calculated by the Treasurer of the County of Suffolk, payment has been made to the County of Suffolk Division of Real Estate, the tax deed to Suffolk County will be cancelled as to Peter Carter's one-half interest only, pursuant to Section 40-d of the Suffolk County Tax Act, and Peter Carter shall be permitted to purchase the other one-half interest in the property for the sum of $74,882.78, and the Director of the Division of Real Estate, and/or his designee is hereby authorized to execute and acknowledge a quitclaim deed to PETER CARTER, residing at 55 Vail Avenue, Riverhead, to transfer the interest of Suffolk County to the above described property on the above described terms.

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-1-1. Legislator Alden abstained. Legislator Caracappa was not present.

Intro. Res. No. 1827-2007 Laid on Table 8/7/2007
Introduced by Legislator Browning

RESOLUTION NO. 889 -2007, AUTHORIZING USE OF OLD TOLL BUILDING AT SMITH POINT BRIDGE

WHEREAS, Resolution No. 670-2004, authorized the use of the Old Toll Building at Smith Point Bridge by the William Floyd Community Summit; and

WHEREAS, the County's license agreement with the William Floyd Community Summit expires on August 31, 2007; and

WHEREAS, the William Floyd Community Summit wishes to continue to operate the facility as a Tourism/Promotion Office for Smith Point County Park/Smith Point Marina and the surrounding area at its sole cost and expense; now, therefore be it

1st **RESOLVED**, that the property described as a portion of the Old Toll Building at Smith Point Park, excluding those rooms used by the Department of Public Works, is hereby declared to be surplus to the needs of the County; and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a three-year license extension with the William Floyd Community Summit for use of a portion of the Old Toll Building at Smith Point Bridge as a Tourism/Promotion Office, in accordance with terms and conditions negotiated by the County Attorney's Office including, but not limited, to hours of operation, insurance, maintenance and repairs to the premises; and be it further

3rd **RESOLVED**, the County shall receive in-kind consideration, in the form of services rendered to Suffolk County by the William Floyd Community Summit operating the Tourism/Promotion Office and shall perform such other services pursuant to the terms and conditions of the license agreement; and be it further

4th **RESOLVED**, that the William Floyd Community Summit shall not allow the sale of any tangible personal property or food and drink nor shall the William Floyd Community Summit use the premises for any purpose other than the operation of a Tourism/Promotion Office; and be it further

5th **RESOLVED,** that the William Floyd Community Summit shall not have access to those portions of the building reserved for use by the County of Suffolk; and be it further

6th **RESOLVED**, that the William Floyd Summit Community Summit will perform such maintenance and repairs, at its sole cost and expense, relating to and/or resulting from its use of the premises; and be it further

7th **RESOLVED**, that William Floyd Community Summit agrees to maintain the grounds immediately surrounding the premises, including, but not limited to, mowing, weeding and planting; and be it further

8th **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: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1864-2007 **Laid on Table 8/21/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 890 -2007, AUTHORIZING THE RELOCATION OF THE BIG DUCK TO ITS FORMER LOCATION IN FLANDERS AND AUTHORIZING A LICENSE AGREEMENT WITH THE TOWN OF SOUTHAMPTON

WHEREAS, the Big Duck, currently located at Sears Bellows County Park, is a popular landmark that was donated to Suffolk County by Mr. Kea Eshghi in 1987, on the condition that it be preserved as a roadside attraction open to the public; and

WHEREAS, the Town of Southampton owns the Maurer Duck Farm in Flanders, which was the site of the Big Duck prior to its donation to the County; and

WHEREAS, the Town of Southampton desires to enter into a license agreement with the County to relocate the Big Duck to its former location on the Maurer Duck Farm in Flanders; and

WHEREAS, the Town of Southampton is willing to pay for all costs associated with relocating the Big Duck to the Maurer Duck Farm; and

WHEREAS, the Big Duck will continue to be the property of the County of Suffolk and will continue to be operated, managed, and maintained by the Suffolk County Parks Department; and

WHEREAS, at its July 18, 2007 meeting, the Suffolk County Council on Environmental Quality (CEQ) reviewed the Environmental Assessment Form and information submitted by the Suffolk County Department of Parks, Recreation and Conservation and the Town of Southampton; and

WHEREAS, CEQ approves of the relocation of the Big Duck to its former location on the Maurer Duck Farm in Flanders; and

WHEREAS, CEQ recommended that the above activity be classified as an unlisted action and conditioned its negative declaration on the imposition of eighteen (18) specific mitigation measures set forth in CEQ Resolution No. 68-07; and

WHEREAS, the Suffolk County Parks Board of Trustees, at its July 19, 2007 meeting, unanimously approved the plan to move the Big Duck back to its former location on the Maurer Duck Farm in Flanders; and

WHEREAS, at that same meeting of the Suffolk County Parks Board of Trustees, Mr. Kea Eshghi publicly expressed his support of the plan to relocate the Big Duck; now, therefore be it

1st RESOLVED**, the Suffolk County Legislature hereby authorizes the relocation of the Big Duck to its former location on the Maurer Duck Farm in Flanders; and be it further**

2nd RESOLVED**, the Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with the Town of Southampton for the relocation of the Big Duck to the Maurer Duck Farm in Flanders, said move to be at no cost to the County, and for the County management, maintenance, and operation of the Big Duck during the term of the agreement; and be it further**

3rd RESOLVED, that the license agreement shall conform to the provisions set forth in CEQ Resolution No. 68-07; and be it further

4th RESOLVED, that this Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes an unlisted action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Part 617 and Chapter 279 of the Suffolk County Code, which will not have significant impacts on the environment for the following reasons:

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

2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and 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).

DATED: August 21, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 27, 2007

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

Intro. Res. No. 1865-2007 Laid on Table 8/21/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Eddington, Alden, Romaine, Browning, Viloria-Fisher, Mystal, Schneiderman, Losquadro

RESOLUTION NO. 891 -2007, ACCEPTING AND APPROPRIATING 100% FUNDING FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) FOR IMPROVING STAFF-TO-CLIENT RATIOS IN THE DEPARTMENT OF SOCIAL SERVICES - CHILD PROTECTIVE SERVICES BUREAU

WHEREAS, the New York State Office of Children and Family Services (OCFS), in accordance with Chapter 53 of the Laws of 2007, has designated Suffolk County as the recipient of 100% State funding in the amount of $185,415.00 for expenditures related to the improvement of staff to client ratios in the child protective workforce; and

WHEREAS, this allocation will enable social service districts to hire new Child Protective Service caseworkers and supervisors in order to move closer to attaining the recommended CPS caseload size of 12 active investigations per month, consistent with the findings of the "New York State Child Welfare Workload Study Final Report" submitted to the NYS Legislature by OCFS in December 2006; and

WHEREAS, it is the intention of the Suffolk County Department of Social Services to use this allocation to reduce the Child Protective Services caseload for staff investigating reports of child abuse and maltreatment by creating five new casework positions; and

WHEREAS, this special allocation award is 100% State funded; and

WHEREAS, it is in the best interest of Suffolk County to accept these funds; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

REVENUES:		$185,415
001-3610	STATE AID: Social Services Administration	185,415

and be it further

2nd RESOLVED, that total funds in the amount of $185,415 be and are hereby appropriated as follows:

ORGANIZATIONS:	$185,415

Social Services
Family and Children's Services
001-DSS-6010

1000 – Personal Services	$121,186
1100 – Permanent Salaries	121,186

Employee Benefits
Retirement
001-EMP-9010

8000 – Employee Benefits	$11,658
8280 – State Retirement	11,658

Employee Benefits
Social Security
001-EMP-9030

8000 – Employee Benefits	$9,271
8330 – Social Security	9,271

Employee Benefits
Unemployment Insurance
001-EMP-9055

8000 – Employee Benefits	$376
8350 – Unemployment Insurance	376

Employee Benefits
Benefit Fund Contribution
001-EMP-9080

8000 – Employee Benefits	$2,763
8380 – Benefit Fund Contribution	2,763

Interfund Transfers
Transfer to Fund 39 (Self Insurance)
001-IFT-E039

9000 – Interfund Transfers	$37,253
9600 – Transfer to Funds	37,253

Interfund Transfers
Transfer to Fund 38 (Workers Compensation)
001-IFT-E038

9000 – Interfund Transfers	$2,908
9600 – Transfer to Funds	2,908

and be it further

3rd RESOLVED, that the following interfund revenues be accepted and appropriated as follows:

REVENUES:		$40,161
039-IFT-R001	Transfer from General Fund	37,253
038-IFT-R001	Transfer from General Fund	2,908
ORGANIZATIONS:		$40,161

Employee Benefits
Major Medical Claims
039-EMP-9060

8000 - Employee Benefits	$20,117
8380 – Health Insurance	20,117

Employee Benefits
Hospital Claims
039-EMP-9061

8000 - Employee Benefits	$17,136
8360 – Health Insurance	17,136

Employee Benefits
Workers' Compensation
038-EMP-9040

8000 - Employee Benefits	$2,908
8300 – Workers' Compensation	2,908

and be it further

4th RESOLVED, that the following positions be and they are hereby created:

Social Services
Family and Children's Services
001-DSS-6010

Spec. No.	Position Title	J/C	Grade	No. Created
3005	Caseworker	C	20	4
3007	Casework Supervisor	C	24	1

and be it further

5th RESOLVED, that any unexpended funds be reappropriated in the 2008 Operating Budget, and will be fully expended by March 31, 2008 in conformance with the terms of the grant award.

DATED: August 21, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: August 23, 2007

Legislator Horsley made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 14-0-3-1. Legislators Romaine, Losquadro and Alden abstained. Legislator Caracappa was not present.

Intro. Res. No. 1846-2007 Laid on Table 8/21/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Horsley

RESOLUTION NO. 892 -2007, ADOPTING LOCAL LAW NO. 26 -2007, A LOCAL LAW ENHANCING THE ABILITY OF THE WIRELESS SUFFOLK COUNTY LOCAL DEVELOPMENT CORPORATION TO DEVELOP A WI-FI NETWORK IN SUFFOLK COUNTY AND NASSAU COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 21, 2007 a proposed local law entitled, "**A LOCAL LAW ENHANCING THE ABILITY OF THE WIRELESS SUFFOLK COUNTY LOCAL DEVELOPMENT CORPORATION TO DEVELOP A WI-FI NETWORK IN SUFFOLK COUNTY AND NASSAU COUNTY**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 26 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW ENHANCING THE ABILITY OF THE WIRELESS SUFFOLK COUNTY LOCAL DEVELOPMENT CORPORATION TO DEVELOP A WI-FI NETWORK IN SUFFOLK COUNTY AND NASSAU COUNTY

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 Local Law No. 56-2006 established the Wireless Suffolk County Local Development Corporation ("WSCLDC") for the purpose of creating and implementing a WI-FI Network in the Counties of Suffolk and Nassau to foster new business enterprises and the promotion of long-term economic development.

This Legislature further finds and determines that the selection of individuals for the WSCLDC Board of Directors was by appointment by Suffolk County and Nassau County elected officials.

This Legislature further finds and determines that the WSCLDC certificate of incorporation was to provide for a five-year duration.

This Legislature further finds and determines that Nassau County has agreed to form its own local development corporation to jointly work with WSCLDC to develop the wireless network in the Counties of Suffolk and Nassau.

This Legislature further finds and determines that in order to attenuate financial risks associated with the wireless network development, and because a significant capital contribution is needed to develop a wireless network throughout the Counties of Suffolk and Nassau, potential vendors require a contract for a term of ten years plus extension options, lengthening the contract to a potential term of twenty years.

This Legislature further finds and determines that the development of the wireless network in the Counties of Suffolk and Nassau will be facilitated if WSCLDC and the Nassau County Local Development Corporation enter into a cooperative agreement, and the chosen vendor works separately with WSCLDC and the Nassau County Local Development Corporation.

Therefore, the purpose of this legislation is to expand the duration of WSCLDC so as to enhance the ability of the corporation to enter into a contract with a vendor and to change the selection process of individuals for the WSCLDC Board of Directors so that they are appointed solely by Suffolk County Elected Officials.

Section 2. Amendments.

Section 2 of Local Law No. 56-2006 is hereby amended to read as follows:

* * *

Section 2. Creation of Local Development Corporation

* * *

F.) In addition to the requirements set forth in Section 402 of the New York Not-For-Profit Corporation Law for certificates of incorporation, the certificate of incorporation of the WSCLDC shall state:

* * *

4.) the duration of the WSCLDC shall be for a period of forty 40 years as measured from the date of incorporation; and

G.) The WSCLDC shall have five directors appointed as follows:

1.) three (3) directors shall be appointed by the County Legislature as follows:

a.) one (1) director shall be appointed by the Presiding Officer of the Suffolk County Legislature for a term of three (3) years;

b.) one (1) director shall be jointly appointed by the Presiding Officer of the Suffolk County Legislature and the Suffolk County Executive [in consultation with the Presiding Officer of the Nassau County Legislature] for a term of three (3) years;

c.) one (1) director shall be appointed by the Minority Leader of the County Legislature for a term of three (3) years, measured by the political party having the second highest number of Suffolk County Legislators affiliated with said party.

2.) two (2) directors shall be appointed by the Suffolk County Executive for a term of three (3) years.

Section 3. Applicability.

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

Section 6. Effective Date.

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

[ ] Brackets denote deletion of language
__ Underlining denotes addition of new language

DATED: August 21, 2007

APPROVED BY:

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

Date: August 23, 2007

After a public hearing duly held on August 21, 2007
Filed with the Secretary of State on September 20, 2007

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

S.C.C.B.A. No. 1-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer Lindsay and Legislators Alden, Eddington, Horsley, Romaine, and Cooper

RESOLUTION NO. 710 -2007, AMENDING THE SUFFOLK COMMUNITY COLLEGE RECOMMENDED BUDGET 2007-2008 TO PROPERLY RESOURCE AN AFFORDABLE EDUCATION FOR THE RESIDENTS OF SUFFOLK COUNTY AND TO IMPLEMENT SIGNIFICANT RECOMMENDATIONS MADE BY THE MIDDLE STATES ACCREDITATION REVIEW TEAM

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

WHEREAS, the County Executive instructed the College to submit a 2007-2008 operating budget request with no more than a zero percent increase in the County contribution; and

WHEREAS, the Board of Trustees of Suffolk County Community College adopted Resolution No. 2007.32 on April 18, 2007 approving the College's 2007-2008 Operating Budget request for submission to the County Executive which included a zero percent increase in the County contribution, necessitating the authorization of a tuition increase of $260 for full time students and $11 per credit for part-time students; and

WHEREAS, on June 15, 2007 the County Executive submitted the Suffolk Community College Recommended Budget 2007-2008 to the Suffolk County Legislature for review and approval; and

WHEREAS, the Suffolk Community College Recommended Budget 2007-2008 complies with Local Law Nos. 21-1983, 38-1989 and 29-1995; and

WHEREAS, the Suffolk County Legislature held two public hearings on June 26, 2007 and August 1, 2007 on the Suffolk Community College Recommended Budget 2007-2008; and

WHEREAS, Resolution No. 30-1997 requires that the Suffolk County Community College Operating Budget Amendment Resolution(s) and Budget Amendment Veto(s) shall contain a County contribution for illustrative purposes only; and

WHEREAS, Suffolk County Community College successfully operates a three campus community college at a lower cost to taxpayers than a single campus community college in a neighboring county; and

WHEREAS, the residents of Suffolk County receive a significant return on their investment in Suffolk County Community College through a high quality affordable education offering

75 associate degree programs and transfer options for students who wish to earn an advanced degree at a four-year educational institution; and

WHEREAS, Suffolk County Community College is meeting the needs of the business community by developing programs to provide workforce training in nursing and allied health fields as well as in the culinary arts and hospitality industry and technical fields such as HVAC/R, machining, and automotive technology; and

WHEREAS, the State commitment for base aid per full-time equivalent (FTE) student has been approved at $2,675 per FTE which represents a 5.94% increase; and

WHEREAS, the County Legislature wishes to join the State in its effort to support community colleges by increasing the County's contribution to Suffolk County Community College by two percent (2%), as contained in this resolution, to properly resource the College for the 2007-2008 academic year and into the future; and

WHEREAS, the Suffolk County Legislature requests the Board of Trustees of Suffolk County Community College to review the 2007-2008 tuition rates to determine the extent to which the tuition increase of $260 for full time students and $11 per credit for part-time students can be reduced equal to the need to generate sufficient revenue to fund available appropriations and reflect the 2% increase in the County contribution, and

WHEREAS, the Budget Review Office of the Suffolk County Legislature has issued its Review of the 2007-2008 Suffolk County Community College Operating Budget dated July 27, 2007 which makes recommendations to amend the Suffolk Community College Recommended Budget 2007-2008; and

WHEREAS, it is the desire of the Suffolk County Legislature to incorporate many of the recommendations contained in the Budget Review Office's Review of the 2007-2008 Suffolk County Community College Operating Budget to provide sufficient funds to ensure that the residents of Suffolk County continue to receive an affordable quality education; and

WHEREAS, it is the desire of the Suffolk County Legislature to create 10 new positions as requested by the College to address the recommendations of the Middle States Accreditation Team, to provide enhanced campus security, to maintain Veterinary Science accreditation and to meet the needs resulting from increased enrollment in the Culinary Arts and the Licensed Practical Nurse (LPN) programs. The positions are: Assistant Professor (5), Professional Assistant (3), Assistant Director of Public Safety (1) and Animal Caretaker (1); and

WHEREAS, the recommended budget does not include sufficient appropriations for the College to implement its 5-year furniture replacement plan as recommended by the Middle States Accreditation Team; and

WHEREAS, it is the desire of the Suffolk County Legislature to continue its commitment to upgrade the College's furnishings to meet the needs of a modern educational environment as demonstrated last year when the Legislature provided additional appropriations for the College to replace the original furniture in the 40-year old Ammerman Library; and

WHEREAS, the recommended budget does not include sufficient appropriations for Suffolk Community College to develop and establish a new curriculum for an energy technology and building efficiency program in partnership with SUNY Farmingdale; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide $30,000 for stage I program development for the emerging academic field of energy technology and building efficiency; and

WHEREAS, the College's energy costs have increased by 54.2% during the 4-year period ending in 2005-2006 and actual energy costs exceeded the adopted budgeted amounts by a total of $871,970 during this same 4-year period; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide sufficient energy appropriations based upon the Budget Review Office's trend analysis of the College's energy consumption and cost trends; and

WHEREAS, this resolution contains such budgetary adjustments as shall be necessary to accomplish the explicitly stated single budgetary objective set forth in the budget note below; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in this Resolution directly to the pertinent line item, organization or object, or revenue account in the Suffolk County Community College Adopted Budget 2007-2008; shall place and post all appropriation and revenue changes or adjustments contained in this Resolution pertaining to fiscal year 2006-2007 for the purpose of calculating the effect on the 2006-2007 fund balances for Suffolk County Community College; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments contained in this Resolution in the pertinent line item, organization, object and sub-object for fiscal years 2006-2007 and/or 2007-2008 all as set forth herein, not to be construed as amending the Suffolk County Community College Adopted Budget 2006-2007 because the 2006-2007 Estimated Column contained in the Suffolk Community College Recommended Budget 2007-2008 shall be construed as informational in nature for the purpose of calculating the 2006-2007 fund balances for Suffolk County Community College; and be it further

2nd **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution, and those items not amended by this or any other resolution be posted as "adopted"; and be it further

3rd **RESOLVED**, that all Whereas clauses and all Resolved clauses denominated 1st through 9th inclusive, contained on pages 1 through 4 (inclusive) of the Suffolk Community College Recommended Budget 2007-2008 are hereby stricken and are not adopted and not approved, and shall not appear in the printed 2007-2008 Suffolk Community College Adopted Budget; and be it further

4th **RESOLVED**, that the $60,000 provided in this adopted budget specifically for the Nursing Incentive Program shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan "C" Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

5th **RESOLVED**, that the Charter Review Commission is authorized and directed to review the budget cycle for the Suffolk Community College, and to make recommendations to address and resolve the current situation by which the College must set tuition rates for the academic year prior to adoption of its operating budget; and

6th **RESOLVED**, the Suffolk County Comptroller or his designee is hereby authorized and directed to chair a committee to include the County Executive Budget Director, the Director of Budget Review, and the College's Chief Financial Officer or their designees and to convene within 90 days of the adoption of this resolution for the purpose of starting the process of determining the required adjustments to reconcile the College Reserve Fund to the College's audited financial records in order to incorporate the agreed upon adjustments into the 2008-2009 Suffolk Community College Recommended Budget presentation; and be it further

7th **RESOLVED**, the Suffolk Community College Recommended Budget 2007-2008 and it hereby is amended pursuant to Section 3(b) of the Plan "C" Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW STATE YORK EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994 and 785-1995 as follows:

APPROPRIATIONS

Changes to the 2006-2007 estimated column as presented in the 2007-2008 Recommended Budget

FD	AGY	UNIT	UNIT NAME	OBJECT	OBJECT DESCRIPTION	2006-2007 ESTIMATED	2006-2007 REVISED ESTIMATED	DIFFERENCE
818	SCC	2220	Academic Support	4340	Travel: Other	$72,692	$50,742	($21,950)
818	SCC	2260	Plant Maintenance & Operation	4020	Light, Power & Water	$5,019,238	$5,166,937	$147,699
818	SCC	2270	General Administration	4340	Travel: Other	$53,693	$37,493	($16,200)
818	SCC	2280	General Instructional Support	4340	Travel: Other	$39,209	$27,359	($11,850)
818	SCC	8280	Employee Benefits	8280	State Retirement (ERS)	$2,878,074	$2,788,074	($90,000)
818	SCC	8380	Employee Benefits	8380	Benefit Fund Contribution	$1,525,000	$1,539,000	$14,000
								$21,699

FD	AGY	UNIT	UNIT NAME	OBJECT	OBJECT DESCRIPTION	2007-2008 RECOMMENDED	2007-2008 ADOPTED	DIFFERENCE
818	SCC	2210	Instruction	1100	Permanent Salaries	$35,369,124	$35,511,047	$141,923
818	SCC	2210	Instruction	2010	Furniture & Furnishings	$126,792	$161,212	$34,420
818	SCC	2210	Instruction	2020	Office Machines	$101,245	$176,245	$75,000
818	SCC	2210	Instruction	2440	Instructional Equipment	$410,891	$535,891	$125,000
818	SCC	2210	Instruction	3100	Instructional Supplies	$497,965	$510,265	$12,300
818	SCC	2210	Instruction	3170	Instructional Software	$41,545	$56,545	$15,000
818	SCC	2210	Instruction	4340	Travel: Other	$88,174	$90,874	$2,700
818	SCC	2220	Academic Support	1100	Permanent Salaries	$4,035,765	$4,177,688	$141,923
818	SCC	2220	Academic Support	3040	Outside Printing	$20,870	$55,620	$34,750
818	SCC	2220	Academic Support	3500	Other: Unclassified	$54,090	$92,647	$38,557
818	SCC	2250	Student Services	1100	Permanent Salaries	$9,047,523	$9,099,972	$52,449
818	SCC	2250	Student Services	2010	Furniture & Furnishings	$37,530	$71,949	$34,419
818	SCC	2260	Plant Maintenance & Operation	1100	Permanent Salaries	$10,184,860	$10,291,188	$106,328
818	SCC	2260	Plant Maintenance & Operation	2040	Trucks, Trailers & Jeeps	$55,000	$174,000	$119,000
818	SCC	2260	Plant Maintenance & Operation	2050	Other Motorized Equipment	$158,183	$39,183	($119,000)
818	SCC	2260	Plant Maintenance & Operation	3320	Household & Laundry Supplies	$140,500	$163,000	$22,500
818	SCC	2260	Plant Maintenance & Operation	4020	Light, Power & Water	$5,073,638	$5,873,638	$800,000
818	SCC	2270	General Administration	2010	Furniture & Furnishings	$13,864	$28,342	$14,478
818	SCC	2280	General Instructional Support	1100	Permanent Salaries	$5,129,417	$5,166,442	$37,025
818	SCC	2280	General Instructional Support	3770	Advertising	$523,970	$563,970	$40,000
818	SCC	8280	Employee Benefits	8280	State Retirement (ERS)	$2,894,040	$2,594,040	($300,000)
818	SCC	8100	Employee Benefits	8100	State Teachers Retirement (TRS)	$2,110,486	$1,910,486	($200,000)
								$1,228,772

REVENUES

FD	REV CODE	REVENUE		2007-2008 RECOMMENDED	2007-2008 ADOPTED	DIFFERENCE
818	1350	Student Tuition-Full Time-Fall		$20,964,771	$21,236,224	$271,453
818	1351	Student Tuition-Full Time-Spring		$18,994,661	$19,216,758	$222,097
						$493,550

COUNTY CONTRIBUTION SHOWN FOR ILLUSTRATIVE PURPOSES PURSUANT TO RESOLUTION NO. 30-1997

FD	REV CODE	REVENUE		2007-2008 RECOMMENDED	2007-2008 ADOPTED	DIFFERENCE
818	1001	Real Property Taxes		$4,375,202	$4,471,615	$96,413
818	2810	Suffolk County Contribution		$33,470,834	$34,131,342	$660,508
			Contribution to Community College Fund	$37,846,036	$38,602,957	$756,921

SUFFOLK COUNTY COMMUNITY COLLEGE NEW POSITIONS 2007-2008							
FD	UNIT	SECTION	TITLE	GRADE	2007-2008 RECOMMENDED	2007-2008 ADOPTED	DIFFERENCE
818	2210	5022	Assistant Professor	UN	1 N(01)	2 N(02)	1
818	2210	6065	Professional Assistant I	UN	0	1 N(01)	1
818	2210	6065	Assistant Professor	UN	6	7 N(01)	1
818	2220	3001	Professional Assistant I	UN	0	1 N(01)	1
818	2220	3003	Assistant Professor	UN	0	2 N(02)	2
818	2250	3020	Assistant Professor	UN	0	1 N(01)	1
818	2260	3030	Assistant Director of Public Safety	UN	0	1 N(01)	1
818	2260	6010	Animal Caretaker	9	0	1 N(01)	1
818	2280	3015	Professional Assistant I	UN	0	1 N(01)	1
							10

DATED: August 7, 2007

VETOED BY COUNTY EXECUTIVE ON AUGUST 20, 2007
VETO OVERRIDE ADOPTED ON AUGUST 21, 2007

Note: This resolution amends the Suffolk County Community College Recommended Budget 2007-2008. The County contribution is increased by $756,921 (2%) to properly resource the College to provide a quality education for the residents of Suffolk County. A portion of the increase in the County contribution is a $96,413 increase in the non-mandated College real property tax which is an increase of 16 cents on the average residential tax bill. Ten (10) new positions are created as requested by the College. Expenditures are increased by a net total of $1,250,471 over the two academic years, 2006-2007 and 2007-2008. Expenditure increases include $30,000 for stage I development of the energy technology and building efficiency program as follows: $12,300 for Instructional Supplies, $15,000 for Instructional Software, and $2,700 for travel. Ten votes are required for adoption.

ADJOURNED 11:36PM
TIM LAUBE, CLERK OF THE LEGISLATURE