

THIRTEENTH DAY

REGULAR MEETING

September 20, 2007

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

The meeting was called to order at 9:34 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Vilorina-Fisher, Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED AT 11:17 A.M. AND RESUMED AT 11:44 A.M.

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

THE MEETING WAS RECESSED AT 12:29 P.M. AND RECONVENED AT 2:37 P.M.

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

Legislator Romaine arrived at 2:40 p.m.
Legislator Schneiderman arrived at 2:42 p.m.
Legislator Losquadro arrived at 2:50 p.m.

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

Intro. Res. No. 1841-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 893 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND CHARGE-**

**BACKS ON REAL PROPERTY CORRECTION OF ERRORS
BY: COUNTY LEGISLATURE CONTROL # 777-2007**

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# 777-2007

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVEN	06/07		0208/8-5-1	11468.17	8960.11	2508.06

A	SMITHTOWN	06/07		0801/1-1-3.2	44185.23	40407.68	3777.55
A	SOUTHAMPTON	06/07		0900/20-1-1.8	5187.80	21.67	5166.13

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

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1842-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 894 -2007, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND
 CHARGEBACKS ON CORRECTION OR
 ERRORS/COUNTY TREASURER BY: COUNTY

LEGISLATURE #282

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

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

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

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

<u>or</u> <u>Description</u> <u>paid</u>	<u>Year</u>	<u>Original</u> <u>Tax</u>	<u>Corrected</u> <u>Tax</u>	<u>Chargeback</u> <u>Refund, if</u>
BABYLON:				
0100-083.00-04.00-098.001	2006/07	\$225,872.16	\$0.00	\$225,872.16
0100-085.00-01.00-016.001	2006/07	\$4,509.71	\$0.00	\$4,509.71

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1859-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 895 -2007, ACCEPTING AND APPROPRIATING A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR

STRENGTHENED CAMPUS-BASED ASSESSMENT 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has received a grant award from The State University of New York, in the amount of \$5,200, for Strengthened Campus-Based Assessment, for the 2006-2007 academic year; and

WHEREAS, the grant provides funding for the use of rubrics in Critical Thinking (Reasoning) as part of Strengthened Campus-Based Assessment; and

WHEREAS, funds are to be disbursed based on the said intended use; and

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

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award on August 9, 2007 by Resolution No. 2007. 57; and

WHEREAS, the College anticipates spending the \$5,200, in accordance with the specified intended use of funds; now, therefore be it

1st RESOLVED, that said grant award, in the amount of \$5,200, from the State University of New York for Strengthened Campus-Based Assessment be accepted and appropriated for the operation of the program as follows:

REVENUES: 818-GRT-3295-07	AMOUNT
State Aid: Strengthened Campus-Based Assessment:	\$5,200

APPROPRIATIONS: 818-GRT-GC61-07	AMOUNT
Strengthened Campus-Based Assessment	\$5,200

Suffolk County Community College
Strengthened Campus-Based Assessment
818-GRT-GC61-07

1000-Personal Services	\$ 4,473
1560-Full-time Overload–Day	4,473
8000-Employee Benefits	\$ 727
8160-TIAA-CREF Retirement	358
8330-Social Security	342
8350-Unemployment Insurance	27

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1840-2007
8/21/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 896 -2007, ACCEPTING AND APPROPRIATING \$272,820 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR INTENSIVE CASE SERVICES FOR NON-COMPLIANT FAMILIES WHO ARE IN RECEIPT OF TEMPORARY ASSISTANCE FOR THE CONTINUED INTENSIVE SERVICES COMPONENT OF THE SANCTIONS INTERVENTION PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the New York State Office of Temporary and Disability Assistance has designated Suffolk County as the recipient of 100% Federal funding in the amount of \$272,820; to continue the intensive services component of the Education and Assistance Corporation's Sanctions Intervention Program; and

WHEREAS, the purpose of the grant is to provide funds to perform intensive case services for non-compliant families to overcome barriers to employment and assist in the improvement of the economic well being of families; and

WHEREAS, the Sanctions Intervention Program specifically targets non-compliant individuals to encourage and facilitate work rule compliance; and

WHEREAS, non-compliant individuals will be referred to this program by the staff of Department of Social Services to begin the intensive review of individual and family barriers and determine the best course of action to take; and

WHEREAS, this program is 100% 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 hereby are authorized to accept the following funds:

REVENUES: \$272,820
001-4610 FEDERAL AID: Administration \$272,820

and be it further

2nd RESOLVED, that total funds in the amount of \$272,820 be and they are hereby appropriated as follows:

ORGANIZATIONS: \$272,820

Department of Social Services
TANF Block Grant
001-DSS-6030

4000 – Contractual Expenses \$272,820
4980 – GYD1 – Education & Assistance Corporation, Inc. \$272,820

and be it further

3rd RESOLVED, that any unexpended funds be reappropriated in the 2008 Operating Budget, and will be fully expended by May 31, 2008 in conformance with the terms of the grant award; and be it further

4th RESOLVED, that the County Executive and the Commissioner of Social Services be and they hereby are authorized to execute a contract with the Education & Assistance Corporation, Inc. for the Sanctions Intervention Program.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1640-2007 Laid on Table
6/26/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 897 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
357-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 357-2007; 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. 357-2007

In the 3RD RESOLVED paragraph change the fund from:

FROM:

(Fund 001-Debt Service)

TO:

(Fund 818-Debt Service)

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1649-2007

Laid on Table 6/26/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 898 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
482-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 482-2007; and

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

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

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

Resolution No. 482-2007

In the 6th RESOLVED paragraph change the amount from:

FROM:

\$800,00

TO:

\$800,000

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1860-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 899 -2007, AUTHORIZING THE
SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY
TAX ACT JULIE TSAI (SCTM NO. 1000-059.00-01.00-021.003)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 059.00, Block 01.00, Lot 021.003, and acquired by tax deed on April 24, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 646, and otherwise known as and by Town

of Southold, County of Suffolk and State of New York, known and designated as and by Lot No. 3 as shown on a certain map entitled, "Map of Constantine P. Georgiopoulos", said map being filed in the Office of the Clerk of Suffolk County on January 29, 1985 as and by Map No. 7844; 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 24, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 646.

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

WHEREAS, JULIE TSAI has made application of said above described parcel and JULIE TSAI has paid the application fee and \$2,301.77, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JULIE TSAI, 42-20 Kissena Blvd., #A 4, Flushing, New York 11355, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1861-2007
8/21/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 900 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JULIE TSAI (SCTM NO. 1000-015.00-09.00-001.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 015.00, Block 09.00, Lot 001.001, and acquired by tax deed on April 24, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 646, and otherwise known as and by Town of Southold, County of Suffolk and State of New York, known and designated as and by Lot No. 1 on "Map of Land's End at Orient Point" prepared by Van Tuyl & Son, Surveyor, and filed in the Office of the Clerk of the County of Suffolk on May 3, 1973, under Map No. 5909; 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 24, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006 in Liber 12447 at Page 646.

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, JULIE TSAI has made application of said above described parcel and JULIE TSAI has paid the application fee and \$6,246.65, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JULIE TSAI, 42-20 Kissena Blvd., #A 4, Flushing, New York 11355, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1786-2007

Laid on Table 8/7/2007

Introduced by Presiding Officer, on request of the County Executive and Viloría-Fisher

RESOLUTION NO. 901 –2007, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR FIRE SPRINKLER INFRASTRUCTURE – CONSTRUCTION (CP 2129.310) TO FIRE SPRINKLER INFRASTRUCTURE – PLANNING (CP 2129.110)

WHEREAS, Resolution Nos. 532-2005, 88-2006 and 150-2007 approved funding in connection with Fire Sprinkler Infrastructure; and

WHEREAS, the project scope was increased by the County and State; and

WHEREAS, the project construction budget was increased by the County and State; and

WHEREAS, the project planning phase must be adjusted to accommodate the additional scope of work; and

WHEREAS, its is necessary to amend Resolution No. 532-2005 by re-appropriating \$50,000 (\$25,000 serial bonds and \$25,000 State Aid) from construction to planning; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the 3rd Resolved clause of Resolution No. 532-2005 is hereby amended as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2129.110	Planning for Fire Sprinkler Infrastructure	30	[\$25,000] <u>\$50,000</u>
525-CAP-2129.310	Construction of Fire Sprinkler Infrastructure	30	[\$200,000] <u>\$150,000</u>

and be it further

3rd RESOLVED, that the 4th Resolved clause of Resolution No. 532-2005 is hereby amended as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-2129.110	Planning for Fire Sprinkler Infrastructure	30	[\$25,000] <u>\$50,000</u>
525-CAP-2129.310	Construction of Fire Sprinkler Infrastructure	30	[\$200,000] <u>\$150,000</u>

and be it further

4th RESOLVED, the appropriation for planning has been increased by \$50,000 for a total appropriation of \$100,000 and the appropriation for construction has been reduced by an equal amount to \$968,526; 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: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1786A-2007

BOND RESOLUTION NO. 902 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED MARCH 6, 2007 AND AMENDED AUGUST 21, 2007, AUTHORIZING THE ISSUANCE OF \$36,552 BONDS TO FINANCE A PART OF THE COST OF THE INSTALLATION OF FIRE SPRINKLER INFRASTRUCTURE AT SUFFOLK COUNTY COMMUNITY COLLEGE, AMMERMAN CAMPUS (CP 2129.310)

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

Section A. The bond resolution heretofore duly adopted on March 6, 2007 by the County of Suffolk, New York (herein called the "County") entitled:

Bond Resolution No. 151 of 2007

Bond Resolution of the County of Suffolk, New York, Authorizing the Issuance of \$36,552 Bonds to Finance a Part of the Cost of the Installation of Fire Sprinkler Infrastructure at Suffolk County Community College (Ammerman Campus) (CP 2129.310)

is hereby amended by inserting a new Section 1 which shall replace the original Section 1 appearing in the resolution as adopted on March 6, 2007. The new Section 1 shall read 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 \$36,552 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 installation of fire sprinkler infrastructure at Suffolk County

Community College (Ammerman Campus), as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,068,526. The plan of financing includes (a) the issuance of \$225,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 531-2005 (\$50,000 for planning and \$175,000 for construction) (b) the expenditure of \$225,000 in State Aid funds appropriated pursuant to Resolution No. 532-2005, (c) (\$50,000 for planning and \$175,000 for construction), (d) the issuance of \$272,711 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 87-2006, (e) the expenditure of \$272,711 in State Aid funds appropriated pursuant to Resolution No. 88-2006, (f) the issuance of \$36,552 bonds or bond anticipation notes authorized pursuant to this resolution, (g) the expenditure of \$36,552 in State Aid funds appropriated pursuant to Resolution No. 150-2007 and (g) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.”

Section B. This amendment of the bond resolution that was adopted on March 6, 2007 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: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1804-2007

Laid on Table 8/07/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 903 -2007, APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN BOULEVARD AT CR 93, LAKELAND/ROSEVALE AVENUE, TOWN OF SMITHTOWN (CP 5118)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition and construction) in connection with Intersection Improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,260,000 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. 42 of 2003 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 fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No.461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$1,260,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5118.211 (Fund 001-Debt Service)	50	Land Acquisition (ROW) for Intersection Improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue	\$360,000

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5118.314 (Fund 001-Debt Service)	50	Intersection Improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue	\$900,000

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1804A-2007

BOND RESOLUTION NO. 904 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$360,000 BONDS
TO FINANCE A PART OF THE COST OF ACQUISITION OF
LAND FOR THE RECONSTRUCTION OF CR 16, SMITHTOWN
BOULEVARD, AT CR 93, LAKELAND/ROSEVALE AVENUE,
TOWN OF SMITHTOWN (CP 5118.211)**

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 \$360,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land for the reconstruction of CR 16, Smithtown Boulevard, at CR 93, Lakeland/Rosevale Avenue, Town of Smithtown, 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 \$1,610,000. The plan of financing includes (a) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 909-2000, (b) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 523-2001, (c) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1406-2004 , (d) the issuance of \$900,000 bonds or bond anticipation notes authorized pursuant to a bond resolution expected to be adopted simultaneously herewith, (e) the issuance of \$360,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years, computed from December 15, 2001, the date of issuance of the first obligations issued pursuant to Bond Resolution Number 909-2000.

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: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1804B-2007

BOND RESOLUTION NO. 905 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$900,000 BONDS

**TO FINANCE A PART OF THE COST OF THE
RECONSTRUCTION OF CR 16, SMITHTOWN BOULEVARD,
AT CR 93, LAKELAND/ROSEVALE AVENUE, TOWN OF
SMITHTOWN (CP 5118)**

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 \$900,000 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, Smithtown Boulevard, at CR 93, Lakeland/Rosevale Avenue, Town of Smithtown, 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 \$1,610,000. The plan of financing includes (a) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 909-2000, (b) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 523-2001, (c) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1406-2004 , (d) the issuance of \$360,000 bonds or bond anticipation notes authorized pursuant to a bond resolution expected to be adopted simultaneously herewith, (e) the issuance of \$900,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 of the Law, is fifteen (15) years, computed from December 15, 2001, the date of issuance of the first obligations issued pursuant to Bond Resolution Number 909-2000.

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: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1808-2007
8/7/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 906 -2007, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO WATER SUPPLY SYSTEMS IN COUNTY PARKS (CP 7184)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for planning and construction for improvements to the water supply systems in County Parks; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$250,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 720-2004 determined that the proposed improvements to the water utilities constitute a Type II action pursuant to the provisions of Title 6 NYCRR, Part 617.5 (C) (2) and (5), since it involves minor temporary uses of land having negligible or no permanent impact on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty nine (59), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7184.110	26	Improvements to Water	\$25,000

(Fund 001-Debt Service)		Supply Systems in County Parks	
525-CAP-7184.311	26	Improvements to Water	\$225,000
(Fund 001-Debt Service)		Supply Systems in County Parks	

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1808A-2007

BOND RESOLUTION NO. 907 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO WATER SUPPLY SYSTEMS IN COUNTY PARKS (CP 7184.110 and .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 \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to the water supply systems at County parks, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes (a) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 881-2004, (b) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 996-2005, (c) the issuance of \$250,000 bonds or bond anticipation notes (\$25,000 for planning and \$225,000 for improvements) authorized pursuant to Bond Resolution No. 968-2006, (d) the issuance of \$250,000 bonds or bond anticipation notes (\$25,000 for planning and \$225,000 for improvements) authorized pursuant

to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law of the Law, is forty (40) years, computed from November 1, 2005, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 881-2004.

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

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

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

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

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1815-2007

Laid on Table 8/7/2007

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

RESOLUTION NO. 908 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF SHINNECOCK CANAL LOCKS, TOWN OF SOUTHAMPTON (CP 5343)

WHEREAS, the Commissioner of the Department of Public Works has requested funds for the Reconstruction of the Shinnecock Canal Locks; and

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

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the 2007 Adopted Capital Budget, as the basis for funding capital projects such as this project; 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, 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 \$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. 391-1993 classified the action contemplated by this as a Type II action pursuant to the provisions of Chapter 279 of the Suffolk County Code as a replacement of a facility in-kind on same site; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-nine (59) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of the Shinnecock Canal Locks; 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	<u>\$5,500,000</u>	<u>\$500,000 B</u>	<u>\$300,000 B</u>

TOTAL	\$17,500,000	\$500,000	\$300,000
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Project No.: 5343
 Project Title: Reconstruction of Shinnecock Canal Locks

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	<u>\$3,270,000</u>	<u>\$350,000B</u>	<u>\$550,000B</u>
TOTAL	\$3,270,000	\$350,000	\$550,000

and be it further

5th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 5343.314 (Fund 001–Debt Service)	50	Reconstruction of Shinnecock Canal Locks	\$200,000

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1815A-2007

BOND RESOLUTION NO. 909 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE SHINNECOCK CANAL LOCKS, TOWN OF SOUTHAMPTON (CP 5343.314)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$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 the Shinnecock Canal locks, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$620,000. The plan of financing includes (a) the issuance of \$70,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1326-2005, (b) the issuance of \$350,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 673-2007, (c) the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 3 of the Law, is thirty (30) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of

1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

TAX ANTICIPATION NOTE RESOLUTION NO. 910 -2007

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$55,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR COUNTY PURPOSES OR RETURNED TO THE COUNTY FOR COLLECTION FOR THE FISCAL YEARS COMMENCING JANUARY 1, 2004, 2005, 2006 AND 2007, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$55,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The following matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2004, 2005, 2006 and 2007.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes, other than the \$225,000,000 Tax Anticipation Notes-2007 (Series I), dated and issued on January 3, 2007.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the

powers to enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1847-2007
Introduced by Legislator Schneiderman

Laid on Table 8/21/2007

**RESOLUTION NO. 911 –2007, AMENDING LANDING FEES
AT FRANCIS S. GABRESKI AIRPORT**

WHEREAS, the fee setting authority over landing fees at Francis S. Gabreski Airport was returned to the Suffolk County Legislature by the passage of Resolution No. 368-2004, "Oversight of Francis S. Gabreski Airport to the Suffolk County Legislature"; and

WHEREAS, from time to time the County of Suffolk finds it is necessary to adjust fees for landing aircraft at Francis S. Gabreski Airport, the County owned airport in Westhampton, for the purposes of correcting the rates to reflect industry standards, market conditions, or to increase revenues for the County in order to offset expenses incurred by the operation of this transportation facility; and

WHEREAS, Resolution No. 388-2006 set the current landing and security fees at the Airport although these fees were never codified; and

WHEREAS, in setting the current fees, the Legislature did not take into account the growing number of helicopters that utilize the Airport; and

WHEREAS, helicopters should be given their own category in order to avoid any possible confusion in the future; and

WHEREAS, this resolution has been introduced with the support of County Executive Levy; now, therefore be it

1st RESOLVED, that Resolution No. 388-2006 is hereby repealed; and be it further

2nd RESOLVED, that Section 636-21 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§636.21 Gabreski Airport rates.

Effective immediately upon adoption of this article, the following rates are adopted for Gabreski Airport.

Type <u>Landing</u>	[Fee]		<u>Total Day</u> <u>Total Night</u>	
	Landing		Security	<u>Landing</u>
	Fee	Fee	Fee	Fee*
Non-Commercial Aircraft				
Single-engine	\$3.00	\$2.00	<u>\$ 5.00</u>	<u>\$ 6.65</u>
[Twin-]multi engine equal to or under 12,500 lbs gross weight	\$8.00	\$2.00	<u>\$10.00</u>	<u>\$13.30</u>
[Twin-]multi engine over 12,500 lbs gross weight	\$23.00	\$2.00	<u>\$25.00</u>	<u>\$33.25</u>
Commercial Aircraft				
Single-engine	12.00 <u>18.00</u>	\$2.00	<u>\$20.00</u>	<u>\$26.60</u>
[Twin-]multi engine equal to or under 12,500 lbs gross weight	23.00 <u>48.00</u>	\$2.00	<u>\$50.00</u>	<u>\$66.50</u>
Helicopter	<u>48.00</u>	<u>2.00</u>	<u>50.00</u>	<u>66.50</u>
[Twin-]multi engine over 12,500 lbs gross weight	48.00 <u>73.00</u>	\$2.00	<u>\$75.00</u>	<u>\$99.75</u>
[Twin-]multi engine over 25,000 lbs gross weight	98.00 <u>123.00</u>	\$2.00	<u>\$125.00</u>	<u>\$166.25</u>
Over 50,000 lbs gross weight	148.00 <u>173.00</u>	\$2.00	<u>\$175.00</u>	<u>\$232.75</u>
Over 100,000 lbs gross weight	198.00 <u>223.00</u>	\$2.00	<u>\$225.00</u>	<u>\$299.25</u>

***Night Fees in effect between 11:00 p.m. and 7:00 a.m.**

Tie Down

Single-engine	\$ 70.00 per month
[Twin-]multi engine	\$ 80.00 per month

Overnight/Transient Parking (No more than seven consecutive days)

Single-engine	\$ 10.00 per day
[Twin-]multi engine	\$ 20.00 per day
<u>Overnight Adjacent to Taxiway N</u>	<u>\$50.00 per day</u>

Airship Mooring \$100.00 per day (not to exceed \$2,000.00 per month)

Touch and Go Operations

Aircraft 12,500 lbs gross weight and over	\$200.00 (per series of 4)
Aircraft under 12,500 lbs gross weight	No Charge

(Weights are based on gross take-off weights)

Film Industry

Taxiways	\$500.00 per day
Runways	\$100.00 per [day] <u>hour</u>
Terminal Building	\$250.00 per day
Ramp Area	\$400.00 per day
Area outside AOA (Airfield Operations Area)	\$350.00 per day

and be it further

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

[] brackets denote deletion
__ underlining denotes addition

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1856-2007
8/21/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 912 -2007, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR BELCO DISTRIBUTORS, 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has submitted a proposal to the State University of New York, in the amount of \$17,435, including indirect costs, for a Community College Workforce Development Training Grants Program for Belco Distributors, for the period of September 1, 2007 through August 22, 2008; and

WHEREAS, a cash match, if the grant is funded, in the amount of \$2,000, provided by Belco Distributors will increase the program total to \$19,435, including indirect costs; and

WHEREAS, the program provides for customized classes in English for Speakers of other Languages (ESOL) for the non-traditional, non-English speaking employees of Belco Distributors, Conversational Spanish for Managers, and Pre- and Post-Assessment; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant proposal on August 9, 2007 by Resolution No. 2007. 60; and

WHEREAS, the College anticipates spending the \$19,435, including indirect costs, in accordance with the terms of said grant, if funded, before August 22, 2008; now therefore be it

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

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

3rd **RESOLVED**, that said grant proposal to the State University of New York for a Community College Workforce Development Training Grants Program for Belco Distributors, in the amount of \$17,435, including indirect costs, be accepted; and be it further

4th **RESOLVED**, that a cash match, in the amount of \$2,000, from Belco Distributors be accepted, to be used for the operation of the Community College Workforce Development Training Grants Program, if funded; and be it further

5th **RESOLVED**, that said program, in the amount of \$19,435, including \$2,535 in indirect costs, be accepted, and contingent upon the awarding of the grant, \$16,900 to be appropriated for the operation of the program as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
State Aid: WDT: Belco Distributors: 818-GRT-3298-08	\$17,435
Private Aid: WDT: Belco Distributors: 818-GRT-2563-08	\$ 2,000

<u>APPROPRIATIONS:</u>	<u>AMOUNT</u>
WDT: Belco Distributors: 818-GRT-GT44-08	\$16,900

Suffolk County Community College
WDT: Belco Distributors
818-GRT-GT44-08

<u>1000-Personal Services</u>	<u>\$14,042</u>
1160-Part-time Instructor- Day	\$14,042
<u>3000-Supplies & Materials</u>	<u>\$ 1,700</u>
3100-Instructional Supplies	\$ 1,700

<u>8000-Employee Benefits</u>	<u>\$ 1,158</u>
8330-Social Security	\$ 1,074
8350-Unemployment Insurance	\$84

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1857-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 913 -2007, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR J. KINGS FOOD SERVICE PROFESSIONALS, INC., 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has submitted a proposal to the State University of New York, in the amount of \$39,740, including indirect costs, for a Community College Workforce Development Training Grants Program for J. Kings Food Service Professionals, Inc., for the period of September 1, 2007 through August 22, 2008; and

WHEREAS, a cash match, if the grant is funded, in the amount of \$4,420, provided by J. Kings Food Service Professionals, Inc. will increase the program total to \$44,160, including indirect costs; and

WHEREAS, the program provides for classes in English for Speakers of other Languages (ESOL) for the non-traditional, limited English speaking workforce of J. Kings Food Service Professionals, Inc.; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant proposal on August 9, 2007 by Resolution No. 2007.59; and

WHEREAS, the College anticipates spending the \$44,160, including indirect costs, in accordance with the terms of said grant, if funded, before August 22, 2008; now therefore be it

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

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

3rd **RESOLVED**, that said grant proposal to the State University of New York for a Community College Workforce Development Training Grants Program for J. Kings Food Service Professionals, Inc., in the amount of \$39,740, including indirect costs, be accepted; and be it further

4th **RESOLVED**, that a cash match, in the amount of \$4,420, from J. Kings Food Service Professionals, Inc. be accepted, to be used for the operation of the Community College Workforce Development Training Grants Program, if funded; and be it further

5th **RESOLVED**, that said program, in the amount of \$44,160, including \$5,760 in indirect costs, be accepted, and contingent upon the awarding of the grant, \$38,400 to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: WDT: J. Kings Food Service Professionals, Inc.: 818-GRT-3296-08	\$ 39,740
Private Aid: WDT: J. Kings Food Service Professionals, Inc.: 818-GRT-2561-08	\$ 4,420

APPROPRIATIONS:	AMOUNT
WDT: J. Kings Food Service Professionals, Inc.: 818-GRT-GT39-08	\$ 38,400
Suffolk County Community College	
WDT: J. Kings Food Service Professionals, Inc.	
818-GRT-GT39-08	

1000-Personal Services	\$ 35,473
1160-Part-time Instructor-Day	35,473
8000-Employee Benefits	\$ 2,927
8330-Social Security	2,714
8350-Unemployment Insurance	213

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1858-2007
8/21/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 914 -2007, ACCEPTING AND APPROPRIATING A GRANT PROPOSAL TO THE STATE UNIVERSITY OF NEW YORK FOR A COMMUNITY COLLEGE WORKFORCE DEVELOPMENT TRAINING GRANTS PROGRAM FOR THE BANK OF SMITHTOWN 90% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, Suffolk County Community College has submitted a proposal to the State University of New York, in the amount of \$41,917.50, including indirect costs, for a Community College Workforce Development Training Grants Program for the Bank of Smithtown, for the period of September 1, 2007 through August 22, 2008; and

WHEREAS, a cash match, if the grant is funded, in the amount of \$4,657.50, provided by the Bank of Smithtown will increase the program total to \$46,575, including indirect costs; and

WHEREAS, the program provides for training in Diversity, Business Writing and Supervisory Skills, and PC training in Microsoft Word, Excel, and PowerPoint for incumbent and new employees of the Bank of Smithtown; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant proposal on August 9, 2007 by Resolution No. 2007.58; and

WHEREAS, the College anticipates spending the \$46,575, including indirect costs, in accordance with the terms of said grant, if funded, before August 22, 2008; now therefore be it

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

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

3rd **RESOLVED**, that said grant proposal to the State University of New York for a Community College Workforce Development Training Grants Program for the Bank of Smithtown, in the amount of \$41,917.50, including indirect costs, be accepted; and be it further

4th **RESOLVED**, that a cash match, in the amount of \$4,657.50, from the Bank of Smithtown be accepted, to be used for the operation of the Community College Workforce Development Training Grants Program, if funded; and be it further

5th **RESOLVED**, that said program, in the amount of \$46,575, including \$6,075 in indirect costs, be accepted, and contingent upon the awarding of the grant, \$40,500 to be appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: WDT: Bank of Smithtown: 818-GRT-3297-08	\$41,917.50
Private Aid: WDT: Bank of Smithtown: 818-GRT-2562-08	\$4,657.50

APPROPRIATIONS:	AMOUNT
WDT: Bank of Smithtown: 818-GRT-GT42-08	\$ 40,500

Suffolk County Community College
WDT: Bank of Smithtown
818-GRT-GT42-08

1000-Personal Services	\$ 37,415
1160-Part-time Instructor- Day	37,415

8000-Employee Benefits	\$ 3,085
8330-Social Security	2,862
8350-Unemployment Insurance	223

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

**Intro. Res. No. 1777-2007
8/7/2007**

Laid on Table

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

RESOLUTION NO. 915 -2007, DONATION AND DEDICATION OF CERTAIN LANDS NOW OWNED BY RIVERHEAD ESTATES, INC. TO THE COUNTY OF SUFFOLK (SCTM NOS. 0900-166.00-02.00-040.000; 0900-166.00-02.00-041.000; 0900-145.00-03.00-014.000; 0900-167.00-02.00-004.000)

WHEREAS, Riverhead Estates, Inc. is the owner of environmentally sensitive properties with no site or building improvements thereon located in the Hamlet of Flanders, Town of Southampton; and

WHEREAS, said properties, totaling 0.32± acres, is currently in a natural state, within both the Flanders Preserve Area (SH04); and

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

WHEREAS, Riverhead Estates, Inc. 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 residual value 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 145.00 Block 03.00 Lot 014.000	0.09±	Riverhead Estates, Inc. 135 Northern Parkway Riverhead, NY 11901
No. 2	District 0900 Section 166.00 Block 02.00 Lot 040.000	0.09±	Riverhead Estates, Inc. 135 Northern Parkway Riverhead, NY 11901
No. 3	District 0900 Section 166.00	0.09±	Riverhead Estates, Inc. 135 Northern Parkway

	Block 02.00		Riverhead, NY 11901
	Lot 041.000		
No. 4	District 0900	0.05±	Riverhead Estates, Inc.
	Section 167.00		135 Northern Parkway
	Block 02.00		Riverhead, NY 11901
	Lot 004.000		
		Total	
		0.32±	

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 Southampton, 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: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Kennedy was not present.

Intro. Res. No. 1835-2007

Laid on Table 8/21/2007

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

RESOLUTION NO. 916 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – FARMLAND - FOR THE CARACCIOLO PROPERTY – SHADE TREE NURSERY - TOWN OF RIVERHEAD – (SCTM NOS. 0600-022.00-03.00-004.000 p/o & 0600-009.00-01.00-006.006 p/o)

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for

farmland development rights acquisition, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

WHEREAS, the Town of Riverhead (“Town”) has approved Resolution No. 366 on April 17, 2007, authorizing the acquisition of farmland development rights of the subject property in partnership with the County of Suffolk; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for a total purchase price of One Million Eight Hundred Thirty Six Thousand Dollars (\$1,836,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 20.4± 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 Two Hundred Eighty Five Thousand Two Hundred Dollars (\$1,285,200.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling Five Hundred Fifty Thousand Eight Hundred Dollars (\$550,800.00±), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments, for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600 Section 022.00 Block 03.00 Lot 004.000 p/o	20.4	Louis Caracciolo 169 Thomas Lane E. Setauket, NY 11733-3481
No. 2	District 0600 Section 009.00 Block 01.00 Lot 006.006 p/o		Louis & Ottavia Caracciolo Same As Above

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the purchase price of One Million Eight Hundred Thirty Six Thousand Dollars (\$1,836,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 20.4± acres, subject to a final survey, of which the County contribution will be One Million Two Hundred Eighty Five Thousand Two Hundred Dollars (\$1,285,200.00±), subject to a final survey; and, be it further

3rd RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$1,285,200.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$1,285,200.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$1,285,200.00± from the Fund 477, New Drinking Water Protection Program, Farmland Development Rights, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8708.210	New ¼% Drinking Water Protection Program-Farmland	\$1,285,200.00±*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,285,200.00±, subject to payment by the Town of its share of the purchase and subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8708.210, the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

9th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1836-2007

Laid on Table 8/21/2007

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

RESOLUTION NO. 917 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MELAMED PROPERTY – PINE BARRENS CORE - TOWN OF BROOKHAVEN - (SCTM NO. 0200-461.00-02.00-007.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Two Hundred Forty One Thousand Two Hundred Six Dollars (\$241,206.00±), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	8.9223±	Ebrahim Melamed
	Section 461.00		5219 Newcastle Avenue-Apt. 301
	Block 02.00		Encino, CA 10022
	Lot 007.000		
			Kurosh Melamed
			Same as above
			Daryosh Melamed
			Same as above

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 Hundred Forty One Thousand Two Hundred Six Dollars (\$241,206.00±), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$241,206.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477		E525	Transfer from Fund 477
					\$241,206.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$241,206.00± from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New ¼% Drinking Water Protection Program	\$241,206.00±*

*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 \$241,206.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and, be it further

8th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such

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

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

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

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

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

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

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

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

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

that the proposes acquisition and preservation of the site would

have; and be it further

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1837-2007
8/21/2007

Laid on Table

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

**RESOLUTION NO.
918 -2007, AUTHORIZING THE ACQUISITION OF LAND
UNDER THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ESTATE OF HERBST PROPERTY – PINE
BARRENS CORE - TOWN OF SOUTHAMPTON - (SCTM
NO. 0900-280.00-02.00-083.000)**

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. 306-1998, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Forty One Thousand One Hundred Fifty Dollars (\$41,150.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		1.93±	<u>AND ADDRESS:</u>
	District	0900		Estate of Lorraine Herbst
	Section	280.00		by Lorraine McManus, as Executrix
	Block	02.00		454 Moretz Court
	Lot	083.000		Hickory, NC 28601

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Forty One Thousand One Hundred Fifty Dollars (\$41,150.00), subject to a final survey; and be it further

3rd RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 balance:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$41,150.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$41,150.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$41,150.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$41,150.00*

*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 \$41,150.00, 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:

- e.) lands determined by the County Department of Planning to be necessary for maintaining the quality of surface and/or groundwater in Suffolk County;

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

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

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

- 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: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1848-2007

Laid on Table 8/21/2007

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

**RESOLUTION NO. 919 –2007, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM –
LAND PRESERVATION PARTNERSHIP PROGRAM –**

**FOR THE ESTATE OF EDNA CAPURSO PROPERTY –
MONTAUK DOWNS STATE PARK ADDITION - TOWN OF
EAST HAMPTON – (SCTM NO. 0300-019.00-02.00-
020.001)**

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

WHEREAS, Resolution No. 277-2005 appropriated \$11,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 775-2005 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of East Hampton (“Town”) has approved Resolution No. 2006-568 on April 20, 2006, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program, pursuant to the Land Preservation Partnership Program, Resolution No. 751-1997, et seq., for a total purchase price of Two Hundred Sixty Thousand Dollars (\$260,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Hundred Thirty Thousand Dollars (\$130,000.00) for a fifty percent (50%) undivided interest; and the Town’s share, totaling One Hundred Thirty Thousand Dollars (\$130,000.00), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>REPUTED OWNER ACRES: <u>AND ADDRESS:</u></u>
No. 1	District 0300 .43± Section 019.00	Estate of Edna Capurso by Co-Executors
	Block 02.00	Ronald Capurso
	Lot 020.001	225 Suydam Lane

Bayport, NY 11705
and
Eileen Schutt
680 Bohemia Pkwy.
Sayville, NY 11782

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County's share of the purchase price of One Hundred Thirty Thousand Dollars (\$130,000.00), 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 \$130,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.215, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

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

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

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

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

respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 25, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Kennedy was not present.

Intro. Res. No. 1849-2007

Laid on Table 8/21/2007

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

**RESOLUTION NO. 920
-2007, AUTHORIZING THE ACQUISITION OF FARMLAND
DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY
SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION,
AND HAMLET PARKS FUND – FARMLAND COMPONENT
FOR JARZOMBEK PROPERTY (SCTM NO. 0600-
062.00-02.00-003.000 p/o - TOWN OF RIVERHEAD)**

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

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

WHEREAS, Resolution No. 796-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, for a total purchase price of Three Million Three Hundred Seventy Five Thousand Dollars (\$3,375,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre, for 37.5± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0600	37.5±	Richard Jarzombek & Eileen Jarzombek
	Section 062.00		853 Osborne Avenue
	Block 02.00		Calverton, NY 11933
	Lot 003.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER, for the purchase price of Three Million Three Hundred Seventy Five Thousand Dollars (\$3,375,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 37.5± acres, subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,375,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8707.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Funds, Farmland component, Section C36-1(A)(3), for this acquisition; and be it further

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

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1850-2007

Laid on Table 8/21/2007

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

**RESOLUTION NO. 921
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ROSE GIAMBALVO PROPERTY – BEAVER
DAM CREEK ADDITION (TOWN OF BROOKHAVEN – SCTM
NOS. 0200-961.00-02.00-031.000, 0200-961.00-02.00-033.000,
0200-961.00-02.00-034.000, 0200-961.00-02.00-036.000, 0200-
961.00-02.00-038.000 & 0200-961.00-02.00-043.000)**

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 Five Hundred Five Thousand Dollars (\$505,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 961.00 Block 02.00	1.16±	Rose Giambalvo 133 Clemens Road Mineola, NY 11501
	Lot 031.000		
No. 2	District 0200 Section 961.00 Block 02.00 Lot 033.000		
No. 3	District 0200 Section 961.00		

	Block	02.00
	Lot	034.000
No. 4	District	0200
	Section	961.00
	Block	02.00
	Lot	036.000
No. 5	District	0200
	Section	961.00
	Block	02.00
	Lot	038.000
No. 6	District	0200
	Section	961.00
	Block	02.00
	Lot	043.000

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 Five Hundred Five Thousand Dollars (\$505,000.00), 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:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$505,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$505,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$505,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$505,000.00*

*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 \$505,000.00, 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:

- 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 proposed 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: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1851-2007

Laid on Table 8/21/2007

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

**RESOLUTION NO. 922
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ESTATE OF DITTMER PROPERTY –
MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF
BROOKHAVEN – SCTM NOS. 0200-984.60-03.00-012.000 &
0200-983.40-06.00-007.000)**

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 Thirty Six Thousand Dollars (\$36,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0200	.43±	Estate of Richard C. Dittmer by Henry R. Dittmer, as Administrator P.O. Box 202 Brightwaters, NY 11718
	Section	984.60		
	Block	03.00		
	Lot	012.000		
No. 2	District	0200	.09±	
	Section	983.40		
	Block	06.00		
	Lot	007.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(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 Thirty Six Thousand Dollars (\$36,000.00), 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:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$36,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$36,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the Thirty Six Thousand Dollars (\$36,000.00) from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$36,000.00*

*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 \$36,000.00, 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;
- g.) 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 proposed 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: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1862-2007

Laid on Table 8/21/2007

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

RESOLUTION NO. 923 –2007, APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM FOR THE GLOVER PROPERTY (TOWN OF BROOKHAVEN – SCTM NO. 0200-847.00-03.00-030.003 p/o)

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to

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

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

WHEREAS, Resolution No. 541-2007 amended the 2007 Capital Budget and Program by allocating an additional authorization in the amount of \$17,000,000.00 in the Suffolk County Multifaceted Land Preservation Program for the acquisition of environmentally sensitive land; and

WHEREAS, Resolution No. 693-2006 authorized planning steps for acquisition of farmland development rights the subject property; and

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; 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 even date herewith has authorized the issuance of \$2,472,000.00± in Suffolk County Serial Bonds to cover the cost of said acquisition under Suffolk County Multifaceted Land Preservation Program; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE, for a total purchase price of Two Million Four Hundred Seventy Two Thousand Dollars (\$2,472,000.00±), at One Hundred Three Thousand Dollars (\$103,000.00) per acre for 24.0± acres, subject to a final survey, and hereby authorized additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0200	24.0±	Kenneth G. Glover
	Section	847.00		4 Strawberry Lane
	Block	03.00		Brookhaven, NY 11719
	Lot	030.003 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Two Million Four Hundred Seventy Two Thousand Dollars (\$2,472,000.00±), at One Hundred Three Thousand Dollars (\$103,000.00) per acre for 24.0± acres, subject to a final survey; and be it further

3rd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th RESOLVED, that the proceeds of \$2,472,000.00± in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7177.230 (Fund 001-Debt Service)	Suffolk County Multifaceted Land Preservation Program	\$2,472,000.00±

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$2,472,000.00±, subject to a final survey, from the Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already been issued.

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

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

Intro. Res. No. 1862A-2007

BOND RESOLUTION NO. 924 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$2,472,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE GLOVER PROPERTY IN THE TOWN OF BROOKHAVEN UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP 7177.230)

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 \$2,472,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of farmland development rights of the Glover property in the Town of Brookhaven (SCTM No. 0200-847.00-03.00-030.003 p/o) under the Suffolk County Multifaceted Land Preservation Program, 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 \$2,472,000. The plan of financing includes the issuance of \$2,472,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 21 of the Law of the Law, is thirty (30) years.

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

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

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

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

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Kennedy was not present.

Intro. Res. No. 1863-2007

Laid on Table 8/21/2007

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

**RESOLUTION NO. 925 –2007, AMENDING
RESOLUTION NO. 449 – 2007 TO AUTHORIZE THE
APPROPRIATION OF FUNDS IN CONNECTION WITH
THE SUFFOLK COUNTY MULTIFACETED LAND
PRESERVATION PROGRAM AND AUTHORIZING
ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY MULTIFACETED LAND
PRESERVATION PROGRAM FOR THE GRIGONIS
PROPERTY (TOWN OF SOUTHOLD – SCTM NOS. 1000-
055.00-01.00-005.001 & 1000-055.00-02.00-008.005 p/o)**

WHEREAS, Resolution No. 449-2007 authorized the acquisition of Farmland Developments Rights of the Grigonis Property consisting of 14.24± acres for a total purchase price of \$1,181,920.00±, subject to a final survey, from the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund-Farmland Component; and

WHEREAS, Section C36-1 (A)(9) of the SUFFOLK COUNTY CHARTER requires that the funds in the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund be issued, appropriated and expended by County Comptroller, County Executive and County Legislature, via duly enacted resolutions and administrative actions, no later than December 31, 2007, and the closing on this acquisition is not anticipated to take place until after January 1, 2008; and

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

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

WHEREAS, Resolution No. 541-2007 amended the 2007 Capital Budget and Program by allocating an additional authorization in the amount of \$17,000,000.00 in the Suffolk County Multifaceted Land Preservation Program for the acquisition of environmentally sensitive land; and

WHEREAS, Resolution No. 877-2005 authorized planning steps for acquisition of farmland development rights 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 provided that the same shall be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation of the Suffolk County Farmland Committee; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; 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 even date herewith has authorized the issuance of \$1,181,920 in Suffolk County Serial Bonds to cover the cost of said acquisition under Suffolk County Multifaceted Land Preservation Program; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby amends Resolution No. 449-2007 and approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE, for a total purchase price of One Million One Hundred Eighty One Thousand Nine Hundred Twenty Dollars (\$1,181,920.00±), at Eighty Three Thousand Dollars (\$83,000.00) per acre for 14.24± acres, subject to a final survey, and hereby authorized additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>REPUTED OWNERS AND ADDRESS:</u>
No. 1	District	1000	14.24±	Carolyn Haman, Annette Smith, Audrey Carrig, Richard Pierson, Sr., Richard Pierson, Jr., Elizabeth Laible and Jean Marie Pierson, all as specific devisees under the Last Will and Testament of Antone Grigonis, Jr. c/o Robert S. Hughes, Esq. 828 Front Street-Box 128 Greenport, NY 11944
	Section	055.00		
	Block	01.00		
	Lot	005.001		
No. 2	District	1000		Carolyn Haman, Annette Smith, Audrey Carrig, Richard Pierson, Sr., Richard Pierson, Jr., Elizabeth Laible, Jean Marie Pierson and Robert Grigonis, all as specific devisees under the Last Will and Testament of Antone Grigonis, Jr. c/o Robert S. Hughes, Esq. 828 Front Street-Box 128 Greenport, NY 11944
	Section	055.00		
	Block	02.00		
	Lot	008.005 p/o		

and be it further

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

Land Preservation Program, for a purchase price of One Million One Hundred Eighty One Thousand Nine Hundred Twenty Dollars (\$1,181,920.00±), at Eighty Three Thousand Dollars (\$83,000.00) per acre for 14.24± acres, subject to a final survey; and be it further

3rd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th RESOLVED, that the proceeds of \$1,181,920 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7177.230 (Fund 001-Debt Service)	Suffolk County Multifaceted Land Preservation Program	\$1,181,920

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,181,920.00±, subject to a final survey, from the Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such other actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering reports, and environmental audits, making tax adjustments, and executing such other documents as are required to acquire such County interest in said lands; and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already been issued.

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: September 25, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-0-1. Legislator Kennedy was not present.

Intro. Res. No. 1863A-2007

BOND RESOLUTION NO. 926 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,181,920 BONDS TO FINANCE THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE GRIGONIS PROPERTY IN THE TOWN OF SOUTHOLD UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP 7177.230)

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 \$1,181,920 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of farmland development rights of the Grigonis property in the Town of Southold (SCTM Nos. 1000-055.00-01.00-5.001 and 1000-055.00-02.00-008.005 p/o) land under the Suffolk County Multifaceted Land Preservation Program, 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 \$1,181,920. The plan of financing includes the issuance of \$1,181,920 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 21 of the Law of the Law, is thirty (30) years.

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

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

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

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

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1825-2007

Laid on Table 8/7/2007

Introduced by Legislators Cooper and Schneiderman

RESOLUTION NO. 927 -2007, ESTABLISHING A "BE POOL SMART" PUBLIC EDUCATION CAMPAIGN TO PROMOTE POOL SAFETY

WHEREAS, drowning is the second leading cause of unintentional injury related deaths of children between the ages of one (1) and fourteen (14) nationwide, and the third leading cause of injury-related deaths of children in New York. On average, 350 children under the age of five (5) years old drown in swimming pools each year and another 2,600 children under the age of five (5) are treated in hospitals for near-drowning accidents; and

WHEREAS, near-drownings have a high case fatality rate with fifteen (15%) percent of children admitted for near-drowning dying in the hospital and as many as twenty (20%) percent of near-drowning survivors suffering severe, permanent neurological damage; and

WHEREAS, the County of Suffolk should take all possible steps to improve swimming pool safety and to educate residents who have pools of the safety measures they can take to protect children against accidental drownings; now, therefore be it

1st **RESOLVED**, that the office of the Presiding Officer of the County Legislature shall conduct an annual “Be Pool Smart” campaign in elementary level schools throughout the County of Suffolk, inviting students to participate in a poster contest requiring a student’s interpretation of what can be done to protect children and families against accidental pool drownings; and be it further

2nd **RESOLVED**, that each Legislator shall send letters and a copy of the pool safety pamphlet, published pursuant to the 5th **RESOLVED** clause of this Resolution, to the Superintendents of public school districts, located within their pertinent legislative district, advising the school as to the contest; and be it further

3rd **RESOLVED**, that each Legislator shall judge entries made by elementary schools and recommend one (1) winner from each school as a finalist. A Legislator from each district shall then recommend to the Presiding Officer of the County Legislature one (1) poster to represent their legislative district; and be it further

4th **RESOLVED**, that the deadline for submitting eligible posters shall be April 30th of each year beginning with the year 2008; the Legislative Office of Budget Review shall then select the winning poster, which shall be announced by the Presiding Officer at the first regularly scheduled meeting of the Legislature in June each year; and be it further

5th **RESOLVED**, that any student requesting to participate in said contest shall be furnished with a pamphlet from the Suffolk County Department of Health Services regarding pool safety tips, which pamphlet shall contain information and safety procedures developed by the Suffolk County Pool Safety Task Force, and any other relevant organization dedicated to pool safety, to protect children from accidental drownings; and be it further

6th **RESOLVED**, that said pamphlet shall be disseminated by the County Department of Health Services no later than March 1st each year, and, except in the year 2008, the design on said pamphlet’s cover shall contain an image of the preceding year’s “Be Pool Smart” campaign winning poster; and be it further

7th **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), (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.

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1832-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 928 -2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BABYLON FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0100-080.00-02.00-032.000)

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit “A” attached hereto; 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 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 080.00, Block 02.00, Lot 032.000, and acquired by tax deed on November 20, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on November 22, 2000, in Liber 12086, CP 381 and otherwise known as and by Town of Babylon; and known and designated as Lot No. 9 a shown on a certain map entitled “Map of Carver Park” and filed in the Suffolk County Clerk’s Office on February 6, 1950 as Map # 1730; and

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, Section 72-h of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Babylon, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit “B”); and

WHEREAS, the transfer of these parcels are pursuant to and in accordance with Local Law Nos.13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has approved the use of these parcels for the purposes stated above; now, therefore be it

1st **RESOLVED**, the subject parcels shall be conveyed to the Town of Babylon, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

1. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
2. The Town of Babylon shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2008, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
3. The Town of Babylon and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

2nd **RESOLVED**, the subject parcels shall be conveyed to the Town of Babylon, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

1. Principal residence of owner for a period of 5 years;
2. Income of purchaser limited to at least 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:

1. Income of tenant limited to 80% of median income based on family size;
2. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
3. Home must meet local building and zoning codes;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
5. Property must remain as an affordable unit for at least 10 years.

and be it further

3rd **RESOLVED**, the conveyance of the parcels described in Exhibit "A" to the Town of Babylon for the purposes described herein shall be for the sum of One Dollar (to be waived) plus the pro rata share of the current taxes; and be it further

4th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1852-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 929 -2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BABYLON FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0100-041.00-03.00-004.007)

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 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 041.00, Block 03.00, Lot 004.007, and acquired by tax deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004, in Liber 12331, CP 144 and otherwise known as and by Town of Babylon, known and designated as Lots No. 13 to 16 inclusive, Block No. 14 and as shown on certain map entitled “May of North Breslau” and filed in the Suffolk County Clerk’s Office on January 17, 1873 as Map No. 16; and

WHEREAS, said parcels are surplus to the needs of the County of Suffolk; and

WHEREAS, Section 72-h of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Babylon, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed resolution here to marked as Exhibit "A") ; and

WHEREAS, the transfer of these parcels are pursuant to and in accordance with Local Law Nos. 13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Economic Development and Workforce Housing has approved the use of these parcels for the purposes stated above; now, therefore be it

1st RESOLVED, the subject parcels shall be conveyed to the Town of Babylon, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

4. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
5. The Town of Babylon shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2008, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
6. The Town of Babylon and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price, income eligibility, and marketing standards in effect for affordable housing programs; and be it further

2nd RESOLVED, the subject parcels shall be conveyed to the Town of Babylon, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

5. Principal residence of owner for a period of 5 years;
6. Income of purchaser limited to at least 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
7. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;

8. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:

6. Income of tenant limited to 80% of median income based on family size;
7. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
8. Home must meet local building and zoning codes;
9. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
10. Property must remain as an affordable unit for at least 10 years.

3rd RESOLVED, the conveyance of the parcels described to the Town of Babylon for the purposes described herein shall be for the sum of One Dollar; and be it further

4th RESOLVED, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1853-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/21/2007

RESOLUTION NO. 930

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2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BABYLON FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0100-083.00-03.00-040.000)

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 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 083.00, Block 03.00, Lot 040.000, and acquired by tax deed on January 13, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on January 14, 2003, in Liber 12230, CP 319 and otherwise known as and by Town of Babylon, known and designated as Lots No. 485 to 488 inclusive, on a certain map entitled "Map of Parkway Heights" and filed in the Suffolk County Clerk's office on August 30, 1927 as Map No. 845; and

WHEREAS, said parcel is surplus to the needs of the County of Suffolk; and

WHEREAS, section 72-h of the General Municipal Law permits the sale of real property between Municipal Corporations; and

WHEREAS, the Town of Babylon, Suffolk County, New York, has requested the County of Suffolk convey the above-described parcel to it (see annexed Resolution hereto marked as Exhibit "A"); and

WHEREAS, the transfer of this parcel is pursuant to and in accordance with Local Law Nos.13-2000, 2-2002 and 17-2004 which established and modified the Affordable Housing Opportunities Program; and

WHEREAS, the Suffolk County Department of Planning has approved the use of this parcel for the purposes stated above; now, therefore be it

1st RESOLVED, the subject parcel shall be conveyed to the Town of Babylon, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed:

7. That the Grantee or any subsequent grantee shall not bill or charge back to the Grantor any cost incurred or projected to be incurred for the cleanup, removal, and disposal of all debris, waste, and/or contamination in or on the subject premises.
8. The Town of Babylon shall provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31, of each year commencing December 31, 2008, outlining the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises.
9. The Town of Babylon and all subsequent Grantees shall comply with all applicable Federal, State, and Local regulations pertaining to the price,

income eligibility, and marketing standards in effect for affordable housing programs; and be it further

2nd **RESOLVED**, the subject parcel shall be conveyed to the Town of Babylon, Suffolk County, New York subject to the following deed restrictions which restrictions shall run with the land and be enforceable by the County of Suffolk:

For Owner-Occupied Housing:

9. Principal residence of owner for a period of 5 years;
10. Income of purchaser limited to at least 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
11. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
12. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.

For Rental Housing:

11. Income of tenant limited to 80% of median income based on family size;
12. Rent shall not exceed HUD established Fair Market Rent for the Nassau-Suffolk PMSA based on bedroom size;
13. Home must meet local building and zoning codes;
14. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director after good cause is shown. Said extension shall not exceed two two-year extensions unless approved by duly enacted resolution.
15. Property must remain as an affordable unit for at least 10 years.

and be it further

3rd **RESOLVED**, the conveyance of the parcel described to the Town of Babylon for the purposes described herein shall be for the sum of One Dollar (to be waived); and be it further

4th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1838-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 931 -2007, AUTHORIZING USE OF INDIAN ISLAND COUNTY PARK BY BIRTHRIGHT OF PECONIC, INC. FOR ITS WALKATHON FUNDRAISER

WHEREAS, Birthright of Peconic, Inc. is a 501(c)(3) nonprofit organization having its principal place of business at 99 West Montauk Highway, Hampton Bays, New York; and

WHEREAS, Birthright of Peconic would like to hold its Walkathon Fundraiser at Indian Island County Park in the Town of Riverhead; and

WHEREAS, the Birthright of Peconic Walkathon is scheduled to be held on October 6, 2007; and

WHEREAS, Indian Island County Park will be used as the beginning and ending point of the walk route; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by Birthright of Peconic; 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 Indian Island Park by Birthright of Peconic for the purpose of hosting a fundraiser on Saturday, October 6, 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 Birthright of Peconic and the payment of One Hundred Twenty-five Dollars (\$125.00) 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 Indian Island County Park by Birthright of Peconic.

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1839-2007

Laid on Table 8/21/2007

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

RESOLUTION NO. 932 -2007, APPLYING FOR A GRANT FROM NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR THE RESTORATION OF SAGTIKOS MANOR

WHEREAS, New York State under Title 9 of the Environmental Protection Act of 1993, has established the 2007 Historic Preservation Grant Program for the restoration of historic sites within New York State; and

WHEREAS, Suffolk County is desirous of restoring the historic site of Sagtikos Manor, located on Montauk Highway in West Bay Shore; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby applies for grant funding from New York State Department of Parks, Recreation and Historic Preservation in the amount not to exceed One Hundred and Seventy-Five Thousand Dollars (\$175,000) in connection with the

2007 Historic Preservation Grant under Title 9 of the Environmental Protection Act of 1993 for the restoration of Sagtikos Manor; and be it further

2nd RESOLVED, that Tracey Bellone, as Acting Commissioner of Suffolk County Parks, Recreation and Conservation, is authorized and directed to file an application on forms prescribed by the New York State Office of Parks, Recreation, and Historic Preservation for financial assistance in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$175,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for restoration of Sagtikos Manor, West Bay Shore, New York and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

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

Intro. Res. No. 1690-2007

Laid on Table 6/26/2007

Introduced by Legislators Eddington, Caracappa, Losquadro, Browning, and Schneiderman

RESOLUTION NO. 933 -2007, ADOPTING LOCAL LAW NO. 28 -2007, A LOCAL LAW REQUIRING REGISTERED MOTOR VEHICLE DEALERS TO RELEASE VEHICLES ONLY TO LICENSED DRIVERS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 26, 2007, a proposed local law entitled, "**A LOCAL LAW REQUIRING REGISTERED MOTOR VEHICLE DEALERS TO RELEASE VEHICLES ONLY TO LICENSED DRIVERS**"; now, therefore be it

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

LOCAL LAW NO. 28 -2007, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW REQUIRING REGISTERED MOTOR VEHICLE DEALERS TO RELEASE VEHICLES ONLY TO LICENSED DRIVERS

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 under current law, automobile and motorcycle dealers are not required to check that a person purchasing a vehicle actually possesses a valid license to operate the vehicle in question.

This Legislature further finds that permitting a person to obtain and operate a vehicle they are not properly trained to handle is not only dangerous to that driver but also to others traveling on Suffolk County's roadways.

This Legislature also finds that in one recent incident, an 18 year old Suffolk resident was allowed to purchase and drive a motorcycle from a dealer's establishment even though he did not have a license to operate the motorcycle. This young man was killed in an accident approximately one month later, having never obtained a license to operate the motorcycle.

This Legislature further determines that all reasonable steps must be taken to enhance the safety of the County's roadways and requiring a person to produce a valid driver's license before they drive a vehicle from a dealer's business is a common sense measure that will increase safety and prevent accidents.

Therefore, the purpose of this law is to prohibit registered automobile and motorcycle dealers from releasing vehicles to persons who cannot produce a valid operator's license.

Section 2. Definitions.

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

"DEALER" – a person or entity engaged in the business of buying, selling or dealing in motor vehicles, motorcycles or trailers at wholesale or retail, who is registered with the New York State Department of Motor Vehicles pursuant to § 415 of the NEW YORK VEHICLE AND TRAFFIC LAW.

"VALID LICENSE" – a drivers' license issued by the State of New York or other jurisdiction, authorizing operation of a motor vehicle or motorcycle. This term shall not be construed to include learners' permits.

Section 3. Prohibition.

No dealer shall release a motor vehicle or motorcycle, which is being sold or offered for sale, to a person so that it may be driven from the dealer's premises, unless the person presents to the dealer a valid license to operate the subject motor vehicle or motorcycle. The license relied upon by a dealer to release a motor vehicle or motorcycle must appear on its face to be genuine.

Section 4. Record Keeping Requirement.

A dealer shall maintain a copy of any license they rely upon for the release of a motor vehicle or motorcycle for one year following a sale.

Section 5. Penalties.

Any dealer who willfully violates any provision of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to One Thousand Dollars (\$1000.00) for each violation.

Section 6. Applicability.

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

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of 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 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 9. Effective Date.

This law shall take effect 120 days after its filing in the Office of the Secretary of State.

DATED: September 20, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED OCTOBER 22, 2007

After a public hearing duly held on October 2, 2007

Filed with the Secretary of State on November 9, 2007

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

Intro. Res. No. 1830-2007
Introduced by Legislator Losquadro

Laid on Table 8/21/2007

**RESOLUTION NO. 934 -2007, AMENDING
THE 2007 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH
INSTALLATION OF GUIDE RAIL AND SAFETY UPGRADES
ON CR 83, PATCHOGUE – MT. SINAI ROAD, TOWN OF
BROOKHAVEN (CP 5180)**

WHEREAS, the Suffolk County Department of Public Works is in need of funds for guide rails and safety upgrades on CR 83, Patchogue-Mt. Sinai Road, Town of Brookhaven; and

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

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$70,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-three (43) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act, Environmental Conservation Law Article 8 (hereinafter "SEQRA"), hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

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

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic & Public Safety & Public Health

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$96,000	\$166,000B	\$96,000B
TOTAL	\$96,000	\$166,000	\$96,000

Project Number: 5180

Project Title: Installation of Guide Rail and Safety Upgrades at Various Locations

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$945,000	\$0	\$70,000B
TOTAL	\$945,000	\$0	\$70,000

and be it further

5th RESOLVED, that the proceeds of \$70,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5180.345	50	Installation of Guide Rail and Safety Upgrades on CR 83, Patchogue-Mt. Sinai Road, Town of Brookhaven	\$70,000

and be it further

6th RESOLVED, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 26, 2007

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

Intro. Res. No. 1830A-2007

BOND RESOLUTION NO. 935 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$70,000 BONDS TO FINANCE THE COST OF THE INSTALLATION OF GUIDE RAIL AND SAFETY UPGRADES ON CR 83, PATCHOGUE-MT. SINAI ROAD, TOWN OF BROOKHAVEN (CP 5180.345)

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 \$70,000 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 installation of guide rail and safety upgrades on 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 \$70,000. The plan of financing includes the issuance of \$70,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 35 of the Law of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date if a prior

statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: September 20, 2007

APPROVED BY:

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

Date: September 26, 2007

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

Intro. Res. No. 1843-2007 Laid on Table 8/21/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 936
2007, AMENDING THE 2007 CAPITAL PROGRAM AND
BUDGET AND APPROPRIATING FUNDS FOR THE
ACQUISITION OF LAND FOR INTERSECTION
IMPROVEMENTS ON CR 35, PARK AVENUE, TOWN OF
HUNTINGTON (CP 5519)**

WHEREAS, the Commissioner of Public Works has requested funds for the acquisition of land and related expenses (appraisals, public notices, title insurance policies, service of process, etc.) for intersection improvements on CR 35, Park Avenue, Town of Huntington; and

WHEREAS, CR 35, Park Avenue, in the vicinity of New York State Road 25, Town of Huntington, had experienced traffic delay and traffic safety problems that were addressed by the reconstruction of this roadway section; and

WHEREAS, said reconstruction required the acquisition of portions of several commercial parcels for which the property owners filed damage claims with the Suffolk County Supreme Court that were ultimately settled for amounts in excess of the funds previously adopted for this project; and

WHEREAS, the 2007 Capital Program and Budget does not include funding for this project 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. 571-1998 and reaffirmed by Resolution No. 209-2000, established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,500,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of Sixty One (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

2nd RESOLVED, That the Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") adopted Resolution No. 683-1995, issuing a SEQRA determination of non-significance for this project and therefore completing the SEQRA review; and be it further

3rd RESOLVED, that the Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") hereby finds and determines that this resolution constitutes a Type II action, pursuant to 6 NYCRR Sections 617.5(c)(20) and (27), in that the resolution implements a program for which SEQRA review was previously been completed and, therefore, the resolution constitutes 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; and be it further

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

Project No.: 5529
 Project Title: Reconstruction of CR 58, Old Country Road, Town of Riverhead

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Program and Budget</u>	<u>Revised 2007 Capital Program and Budget</u>
1. Planning, Design & Supervision	<u>\$2,875,000</u>	<u>\$1,000,000B</u>	<u>\$ 0</u>
TOTAL	\$23,725,000	\$2,150,000	\$1,150,000

Project No.: 3301
 Project Title: Safety Improvements at Various Intersections

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Program and Budget</u>	<u>Revised 2007 Capital Program and Budget</u>
3. Construction	<u>\$6,755,000</u>	<u>\$1,150,000B</u>	<u>\$650,000B</u>

TOTAL \$13,367,000 \$1,860,000 \$1,360,000

Project No.: 5519
 Project Title: Intersection Improvements on CR 35, Park Avenue – Town of Huntington

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Program and Budget</u>	<u>Revised 2007 Capital Program and Budget</u>
2. Land Acquisition		<u>\$4,170,000</u>	<u>\$ 0</u>
<u>\$1,500,000B</u>			
TOTAL	\$6,370,000	\$ 0	\$1,500,000

and be it further

5th RESOLVED, that the proceeds of \$1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Capital Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5519.211 (Fund 001-Debt Service)	50	Acquisition of Lands for Reconstruction of CR 35, Park Avenue from the Vicinity Of Old Country Road to C.R. 86, Broadway- Greenlawn Road, Town of Huntington	\$1,500,000

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1843A-2007

BOND RESOLUTION NO. 937 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF LAND FOR THE RECONSTRUCTION OF CR 35, PARK

**AVENUE, IN THE VICINITY OF OLD COUNTRY ROAD TO CR
86, BROADWAY-GREENLAWN ROAD, TOWN OF
HUNTINGTON (CP 5519.211)**

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 \$1,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land for the reconstruction of CR 35, Park Avenue, in the vicinity of Old Country Road to CR 86, Broadway-Greenlawn Road, Town of Huntington, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,120,000. The plan of financing includes (a) the issuance of \$300,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 1215-1996, (b) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1214-2001, (c) the issuance of \$350,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 773-2002, (d) the issuance of \$1,870,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1038-2003, (e) the issuance of \$1,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 (a) of the Law, is thirty (30) years, computed from June 15, 1997, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1215-1996.

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: September 20, 2007

APPROVED BY:

/s/ Paul Sabatino II

Chief Deputy County Executive of Suffolk County

Date: September 24, 2007

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

Intro Res. No.1844-2007

Laid on Table 8/21/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 938 –2007, APPROVING MAPS AND AUTHORIZING THE ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND DETERMINATIONS PURSUANT TO SECTION 204 OF THE EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF C.R. 67, MOTOR PARKWAY BRIDGE AT THE LONG ISLAND EXPRESSWAY, EXIT 55, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK (CP 5172)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled “MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 67, MOTOR PARKWAY BRIDGE AT THE LONG ISLAND EXPRESSWAY, EXIT 55, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK”; and

WHEREAS, on May 8, 1996, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 362-1996 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution Nos. 127-2006 and 321-2006, the Department of Public Works was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Smithtown Messenger, said newspapers being the current official County newspapers of the County of Suffolk; and the Islip Bulletin, the official town newspaper situated in the locality where the public project is located; and

WHEREAS, a public hearing was duly held on October 4, 2006 for the following purposes:

- A. To inform the public
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.

- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on December 15, 2006, pursuant to Adopted Resolution Nos. 127-2006, 321-2006; and

WHEREAS, a brief synopsis thereof was duly published in two successive issues in the Smithtown News and the Long Island Business News, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the Islip Bulletin, which, at the time of publication was the current official town newspaper situated in the locality where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on July 26, 2007, pursuant to Adopted Resolution Nos. 127-2006 and 321-2006, now, therefore be it

1st RESOLVED that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on December 15, 2006, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd RESOLVED, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 67, MOTOR PARKWAY BRIDGE AT THE LONG ISLAND EXPRESSWAY, EXIT 55, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK" being the maps heretofore filed with the Clerk of the Suffolk County Legislature on July 26, 2007, pursuant to Adopted Resolution Nos. 127-2006 and 321-2006, be and the same are hereby approved and adopted; and be it further

3rd RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th RESOLVED, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th RESOLVED, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk

County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th RESOLVED, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th RESOLVED, that the County Attorney, or designated Deputies and Assistant County Attorneys, be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1854-2007

Laid on the Table 8/21/2007

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

RESOLUTION NO. 939 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (CP 5850)

WHEREAS, the Commissioner of Public Works has requested funds for the Rehabilitation of the West Bay Bridge; 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, 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 and established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$35,000 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. 1167 of 1995 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 forty-eight (48) 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	<u>\$3,500,000</u>	<u>\$300,000 B</u>	<u>\$265,000 B</u>
TOTAL	\$17,500,000	\$300,000	\$265,000

Project No.: 5850
 Project Title: Rehabilitation of Various Bridges and Embankments

	Total Est'd	Current 2007 Capital Budget &	Revised 2007 Capital Budget &

	<u>Cost</u>	<u>Program</u>	<u>Program</u>
3. Construction	<u>\$4,670,000</u>	<u>\$550,000B</u>	<u>\$585,000B</u>
TOTAL	\$4,670,000	\$550,000	\$585,000

and be it further

5th RESOLVED, that the proceeds of \$35,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5850.319 (Fund 001-Debt Service)	50	Rehabilitation of Various Bridges and Embankments	\$35,000

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1854A-2007

BOND RESOLUTION NO. 940 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$35,000 BONDS TO FINANCE THE COST OF REHABILITATION OF VARIOUS BRIDGES AND EMBANKMENTS (WEST BAY BRIDGE PROJECT) (CP 5850.319)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$35,000 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 rehabilitation of various bridges and embankments (West Bay Bridge project), 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 \$35,000. The plan of financing includes the issuance of \$35,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 10 of the Law of the Law, is twenty (20) 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: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1738-2007

Laid on Table 8/7/2007

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Romaine, Schneiderman, Barraga, Browning, Alden, Cooper

**RESOLUTION NO. 941 -2007, ADOPTING LOCAL LAW
NO. -2007, A CHARTER LAW TO STRENGTHEN AND
STREAMLINE THE PROCESS FOR ADOPTING LOCAL
LEGISLATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 7 2007, a proposed local law entitled, "**A CHARTER LAW TO STRENGTHEN AND STREAMLINE THE PROCESS FOR ADOPTING LOCAL LEGISLATION**"; now, therefore be it

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

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

**A CHARTER LAW TO STRENGTHEN AND STREAMLINE THE
PROCESS FOR ADOPTING LOCAL LEGISLATION**

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the SUFFOLK COUNTY CHARTER provides a procedure for the adoption of local legislation, including vetoes by the County Executive and overrides by the County Legislature.

This Legislature further finds that the procedure established in the SUFFOLK COUNTY CHARTER for the override of vetoed legislation is inconsistent with that contained in the NEW YORK MUNICIPAL HOME RULE LAW.

This Legislature further determines that the process and time frames contained in the state law are more workable and efficient than what is provided for in the SUFFOLK COUNTY CHARTER.

This Legislature also finds that amending the SUFFOLK COUNTY CHARTER to conform with the NEW YORK MUNICIPAL HOME RULE will allow the County Legislature to consider vetoed legislation in a smart, common sense manner, without affecting the rights and responsibilities of the County Executive.

Therefore, the purpose of this law is to bring the County's local legislation process into conformity with state law and establish a stronger and more practical process for the consideration of vetoed legislation by the County Legislature.

Section 2. Amendments.

Section C2-15 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

**§ C2-15. Approval or disapproval of local laws and resolutions by
County Executive.**

* * * *

C. If the County Executive disapproves a local law submitted to him, he shall return it to the Clerk of the Suffolk County Legislature within 30 days of its submission to him [the County Executive returns such local law to the County Legislature] with a statement of his reasons for not approving it[,] The Clerk shall present the same to the County Legislature at its next regularly scheduled meeting. The County Legislature may within 30 days after presentment by the Clerk, reconsider the disapproved local law. S[s]uch local law shall not be effective[,] unless the County Legislature on reconsideration passes it by an affirmative vote of two-thirds (2/3) of the total membership [within 30 days of its return].

* * * *

E. If the County Executive disapproves a resolution submitted to him, he shall return it to the Clerk of the Suffolk County Legislature within 15 days of its submission to him [the County Executive returns such resolution to the County Legislature] with a statement of his reasons for not approving it[,] The Clerk shall present the same to the County Legislature at its next regularly scheduled meeting, or at a special meeting held at the direction of the Presiding Officer or upon request of members of the Legislature, whichever shall occur earlier. The County Legislature may within 30 days after presentment by the Clerk, reconsider the disapproved resolution. S[s]uch resolution shall not be effective[,] unless the County Legislature on reconsideration passes it by an affirmative vote of two-thirds (2/3) of the total membership [within 30 days of its return].

* * * *

Section 3. Exemption.

This law shall not apply to resolutions that are related to the adoption of the County's Operating Budget, Capital Budget and Program and Community College Budget. The procedures for the veto and override of these resolutions shall continue to be governed by Article IV of the SUFFOLK COUNTY CHARTER and other applicable provisions of the law.

Section 4. Applicability.

This law shall apply to local laws and resolutions acted upon or after the effective date of this law.

Section 5. Severability.

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

Section 6. SEQRA Determination.

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

Section 7. Effective Date.

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

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

DATED: September 20, 2007

****VETOED BY COUNTY EXECUTIVE ON OCTOBER 16, 2007****
****VETO OVERRIDE ADOPTED ON NOVEMBER 1, 2007****

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

Intro. Res. No. 1912-2007
Introduced by Legislator Romaine

Laid on Table 9/20/2007

RESOLUTION NO. 942 –2007, DELCARING SEPTEMBER 28 THROUGH OCTOBER 5, 2007 AS “HOMELESS AWARENESS WEEK” IN SUFFOLK COUNTY

WHEREAS, homelessness continues to be a serious problem in Suffolk County and across our nation; and

WHEREAS, many of the homeless individuals and families are gainfully employed, but due to the rising cost of housing, or a medical situation which may have caused financial hardship, they are left to seek government assistance; and

WHEREAS, many community programs are available to provide assistance to the homeless and those on the brink of being homeless through their case workers or referral network; and

WHEREAS, raising the public's awareness of the plight of the homeless, encouraging more citizens to become involved with a local host church, and raising additional funding to assist in the transportation of homeless individuals and families can be accomplished by designating "Homeless Awareness Week" in Suffolk County; and

WHEREAS, on September 28th and 29th of 2007, area high school clubs and church youth groups will participate in an overnight "Sleep Out" or "Sleep In" to raise awareness amongst young people of the plight of the homeless; and

WHEREAS, Suffolk County wishes to join in raising awareness of homelessness; now, therefore be it

1st RESOLVED, that the period of September 28th through October 5, 2007 is hereby declared "Homeless Awareness Week" in Suffolk County to raise awareness of the homeless crisis in Suffolk County; and be it further

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

DATED: September 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 26, 2007

Legislator Schneiderman 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. 1952-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 943 –2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS TO FAMILY COUNSELING SERVICES (GREATER HAMPTONS INTERFAITH COUNCIL)

WHEREAS, the approved New York State Budget for Fiscal Year 2007 includes funding in Aid to Localities to support services directed at individuals who suffer from chemical abuse or dependence, their family members and/or significant others; and

WHEREAS, the current 2007 Adopted Operating Budget includes \$467,577 in generic funding for Contracted Services pending its reallocation to designated provider agencies; and

WHEREAS, the Division of Community Mental Hygiene Services worked cooperatively with the New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office, and Family Counseling Services to develop a plan to best utilize this unallocated State Aid for the provision of prevention and treatment services; and

WHEREAS, New York State Office of Alcoholism and Substance Abuse Services (OASAS) has approved funding for Family Counseling Services (Greater Hamptons Interfaith Council) in the amount of \$13,965 for provision of prevention services and \$29,053 for provision of treatment services; and

WHEREAS, these funds are already included in the 2007 Adopted Operating Budget and need to be transferred; now, therefore be it

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

ORGANIZATIONS

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

FROM:

001-HSV-4310-4980 Contracted Services - \$43,018

TO:

XORG Agency Change
AIJ1 Family Counseling Services (Greater Hamptons Interfaith Council) +\$43,018

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Family Counseling Services (Greater Hamptons Interfaith Council); and be it further

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

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

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

Deputy Presiding Officer Viloría-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. 1953-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 944 –2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR PART 822 CONVERSION COSTS

WHEREAS, Chapter 54 of the Laws of 2007 included transitional aid to OASAS-licensed providers to convert to Part 822 regulations; and

WHEREAS, the State has awarded additional 100% State Aid to Alternatives Counseling Services, Town of Huntington Youth Bureau, Town of Babylon, Town of Smithtown and YMCA of Long Island, Inc.; and

WHEREAS, each provider will receive \$14,705 in additional 100% State Aid for one-time transitional costs in the Chemical Dependence Outpatient Clinic Programs; and

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

Intro. Res. No. 1954-2007
Laid on Table 9/20/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 945 –2007, ACCEPTING AND APPROPRIATING 100% LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT FROM NEW YORK STATE FOR RECORDS MANAGEMENT PROGRAMS

WHEREAS, the State Education Department has advised the Suffolk County Clerk that a Local Government Records Management Improvement Fund Grant in the amount of seventy-four thousand two hundred seventy four dollars (\$74,274.00) has been awarded to the Suffolk County Clerk's Office for records management programs; and

WHEREAS, this grant will make it possible for the Suffolk County Clerk's Office to create digital use copies of the paper Grantor/Grantee indexes 1951-1968 series volumes thereby increasing the longevity of the records; and

WHEREAS, no matching funds are required; and

WHEREAS, funds appropriated for this New York State Education Department, State Archives and Records Administration (S.A.R.A.) grant will be accepted and available in the 2007-2008 fiscal year, beginning July 1, 2007 through June 30, 2008; now, therefore be it

1st RESOLVED, that funding in the amount of seventy-four thousand two hundred seventy four dollars (\$74,274.00) in the form of a Local Governments Record Management Improvement Fund Grant for the purpose of assisting the Suffolk County Clerk in establishing records management programs or developing new components thereof is appropriated as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3089 State Aid: Other	\$74,274.00

APPROPRIATIONS

County Clerk's Office 001-CLK-1414-1130	
Contracted Services	\$74,274.00

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

Legislator Mystal 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. 1955-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 946 -2007, ACCEPTING AND APPROPRIATING 100% STATE AID FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE FIREARM LAB CAPACITY ENHANCEMENT INITIATIVE AND TO CREATE ONE NEW POSITION

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Firearm Lab Capacity Enhancement Initiative in the amount of \$93,200 for the period 03/31/07-03/31/08; and

WHEREAS, this grant funding is provided to enhance the capacity of the crime lab to process on a timely basis firearms or firearm related evidence serviced by the lab; and

WHEREAS, these 100% State grant funds include the cost of one (1) new position; and

WHEREAS, a position will also be abolished so there will be no increase in the number of total positions within the Department; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$93,200 grant funds as follows:

REVENUES:

001-3321 Criminal Justice Services \$92,300

APPROPRIATIONS:

Department of Health Services (HSV)

Division of Medical, Legal Investigations and Forensic Sciences
 Firearm Lab Capacity Enhancement
 001-HSV-4732

<u>Personal Services</u>	<u>\$64,050</u>
1100 Permanent Salaries	\$64,050

Employee Benefits
 Retirement
 001-EMP-9010

<u>Employee Benefits</u>	<u>\$7,494</u>
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8280 Retirement	\$7,494
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Employee Benefits
 Social Security
 001-EMP-9030

<u>Employee Benefits</u>	<u>\$4,900</u>
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8330 Social Security	\$4,900
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Employee Benefits
 Welfare Fund Contribution
 001-EMP-9080

<u>Employee Benefits</u>	<u>\$1,331</u>
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8380 Welfare Fund Contribution	\$1,331
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Interfund Transfer
 Transfer to Employee Medical Health Plan
 001-IFT-E039

<u>Employee Benefits</u>	<u>\$15,425</u>
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9600 Transfer of Funds	\$15,425
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and be it further

2nd RESOLVED, that the following inter-fund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES:

039-IFT-R001 Transfer from General Fund	\$15,425
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ORGANIZATION:

Employee Benefits (EMP)
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>\$15,425</u>
8360 Health Insurance	\$15,425

and be it further

3rd RESOLVED, that the following position be and they hereby are created in the Department of Health Services as follows:

Division of Medical, Legal Investigations and Forensic Sciences
Firearm Lab Capacity Enhancement Initiative
001-HSV-4732

<u>Position No.</u> <u>Created</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J.C.</u>	<u>Grade</u>	<u>No.</u>
4732-1000-XXXX	2266	Forensic Scientist I (Ballistics)	C	19	1

and be it further

4th RESOLVED, that following the creation of the above position the following position be and it hereby is abolished in the Department of Health Services as follows:

Division of Patient Care Services
Public Health Nursing
001-HSV-4128

<u>Position No.</u> <u>Abolished</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>No.</u>
4128-0100-0280	0021	Clerk Typist	C	09	-1

and be it further

5th 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

6th RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

7th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 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. 1956-2007

Laid on Table 9/20/2007

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

RESOLUTION NO. 947 –2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (OASAS) FOR HOPE FOR YOUTH, INC.

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) solicited proposals from OASAS-certified, not-for-profit outpatient treatment providers for a three-year pilot program aimed at the development and expansion of evidence-based treatment options for adolescents aged 12 to 18 who are at risk of placement in the child welfare or juvenile justice system or both; and

WHEREAS, the State has awarded additional 100% State Aid funding to Hope for Youth, Inc. for the operation of an Adolescent Outpatient Pilot program for the period of August 1, 2007 to December 31, 2007; and

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

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

REVENUES:

001-HSV- 3486 State Aid: Narcotics Addition Control

\$83,042

ORGANIZATIONS:

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

<u>XORG Object Name</u>	<u>2007 Adopted</u>	<u>2007 Modified Adopted</u>	<u>+Change</u>
XXXX Hope for Youth, Inc.	\$0	\$83,042	+\$83,042

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Hope for Youth, Inc.; and be it further

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

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

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 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. 1957-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 948 -2007, ACCEPTING AND
 APPROPRIATING GRANT FUNDS RECEIVED FROM THE
 NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
 SERVICES, UNDER PROJECT IMPACT IV**

WHEREAS, New York State Division of Criminal Justice Services has awarded a grant in the amount of \$1,612,951 to address the reduction of UCR Part 1 and other serious crime by implementing an enforcement program of strategy through Operation IMPACT IV that includes a data-driven multi-agency response to one or more local crime problems; and

WHEREAS, such grant funds are to be distributed between the Suffolk County District Attorney's Office, the Suffolk County Police Department, the Suffolk County Probation Department, and the Suffolk County Sheriff; and

WHEREAS, said grant is to run for the period 7/1/07 through 6/30/08; and

WHEREAS, partial funding has been included in the District Attorney's 2007 Suffolk County Adopted Operating Budget for Operation IMPACT IV; now, therefore be it

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

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3321-Operation IMPACT IV	\$120,976

ORGANIZATIONS:

District Attorney (DIS)
Operation Impact IV
001-1167

PERSONNEL SERVICES	\$30,476
1100—Permanent Salaries	\$30,476

<u>EQUIPMENT</u>	<u>\$4,500</u>
3160—Computer Software	\$4,500

SPECIAL SERVICES	\$86,000
4770—Special Services	\$86,000

and be it further

2nd RESOLVED, that the following positions be created in the District Attorney's Office as follows:

District Attorney's Office
Operation Impact IV
001-DIS-1167

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>Created</u>
001-1167-0608-1008	0701	Research Technician	E	17	+1

and be it further

3rd RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue employment of the individual filling the position created by the resolution at the conclusion of the grant funding provided for such position created by said grant; and be it further

4th RESOLVED, that the following positions are transferred within the District Attorney's Office from appropriation 001-1167:

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>Created</u>
001-1167-0608-0650	6120	Deputy Bureau Chief	E	36	-1
001-1167-0608-0668	6129	Senior ADA	E	27	-1
001-1167-0608-0754	6129	Senior ADA	E	27	-1
001-1167-0608-0755	6129	Senior ADA	E	74	-1
001-1167-0608-0719	5128	Assistant District Attorney I	E	24	-1
001-1167-0608-0847	0022	Senior Clerk Typist	E	12	-1
001-1167-0608-0756	0021	Clerk Typist	E	9	-1

and be it further

5th RESOLVED, that the following positions are transferred within the District Attorney's Office to appropriation 001-1165:

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>Created</u>
001-1165-1600-0650	6120	Deputy Bureau Chief	E	36	+1
001-1165-1600-0668	6129	Senior ADA	E	27	+1
001-1165-1600-0754	6129	Senior ADA	E	27	+1
001-1165-1600-0755	6129	Senior ADA	E	74	+1
001-1165-1600-0719	5128	Assistant District Attorney I	E	24	+1
001-1165-1600-0847	0022	Senior Clerk Typist	E	12	+1
001-1165-1600-0756	0021	Clerk Typist	E	9	+1

and be it further

6th RESOLVED, that the following positions are transferred within the District Attorney's Office from appropriation 001-1165:

<u>Position No.</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>Created</u>
001-1173-0670-0937	6120	Deputy Bureau Chief	E	36	-1
001-1165-1600-0767	6130	Principal ADA	E	34	-1
001-1165-1600-0180	6129	Senior ADA	E	27	-1
001-1165-1600-0670	6120	Deputy Bureau Chief	E	36	-1
001-1165-1600-0184	6129	Senior ADA	E	27	-1
001-1165-1600-0374	6130	Principal ADA	E	34	-1

001-1165-1600-0851	6130	Principal ADA	E	34	-1
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and be it further

7th RESOLVED, that the following positions are transferred within the District Attorney's Office to appropriation 001-1167:

<u>Position Number</u>	<u>Spec. No.</u>	<u>Position Title</u>	<u>J/C</u>	<u>Grade</u>	<u>Created</u>
001-1167-0860-0937	6120	Deputy Bureau Chief	E	36	+1
001-1167-0860-0767	6130	Principal ADA	E	34	+1
001-1167-0860-0180	6129	Senior ADA	E	27	+1
001-1167-0860-0670	6120	Deputy Bureau Chief	E	36	+1
001-1167-0860-0184	6129	Senior ADA	E	27	+1
001-1167-0860-0374	6130	Principal ADA	E	34	+1
001-1167-0860-0851	6130	Principal ADA	E	34	+1

and be it further

8th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3321-Operation IMPACT IV	\$772,129

ORGANIZATIONS:

Police Department (POL)
 Operation Impact IV
 001-POL-3219

PERSONNEL SERVICES	\$310,000
1120—Overtime Salaries	\$310,000

<u>EQUIPMENT</u>	<u>\$30,300</u>
2020—Office Machines	\$30,300

<u>SUPPLIES MATERIALS & OTHER</u>	<u>\$49,329</u>
3160—Computer Software	\$35,000
3310—Clothing and Accessories	\$5,000
3770—Advertising	\$9,329

<u>UTILITIES</u>	<u>\$255,000</u>
4210—Computer Services	\$255,000

<u>TRAVEL</u>	<u>\$2,500</u>
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4340—Travel Other Contracts	\$2,500
<u>SPECIAL SERVICES</u>	<u>\$125,000</u>
4770—Special Services	\$125,000

and be it further

9th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3321-Operation IMPACT IV	\$62,000

ORGANIZATIONS:

Sheriff's Office (SHF)
 Operation Impact IV
 001-SHF-3161

<u>PERSONAL SERVICES</u>	<u>\$53,000</u>
1120—Overtime Salaries	\$53,000

<u>SUPPLIES MATERIALS AND OTHER EXPENSES</u>	<u>\$7,000</u>
3160—Computer Software	\$7,000

<u>SPECIAL SERVICES</u>	<u>\$2,000</u>
4770—Special Services	\$2,000

and be it further

10th RESOLVED, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds as follows;

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3321-Operation IMPACT IV	\$66,000

ORGANIZATIONS:

Probation Department (PRO)
 Operation Impact IV
 001-PRO-3181

<u>PERSONAL SERVICES</u>	<u>\$55,000</u>
1120—Overtime Salaries	\$55,000

<u>CONTRACTUAL EXPENSES</u>	<u>\$11,000</u>
4560—Fees For Services, Non-Employee	\$10,000
4340—Travel, Other	\$1,000

and be it further

11th RESOLVED, that the non-reimbursable fringe benefits associated with the overtime salaries for this grant are included in the 2007 Suffolk County Budget; and be it further

12th RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes Type II action; and be it further

13th RESOLVED, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

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

Intro. Res. No. 1958-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 949 -2007, AMENDING THE
2007 OPERATING BUDGET TO STRIKE \$113,760,967 IN
EXCESS 2007 RETIREMENT APPROPRIATIONS AND
\$12,895,189 IN EXCESS 2007 RETIREMENT RESERVE FUND
APPROPRIATIONS**

WHEREAS, on August 3, 2004 the Governor signed into law Chapter 260, New York State Laws of 2004 which changed the due date for the 2006/07 employer retirement contribution from December 15, 2006 to February 1, 2007; and

WHEREAS, Suffolk County Legislature and the Suffolk County Executive adopted the 2006 retirement operating budget in accordance with Chapter 260, New York State Laws of 2004 by establishing a retirement reserve fund for the payment of future employee retirement costs; and

WHEREAS, the 2007 Adopted Operating Budget includes \$113,760,967 in retirement appropriations to pay the 2006/07 retirement bill on February 1, 2007; and

WHEREAS, New York State and Local Employees' Retirement Systems has notified municipalities that local governments had an option to pay the 2006/07 retirement bill either on December 15, 2006 or February 1, 2007; and

WHEREAS, municipalities who elect to pay 2006/07 retirement contributions on December 15, 2006 will receive a discounted bill at 8% for the 47 day period between December 15th and February 1st; and

WHEREAS, the Suffolk County Legislature adopted Resolution No. 1412-2006 to create additional 2006 appropriations for the sole purpose of paying the County's retirement obligation to the New York State and Local Employees' Retirement Systems on December 15, 2006, thereby, saving Suffolk County taxpayers \$1,138,909; and

WHEREAS, the payment of the 2006/07 retirement bill on December 15, 2006 leaves \$113,760,967 in excess 2007 retirement appropriations which would have been used to pay the 2006/07 retirement bill on February 1, 2007; and

WHEREAS, it is the desire of the County of Suffolk to strike \$113,760,967 in excess 2007 retirement appropriations to achieve \$1,138,909 in real savings for the taxpayers of Suffolk County and eliminate duplicate appropriations for the same retirement expense; and now, therefore be it

1st RESOLVED, that the 2007 County Operating Budget is hereby amended as follows to strike excess 2007 retirement appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations as detailed on Schedule A, attached:

and be it further

2nd RESOLVED, that the 2007 County Operating Budget is hereby amended as follows to strike excess 2007 Retirement Contribution Reserve Fund appropriations and that the County Comptroller and the County Treasurer be and they are hereby authorized to strike the following funds and authorizations as detailed on Schedule B, attached.

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 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.

RESOLUTION NO. 950 -2007, AMEND RESOLUTION NO. 656-2007, CREATING AN UNDERAGE DRINKING TASK FORCE

WHEREAS, Resolution No. 656-2007 created the Underage Drinking Task Force; and

WHEREAS, in order for the Task Force to properly function, it is necessary to amend its composition; now, therefore be it

1st **RESOLVED**, that the 2nd RESOLVED clause of Resolution No. 656-2007 is hereby amended to read as follows:

2nd **RESOLVED**, that this Task Force shall be comprised of the following members:

- 1.) the Commissioner of the Suffolk County Police Department, or his representative;
- 2.) the Director of the Suffolk County Probation Department, or his representative;
- 3.) the Commissioner of the Suffolk County Department of Health Services, or his designee;
- 4.) a representative of the Suffolk County Chapter of the Mothers Against Drunk Driving (MADD);
- 5.) [a representative of the hospitality industry, to be appointed by the Presiding Officer of the Suffolk County Legislature;] a representative from an agency specializing in alcohol abuse prevention, to be appointed by the Chairman of the Task Force;
- 6.) a representative of the Suffolk County Chapter of Students Against Drunk Driving (SADD);
- 7.) the Director of Suffolk County's Stop-DWI Program;
- 8.) a representative of the Nassau/Suffolk School Boards Association;
- 9.) A medical professional expert in the field of drug and/or alcohol rehabilitation to be appointed by the Minority Leader of the Suffolk County Legislature; and
- 10.) A Suffolk County Legislator appointed by the Presiding Officer, who shall serve as Chair of the Task Force;

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 656-2007 shall remain in full force and effect; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) 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
___ underlining denotes addition

DATED: September 20, 2007

APPROVED BY:

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

Date: September 24, 2007

Legislator Eddington made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 14-1-2-1. Legislator Barraga voted no. Legislators D’Amaro and Cooper abstained. Legislator Kennedy was not present.

Mem. Res. No. 39-2007
Introduced by Legislators Eddington and Alden

LOT 6/12/07

**MEMORIALIZING RESOLUTION IN SUPPORT OF
LEGISLATION TO CREATE THE FIRE ISLAND BEACH
EROSION CONTROL DISTRICT**

WHEREAS, the Fire Island beaches are of enormous economic, social and ecological value to the people of Suffolk County; and

WHEREAS, accelerating erosion threatens the existence of Fire Island beaches and imperils other natural resources, the Great South Bay and properties on Fire Island and on the south shore of Long Island; and

WHEREAS legislation has been introduced in the New York State Legislature authorizing the creation of the “Fire Island Beach Erosion Control District” for the purpose of providing shoreline restoration and preservation projects, the costs of which would be shared by district property owners; and

WHEREAS, such a district will help meet the urgent need for remedial action to prevent further erosion of Fire Island; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports New York Assembly Bill A.00412 and New York State Senate Bill S.01578, which would authorize the creation of the Fire Island Beach Erosion Control District; 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: September 20, 2007

s:\memres\mr-fire island beach district

Legislator Horsley made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 15-1-1-1. Legislator Barraga voted no. Legislator Cooper abstained. Legislator Kennedy was not present.

Mem. Res. No. 56-2007

LOT 8/21/2007

Introduced by Legislators Horsley, Losquadro, Alden and Romaine

**MEMORIALIZING RESOLUTION IN SUPPORT OF THE
PLASTIC BAG REUSE AND RECYCLING ACT**

WHEREAS, the worldwide production of plastic bags has significant environmental impacts each year, including the use of over 12 million barrels of oil, and the deaths of thousands of marine animals through ingestion and entanglement; and

WHEREAS, each year an estimated 500 billion to 1 trillion plastic bags are used worldwide, which is over one million bags per minute, and of which billions of bags end up as litter each year; and

WHEREAS, most plastic carryout bags do not biodegrade which means that the bags break down into smaller and smaller toxic bits that contaminate soil and waterways and enter into the food web when animals accidentally ingest those materials; and

WHEREAS, legislation is currently pending in the New York State Legislature that would encourage the use of reusable bag by consumers and reduce the consumption of single-use plastic bags; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Senate Bill No. S.6253 which would require an at-store recycling program for plastic bags; 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: September 20, 2007

s:\memres\mr-recycle-plastic-bags

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

Introduced by Presiding Officer Lindsay

Laid on Table 9/20/07

**MOTION NO. 16 – 2007, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE VII)**

WHEREAS, funds are included in the 2007 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

WHEREAS, pursuant to Resolution No. 1153-2006, this Legislature is administering these “Community Support Initiatives”; now, therefore be it

1st RESOLVED, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
John R. Cacioppo American Legion Post 1848	Eddington	\$5,000
Kiwanis International - Mastic	Browning	\$2,000
Long Island Citizens for Community Values	Horsley	\$1,000
The North Fork Promotion Council, Inc.	Romaine	\$1,500
Friends of the Edgewood Oak Brush Plains Preserve, Inc.	Stern	\$1,000
Coast 2 Coast Basketball, Inc.	Schneiderman	\$1,000
Huntington Arts Council, Inc.	Cooper	\$1,000
North Shore Holiday House, Inc.	Cooper	\$1,500
Riverhead Townscape Community Trust	Romaine	\$2,000
St. Louis deMontfort Outreach	Losquadro	\$2,000
Knights of Columbus Home Association & OLPH Council 794	Horsley	\$1,000
Knights of Columbus Council 4428	Stern	\$1,000
Lighthouse Mission, Inc.	Eddington	\$2,000

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
South Ocean Middle School PTA	Eddington	\$2,000
Great South Bay Estates Homeowner's Association	Mystal	\$2,000
Sister Barbara's Birds of Love, Inc.	Mystal	\$2,000
Friends of the Retired and Senior Volunteer Program	Mystal	\$1,000
Shirley Community Ambulance Corp.	Browning	\$2,000
Cutchogue Fire Department	Romaine	\$1,000
Guide Dog Foundation for the Blind	Alden	\$2,000
St. John the Evangelist R.C.C. Youth Group	Romaine	\$2,500
Babylon Town Historical Society	Horsley	\$3,500
Stagecoach Elementary School PTA	Caracappa	\$1,000
Oxhead Road Elementary School PTA	Caracappa	\$1,000
Montauk Library	Schneiderman	\$3,000
The Greater Smithtown Chamber of Commerce	Nowick	\$4,000
North Lindenhurst Civic Association	Horsley	\$2,500
Cayuga Elementary School PTA	Caracappa	\$1,000
Lighthouse Mission, Inc.	Montano	\$2,000
Southold Historical Society Education of Youth Committee Supplies	Romaine	\$1,000
Victims' Information Bureau of Suffolk, Inc.	Cooper	\$2,000
Bicycle Path School PTA Pre-K/Kindergarten Center	Caracappa	\$1,000
Friends of Huntington Farmland, Inc.	Cooper	\$1,550
Greater Long Island Running Club, Inc.	Cooper	\$1,500
Girl Scouts of Suffolk County, Inc.	Cooper	\$1,000
Babylon Village Youth Project	Horsley	\$4,939.95
William Floyd Community Summit Beautification Committee	Browning	\$7,000
Save the Forge River, Inc.	Browning	\$3,000
Peconic Landing at Southold, Inc.	Romaine	\$3,000
North Coleman Road School PTA	Caracappa	\$1,000
Central Islip Public Library	Montano	\$5,000
EAC, Inc.	Montano	\$10,000
Harrison Hale Community Action Center	Eddington	\$1,000
Nassau-Suffolk Hispanic Task Force, Inc.	Montano	\$2,999

and be it further

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

DATED:

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

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

Intro. Res. No. 1816-2007
Introduced by Presiding Officer Lindsay

Laid on Table 8/7/2007

**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:

<u>SPEC NO.</u>	<u>POSITION</u>	<u>GRADE</u>	<u>RATE OF PAY</u>
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****

AN EXECUTIVE SESSION WAS HELD FROM 3:48 PM TO 4:02 PM.

**ADJOURNED 4:02 PM
TIM LAUBE, CLERK OF THE LEGISLATURE**