SEVENTEENTH DAY

REGULAR MEETING

November 20, 2007

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

The meeting was called to order at 9:46 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloria-Fisher, Legislators Schneiderman, Browning, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Mystal, Stern, D'Amaro and Cooper.

Legislator Romaine arrived at 9:50 a.m.
Legislator Caracappa arrived at 10:43 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED FOR LUNCH AT 12:35 P.M. AND RECONVENED AT 2:48 P.M.

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

Legislator Barraga arrived at 2:48 p.m.
Legislator Losquadro arrived at 2:53 p.m.
Legislator Romaine arrived at 2:59 p.m.
Legislator Schneiderman arrived at 3:04 p.m.
Legislator Kennedy arrived at 3:13 p.m.

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

Intro. Res. No. 2205-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1056 -2007, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 3 -

SOUTHWEST IN THE TOWNS OF BABYLON, HUNTINGTON, AND ISLIP

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No. 3 - Southwest in the amount of $1,340,487.36 in the Town of Babylon; and in the amount of $148,522.72 in the Town of Huntington; and in the amount of $872,137.88 in the Town of Islip; now, therefore be it

1st RESOLVED, that a copy of such lists as are applicable to County Sewer District No. 3 - Southwest be transmitted to the Tax Receivers of the Towns of Babylon, Huntington, and Islip, respectively thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Towns of Babylon, Huntington, and Islip under the name of "unpaid sewer rents".

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

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

Intro. Res. No. 2206-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1057 -2007, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 13 (WIND WATCH), SUFFOLK COUNTY SEWER DISTRICT NO. 14 (PARKLAND), AND SUFFOLK COUNTY SEWER DISTRICT NO. 15 (NOB HILL) IN THE TOWN OF ISLIP

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No.13 - (Wind Watch) in the amount of $ 5,009.40, Suffolk County Sewer District No.14 - (Parkland) in the amount of $ 84,244.01, and Suffolk County Sewer District No. 15 - (Nob Hill) in the amount of $ 13,813.80 in the Town of Islip; now, therefore be it

1st RESOLVED, that a copy of such lists as are applicable to each sewer district in the Town of Islip be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Islip under the name of "unpaid sewer rents".

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2207-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1058 -2007, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 1 (PORT JEFFERSON), SUFFOLK COUNTY SEWER DISTRICT NO. 7 (MEDFORD), SUFFOLK COUNTY SEWER DISTRICT NO. 10 (STONY BROOK), SUFFOLK COUNTY SEWER DISTRICT NO. 11 (SELDEN), SUFFOLK COUNTY SEWER DISTRICT NO. 14 (PARKLAND) SUFFOLK COUNTY SEWER DISTRICT NO. 19 (HAVEN HILLS), SUFFOLK COUNTY SEWER DISTRICT NO. 20 (WILLIAM FLOYD), AND SUFFOLK COUNTY SEWER DISTRICT NO. 23 (COVENTRY MANOR) IN THE TOWN OF BROOKHAVEN

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No.1 - (Port Jefferson) in the amount of $11,691.93, and Suffolk County Sewer District No. 7 - (Medford) in the amount of $ 8,865.78, and Suffolk County Sewer District No. 10 - (Stony Brook) in the amount of $ 5,544.00, and Suffolk County Sewer District No. 11 - (Selden) in the amount of $ 66,109.51, and Suffolk County Sewer District No. 14 - (Parkland) in the amount of $10484.96, and Suffolk County Sewer District No. 19 - (Haven Hills) in the amount of $ 3,117.47, and Suffolk County Sewer District No. 20 - (William Floyd) in the amount of $38,813.04, and Suffolk County Sewer District No. 23 - (Coventry Manor) in the amount of $ 26,894.78 in the Town of Brookhaven; now, therefore be it

1st RESOLVED, that a copy of such lists as applicable to each sewer district in the Town of Brookhaven be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Brookhaven under the name of "unpaid sewer rents".

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2208-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1059 -2007, LEVYING UNPAID SEWER RENTS AND CHARGES IN SUFFOLK COUNTY SEWER DISTRICT NO. 6 (KINGS PARK), SUFFOLK COUNTY SEWER DISTRICT NO. 13 (WIND WATCH), SUFFOLK COUNTY SEWER DISTRICT NO. 15 (NOB HILL), SUFFOLK COUNTY SEWER DISTRICT NO. 18 (HAUPPAUGE INDUSTRIAL), SUFFOLK COUNTY SEWER DISTRICT NO. 22 (HAUPPAUGE MUNICIPAL), AND SUFFOLK COUNTY SEWER DISTRICT NO. 28 (FAIRFIELD @ ST. JAMES) IN THE TOWN OF SMITHTOWN

WHEREAS, there has been transmitted to the County Legislature a list provided for by Section 266 of the County Law showing certain unpaid County Sewer rents and charges affecting Suffolk County Sewer District No. 6 - (Kings Park) in the amount of $112,126.66, Suffolk County Sewer District No. 13 - (Wind Watch) in the amount of $270.25, Suffolk County Sewer District No. 15 - (Nob Hill) in the amount of $ 3,393.53, Suffolk County Sewer District No. 18 - (Hauppauge Industrial) in the amount of $ 138,712.02, Suffolk County Sewer District No. 22 - (Hauppauge Municipal) in the amount of $ 15,843.25, and Suffolk County Sewer District No. 28 - (Fairfield @ St. James) in the amount of $ 5,903.50, in the Town of Smithtown; now, therefore be it

1st RESOLVED, that a copy of such lists as applicable to each sewer district in the Town of Smithtown be transmitted to the Tax Receiver thereof; and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby levies the amounts of unpaid County sewer rents and County sewer charges as above stated against the properties liable therefore as shown on said lists and directs that the amount of the tax be stated in a separate column in said annual tax rolls of the Town of Smithtown under the name of "unpaid sewer rents".

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

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

Intro. Res. No. 2209-2007 Laid on Table 11/20/2007

Introduced by the Presiding Officer

RESOLUTION NO. 1060 -2007, APPROVING THE RETURN OF THE FUND BALANCE OF THE GENERAL FUND, POLICE DISTRICT FUND, and DISTRICT COURT DISTRICT TO THE TAXPAYERS OF THE TOWNS OF SUFFOLK COUNTY

WHEREAS, the Legislature, by Resolution No. 936-1985, has determined the method of returning the fund balance to the General Fund, Police District Fund, and District Court District taxpayers; now, therefore be it

1st RESOLVED, that the amount of money to be returned to a Suffolk County taxpayer under Local Law 21-1983 for tax year 2007-2008, for the County Operating Budget, shall be in direct proportion to his or her share of the total General Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the County-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the County-wide real property tax levy for the County Operating Budget collected from within

that town for the tax year 2005-2006 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all ten towns for tax year 2005-2006; and be it further

2nd RESOLVED, that the allocation of the general fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2005-2006 as established by the Legislature by Resolution No. 1192-2005, be and hereby is fixed as follows:

Town	Amount
Babylon	(13,570,591)
Brookhaven	(35,365,880)
East Hampton	(12,052,754)
Huntington	(24,083,800)
Islip	(22,614,405)
Riverhead	(3,780,656)
Shelter Island	(1,420,275)
Smithtown	(12,108,517)
Southampton	(24,082,995)
Southold	(5,800,863)
TOTALS	(154,880,736)

and be it further

3rd RESOLVED, that the amount of money to be returned to a Suffolk County taxpayer under Local Law 21-1983 for tax year 2007-2008 shall be in direct proportion to his or her share of the total General Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the County-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the County-wide real property tax levy for the County Operating Budget collected from within that town for tax year 2006-2007 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all ten towns for tax year 2006-2007; and be it further

4th RESOLVED, that the allocation of the general fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full

valuations for 2006-2007 as established by the Legislature by Resolution No. 1271-2006 be and hereby is fixed as follows:

Town	Amount
Babylon	$2,593,202
Brookhaven	6,550,345
East Hampton	2,550,824
Huntington	4,358,566
Islip	4,231,754
Riverhead	712,003
Shelter Island	280,172
Smithtown	2,166,192
Southampton	4,907,694
Southold	1,061,776
TOTALS	$29,412,528

and be it further

5th RESOLVED, that the amount of money to be returned to a Suffolk County Police District taxpayer under Local Law 21-1983 for the tax year 2007-2008 shall be in direct proportion to his or her share of the total Police District Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the Police District-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the Police District-wide real property tax levy collected from within that town for tax year 2005-2006 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all five towns within the Police District for tax year 2005-2006; and be it further

6th RESOLVED, that the allocation of the police district fund balance for the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2005-2006 as established by the Legislature by Resolution No. 1195-2005, be and hereby is fixed as follows:

Town	Amount
Babylon	$4,457,021
Brookhaven	12,289,141
Huntington	7,594,412
Islip	7,698,268
Smithtown	3,984,596
TOTALS	$36,023,438

and be it further

7th RESOLVED, that the amount of money to be returned to a Suffolk County Police District taxpayer under Local Law 21-1983 for the tax year 2007-2008 shall be in direct proportion to his or her share of the total Police District Fund real property taxes for the County Operating Budget as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the Police District-wide real property tax levy for the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the Police District-wide real property tax levy for the County Operating Budget collected from within that town for tax year 2006-2007 shall bear to the total real property tax levy for the County Operating Budget as should have been collected by the County from all five towns within the Police District for tax year 2006-2007;

Town	Amount
Babylon	($5,434,432)
Brookhaven	(14,536,081)
Huntington	(8,771,139)
Islip	(9,198,438)
Smithtown	(4,548,486)
TOTALS	($42,488,576)

and be it further

9th RESOLVED, that the amount of money to be returned to a Suffolk County District Court District taxpayer under Local Law 21-1983 for the tax year 2007-2008 shall be in direct proportion to his or her share of the total District Court District Fund real property taxes as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the District Court District-wide real property tax levy for the portion of the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the District Court District-wide real property tax levy for the portion of the County Operating Budget collected from within that town for tax year 2005-2006 shall bear to the total real property

tax levy portion of the County Operating Budget as should have been collected by the County from all five towns within the District Court District for tax year 2005-2006; and be it further

10th RESOLVED, that the allocation of the District Court District fund balance for the portion of the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2005-2006 as established by the Legislature by Resolution No. 1196-2005, be and hereby is fixed as follows:

Town	Amount
Babylon	$57,595
Brookhaven	150,098
Huntington	102,215
Islip	95,979
Smithtown	51,390
TOTALS	$457,277

and be it further

11th RESOLVED, that the amount of money to be returned to a Suffolk County District Court District taxpayer under Local Law 21-1983 for the tax year 2007-2008 shall be in direct proportion to his share of the total District Court District Fund real property taxes as should have been paid to the County of Suffolk which share shall be calculated as the individual's pro rata share of the District Court District-wide real property tax levy for the portion of the County Operating Budget as should have been collected from within said individual's town determined as the same proportion which the District Court District-wide real property tax levy for the portion of the County Operating Budget collected from within that town for tax year 2006-2007 shall bear to the total real property tax levy for the portion of the County Operating Budget as should have been collected by the County from all five towns within the District Court District for tax year 2006-2007; and be it further

12th RESOLVED, that the allocation of the District Court District fund balance for the portion of the County Operating Budget to Suffolk County taxpayers, based upon the equalized full valuations for 2006-2007 as established by the Legislature by Resolution No. 1272-2006, be and hereby is fixed as follows:

Town	Amount
Babylon	($41,147)
Brookhaven	(103,937)
Huntington	(69,159)
Islip	(67,147)
Smithtown	(34,372)
TOTALS	($315,762)

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2210-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1061 -2007, DETERMINING EQUALIZED REAL PROPERTY VALUATIONS FOR THE ASSESSMENT ROLLS OF THE 10 TOWNS

WHEREAS, the assessment rolls of the several towns have been duly adopted; and

WHEREAS, the County Legislature believes that the rates as determined by the State Board of Equalization and Assessment for the 10 towns of Suffolk County as shown on the report of 10-11-07 fairly indicates the ratio of assessment in the several tax districts to the full valuation thereof, and that the equalized real property valuations upon the said assessment rolls of the several towns and districts should be determined accordingly, and the County Legislature so finds and determines; now, therefore be it

RESOLVED, that the equalization rates and tables pursuant to the NEW YORK REAL PROPERTY TAX LAW shall be computed, established, and adopted in accordance with the state equalization rates for assessment rolls completed in 2007, as shown on the report of 10-11-07 for the ten towns of Suffolk County, as determined by the State Board of Equalization and Assessment and applied to the 2007 assessment rolls of the 10 towns of Suffolk County for the several tax districts and that the equalized real property valuations be determined accordingly, as follows:

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DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2211-2007 Laid on Table 11/20/2007

Introduced by the Presiding Officer

RESOLUTION NO. 1062 -2007, APPROVING THE TABULATION OF TOWN CHARGES AND FIXING THE TAX LEVIES AND CHARGES TO THE TOWNS UNDER THE COUNTY BUDGET FOR FISCAL YEAR 2008

1st BE IT RESOLVED, that the tabulations of charges to the towns shown on the attached Schedule A be approved and that the amounts thereof as specified be and hereby are made charges against the respective towns to be levied and extended upon the assessment rolls of the several towns for the year 2007-2008 found to be properly applicable for determining the equalized real property valuations by resolution adopted this date; and be it further

2nd RESOLVED, that the amount of tax levies and charges to the towns for the County Operating Budget as shown by the budget adopted for fiscal year 2008 in the amounts as follows:

SCHEDULE	TAX DISTRICT	AMOUNT
B	County General	$176,561,221
C	Community College	$5,250,467
D	Police District	$446,008,324
E	District Court District	$7,871,053

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and tax districts, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto; and be it further

3rd RESOLVED, that nothing contained herein shall be construed as approval of the substantive content of the County Operating Budget, 2008 Adopted County Operating Budget or any real property tax increase contained therein since the act of approving this Resolution represents a ministerial act over which the County Legislature and individual Legislators cannot exercise any discretion.

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DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

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

Intro. Res. No. 2212-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1063 -2007, APPROVING AND DIRECTING THE LEVY OF TAXES AND ASSESSMENTS FOR SEWER DISTRICTS OF SUFFOLK COUNTY UNDER THE COUNTY BUDGET FOR FISCAL YEAR 2008

BE IT RESOLVED, that the amount of taxes, levies and charges to the towns as shown in the budget adopted for fiscal year 2008 for Sewer Districts in the amounts as follows:

SCHEDULE	SEWER DISTRICT	AMOUNT
A	#1 Port Jefferson (Brookhaven)	$698,850
B	#5 Strathmore (Huntington)	$676,611
C	#6 King Park (Smithtown)	$17,075
D	#7 Medford (Brookhaven)	$1,275,694
E	#8 Strathmore Ridge (Brookhaven)	$100,649
F	#9 College Park (Brookhaven)	$86,810
G	#10 Stony Brook (Brookhaven)	$974,752
H	#11 Selden (Brookhaven)	$1,919,451
I	#12 Birchwood/Holbrook) (Brookhaven)	$135,979

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and sewer districts, found to be properly applicable for determining the equalized real property valuations by resolution adopted this date, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto.

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DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2213-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1064 -2007, AFFIRMING, CONFIRMING, AND ADOPTING THE ASSESSMENT ROLL FOR S.C.S.D. NO. 3 - SOUTHWEST AND DIRECTING THE LEVY OF ASSESSMENTS AND CHARGES WITHIN THE TOWNS OF BABYLON, ISLIP AND HUNTINGTON FOR THE SOUTHWEST SEWER DISTRICT IN THE COUNTY OF SUFFOLK FOR FISCAL YEAR 2008

WHEREAS, the Administrative Head of the Southwest Sewer District in the County of Suffolk, also known as Suffolk County Sewer District No. 3 - Southwest, did duly submit and file a tentative 2007-2008 assessment roll for said district for fiscal year 2008; and

WHEREAS, a public hearing upon said assessment roll was duly called, noticed, and held at which time the County Legislature did hear and consider all objections and complaints addressed to the said assessment roll; and

WHEREAS, after having carefully reviewed and considered the tentative assessment roll and the objections, complaints, testimony, and comments addressed thereto; now, therefore be it

1st RESOLVED, that the tentative assessment roll proposed for Suffolk County Sewer District No. 3 - Southwest be and the same hereby is affirmed, confirmed, and adopted as the final 2007-2008 assessment roll for said District for fiscal year 2008, and the Clerk of the Legislature is directed to file same immediately; and it is further

2nd RESOLVED, that the budget for the levy of said sewer district, which has been approved and adopted by this County Legislature by previous resolution, and as adjusted by Schedule "A", attached hereto and made a part of hereof, is hereby assessed, levied, and charged upon all the property subject to special assessment and charge for the purposes of the Suffolk County Sewer District No. 3 - Southwest within the Towns of Babylon, Islip, and Huntington based upon the equalized value or full value of all such property, as determined in accordance with the equalization rates hereinafter set forth and upon the full value of the "S" parcels as determined by the Administrative Head, all as shown on the annexed schedule; plus an additional amount of $29.89 per taxable parcel located within the District or that amount which when multiplied by the total number of taxable parcels located within the District will amount to the sum of $2,258,757.41 or such other sum as the County Legislature may ultimately fix and confirm and that the warrant shall reflect this levy; and be it further

3rd RESOLVED, that the respective town tax receivers are hereby directed to collect the said sums as levied in the same manner provided by law for the levy of State, County, or Town taxes; and be it further

4th RESOLVED, that the Clerk of the County Legislature is directed to publish a Notice of Adoption of this resolution at least once in the official newspapers of the County and in three having circulation within the sewer district. Said notice shall be substantially in the following form, to wit:

* *

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Suffolk, New York, duly adopted Resolution No. 2213-2007 dated November 20, 2007, affirming, confirming, and adopting the assessment roll and directing the levy of assessment and charges for the portion of the County Operating Budget for fiscal year 2008 for the Southwest Sewer District in the County of Suffolk. A true copy of said resolution is attached hereto and published herewith.

Dated: November 20, 2007
HAUPPAUGE, NY
BY ORDER OF THE COUNTY LEGISLATURE OF THE
COUNTY OF SUFFOLK, NEW YORK

BY:
Clerk of the Legislature
Suffolk County Legislature

(ATTACHED RESOLUTION)

* * *

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 16-0-0-2-0. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2214-2007 Laid on Table 11/20/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1065 -2007, EXTENDING THE TIME FOR THE ANNEXATION OF THE WARRANT TO THE TAX ROLLS

WHEREAS, subdivision (a) of Section 13 of the Suffolk County Tax Act authorizes the Legislature to fix a date other than December 1st as the last day for the annexation of the warrant to the tax and assessment rolls of the several towns; and

WHEREAS, circumstances indicate an extension must be made; now, therefore be it

RESOLVED, that December 14 be and hereby is fixed as the date on or before which the Legislature shall cause to be annexed to the tax and assessment rolls of the several towns, the warrants directing the collection of taxes.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 21, 2007

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

Intro. Res. No. 2007-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1066 –2007, CONFIRMING COMMISSIONER OF COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION (JOHN W. PAVACIC)

WHEREAS, the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is appointed by the County Executive subject to approval by the Suffolk County Legislature, to serve at the pleasure of the County Executive; now, therefore be it

1st **RESOLVED**, that John W. Pavacic, currently residing at 63 Broadway, Smithtown, NY 11787, is hereby approved, as Commissioner of the Suffolk County Department of Parks, Recreation and Conservation, to serve at the pleasure of the County Executive, pursuant to §28-1(B) of the SUFFOLK COUNTY CHARTER.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1967-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1067 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE- BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 778-2007)

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# 778-2007

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	N/A	200 97390 1 21.5	6,088.19	480.06	5,608.13
C	BROOKHAVEN	04/05	N/A	200 686 4 20	28,140.12	3,517.54	24,622.58
C	BROOKHAVEN	05/06	N/A	200 686 4 20	29,620.80	3,702.62	25,918.18
C	BROOKHAVEN	06/07	N/A	200 686 4 20	31,311.60	3,913.98	27,397.62
A	BROOKHAVEN	06/07	N/A	200 98050 7 41	4,311.51	1,128.14	3,183.37
A	SOUTHAMPTON	05/06	N/A	900 376 2 13	7,102.24	133.17	6,969.07
A	SOUTHAMPTON	05/06	N/A	900 376 2 14	6,036.92	155.36	5,881.56

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2029-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1068 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #285

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

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

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
2000-607.00-02.00-008.001 ITEM #8250003C	**2006/07**	**$9,976.22**	**$0.00**	**$9,976.22**
2000-607.00-02.00-012.001 ITEM #8250004C	**2006/07**	**$13,220.31**	**$0.00**	**$13,220.31**

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1981-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1069 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED TOWER RENOVATION AT FRANCIS S. GABRESKI AIRPORT, TOWN OF SOUTHAMPTON, (CP 5709)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Tower Renovation at Francis S. Gabreski Airport, CP 5709, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves design and construction for the repair and/or replacement of the steel structure used to connect the exterior concrete block walls of the control tower building; and

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Economic Development and Workforce Housing in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) and Chapter 279 of the Suffolk County Code, since it involves maintenance and repair involving no substantial changes in an existing facility, and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Tower Renovation at Francis S. Gabreski Airport, CP 5709, Town of Southampton, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) and Chapter 279 of the Suffolk County Code, which project involves maintenance and repair involving no substantial changes in an existing facility, and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1982-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1070 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REPLACEMENT OF FLIGHT LINE LIGHTS AT FRANCIS S. GABRESKI AIRPORT, TOWN OF SOUTHAMPTON, (CP 5711)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Replacement of Flight Line Lights at Francis S. Gabreski Airport, CP 5711, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves removal of existing dilapidated wooden light poles and replacement with new steel poles with high efficiency lighting fixtures; and

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Economic Development and Workforce Housing in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) and Chapter 279 of the Suffolk County Code, since it involves maintenance and repair involving no substantial changes in an existing facility, and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Replacement of Flight Line Lights at Francis S. Gabreski Airport, CP 5711, Town of Southampton

constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) and Chapter 279 of the Suffolk County Code, which project involves maintenance and repair involving no substantial changes in an existing facility, and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site; and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1983-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1071 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED REDEVELOPMENT OF LONG ISLAND JET CENTER EAST, INC., (REVISED PROPOSAL) – FRANCIS S. GABRESKI AIRPORT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Redevelopment of Long Island Jet Center East, Inc., (Revised Proposal) – Francis S. Gabreski Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves a revised application scaled down from 10.03 to 7.50 acres of leased land. Intended actions include demolition of the existing hangar/office building, removal of an underground heating oil tank, construction of a new 4,000 square foot FBO office building and customer lobby, removal of some asphalt surfaces, site grading, installation of one (1) new 22,800 square foot hangar (measuring approximately 100 feet by 198 feet) which includes a 3,000 square foot lean-to entrance/office/storage area, new asphalt surfaces, and additional aircraft fuel storage capacity for servicing aircraft operations. The purpose of the project is to upgrade the outdated facility with improved structures and provide adequate service needs for aircraft that frequent the airport. All improvements will be made in accordance with Article 6, 7 and

12 of the Suffolk County Sanitary Code to assure any environmental concerns are addressed. As part of this project, an existing 12,000 gallon Jet A fuel tank will be relocated and an additional 12,000 gallon Jet A fuel tank will be installed to provide for a total of 24,000 gallons of Jet A fuel. In addition, an existing 2,000 gallon Avgas fuel tank will be eliminated and a new 12,000 gallon Avgas fuel tank will be installed. The identified tanks will be clustered in one controlled fuel supply area. According to the 1990 Airport Master Plan, the Jet fuel storage at Gabreski Airport decreased from 231,500 gallons (excluding military storage) to 36,000 gallons in 2006. If this project is approved, Jet A fuel will only total 48,000 gallons, or 21% of the amount stored in 1990; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Workforce Housing, Aviation Division of the Francis S. Gabreski Airport; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Redevelopment of Long Island Jet Center East, Inc., (Revised Proposal) – Francis S. Gabreski Airport, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

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

no unmanageable slopes). In fact, approximately 95% of the site consists of urban and cut and fill land indication prior disturbance;

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

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

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

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

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

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

10.) All necessary NYSDEC stormwater permits will be obtained;

11.) Waste Oil Removal – the applicant is responsible to provide signage to outline the approved procedure for waste oil removal. Any instructions regarding the removal of waste oil from the site is to conform to regulations as determined by the NYSDEC and the County of Suffolk. Such language is to be included in the lease document;

12.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations." The Department of Economic

Development and Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community. The applicant will make their best effort to conform with and to see to it that subtenants conform to current and any future approved Gabreski Airport voluntary noise abatement procedures. Noise abatement procedure documents must be provided to all subtenants and be included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant further agrees to use their database to dispense updated materials to further educate customers on the avoidance of noise sensitive areas and recommended approaches and departures; and

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1984-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1072 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED

HANGAR DEVELOPMENT - AMPCO, INC. – FRANCIS S. GABRESKI AIRPORT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Hangar Development – AMPCO, Inc., at Francis S. Gabreski Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the application for leasing five (5) acres on the west side of the airport for construction of a 17,500 S.F. hangar and associated office space for storage of an aircraft, currently based at Gabreski Airport; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Workforce Housing, Aviation Division of the Francis S. Gabreski Airport; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Hangar Development – AMPCO, Inc., at Francis S. Gabreski Airport, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

14.) The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 NYCRR, which sets forth thresholds for determining significant adverse impacts on the environment;

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

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

no unmanageable slopes). In fact, approximately 50% of the site consists of urban and cut and fill land indication prior disturbance;

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

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

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

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

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

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

23.) All necessary NYSDEC stormwater permits will be obtained;

24.) Waste Oil Removal – the applicant is responsible to provide signage to outline the approved procedure for waste oil removal. Any instructions regarding the removal of waste oil from the site is to conform to regulations as determined by the NYSDEC and the County of Suffolk. Such language is to be included in the lease document;

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

community. The applicant will make their best effort to conform with and to see to it that subtenants conform to current and any future approved Gabreski Airport voluntary noise abatement procedures. Noise abatement procedure documents must be provided to all subtenants and be included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant further agrees to use their database to dispense updated noise abatement information to their customers, and where possible, provide updated materials to further educate customers on the avoidance of noise sensitive areas and recommended approaches and departures; and

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1985-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1073 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DRAINAGE IMPROVEMENTS ON CR 58, OLD COUNTRY ROAD, FROM LONG ISLAND EXPRESSWAY TO NYS ROUTE 25, TOWN OF RIVERHEAD (CP 5543)

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Drainage Improvements on CR 58, Old Country Road, From Long Island Expressway to NYS Route 25, CP 5543, Town of Riverhead", pursuant to Section 6 of Local Law No. 22-1985 which project involves drainage improvements on CR 58, Old Country Road, from Long Island Expressway to NYS Route 25, in order to provide a positive drainage network that will minimize the occurrence of existing flooding or ponding of stormwater runoff on the roadway, while minimizing the impact on the local community and mitigating existing impacts to the adjacent freshwater wetlands. This project will eliminate the hazardous conditions and improve safety. Currently this corridor is developed with outlet centers, big box shopping developments and mixed use commercial developments. It is imperative to acquire ROW for stormwater improvements before all available ROW is developed; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b) and Chapter 279 of the Suffolk County Code; and

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Drainage Improvements on CR 58, Old Country Road, From Long Island Expressway to NYS Route 25, CP 5543, Town of Riverhead constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.7(b) and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

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

4.) Existing direct stormwater runoff going to freshwater wetlands will be eliminated or filtered;

5.) All NYSDEC permits will be obtained; and

6.) Existing hazardous conditions will be eliminated and traffic safety improved;

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1986-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1074 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CARLLS RIVER COUNTY PARK ADDITION – NIXON PROPERTY, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Carlls River County Park Addition – Nixon Property, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.137 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1987-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1075 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISTION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE CARLLS RIVER COUNTY PARK ADDITION – SOLIMAN PROPERTY, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Carlls River County Park Addition - Soliman Property, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.49 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1988-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1076 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SOUTHAVEN COUNTY PARK ADDITION – RODRIGUE-KARRAS PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Southaven County Park Addition – Rodrigue-Karras Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.09 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1989-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1077 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SWAN RIVER COUNTY PARK ADDITION – ESTATE OF DAVI & CRINO PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Swan River County Park Addition – Estate of Davi & Crino Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 1.9 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Swan River County Park Addition – Estate of Davi & Crino Property, Town of Brookhaven constitutes an unlisted action, pursuant to

the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1990-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1078 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE PATCHOGUE RIVER WETLANDS ADDITION – GOLDEN PROPERTIES CONSTRUCTION CORP. PROPERTY, TOWN OF BROOKHAVEN

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

Purposes Known as the Patchogue River Wetlands Addition – Golden Properties Construction Corp. Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.477 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

3rd **RESOLVED**, that in accordance with Section C1-4(1)(d) of the SUFFOLK COUNTY CHARTER and Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed

to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1991-2007 Laid on Table 10/19/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1079 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA ADDITION – HALIAB PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area Addition – Haliab Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.091 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1992-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1080 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION

PURPOSES KNOWN AS THE MASTIC/SHIRLEY CONSERVATION AREA II ADDITION – GERRATO PROPERTY, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Mastic/Shirley Conservation Area II Addition – Gerrato Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2.68 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

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

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1993-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1081 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE PENATAQUIT CREEK COUNTY WETLANDS ADDITION – WILLIAM H. LEVERICH FAMILY TRUST PROPERTY, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Penataquit Creek County Wetlands Addition – William H. Leverich Family Trust Property, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.25 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

5.) 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 than the proposed acquisition and preservation of the site would have;

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1994-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1082 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE STERLING CREEK – POLLERT PROPERTY, TOWN OF SOUTHOLD

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Sterling Creek – Pollert Property, Town of Southold", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 17.57 acres of land by Suffolk County for open space preservation purposes; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

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

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

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

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

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

8.) The proposed use of the subject parcel(s) is passive recreation; and

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

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1995-2007 Laid on Table 10/16/2007
Introduced by the Presiding Officer

RESOLUTION NO. 1083 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FUTURE ACQUISITIONS OF PROPERTIES FOR THE PRESERVATION OF OPEN SPACE FOR PASSIVE PARK PURPOSES AS SET FORTH IN RESOLUTION NO. 625-2004 – MASTIC/SHIRLEY CONSERVATION AREA PHASE I AND RESOLUTION NOS. 621-2004 AND 877-2005 – MASTER LISTS I AND II REPORTS, RESPECTIVELY

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Future Acquisitions of Properties for the Preservation of Open Space for Passive Park Purposes as Set Forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, Respectively", pursuant to Section 6 of Local Law No. 22-1985 which project involves future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, Respectively; and

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

WHEREAS, at its September 19, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

WHEREAS, the CEQ recommended that the above activity be considered a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617.4(b) and Chapter 279 of the Suffolk County Code, since it involves the acquisition of 100 or more contiguous acres of land by a local agency; and

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

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Future Acquisitions of Properties for the Preservation of Open Space for Passive Park Purposes as Set Forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, Respectively constitutes a Type I action, which project involves the acquisition of 100 or more contiguous acres of land by a local agency; and

2nd **RESOLVED**, that pursuant to the provisions of Title 6 NYCRR, Part 617.4(b) and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

2.) The proposed acquisitions are for the purposes of preserving and maintaining open space over prime aquifer recharge areas, as well as to preserve natural resources such as tidal and freshwater wetlands, barrier beaches, prime wildlife habitat, rare and endangered species, important estuarine and riverine watersheds and properties adjacent to other County park holdings, as called for in Article I of the Suffolk County Charter;

3.) The proposal supports the preservation of unique and highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York;

4.) The proposal enhances the open space preservation properties of the existing legislation and simply changes the ownership of the property from private to public;

5.) Acquisition of additional open space for passive park purposes is consistent with State and local Comprehensive Land Use Plans;

6.) The program will prevent valuable open space areas from being developed for residential, commercial and industrial purposes; and

7.) Any future park uses of the parcels to be acquired would have to undergo SEQRA review prior to approval;

and be it further

3rd **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with the CEQ; and be it further

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2008-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1084 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $189,000.00 FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY FOR THE BUFFER ZONE PROTECTION PROGRAM (BZPP) 06 WITH 100% SUPPORT

WHEREAS, the New York State Office of Homeland Security has made $189,000.00 in Federal pass-through funds from the U.S. Department of Homeland Security available to Suffolk County for the BZPP FY2006 Program to be administered by the Suffolk County Police Department; and

WHEREAS, this program is designed to reduce vulnerabilities of Critical Infrastructure/Key Resources sites by extending the protected area around a site into the

surrounding community and supporting the prevention and preparedness efforts of local first responders; and

WHEREAS, the operational period of the Program will be from October 1, 2006 through September 30, 2008; and

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

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

REVENUE:	AMOUNT
115-4395-Federal Aid: BZPP 06	$189,000.00

ORGANIZATIONS:

Police Department (POL)
BZPP 06
115-POL-3228

2000-Equipment	$189,000.00
2090-Radio & Communication	$ 31,730.00
2500-Other Equip Not Otherwise	$157,270.00

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Office of Homeland Security.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2009-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1085 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $15,660.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, NATIONAL INSTITUTE OF JUSTICE FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S FORENSIC DIGITAL IMAGE MANAGEMENT IMPROVEMENT PROJECT WITH 100% SUPPORT

WHEREAS, the United States Department of Justice, Office of Justice Programs, National Institute of Justice has made $15,660.00 in Federal funds available to Suffolk County for the purchase of forensic digital image database software which will enable the Suffolk County Police Department's Identification Section to maintain the chain of custody, and improve the management, quality and timeliness, of digital imaging used in criminal investigations and prosecutions; and

WHEREAS, the operational period of the program will be from October 1, 2007 through September 30, 2008; and

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

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

REVENUE:	AMOUNT
001-4394-Federal Aid: Forensic Digital Image Management Improvement Project	$15,660.00

ORGANIZATIONS:

Police Department (POL)
Forensic Digital Image Management Improvement Project
001-POL-3225

3000-Supplies Materials & Others	**$15,660.00**
3160-Computer Software	15,660.00

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Justice, Office of Justice Programs, National Institute of Justice.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 5, 2007

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

Intro. Res. No. 2012-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1086 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $98,652 FROM THE U.S. DEPARTMENT OF JUSTICE OFFICE, OFFICE OF JUSTICE PROGRAMS, FOR THE SUFFOLK COUNTY SHERIFF'S OFFICE TO PROVIDE THE GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T.) PROGRAM

WHEREAS, the U.S. Department of Justice (DOJ), Office of Justice Programs, has made $98,652 in Federal Gang Resistance Education and Training (GREAT) Grant funds available to the Suffolk County Sheriff's Office to provide the G.R.E.A.T Program to middle school aged children in Suffolk County; and

WHEREAS, the program is a law enforcement instructed classroom curriculum intended as an immunization against delinquency, youth violence, and gang membership; and

WHEREAS, the operational period of the program is from June 1, 2007 through November 30, 2008; and

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

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreements with the Department of Justice, as necessary, to secure said grant funds; and be it further

2nd RESOLVED, that as the grant will provide funding for the lease of an automobile for the duration of the grant, a temporary fleet increase is authorized for said automobile; and be it further

3rd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $98,652 as follows:

REVENUE:	AMOUNT
4319 Federal Aid: Sheriff's G.R.E.A.T. Program	$98,652

ORGANIZATIONS:

Sheriff's Office (SHF)
Sheriff's G.R.E.A.T. Program
001-SHF-3117
$98,652

1000-Personal Services	$**20,968**
1120-Overtime Salaries	$20,968
3000-Supplies, Materials & Other Expenses	**$71,742**
3500 Other: Unclassified	$65,270
3520-Rent: Automobiles	$6,472
4000-Travel	**$5,942**
4320-Meals	$2,592
4340-Travel: Other	$3,350

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 5, 2007

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

Intro. Res. No. 2017-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1087 -2007, ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, DISTRICT ATTORNEY'S RECRUITMENT AND RETENTION PROGRAM

WHEREAS, New York State Division of Criminal Justice Services has awarded a grant in the amount of $193,384 to improve the recruitment and retention of Assistant District Attorneys; and

WHEREAS, said grant is to run for the New York State fiscal year 2007-2008; and

WHEREAS, the District Attorney has approved a plan to supplement the salary of one hundred and four Assistant District Attorneys, supplemental funding for this program will be appropriated to the District Attorney general appropriation account 001-1165-1070; now, therefore be it

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

REVENUES:	AMOUNT
001-3389-District Attorney Recruitment and Retention Program	$193,384

ORGANIZATIONS:

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

Personnel	$193,384
1070-Special Pay	***$193,384***

and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1968-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1088 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF JOHN IAN HORNAK a/k/a IAN HORNAK, by Eric Ian Spoutz as Administrator (SCTM NO. 0300-159.00-02.00-013.001)

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 East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 159.00, Block 02.00, Lot 013.001, and acquired by tax deed on October 8, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2003, in Liber 12277, at Page 195, and otherwise known as and by Town of East Hampton, North x now or formerly Natasha P. Hopkinson Revocable Trust & Peter Hopkinson Revocable Trust; East x now or formerly Hornak John Ian Francis & Burton Frank W. and Hands Creek Road; South x now or formerly Byrnes Vincent; West x now or formerly Natasha P. Hopkinson Revocable Trust & Peter Hopkinson Revocable Trust; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 8, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2003 in Liber 12277 at Page 195.

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, ROSEMARY HORNAK as Devisee of the Estate of John Ian Hornak a/k/a Ian Hornak has made application of said above described parcel and ROSEMARY HORNAK as Devisee of the Estate of John Ian Hornak a/k/a Ian Hornak has paid the application fee and $61,494.84, 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 ESTATE OF JOHN IAN HORNAK a/k/a IAN HORNAK, by Eric Ian Spoutz as Administrator, c/o Eric Ian Spoutz, 202 Wellington

Crescent, Mount Clemens, Michigan 48043, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1971-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1089 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MICHAEL A. PEREZ and GRACE ANN PEREZ, his wife (SCTM NO. 0500-166.00-01.00-115.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500, Section 166.00, Block 01.00, Lot 115.000, and acquired by tax deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 418, and otherwise known as and by Town of Islip, County of Suffolk and State of New York, known as and by Lots 61, 62, 63 and 64 in Block 55, as shown on a certain map entitled, "Map of a Portion of the Long Island Lots, situate in the Town of Islip, adjoining the Long Island Railroad, Section 2" and filed in the Office of the Clerk of Suffolk County on June 27, 1871 as Map No. 263; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007 in Liber 12513 at Page 418.

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, MICHAEL A. PEREZ has made application of said above described parcel and MICHAEL A. PEREZ has paid the application fee and $11,177.42, 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 MICHAEL A. PEREZ and GRACE ANN PEREZ, his wife, 17 Hickory Street, Central Islip, New York 11722, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1972-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1090 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CONQUEST EQUITIES & INVESTMENTS CORP. (SCTM NO. 0200-168.00-04.00-008.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as
District 0200, Section 168.00, Block 04.00, Lot 008.000, and acquired by tax deed on August 4, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded

on August 18, 2006, in Liber 12465, at Page 374, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated on a certain map entitled, "Map of Shanmont Estates, Amended Map 113 Section C" B 3 lots 36 thru 40 inclusive; and

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

WHEREAS, in accordance with Suffolk County Local Law No. 16-l976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, EVELYN HARVEY, as President of Conquest Equities & Investments Corp., has made application of said above described parcel and EVELYN HARVEY, as President of Conquest Equities & Investments Corp., has paid the application fee and $340.39, 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 CONQUEST EQUITIES & INVESTMENTS CORP., 2 Grove Avenue, Coram, New York 11727, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1975-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1091 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 948-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 948-2007; 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. 948-2007

In the 2nd RESOLVED paragraph change the J/C from E to C:

In the 4th and 5thRESOLVED paragraph change the position lines J/C and Grade:

FROM

			J/C	Grade	
001-1167-0608-0755	6129	Senior ADA	E	74	-1
001-1167-0608-0847	0022	Senior Clerk Typist	E	12	-1
001-1167-0608-0756	0021	Clerk Typist	E	9	-1

TO

			J/C	Grade	
001-1167-0608-0755	6129	Senior ADA	E	27	-1
001-1167-0608-0847	0022	Senior Clerk Typist	C	12	-1
001-1167-0608-0756	0021	Clerk Typist	C	9	-1

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1976-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1092 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 293-2006

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 293-2006; and

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

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

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

Resolution No. 293-2006

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

FROM:	**TO:**
Project No.	**Project No.**
525-4057.315	**525-4057.315**
(Fund 001-Debt Service)	**(Fund 632-Debt Service)**

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2022-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1093 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 923-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 923-2007; and

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

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

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

Resolution No. 923-2007

1. In the 8th WHEREAS paragraph change Amount:

FROM:
$2,472,000.00±

TO:
$2,472,000.00

2. In the 4th RESOLVED paragraph change the Amount:

FROM:
$2,472,000.00±

TO:
$2,472,000.00

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2023-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1094 -2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 896-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 896-2007; and

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

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

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

Resolution No. 896-2007

In the 2nd RESOLVED paragraph change the Organization:

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

TO:
Department of Social Services
Client Benefits Administration
001-DSS-6015

In the 3rd RESOLVED paragraph change the date:

FROM:
May 31, 2008

TO:
June 30, 2008

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2024-2007 Laid on Table 10/16/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1095 –2007, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 901-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 901-2007; and

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

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

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

Resolution No. 901-2007

In the 2nd RESOLVED and 3rd RESOLVED paragraphs change the Amount:

FROM:

525-CAP-2129.310 Construction of Fire Sprinkler Infrastructure 30 [$200,000] $150,000

TO:

525-CAP-2129.310 Construction of Fire Sprinkler Infrastructure 30 [$200,000] $175,000

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1699-2007 Laid on Table 8/7/2007
Introduced by Legislator Alden

RESOLUTION NO. 1096 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL

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 LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL**;" now, therefore be it

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

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

A LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL

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 many musicians play concerts in Suffolk County under the name of well known and popular recording acts, even though these musicians have no real connection to the groups that made these group names famous.

This Legislature also determines that fans that attend these concerts are often unaware that the musical acts they have come to see are not, in fact, performing; quite often, there no original members of the recording act that made the group name famous present at these concerts.

This Legislature also finds and determines that concerts by groups posing as well known recording acts deceives Suffolk County consumers and harms the musicians who made the group name famous in the first place.

Therefore, the purpose of this law is to enact protections to ensure that Suffolk County residents are not deceived or misled about the identity of the musical acts they pay to see at concerts and performances within the County.

Section 2. Definitions.

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

"PERFORMING GROUP" - a vocal or instrumental group seeking to use the name of another group that has previously released a commercial sound recording under that name.

"RECORDING GROUP" – a vocal or instrumental group, at least one of whose members has previously released a commercial sound recording under that group's name and in which the member or members have a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group.

"SOUND RECORDING" – a work that results from the fixation on a material object of a series or musical, spoken or other sounds regardless of the nature of the material object, such as a disk, tape or other phono-record, in which the sounds are embodied.

Section 3. Prohibitions.

It shall be an unlawful practice for any person to advertise or conduct a live musical performance or production in the County of Suffolk through the use of an affiliation, connection or association between the performing group and the recording group unless:

a.) the performing group is the authorized registrant and owner of a federal service mark for the group registered in the United States Patent and Trademark Office;

b.) at least one (1) member of the performing group was a member of the recording group and has a legal right by virtue or use of operation under the group name without having abandoned the name of affiliation of the group;

c.) the live musical performance or production is identified in all advertising and promotion as a salute or tribute; or

d.) the performance or production is expressly authorized by the recording group.

Section 4. Penalties.

A violation of this law shall be subject to a civil penalty in an amount not to exceed Seven Hundred Fifty Dollars ($750.00) for a first violation and Fifteen Hundred Dollars ($1,500.00) for any subsequent violation.

Section 5. Promulgation of rules and regulations.

The Director of Consumer Affairs shall promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this article.

Section 6. Applicability.

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 1699-2007 Laid on Table 8/7/2007
Introduced by Legislator Alden

RESOLUTION NO. 1096 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL

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 LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL**;" now, therefore be it

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

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

A LOCAL LAW TO ENACT CONSUMER PROTECTION IN CONNECTION WITH MUSICAL CONCERTS AND PERFORMANCES A TRUTH IN MUSIC BILL

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 many musicians play concerts in Suffolk County under the name of well known and popular recording acts, even though these musicians have no real connection to the groups that made these group names famous.

This Legislature also determines that fans that attend these concerts are often unaware that the musical acts they have come to see are not, in fact, performing; quite often, there no original members of the recording act that made the group name famous present at these concerts.

This Legislature also finds and determines that concerts by groups posing as well known recording acts deceives Suffolk County consumers and harms the musicians who made the group name famous in the first place.

Therefore, the purpose of this law is to enact protections to ensure that Suffolk County residents are not deceived or misled about the identity of the musical acts they pay to see at concerts and performances within the County.

Section 2. Definitions.

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

"PERFORMING GROUP" - a vocal or instrumental group seeking to use the name of another group that has previously released a commercial sound recording under that name.

"RECORDING GROUP" – a vocal or instrumental group, at least one of whose members has previously released a commercial sound recording under that group's name and in which the member or members have a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group.

"SOUND RECORDING" – a work that results from the fixation on a material object of a series or musical, spoken or other sounds regardless of the nature of the material object, such as a disk, tape or other phono-record, in which the sounds are embodied.

Section 3. Prohibitions.

It shall be an unlawful practice for any person to advertise or conduct a live musical performance or production in the County of Suffolk through the use of an affiliation, connection or association between the performing group and the recording group unless:

e.) the performing group is the authorized registrant and owner of a federal service mark for the group registered in the United States Patent and Trademark Office;

f.) at least one (1) member of the performing group was a member of the recording group and has a legal right by virtue or use of operation under the group name without having abandoned the name of affiliation of the group;

g.) the live musical performance or production is identified in all advertising and promotion as a salute or tribute; or

h.) the performance or production is expressly authorized by the recording group.

Section 4. Penalties.

A violation of this law shall be subject to a civil penalty in an amount not to exceed Seven Hundred Fifty Dollars ($750.00) for a first violation and Fifteen Hundred Dollars ($1,500.00) for any subsequent violation.

Section 5. Promulgation of rules and regulations.

The Director of Consumer Affairs shall promulgate such rules and regulations as it deems necessary and appropriate for the implementation and enforcement of any provisions of this article.

Section 6. Applicability.

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 1924-2007 Laid on Table 9/20/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1097 -2007, AMENDING RESOLUTION NO. 636-2005

WHEREAS, On June 8, 2005 this Legislature enacted Resolution No. 636-2005, Re-Organizing and Strengthening the Nassau-Suffolk Regional Planning Board, and Renaming the Board "The Long Island Regional Planning Council"; and

WHEREAS, Resolution No. 636-2005, by its terms, would be effective upon the approval and adoption of a substantially similar resolution or ordinance by Nassau County; and

WHEREAS, Nassau County recently enacted an ordinance to reorganize and strengthen the Nassau-Suffolk Regional Planning Board and to rename the Board "The Long Island Regional Planning Council"; and

WHEREAS, amending Resolution No. 636-2005 will ensure substantial similarity with Nassau County's ordinance and would further facilitate regional planning strategies by providing increased citizen input through an expanded Council and requiring greater accountability and more sharply focused goals and responsibilities; and

WHEREAS, with the enactment of this amendment and the enactment of a substantially similar ordinance in Nassau County, and any statutorily required documentation, the Board can be formally constituted as a Council; now, therefore be it

1st RESOLVED, that Resolution No. 636-2005 is hereby amended to read as follows:

* * * *

3rd RESOLVED, that the Council shall consist of twelve voting members, ~~five~~ six members to be appointed from Nassau County, and ~~five~~ six members to be appointed from Suffolk County, as set forth below. ~~one member to be nominated by the Nassau Planning Federation as a representative of that body and one member to be nominated by the~~

~~Suffolk County Supervisor's Association as a representative of that body with both nominations to be made to the respective County Executives and approved by the respective County Legislatures;~~ A quorum of the Council shall consist of no fewer than eight voting members, four such members from Nassau County and four such members from Suffolk County; any subcommittee of the Council shall contain representation from each County; and be it further

4th **RESOLVED**, that the Suffolk County Executive shall, subject to the approval of the Suffolk County Legislature, appoint ~~five~~ six members who shall reside in Suffolk County. One member shall be a Supervisor of a town within Suffolk County and one member shall be a Mayor of a village within Suffolk County, with both nominations to be made to the Suffolk County Executive and approved by the Suffolk County Legislature to serve for a term which is the shorter of his or her term of office or three years. The remaining members ~~and~~ shall serve for terms of three years. No more than two members so appointed shall reside in the same Town or Village within Suffolk County. All members appointed pursuant to this subdivision should have a background in Engineering, Real Estate Development, Construction, Economic Development, Energy Planning and Analysis, law, local government, Environmental Protection, Health Care Planning, Transportation Planning or Regional Planning, however, the Council shall include members from a broad cross section of interests within ~~the Nassau/~~ Suffolk County ~~region but~~. ~~n~~Not more than two (2) members shall be from the same type of professional background. Such members shall continue to hold office until their successors are appointed and qualified, provided that the appointment of a successor to a person who has continued to hold office after their expiration of his or her original term shall be for the unexpired portion of the new term; and, provided, further, that the vacancies in the Council occurring as a result of something other than the expiration of the term shall be filled by appointment of the County Executive, subject to the approval of the Legislature, for the unexpired term; and be it further

5th **RESOLVED**, that the Suffolk County Executive, the Suffolk County Comptroller, the Presiding Officer of the Suffolk County Legislature, the Commissioner of the Suffolk Department of Public Works, the Commissioner of the Suffolk County Department of Health, the Director of the Suffolk County Department of Planning ~~,~~ and the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing, or their designees, ~~and a representative of the Suffolk County Village Officials Association (SCVOA)~~ shall serve as ex-officio members of the Council, but shall not be entitled to vote; and be it further

* * *

7th **RESOLVED**, that the members of the Council, appointed by the Suffolk County Executive shall be subject to the Suffolk County Code of Ethics, as set forth in Article 30 of the Suffolk County Charter and Article 30 and Chapter 61 of the Suffolk County Administrative Code; and be it further

* * *

9th **RESOLVED**, that the Council is hereby authorized and directed to establish a business plan within four (4) months of the effective date of this Resolution. Said business plan shall set forth operating expenses and the size and nature of staff including anticipated rates of compensation for that staff. Said business plan shall also lay out goals for the Council in the first year and for the ensuing three year period as well as a detailed plan including a timetable for achieving those goals. Until a business plan is submitted and accepted by the Suffolk County

Executive and the Legislature, the Council shall be limited to funding of no more than $100,000 per annum from Suffolk County; and be it further

and be it further

2nd **RESOLVED**, that the 10th RESOLVED clause of Resolution 636-2005 is deleted in its entirety; and be it further

3rd **RESOLVED**, that the 11th Resolved clause is amended as follows:

10 ~~1~~th **RESOLVED**, that the Council shall annually elect a Chair and a Vice Chair, shall keep a record of its resolutions, transactions, findings and determinations, which shall be public record, and shall adopt and file with the clerks of the Nassau County and Suffolk County Legislatures by-laws governing its operations, including by-laws governing procurement that comply with all state requirements and, to the extent possible and reasonable, provide for competitive solicitation of goods and services; and be it further

and be it further

4th **RESOLVED**, that the 12th Resolved clause is amended as follows:

11 ~~2~~th *** * * ***

and be it further

5th **RESOLVED**, that the 13th Resolved clause is amended as follows:

12 ~~3~~th **RESOLVED**, that the Council is hereby authorized and empowered to receive and expend public and private funds for its approved purposes, including grants from non-public foundations, agencies, corporations and private entities and may apply for and accept grants from the federal and state governments and enter into contracts for and agree to accept such grants, donations or subsidies in accordance with its approved purposes; and be it further

and be it further

6th **RESOLVED**, that the 14th Resolved clause is amended as follows:

13~~4~~th **RESOLVED**, that the Council is empowered and authorized to set qualifications, hire and set compensation for, within the appropriations therefore, an Executive Director and a Deputy Executive Director who shall perform only those services approved by the Council and who, in addition, shall coordinate activities and projects with the Directors of the Nassau County Department of Planning and the Suffolk County Department of Planning. The **minimum qualifications for the position of** ~~qualifications for the position of~~ Executive Director **shall be a graduate degree from an accredited college or university in regional planning or related field and a minimum of five (5) years professional experience in regional planning or related field.** ~~and~~ **The minimum qualifications for the** Deputy Executive Director shall **be a graduate degree from an accredited college or university in regional planning or related field and a minimum of three (3) years professional experience in regional planning or related**

field. ~~at a minimum~~ be ~~that the Executive Director shall possess a Graduate degree from a regionally accredited or New York State registered college or university with a major in city or regional planning, architecture, civil engineering, environmental studies, public administration or a related field and five years of satisfactory professional experience in local or regional planning which experience must include the preparation of comprehensive plans. The applicant for Executive Director shall be a member in good standing of the American Institute of Certified Planners~~ **persons with professional experience in regional planning or related areas; and be it further**

and be it further

7th **RESOLVED**, that the 15th Resolved clause is deleted in its entirety; and be it further

8th **RESOLVED**, that the 16th Resolved clause is amended as follows:

14~~6~~th **RESOLVED**, that the Director of the Suffolk County Planning Department may, in his or her discretion, assign staff to provide services to the Council. To the extent that necessary work cannot be performed by ~~such~~ Nassau and Suffolk County Planning Department staff, the Council shall have the power and authority to employ other staff, who shall perform only those services approved by the Council; , ~~and~~ to enter into agreements with consultants and experts and to pay for their services; and to provide for such other expenses as may be necessary and proper within the appropriations therefor; and be it further

and be it further

9th **RESOLVED**, that the 17th Resolved clause is amended as follows:

15 ~~7~~th **RESOLVED**, that the Executive Director and Deputy Executive Director and all staff employed by the Council shall be subject to the Codes of Ethics contained in Article 30 and Chapter 61 of the Suffolk County Administrative Code and section 2218 of the Nassau County Charter and sections 22-~~2.4~~ 4.2 and 22-4.3 of the Nassau County Administrative Code; and be it further

and be it further

10th **RESOLVED**, that the 18th Resolved clause is amended as follows:

16 ~~8~~th **RESOLVED**, that all persons employed by the Council shall be prohibited from providing planning services, including consultative services to private entities, municipalities or public benefit corporations in Nassau County or Suffolk County unless otherwise approved by resolution of the Council; and be it further

and be it further

11th **RESOLVED**, that the 19th Resolved clause is amended as follows:

17 ~~9~~th **RESOLVED**, that the Council shall submit an ~~semi-~~annual report, the first such report to be submitted no later than the first day of January of the year following the

date on which this Resolution shall take effect, to the Suffolk County Executive, the Suffolk County Comptroller and the Suffolk County Legislature. Such report shall summarize the Council's activities, in detail, including an Executive Director's summary, which details initiatives, studies, grants and meetings held, as well as the financial status of the Council, and itemizes the annual budget as well as any federal, state, and local funding and private sector financial assistance, ~~and~~ the Council's planned future activities and an update of the business plan; and be it further

and be it further

12th **RESOLVED**, that the 20th Resolved clause is amended as follows:

18~~20~~th **RESOLVED**, that ~~within four months of the effective date of this Resolution~~, the Council shall conduct a public hearing for the purpose of soliciting information about planning issues of regional concern from members of the public and organizations involved in planning and environmental work in the region. Thereafter, such hearings shall be held annually at a time to be determined by the Council. In addition to such annual hearings, the Council shall provide public notice ~~that~~ whenever a draft comprehensive regional plan has been prepared pursuant to the 12th Resolved clause of this Resolution and shall conduct a public hearing on any such draft prior to the issuance of the final plan. The Council shall also hold hearings to solicit comment on any report proposed to be issued pursuant to its responsibilities under this Resolution that it determines to be of major significance. Notice of all hearings conducted pursuant to this Resolution shall comply with the requirements of the Public Officers Law and shall, in addition, be provided to appropriate organizations identified by the Council; and be it further

and be it further

13th **RESOLVED**, that the 21st Resolved clause is amended as follows:

19th ~~21st~~ *** * * ***

and be it further

14th **RESOLVED**, that a new 20th Resolved clause is added to Resolution No. 636-2005 as follows:

20th **RESOLVED**, that, Pursuant to General Municipal Law §239-h, all voting member of the Council shall complete, at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four (4) hours in any one year may be carried over by the member into succeeding years in order to meet the requirements of this paragraph. Such training shall be approved by the Chair of the Council and may include, but shall not be limited to, training provided by a regional or county planning office or commission, county planning federation, county attorney's office, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training. Relevant continuing legal education (CLE) shall qualify for the training requirements. To be eligible for reappointment to the Council, a member shall have completed the training in accordance with the requirements of this section. The training

required by this section may be waived or modified by resolution of the Council when, in the judgment of the Council, it is in the best interest to do so; and be if further

and be it further

15th **RESOLVED**, that the 22nd Resolved clause is amended as follows:

21st ~~2nd~~ **RESOLVED**, that, in addition to acting as a regional data and information center for census statistics, the Council shall focus their planning efforts primarily in the areas of:

a.) Transportation (in coordination with any recommendations of the New York Metropolitan Transportation Council);
b.) Housing;
c.) Environmental Protection;
d.) Economic Development and Sustainability;
e.) Health Care Planning;
f.) Homeland Security, including Emergency Preparedness;
g.) Energy Planning; and
other areas and issues as requested by the Suffolk County Executive and/or the Suffolk County Legislature;

and be it further

16th **RESOLVED**, that the 23rd Resolved clause is amended as follows:

22nd ~~3rd~~ **RESOLVED**, that, in addition to the areas set forth in the 22nd Resolved clause of this Resolution, the Council may:

a.) conduct surveys, studies, and research programs that address regional needs, including general protection, enhancement, quality of life, sustainable growth and development of the region and improve community services, and distribute information and recommendations resulting from such surveys studies and research programs;

b.) prepare, in coordination with the Nassau County Planning Commission and the Suffolk County Planning Commission a regional comprehensive plan and amendments thereto, as described in Section 239-i of the New York State General Municipal Law;

c.) consult and cooperate with the state government, its political subdivisions and public and private agencies in matters related to regional planning issues; and

d.) establish relationships with local universities and colleges and promote a training/ education center for future Long Island planners; and be it further

and be it further

17th **RESOLVED**, that the 24th Resolved clause is amended as follows:

23rd~~4th~~ **RESOLVED**, that this Resolution supersedes Resolution 36-1965 and any other Ordinance or Resolution relating to the Nassau-Suffolk Regional Planning Board that predates the effective date of this Resolution, provided, however, that those members ~~The terms of the members of the Nassau-Suffolk Regional Planning Board~~ serving on the effective date of this resolution shall become members of the Council for the remainder of the unexpired terms for which they were appointed or until a successor has been appointed; ~~be deemed to have expired as of the effective date of this Resolution; provided, however, that nothing shall prevent the members of such Planning Board as constituted prior to the effective date of this Resolution from being appointed to the Long Island Regional Planning Council established by this Resolution~~ and provided further, that all contracts entered into by the Board in effect on the effective date of this resolution, including, but not limited to, the contract setting forth the terms and conditions of employment of the Executive Director, shall be deemed contracts of the Council; and be it further

and be it further

18th **RESOLVED**, that the 25th Resolved clause is amended as follows:

24~~5~~th **RESOLVED**, that this Resolution shall become effective upon the approval and adoption of a substantially similar resolution or ordinance by Nassau County; provided, however, that such a resolution or ordinance shall not be construed as "substantially similar" if it affects the powers of Suffolk County or its members on the Council, including, but not limited to, representation, voting powers or Suffolk County's financial contribution to the Council; and be it further

and be it further

19th **RESOLVED**, that the 26th Resolved clause is amended as follows:

25~~6th~~ *** * * ***

and be it further

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

— Strikethrough denotes deletion of existing language
__Underlining denotes addition of new language

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2080-2007 ***Laid on Table 10/16/2007***

Introduced by Presiding Officer, on the request of County Executive

RESOLUTION NO. 1098 -2007, APPROVING AN AGREEMENT TO EXTEND AND MODIFY HEALTH INSURANCE BENEFITS FOR ACTIVE AND RETIRED COUNTY EMPLOYEES

WHEREAS, the County Executive, The Director of Labor Relations, and the union presidents representing Suffolk County Employees have entered into a Memorandum of Agreement dated October 15, 2007 which provides for the continuation of the Suffolk County Employee Medical Health Plan, the self insured health insurance plan pursuant to a Memorandum of Agreement dated October 8, 1992, which has been extended and modified; and

WHEREAS, such agreement has been set down in a stipulation of agreement signed by the County and by all of the bargaining units detailing the program, a copy of which has been filed with the Clerk of the Suffolk County Legislature; and

WHEREAS, such agreement contains approximate cost savings of $12 million for 2008 and an additional $15 million for 2009 while continuing to provide quality health insurance to the covered active and retired County Employees; and

WHEREAS, remaining self insured allows the parties to control health insurance costs while addressing the local needs of the covered members; and

WHEREAS, the agreement contains a provision that, pursuant to Civil Service Law §204-a.1, any provision of the agreement that requires legislative action to permit its implementation by amendment of law, or by providing additional funds, must be approved by the Suffolk County Legislature and, that if not approved by November 20, 2007, the County shall revert to the contractual provisions of the respective union collective bargaining agreements with regard to health insurance; now, therefore be it

1st RESOLVED, that the annexed EXTENSION AND MODIFICATION OF MEMORANDUM OF AGREEMENT HEALTH INSURANCE BENEFITS, which will provide health insurance benefits to active and retired County employees, be it is hereby approved.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1944-2007 Laid on Table 9/20/2007
Introduced by Legislator Kennedy

RESOLUTION NO. 1100 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR ST. CATHERINE OF SIENA HOSPITAL

WHEREAS, St. Catherine of Siena Hospital desires to purchase cardiac catheter equipment; and

WHEREAS, cardiac catheterization is a procedure done on the heart where a doctor inserts a thin plastic tube (catheter) into an artery or vein in the arm or leg. From there it can be advanced into the chambers of the heart or into the coronary arteries; and

WHEREAS, this test can measure blood pressure within the heart and how much oxygen is in the blood and is also used to get information about the pumping ability of the heart muscle. Catheters are also used to inject dye into the coronary arteries; and

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	OBJECT NAME	AMOUNT

001	DPW	1363	0000	4410	Rent-Offices & Buildings	- $21,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	HSV	4618	HQC1	4980	St. Catherine of Siena Hospital	+ $21,000

and be it further

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

DATED: November 20, 2007

VETOED BY COUNTY EXECUTIVE ON DECEMBER 6, 2007

VETO OVERRIDE ADOPTED ON DECEMBER 18, 2007

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

Intro. Res. No. 1868-2007 Laid on Table 8/21/2007
Introduced by Legislators Horsley, Browning, Viloria-Fisher, Cooper, Eddington, Mystal, Stern, Kennedy, D'Amaro, Losquadro, Montano and Schneiderman

RESOLUTION NO. 1101 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO ESTABLISH AN AT-STORE RECYCLING PROGRAM FOR PLASTIC BAGS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 21, 2007, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH AN AT-STORE RECYCLING PROGRAM FOR PLASTIC BAGS**"; now, therefore be it

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

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

A LOCAL LAW TO ESTABLISH AN AT-STORE RECYCLING PROGRAM FOR PLASTIC BAGS

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

Section 1. Legislative Intent.

This Legislature finds and determines that each year an estimated 500 billion to 1 trillion plastic bags are used worldwide, and billions of these bags end up as litter each year. In the United States alone, retail checkout counters distribute about 100 billion plastic bags, and it takes approximately 35 million barrels of oil to produce them.

This Legislature further finds and determines that 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.

This Legislature further finds that plastic shopping bags are relatively resource efficient, reusable and 100 percent recyclable, that recycling plastic bags is a robust and growing industry across the United States, the number of programs that recycle plastic bags is increasing daily, that millions of pounds of plastic bags are recycled each year into durable outdoor decking and low-maintenance fencing.

This Legislature also finds that plastic bags are a relatively resource efficient choice as they require 40 percent less energy to manufacture than paper bags, require 91 percent less energy to recycle pound for pound compared to paper, and produces 70 percent fewer air emissions than manufacturing paper bags.

This Legislature hereby finds and determines that any incidental costs of the recycling program established by this law are outweighed by the benefits to the environment from the increased recycling of plastic bags.

This Legislature hereby also finds that the proposed recycling program furthers New York State policy which favors programs that maximize material reuse and recycling and programs that use energy efficient recycling processes.

Therefore, the purpose of this law is to encourage the use of reusable bags by consumers and retailers, to reduce the consumption of single-use bags, and to require an at-store recycling program for plastic bags.

Section 2. Definitions.

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

"OPERATOR" shall mean a person in control of, or having daily responsibility for, the daily operation of a store, which may include, but is not limited to, the owner of the store.

"PLASTIC CARRYOUT BAG" shall mean a plastic carryout bag provided by a store to a customer at the point of sale and which is composed of LDPE (Low Density Polyethylene), LLDPE (Linear Low Density Polyethylene), MDPE (Medium Density Polyethylene) or HDPE (High Density Polyethylene).

"REUSABLE BAG" shall mean:

a.) a bag made of cloth or other machine washable fabric that has handles; or
b.) a durable plastic bag with handles that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.

"STORE" shall mean a retail establishment that provides plastic carryout bags to its customers as a result of the sale of a consumer good, and ten thousand square feet or more of the store's selling area floor space is used for the sale of consumer goods.

Section 3. At-Store Recycling Program.

The operator of a store shall establish an at-store recycling program pursuant to the provisions of this law that provides an opportunity for members of the public to return to the store clean plastic carryout bags from any source.

Section 4. Requirements.

An at-store recycling program provided by the operator of a store shall require:

a.) A plastic carryout bag collection bin to be placed at or near the entrance to each store and such bin shall be highly visible and indicate that the bin is intended for recycling and not for the discarding of garbage; such collection bin shall be easily accessible to the consumer; and such collection bin shall be clearly marked that the collection bin is available for the purpose of collecting and recycling plastic carryout bags only.

b.) That all plastic carryout bags collected by the store are to be collected, transported and recycled in a manner consistent with all applicable laws or any rule or regulation promulgated pursuant to this law.

c.) The operator of the store having twenty thousand square feet or more of the selling area floor space used for the sale of consumer goods, shall make reusable bags available to customers within the store, which may be purchased and used in lieu of using a plastic carryout bag or paper bag.

Section 5. Penalties.

Any operator who violates any provision of this law shall be punished by a fine not to exceed Two Hundred and Fifty Dollars ($250.00) for a first offense; by a fine not to exceed Five Hundred Dollars ($500.00) for a second offense; and by a fine not to exceed One Thousand Dollars ($1,000.00) for a third and each subsequent offense committed in any twelve month period.

Section 6. Rules & Regulations.

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

Section 7. Applicability.

This law shall apply to all actions occurring on or after January 1, 2009.

Section 8. Reverse Preemption.

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

Section 9. Severability.

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

Section 10. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(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 11. Effective Date.

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 1820-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1102 -2007, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING (AIRPORT BUSINESS MANAGER)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of Airport Business Manager be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Economic Development and Workforce Housing budget to cover the cost; now, therefore be it

1st **RESOLVED**, that the Suffolk County Classification and Salary Plan and the Department of Economic Development and Workforce Housing Operating Budget be and they are hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

Spec. No.	JC	Position Title		Grade	BU
7780	C	Airport Business Manager	24	02	

AMENDMENT TO OPERATING BUDGET
ADDITION

Position No.	Spec. No.	JC	Position Title		Grade	BU
25-5610-0300-0010	7780	C	Airport Business Manager	24	02	

DELETION

Position No.	Spec. No.	JC	Position Title	Grade	BU
25-5610-0200-0130	7723	C	Airport Lighting Specialist	22	02

and be it further

2nd **RESOLVED**, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1980-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1103 –2007, AUTHORIZING THE COUNTY OF SUFFOLK TO DEDUCT FROM A CREDIT FUND ESTABLISHED FOR THE BENEFIT OF THE SUFFOLK COUNTY WATER AUTHORITY, THE AUTHORITY'S SHARE OF THE COST OF THE PURCHASE OF AERIAL IMAGES UNDER THE NEW YORK STATE STATEWIDE DIGITAL ORTHOIMAGERY PROGRAM (the "DOP")

WHEREAS, on February 27, 2005, the County of Suffolk and the Suffolk County Water Authority (the "SCWA") entered into a Stipulation of Settlement (the "Stipulation") to resolve a certain action brought by the SCWA against the County pursuant to which the County established a $1.5 million dollar interest accruing credit in the favor of the SCWA (the "SCWA Credit"); and

WHEREAS, pursuant to the Stipulation, SCWA could use the SCWA Credit or any portion thereof as consideration for any acquisition of real or personal property from the County of Suffolk or in lieu of payment for any services provided by the County on behalf of SCWA; and

WHEREAS, the County under the New York State Statewide Digital Orthoimagery Program (the "DOP") is acquiring aerial images of Suffolk County; and

WHEREAS, the SCWA has pledged to provide the County $100,000.00 in exchange for a fully licensed, reproducible and royalty free data set of the images acquired by the County under the DOP; and

WHEREAS, the SCWA wishes to use a $100,000.00 portion of the SCWA Credit to pay for its share of the DOP costs; now, therefore be it

1st RESOLVED, that the County hereby deducts from the SCWA Credit the sum of $100,000.00 in full satisfaction of the SCWA's share of the DOP costs; and be it further

2nd RESOLVED, that the County Attorney's Office is directed to provide an accounting of the funds remaining in the SCWA Credit.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2006-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 1104 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (UNION CEMETERY PROPERTY) TOWN OF ISLIP (SCTM NO. 0500-357.00-03.00-019.000 p/o)

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

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

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to take all preliminary planning steps (i.e. survey, appraisal, title search, and environmental audit) as shall be necessary and appropriate as set forth in the 2nd RESOLVED clause of this Resolution, funding for which shall be provided in Capital Project No. 7177, to acquire fee title or a lesser interest in the parcels listed herein below from the reputed owners for inclusion in the Suffolk County Multifaceted Land Acquisition Program for acquisitions to be consummated in accordance with the programmatic criteria set forth in Resolution No. 602-2001 designated as the Suffolk County Active Parklands Stage II Acquisition Program:

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

No. **1**	District	0500	1.00	Union Cemetery Association
	Section	357.00		of Sayville, Inc.
	Block	03.00		
	Lot	019.000p/o		

and be it further

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

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2030-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1105 –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 YAKABOSKI, AS CONTRACT VENDEE OF THE P. F. & E. ASSOCIATES, INC., PROPERTY (TOWN OF RIVERHEAD – SCTM NO. 0600-099.00-01.00-004.000)

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

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

WHEREAS, Resolution No. 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. 892-2002 authorized planning steps for acquisition of the farmland development rights of the subject property; and

WHEREAS, the Town of Riverhead ("Town") has approved Resolution No. 887-2007 on September 17, 2007,authorizing the acquisition of the 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 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 $1,355,200.00± 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 One Million Nine Hundred Thirty Six Thousand Dollars ($1,936,000.00±), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 22.0± acres, which cost is to be shared by the County of Suffolk and the Town,

with the County of Suffolk's share, totaling One Million Three Hundred Fifty Five Thousand Two Hundred Dollars ($1,355,200.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling Five Hundred Eighty Thousand Eight Hundred Dollars ($580,800.00±), 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:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0600	22.0±	Diana Yakaboski, as Contract Vendee of
	Section 099.00			P. F. & E. Associates, Inc.
	Block	01.00		Route 25A, Box 284 .
	Lot	004.000		Calverton, NY 11933

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 Nine Hundred Thirty Six Thousand Dollars ($1,936,000.00±), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 22.0± acres, of which the County contribution will be One Million Three Hundred Fifty Five Thousand Two Hundred Dollars ($1,355,200.00±) 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 $1,355,200.00± in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7177.230	Suffolk County Multifaceted	$1,355,200.00±
(Fund 001-Debt Service)	Land Preservation Program	

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,355,200.00±, subject to a final survey, from the Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

6th RESOLVED, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning seventy percent (70%) undivided interest and the Town owning thirty percent (30%) undivided interest; and be it further

7th 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

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2030A-2007

BOND RESOLUTION NO. 1106 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,355,200 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE YAKABOSKI, AS CONTRACT VENDEE OF P. F. & E. ASSOCIATES, INC. PROPERTY, IN THE TOWN OF RIVERHEAD, 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 $1,355,200 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 farmland development rights of the Yakaboski, as contract vendee of P.F. & E. Associates, Inc. property, in the Town of Riverhead (SCTM No. 0600-099.00-01.00-004.000) 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 $1,936,000. The County's share of such cost is $1,355,200 and the $580,800 balance of the cost is expected to be paid by the Town of Riverhead pursuant to an agreement between the County and such Town. The plan of financing of the County's share of such cost includes the issuance of $1,355,200 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2115-2007 Laid on Table 11/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Caracappa

RESOLUTION NO. 1107 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT - FOR THE GRACE

PRESBYTERIAN CHURCH PROPERTY - TOWN OF BROOKHAVEN – (SCTM NO. 0200-392.00-04.00-017.000 p/o)

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

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

WHEREAS, Resolution No. 967-2007 and Resolution No. 613-2007, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Park component, for a total purchase price of Five Hundred Thirty-Two Thousand Five Hundred Dollars ($532,500.00±), at One Hundred Fifty Thousand Dollars ($150,000.00) per acre, for 3.55± acres, subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	3.55±	Grace Presbyterian Church
	Section	392.00		425 Hawkins Road
	Block	04.00		Selden, NY 11784
	Lot	017.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of Five Hundred Thirty-Two Thousand Five Hundred Dollars ($532,500.00±), subject to final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $532,500.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space

(SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

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

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be for a hamlet park and its continued use as ball fields; and

3.) the recreational facility already exists, and will be maintained as such, requiring no clearing of vegetation whatsoever; and

4.) the community is in full support of this proposal; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2026-2007 Laid on Table 10/16/2007
Introduced by Legislator Caracappa

RESOLUTION NO. 1108 –2007, TO AUTHORIZE INSTALLATION OF SIGNS ALONG CR 97 AT THE PEARL HARBOR MEMORIAL BRIDGE

WHEREAS, the designation of the "Pearl Harbor Memorial Bridge" by the State of New York is to honor the men and women who fought and died during the attack on Pearl Harbor by the empire of Japan, igniting America's entry into World War II; and

WHEREAS, the Pearl Harbor Memorial Bridge located in the Town of Brookhaven is an architecturally unique structure known as a single point urban interchange, and is one of only two such structures in the entire State of New York; and

WHEREAS, the State of New York has installed signs at the intersection of Middle Country Road and Nicolls Road in the Town of Brookhaven designating the Pearl Harbor Memorial Bridge; and

WHEREAS, the County of Suffolk wishes to honor the men and women who fought and died during the attack on Pearl Harbor by installing signs along the north and south sides of the Pearl Harbor Memorial Bridge on Nicolls Road in Centereach; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to install and maintain signs on the north and south sides of the Pearl Harbor Memorial Bridge on CR 97, Nicolls Road, Centereach, in the Town of Brookhaven, said signs to read "Pearl Harbor Memorial Bridge"; 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2031-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, and Schneiderman

RESOLUTION NO. 1109 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND

PRESERVATION, AND HAMLET PARKS FUND – FARMLAND COMPONENT AND APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE MULTIFACETED LAND PRESERVATION PROGRAM - FOR THE RAINE PROPERTY (SCTM NO. 0600-022.00-01.00-001.011) 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, 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. 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. 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 as 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. 1020-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; 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 bases for funding capital projects such as this project; and

WHEREAS, the County Legislature by even date herewith has authorized the issuance of $419,000.00 in Suffolk County Serial Bonds to cover a portion of the cost of said acquisition under the 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 Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Farmland component, and the Suffolk County Multifaceted Land Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE, for a total purchase price of Eight Hundred Nineteen Thousand Dollars ($819,000.00±), at $90,000.00 per acre, for 9.1± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments; for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	9.1±	Jeffrey Paul Raine
	Section	022.00		935 Friends Lake Road
	Block	01.00		Chestertown, NY 12817-2104
	Lot	001.011		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights of the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(3) of the SUFFOLK COUNTY CHARTER for part of the purchase price of Four Hundred Thousand Dollars ($400,000.00±), and all additional expenses, and the Suffolk County Multifaceted Land Preservation Program, for the remaining part of the purchase price of Four Hundred Nineteen Thousand Dollars ($419,000.00), at $90,000.00 per acre for 9.1± 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 $400,000.00±, 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 a portion of this acquisition; and be it further

4th RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty four (54) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

5th RESOLVED, that the proceeds of $419,000.00 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7177.230 (Fund 001-Debt Service)	Suffolk County Multifaceted Land Preservation Program	$419,000.00

and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are also hereby authorized to reserve and to pay $419,000.00, subject to a final survey, from the Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

7th 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

8th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5c(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing a farmland development rights acquisition as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which a SEQRA determination of non-significance has already be issued.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2031A-2007

BOND RESOLUTION NO. 1110 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $419,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE RAINE PROPERTY IN THE TOWN OF RIVERHEAD, 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 $419,000 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 the Raine property in the Town of Riverhead (SCTM No. 0600-022.00-01.00-001.011) 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 $819,000 and $400,000 of such cost is expected to be paid from funds previously appropriated pursuant to Resolution No. 1361-2004 under CP 8707.201, the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund. The plan of financing that portion of the purchase price to be financed under the Multifaceted Land Preservation Program includes the issuance of $419,000 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2035-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1111 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE HILIAB CORPORATION PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-983.50-02.00-043.000)

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. 877-2005, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Six Thousand Five Hundred Dollars ($6,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.091±	Haliab Corporation
	Section	983.50		William S. Cohn, President
	Block	02.00		2442 Merrick Road
	Lot	043.000		Bellmore, NY 11710

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 Six Thousand Five Hundred Dollars ($6,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$6,500.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$6,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $6,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$6,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $6,500.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

and be it further

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

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

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

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

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

3.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact that the 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2036-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Barraga

RESOLUTION NO. 1112 -2007 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] – FOR THE WILLIAM H. LEVERICH FAMILY TRUST PROPERTY – PENATAQUIT STREAM CORRIDOR (TOWN OF ISLIP - SCTM NO. 0500-341.00-03.00-045.000)

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

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

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

WHEREAS, Resolution No. 400-2006, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Forty Five Thousand Dollars ($45,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

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

No. 1	District	0500	0.25±	The William H. Leverich Family Trust
	Section	341.00		258 Albert Drive
	Block	03.00		San Luis Obispo, CA 93405
	Lot	045.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Forty Five Thousand Dollars ($45,000.00), 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 $45,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDX2, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2037-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Stern, Horsley, and Mystal

RESOLUTION NO. 1113 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12- 5(E)(1)(a)] FOR THE NIXON PROPERTY – CARLLS RIVER WATERSHED ADDITION (TOWN OF BABYLON - SCTM NO. 0100-083.00-02.00-009.000)

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

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Thirteen Thousand Five Hundred Dollars ($13,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0100	0.137±	Cora Nixon
	Section	083.00		As surviving tenant by the entirety
	Block	02.00		4 South Ronald Drive
	Lot	009.000		Amityville, NY 11701

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Thirteen Thousand Five Hundred Dollars ($13,500.00), 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 $13,500.00, subject to a final survey, from previously appropriated funds in MY-176-KAW-GDHI, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2038-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Stern, Horsley, and Mystal

RESOLUTION NO. 1114 -2007 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE SOLIMAN PROPERTY – CARLLS RIVER WATERSHED - TOWN OF BABYLON - (SCTM NO. 0100-083.00-02.00-010.000)

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

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Fifty Six Thousand Dollars ($56,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0100	0.49±	Christine E. Soliman
	Section	083.00		2611 Stuart Drive
	Block	02.00		Durham, NC 27707
	Lot	010.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Fifty Six Thousand Dollars ($56,000.00), 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 $56,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDHI, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2039-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1115 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT - FOR THE GOLDEN PROPERTIES CONSTRUCTION CORP. PROPERTY – PATCHOGUE RIVER WETLAND ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-837.00-01.00-030.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of One Hundred Fifty Thousand Dollars ($150,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.477+	Sharon L. Golden
	Section	837.00		72 South Country Road
	Block	01.00		Patchogue, NY 11772
	Lot	030.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1),

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of the SUFFOLK COUNTY CHARTER for the purchase price of One Hundred Fifty Thousand Dollars ($150,000.00), 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 $150,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, One (1) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2040-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1116 - 2007 AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE GERRATO PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA (TOWN OF BROOKHAVEN – SCTM NOS. 0200-983.40-03.00-013.001, 0200-983.40-03.00-013.002, 0200-983.40-03.00-014.000, 0200-983.40-03.00-015.000, 0200-983.40-06.00-041.000 & 0200-983.40-06.00-042.000)

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. 977-2004, 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 Sixty Thousand Dollars ($60,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	2.68+	Anthony and Grace Gerrato
	Section	983.40		566 Sixth Street
	Block	03.00		Lindenhurst, NY 11757
	Lot	013.001		
No. 2	District	0200		
	Section	983.40		
	Block	03.00		
	Lot	013.002		

No. 3	District	0200
	Section	983.40
	Block	03.00
	Lot	014.000
No. 4	District	0200
	Section	983.40
	Block	03.00
	Lot	015.000
No. 5	District	0200
	Section	983.40
	Block	06.00
	Lot	041.000
No. 6	District	0200
	Section	983.40
	Block	06.00
	Lot	042.000

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 Sixty Thousand Dollars ($60,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$60,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount

IFT	525	R477	E525	Transfer from Fund 477	$60,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $60,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	**Project Title**	**Amount**
525-CAP-8709.210	New Drinking Water Protection Program	$60,000.00*

*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 $60,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2041-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1117 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM BY ACCEPTING AND APPROPRIATING UP TO 75% GRANT FUNDS IN THE AMOUNT OF $1,089,428 FROM THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS (GRANT C800644) TO THE SUFFOLK COUNTY FARMLAND PRESERVATION PROGRAM FOR THE ACQUISITION OF AGRICULTURAL DEVELOPMENT RIGHTS (CP 8701)

WHEREAS, pursuant to Agricultural and Markets Law Article 25AAA, the New York State Department of Agriculture and Markets offers an Agricultural and Farmland Protection Implementation Grant; and

WHEREAS, the Suffolk County Planning Department has been advised that a grant in the amount of $1,089,428 for the acquisition of Agricultural Development Rights has been awarded; and

WHEREAS, said funds for acquisitions are provided for in the attached contract (C800644/06-PL-001A) between the New York State Department of Agriculture and Markets and the County of Suffolk; and

WHEREAS, the State funds may be used for up to seventy-five percent (75%) of the cost of such acquisitions; and

WHEREAS, Capital Project 8701–Acquisition of Farmland has uncommitted appropriations available to be used as the County's match for said grant; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the State portion; and

WHEREAS, Suffolk County recognizes the importance of the agricultural industry to the County and has committed substantial resources to the preservation of farmland resulting in the protection of approximately 9,000 acres of prime farmland; and

WHEREAS, the Suffolk County Farmland Preservation Plan recommends a need for the protection of 20,000 acres of farmland through the acquisition of development rights by the County and other levels of government and/or the use of other means of farmland protection such as local zoning and subdivision land use techniques; and

WHEREAS, the grant will make it possible for the County of Suffolk to protect additional farmland through the leveraging of County funds with State funds; 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 $1,089,428 in Suffolk County Serial Bonds; now, therefore be it

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

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 6 N.Y.C.R.R. 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 set forth in the adopted Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

Project No.: 8701
Project Title: Acquisition of Farmland

	Current	Revised

	Total Est'd. Cost	2007 Capital Budget & Program	2007 Capital Budget & Program
2. Land Acquisition	$33,411,829	$0	$1,089,428 S
TOTAL	$33,411,829	$0	$1,089,428

and be it further

4th RESOLVED, that the State grant funds in the amount of $1,089,428 be, and hereby are appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8701.215	Acquisition of Farmland	$1,089,428

and be it further

5th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of $1,089,428; and be it further

6th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State aid in connection with this project; and be it further

7th RESOLVED, that the County Executive and/or the Director of Planning are authorized to accept the grant on behalf of the County of Suffolk, to take all necessary actions and to execute all necessary agreements including an Agreement with the New York State Department of Agriculture and Markets to effectuate this grant.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2042-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1118 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT FOR THE RODRIGUE-KARRAS PROPERTY – SOUTHAVEN COUNTY PARK ADDITION (TOWN OF BROOKHAVEN – SCTM NO. 0200-744.00-03.00-004.000)

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 Five Thousand Five Hundred Dollars ($5,500.00), subject to a final survey; and hereby authorizes

additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.20±	Winifred Rodrigue-Karras
	Section	744.00		122 Pequa Place
	Block	03.00		Massapequa, NY 11758
	Lot	0004.000		

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 Thousand Five Hundred Dollars ($5,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$5,500.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$5,500.00*

*subject to a final survey

and be it further

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

Project No.	**Project Title**	**Amount**
525-CAP-8709.210	New Drinking Water Protection Program	$5,500.00*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $5,500.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

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

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

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

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

5.) 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

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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2043-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Eddington

RESOLUTION NO. 1119 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – FOR THE PATANJO PROPERTY – PATCHOGUE RIVER WETLANDS ADDITION (TOWN OF BROOKHAVEN – SCTM NO. 0200-837.00-01.00-031.000)

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

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

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

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

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Twenty Thousand Dollars ($20,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.23+ acres	Gary Patanjo
	Section	837.00		128 Syracuse Avenue
	Block	01.00		Medford, NY 11763
	Lot	031.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Twenty Thousand Dollars ($20,000.00), 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 $20,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

5th RESOLVED, that this property is not to be developed and is being purchased through the Save Open Space Bond Act in accordance with Suffolk County Resolution No. 840-2004, Zero (0) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Open Space Bond Act Workforce Housing Transfer of Development Rights Program

registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2044-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1120 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE CAMPO BROTHERS PROPERTY – ST. GERMAINE OF ALASKA PRESERVE (TOWN OF BROOKHAVEN - SCTM NOS. 0200-208.00-05.00-035.000 & 0200-230.00-03.00-028.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Open Space component, effective as of December 1, 2000, for a total purchase price of Twenty Seven Thousand Dollars ($27,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	10,000 sq. ft.	Campo Brothers
	Section	208.00		1303 Main Street-Suite 1A
	Block	05.00		Port Jefferson, NY 11777
	Lot	035.000		
No. 2	District	0200		
	Section	230.00		
	Block	03.00		
	Lot	028.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Twenty Seven Thousand Dollars ($27,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$27,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$27,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $27,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	**Project Title**	**Amount**
525-CAP-8709.210	New Drinking Water Protection Program	$27,000.00*

*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 $27,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

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

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

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 than 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2045-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1121 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT FOR THE KARRAS PROPERTY – SOUTHAVEN COUNTY PARK ADDITION (TOWN OF BROOKHAVEN – SCTM NO. 0200-744.00-03.00-017.000 & 0200-744.00-03.00-022.000)

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

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

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

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

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

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.20±	Theodore Karras
	Section	744.00		141 Cruise Road
	Block	03.00		Manahawkin, NJ 08050
	Lot	017.000		
No. 2	District	0200		
	Section	744.00		
	Block	03.00		
	Lot	022.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein

above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Sixteen Thousand Dollars ($16,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

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

*subject to a final survey

and be it further

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

REVENUES:

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

*subject to a final survey

and be it further

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

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

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $16,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the

SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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

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

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

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

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

7.) 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

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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2046-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine and Losquadro

RESOLUTION NO. 1122 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT –FOR THE F. DOOB, J. DOOB & PICCININNI PROPERTY – WADING RIVER WETLANDS (TOWN OF RIVERHEAD – SCTM NO. 0600-024.00-01.00-011.000)

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

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

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

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

1ST RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Thirty Five Thousand Dollars ($35,000.00±), at $14,000.00 per acre for 2.5± acres, subject to a final

survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	2.5±	Joyce Doob – 25% Interest P.O. Box 246 Wading River, NY 11792
	Section	024.00		
	Block	01.00		
	Lot	011.000		
				Carole Piccininni – 25% Interest 10937 Sunset Ridge Circle Boynton Beach, FL 33437
				Andrew Davies – 50% Interest 18521 Oakmont Drive Noblesville, IN 46062

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Thirty Five Thousand Dollars ($35,000.00±), at $14,000.00 per acre for 2.5± 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 $35,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2047-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1123 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – FOR THE COLBERT PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II TOWN OF BROOKHAVEN – (SCTM NO. 0200-984.60-03.00-038.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Fourteen Thousand Dollars ($14,000.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.138±	James and Ketty Colbert
	Section	984.60		113 Riviera Drive

Block	03.00	Mastic Beach, NY 11951
Lot	038.000	

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Fourteen Thousand Dollars ($14,000.00), 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 $14,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705-210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2048-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1124 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – OPEN SPACE COMPONENT – FOR THE MILLER (F/K/A WEINBERGER) & LEICHTER PROPERTY – FORGE RIVER ADDITION (TOWN OF BROOKHAVEN – SCTM NO. 0200-750.00-03.00-003.000)

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

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

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, for a total purchase price of Twenty Five Thousand Five Hundred Dollars ($25,500.00), subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	10,200 s.f.	Barbara Miller f/k/a Barbara Weinberger 127 Hicks Street-#2 Brooklyn, NY 11201
	Section	750.00		
	Block	03.00		
	Lot	003.000		
				Nancy Leichter Same as above As Tenants-In-Common

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space, Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(1), of the SUFFOLK COUNTY CHARTER for the purchase price of Twenty Five Thousand Five Hundred Dollars ($25,500.00), 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 $25,500.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8705-210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Open Space component, Section C36-1(A)(1), for this acquisition; and be it further

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

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2049-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1125 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR OPEN SPACE PRESERVATION FOR THE MOELLER & TMJ REALTY, INC. PROPERTY – PECONIC DUNES – BITTNER PRESERVE TOWN OF SOUTHOLD – (SCTM NOS. 1000-058.00-01.00-001.000, 1000-068.00-01.00-017.002 & 1000-068.00-01.00-017.003)

WHEREAS, the Suffolk County Environmental Legacy Fund was established by Resolution No. 281-2007, allocating fifty million dollars for the acquisition of: environmentally sensitive lands pursuant to the traditional Open Space Preservation Program, Resolution No. 762-1986 et seq.; farmland development rights pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Lands; active parklands including playgrounds, soccer fields, football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors and/or other community recreational needs; or historic properties that exhibit historic and/or archeological significance, where there is a partner who will provide at least a 50% matching contribution to its acquisition; and

WHEREAS, Resolution No. 281-2007 appropriated $20,000,000.00 for acquisitions under the Suffolk County Environmental Legacy Fund; and

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

WHEREAS, the Town of Southold ("Town") has approved Resolution No. 2007-773 on September 25, 2007 authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, the Town of Southold has agreed to recognize the Bittner Family in the naming of the site once it is acquired for open space purposes and has requested that the County consider naming the site in honor of the Bittner Family; 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 Environmental Legacy Fund pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Thirteen Million Two Hundred Ninety Four Thousand Dollars ($13,294,000.00±), at Two Hundred Thirty Thousand Dollars ($230,000.00) per acre, for 57.8± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Six Million Six Hundred Forty Seven Thousand Dollars ($6,647,000.00±), for a fifty percent (50%) undivided interest; and the Town's share, totaling Six Million Six Hundred Forty Seven Thousand Dollars ($6,647,000.00±), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	1000	57.8±	Jacqueline Moeller
	Section 058.00			P.O. Box 269
	Block	01.00		Peconic, NY 11958
	Lot	001.000		
No. 2	District	1000		Same As Above
	Section 068.00			
	Block	01.00		
	Lot	017.002		
No. 3	District	1000		TMJ Realty, Inc.
	Section 068.00			P.O. Box 269
	Block	01.00		Peconic, NY 11958
	Lot	017.003		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(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 Environmental Legacy Fund, for the County's portion of the purchase price of Six Million Six Hundred Forty Seven Thousand Dollars ($6,647,000.00±), 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 $6,647,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8731.210, Suffolk County Environmental Legacy Fund, 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 for passive recreational use; 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 necessary 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 official naming of the property to honor the Bittner Family once said property has become part of the County Park system, shall be referred to the Review Committee for the Siting of Memorials and Symbols and Naming of County Facilities, Parks, and Roads for its review, consideration, and recommendation; and be it further

10th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

11th 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.

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

12th 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2049A-2007

BOND RESOLUTION NO. 1126 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $6,647,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND PROGRAM FOR OPEN SPACE PRESERVATION FOR THE MOELLER AND TMJ REALTY, INC. PROPERTY - PECONIC DUNES - BITTNER PRESERVE, TOWN OF SOUTHOLD (CP 8731.210)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $6,647,000 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 under the Suffolk County Environmental Legacy Fund program for open space preservation for the Moeller and TMJ Realty, Inc. Property - Peconic Dunes - Bittner Preserve, Town of Southold (SCTM Nos. 1000-058.00-01.00-001.000, 1000-068.00-01.00-017.002 and 1000-068.00-01.00-017.003), 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 $13,294,000. The County's share of such cost is $6,647,000 and the $6,647,000 balance of the cost is expected to be paid by the Town of Southold pursuant to an agreement between the County and such Town. The plan of financing the County's share of such cost includes the issuance of $6,647,000 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2050-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 1127 –2007, APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND AUTHORIZING ACQUISITION UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM - OPEN SPACE PRESERVATION FOR THE SAPIANE AND BILSKI ESTATE PROPERTY – ASPATUCK CREEK TOWN OF SOUTHAMPTON – SCTM NOS. 0900-359.00-01.00-023.001, 0900-359.00-02.00-013.000 & 0900-

359.00-02.00-014.000)

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

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

WHEREAS, Resolution No. 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. 284-2006 authorized planning steps for acquisition the subject property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; 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 $450,000.00 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 the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Four Hundred Fifty Thousand Dollars ($450,000.00), subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	2.42+	Gary J. Sapiane and the .
	Section 359.00			Estate of Frank Bilski
	Block	01.00		P.O. Box 132 .
	Lot	023.001		Sag Harbor, NY 11963
No. 2	District	0900		
	Section 359.00			
	Block	02.00		
	Lot	013.000		

No. 3	District	0900
	Section 359.00	
	Block	02.00
	Lot	014.000

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Four Hundred Fifty Thousand Dollars ($450,000.00), 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 $450,000.00 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7177.230	Suffolk County Multifaceted	$450,000.00
(Fund 001-Debt Service)	Land Preservation Program	

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $450,000.00, 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 the parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617.7; and be it further

9th 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

10th 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2050A-2007

BOND RESOLUTION NO. 1128 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $450,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF THE SAPIANE AND BILSKI ESTATE PROPERTY - ASPATUCK CREEK, IN THE TOWN OF SOUTHAMPTON, 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 $450,000 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 the Sapiane and Bilski Estate property - Aspatuck Creek, in the Town of Southampton (SCTM Nos. 0900-359.00-01.00-023.001; 0900-359.00-02.00-013.000 and 0900-359.00-02.00-014.000) 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 $450,000. The plan of financing includes the issuance of $450,000 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2051-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 1129 –2007, APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND AUTHORIZING ACQUISITION UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – PARKLAND PURPOSES - FOR THE BOYS AND GIRLS HARBOR, INC., PROPERTY TOWN OF EAST HAMPTON –(SCTM NOS. 0300-092.00-01.00-011.001 & 0300-074.00-05.00-030.002)

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. 47-2006, authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of East Hampton ("Town") has approved Resolution No. 2007-1098 on July 23, 2007 and Resolution No. 2007-1520 on November 2, 2007, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

WHEREAS, this acquisition is subject to the recommendations, if any, of the Commissioner of the Department of Parks, Recreation and Conservation and the Suffolk County Board of Trustees of the Department of Parks, Recreation and Conservation pursuant to Suffolk County Charter Article XXVIII; 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 $3,674,562.50± 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 the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program for parkland

purposes, for a total purchase price of Seven Million Three Hundred Forty Nine Thousand One Hundred Twenty Five Dollars ($7,349,125.00±), at $275,000.00 per acre for 27.815 acres, less $300,000.00 for demolition costs, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Three Million Six Hundred Seventy Four Thousand Five Hundred Sixty Two Dollars and 50/100 ($3,674,562.50±), for a fifty percent (50%) undivided interest; and the Towns share, totaling Three Million Six Hundred Seventy Four Thousand Five Hundred Sixty Dollars and 50/100 ($3,674,562.50±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0300	27.815±	Boys and Girls Harbor, Inc.
	Section 092.00			a New York Not-for-Profit Corporation
	Block	01.00		P.O. Box 102
	Lot	011.001		Bridgehampton, NY 11932
No. 2	District	0300		
	Section 074.00			
	Block	05.00		
	Lot	030.002		

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 Seven Million Three Hundred Forty Nine Thousand One Hundred Twenty Five Dollars ($7,349,125.00±), at $275,000.00 per acre for 27.815± acres, less Three Hundred Thousand Dollars ($300,000.00) in demolition costs, of which the County contribution will be Three Million Six Hundred Seventy Four Thousand Five Hundred Sixty Two Dollars and 50/100 ($3,674,562.50±), 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 $3,674,562.50± in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7177.230	Suffolk County Multifaceted	$3,674,562.50±
(Fund 001-Debt Service)	Land Preservation Program	

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $3,674,562.50±, subject to a final survey, from the Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

6th RESOLVED, that the title to the 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

7th 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

8th RESOLVED, that the parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation primarily for passive recreational uses including the creation and maintenance of an entrance road (approx. 326 feet in length) and walking/jogging trails with the addition of certain, limited active recreational uses including: picnic areas with nearby restroom facilities; the continued use of an existing ball field; horseshoes; climbing wall; ropes course, and the use of 7 or 8 existing buildings for park activities, park staff and maintenance needs with adequate parking provided for these intended uses; and be it further

9th 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

10th RESOLVED, that the Suffolk County Legislature, being lead agency, determines the above activity is a Type I action pursuant to the provisions of Title 6 NYCRR, Part 617.4; and be it further

11th 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 proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and Code; and

3.) the parcels do not appear to suffer from any severe environmental development constraints (no limiting soils properties, no high groundwater, and no unmanageable slopes); and

4.) the proposed use of the subject parcel(s) will be for park purposes as stated in the 8th RESOLVED clause above; and

5.) 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

12th 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2051A-2007

BOND RESOLUTION NO. 1130 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $3,674,562.50 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF THE BOYS AND GIRLS HARBOR, INC. PROPERTY IN THE TOWN OF EAST HAMPTON, 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 $3,674,562.50 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 the Boys and Girls Harbor, Inc. property in the Town of East Hampton (SCTM Nos. 0300-092.00-01.00-011.001 and 0300-074.00-05.00-030.002) 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 $7,649,125, less $300,000 for demolition costs. The County's share of such cost is $3,674,562.50 (50%) and the $3,674,562.50 balance of the cost (50%) is expected to be paid by the Town of East Hampton pursuant to an agreement between the County and such Town. The plan of financing the County's share of such cost includes the issuance of $3,674,562.50 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive

Date: November 23, 2007

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

Intro. Res. No. 2052-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1131 –2007, APPROPRIATING FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM AND AUTHORIZING ACQUISITON OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE MILAZZO FAMILY LLC PROPERTY (TOWN OF SOUTHOLD – SCTM NO. 1000-053.00-01.00-009.000)

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

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

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition; 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 $1,200,000.00 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 the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the

traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of One Million Two Hundred Thousand Dollars ($1,200,000.00), subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	1000	13.0+	Milazzo Family LLC
	Section 053.00			c/o John Milazzo
	Block	01.00		137 Kings Road
	Lot	009.000		Hauppauge, NY 11788

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 Two Hundred Thousand Dollars ($1,200,000.00), 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 $1,200,000.00 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-7177.230	Suffolk County Multifaceted	$1,200,000.00
(Fund 001-Debt Service)	Land Preservation Program	

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,200,000.00, 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 the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th 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

10th RESOLVED, the in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council of Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2052A-2007

BOND RESOLUTION NO. 1132 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,200,000 BONDS TO FINANCE THE COST OF THE ACQUISITION OF THE MILAZZO FAMILY LLC 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 $1,200,000 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 the cost of the acquisition of the Milazzo Family LLC property in the Town of Southold, (SCTM No. 1000-053.00-01.00-009.000) 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 $1,200,000. The plan of financing includes the issuance of $1,200,000 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2053-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1133 -2007, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE (SOS), FARMLAND PRESERVATION, AND HAMLET PARKS FUND – HAMLET PARKS COMPONENT - FOR THE AERO WORLD CORPORATION PROPERTY - TOWN OF ISLIP - (SCTM NOS. 0500-355.00-01.00-005.000 & 0500-355.00-01.00-001.000 p/o)

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

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

WHEREAS, Resolution No. 619-2007, authorized planning steps for the acquisition of said property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Park component, for a total purchase price of One Million Three Hundred Ninety Two Thousand Three Hundred Dollars ($1,392,300.00±), at $315,000.00 per acre for 4.42± acres ,subject to a final survey; and hereby approves additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0500	4.42±	Aero World Corporation
	Section	355.00		265 Main Street, Box 8
	Block	01.00		Islip, NY 11751
	Lot	005.000		
No. 2	District	0500		
	Section	355.00		
	Block	01.00		
	Lot	001.000 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Section C36-1(A)(2), of the SUFFOLK COUNTY CHARTER for the purchase price of One Million Three Hundred Ninety Two Thousand Three Hundred Dollars ($1,392,300.00±), subject to final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,392,300.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8706.210, the Suffolk County Save Open Space (SOS), Farmland Preservation, and Hamlet Parks Fund, Hamlet Parks component, Section C36-1(A)(2), for this acquisition; and be it further

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

5th RESOLVED, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for hamlet park use as described in Section C36-1(A)(2) of the SUFFOLK COUNTY CHARTER for the development of ball fields and/or the creation of a dog park; and, be it further

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

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

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

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

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

3.) the parcels do not appear to suffer from any severe environmental development constraints (no limiting soils properties, no high groundwater, and no unmanageable slopes); and

4.) the proposed use of the subject parcel(s) will be for a hamlet park for the development of ball fields and/or the creation of a dog park; and

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2054-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Kennedy and Nowick

RESOLUTION NO. 1134 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT FOR THE SEBESTA PROPERTY – HALLOCK ACRES COUNTY WETLANDS ADDITION (TOWN OF SMITHTOWN – SCTM NO. 0800-106.00-02.00-011.007)

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. 1019-2006, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of 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 Five Thousand Dollars ($245,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0800	0.37±	Catherine Sebesta
	Section	106.00		160 Lou Avenue
	Block	02.00		Kings Park, NY 11754
	Lot	011.007		

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 Five Thousand Dollars ($245,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$245,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$245,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $245,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$245,000.00*

*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 $245,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

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

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:

6.) 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

8.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2055-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1135 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MILLS PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN – SCTM NO. 0200-983.40-07.00-008.000)

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 Thirteen Thousand Dollars ($13,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.14±	Dorothy A. Mills
	Section	983.40		14575 Bonaire Blvd.
	Block	07.00		Delray Beach, FL 33446
	Lot	008.000		

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 Thirteen Thousand Dollars ($13,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$13,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$13,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $13,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$13,000.00*

*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 $13,000.00, 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:

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

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:

7.) 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

9.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Caracappa was not present.

Intro. Res. No. 2056-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1136 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE ESTATE OF BLAZEK PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN - SCTM NO. 0200-983.40-03.00-021.000)

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 Two Thousand Five Hundred Dollars ($2,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.04+	Estate of Adolph J. Blazek
	Section	983.40		Barbara A Silas, Executrix
	Block	03.00		124 Officials Avenue
	Lot	021.000		Holbrook, NY 11741

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 Thousand Five Hundred Dollars ($2,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$2,500.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$2,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $2,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the

SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	**Project Title**	**Amount**
525-CAP-8709.210	New Drinking Water Protection Program	$2,500.00*

*subject to a final survey

and be it further

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

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

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

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

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

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

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

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

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

8.) 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

10.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2057-2007 Laid on Table 1016/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1137 -2007,AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE ANYTHING YOU WANT LLC PROPERTY – SOUTHAVEN COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM NOS. 0200-707.00-02.00-001.000 & 0200-707.00-02.00-005.000)

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 Eighty Six Thousand Dollars ($86,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.41+	Anything You Want LLC
	Section	707.00		45 Ashton Road
	Block	02.00		Middle Island, NY 11753
	Lot	001.000		

No. 2	District	0200	0.46±
	Section	707.00	
	Block	02.00	
	Lot	005.000	

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or 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 Eighty Six Thousand Dollars ($86,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$86,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$86,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the $86,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$86,000.00*

*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 $86,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

b.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study;

g.) 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:

9.) 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

11.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2058-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1138 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE DITTMER ESTATE PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II (TOWN OF BROOKHAVEN - SCTM NO. 0200-984.60-01.00-026.000)

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

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

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

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

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

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	.091±	Estate of Richard C. Dittmer
	Section	984.60		by Henry R. Dittmer, as Administrator
	Block	01.00		P.O. Box 202
	Lot	026.000		Brightwaters, NY 11718

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the

SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Eight Thousand Dollars ($8,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$8,000.00*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$8,000.00*

*subject to a final survey

and be it further

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

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$8,000.00*

*subject to a final survey

and be it further

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

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

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

h.) 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:

10.) 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

12.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

Intro. Res. No. 2059-2007 Laid on Table 10/16/2007

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

RESOLUTION NO. 1139 - 2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MONTGOMERY ESTATE PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II - TOWN OF BROOKHAVEN - (SCTM NO. 0200-984.60-03.00-035.000)

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 Eighteen Thousand Dollars ($18,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.23+	Estate of Michael Montgomery
	Section	984.60		By: Sharon Montgomery
	Block	03.00		498 South First Street
	Lot	035.000		Lindenhurst, NY 11757

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 Eighteen Thousand Dollars ($18,000.00), subject to a final survey; and, be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$18,000.00*

*subject to a final survey

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount

IFT	525	R477	E525	Transfer from Fund 477	$18,000.00*

*subject to a final survey

5th RESOLVED, that the $18,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$18,000.00*

*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 $18,000.00, 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.) freshwater/tidal wetlands and buffer lands for same;

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

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:

11.) 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

13.) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2112-2007 Laid on Table 11/7/2007

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

RESOLUTION NO. 1140 -2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM FOR THE ZAWESKI PROPERTY TOWN OF RIVERHEAD – (SCTM NO. 0600-048.00-01.00-003.009)

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions, as determined by duly enacted Resolutions of the County of Suffolk; and

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

WHEREAS, Resolution No. 1326-2006, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Farmland component, effective as of December 1, 2000, for a total purchase price of Two Million One Hundred Forty Seven Thousand Two Hundred Dollars ($2,147,200.00±), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 24.4± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	24.4±	Walter R. Zaweski
	Section	048.00		1796 Main Road
	Block	01.00		P.O. Box 371
	Lot	003.009		Jamesport, NY 11947-0371

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Two Million One Hundred Forty Seven Thousand Two Hundred Dollars ($2,147,200.00±), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 24.4± acres, subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$2,147,200.00±*

*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:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$2,147,200.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the $2,147,200.00± from the Fund 477, New Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000,fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program	$2,147,200.00±*

*subject to a final survey

and be it further

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

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,147,200.00±, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

9th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5 c (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of

farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already been issued.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2113-2007 Laid on Table 11/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine and Alden

RESOLUTION NO. 1141 - 2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM - FOR THE WARNER-2669 SOUND AVENUE LLC PROPERTY - TOWN OF RIVERHEAD – (SCTM NO. 0600-041.00-02.00-002.004 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. 368-2007 on April 17, 2007, authorizing the acquisition of farmland development rights of the subject property in partnership with the County of Suffolk; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for a total purchase price of Five Million Four Hundred Thousand Dollars ($5,400,000.00±), at Ninety Thousand Dollars ($90,000.00) per acre for 60.0± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Three Million Seven Hundred Eighty Thousand Dollars ($3,780,000.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling One Million Six Hundred Twenty Thousand Dollars ($1,620,000.00±), 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	60.0±	Warner-2669 Sound Avenue LLC
	Section	041.00		c/o John W. Giblin, Jr., Esq.
	Block	02.00		100 Quadrangle-Suite 2C11
	Lot	002.004 p/o		Melville, NY 11747-4483

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 Five Million Four Hundred Thousand Dollars ($5,400,000.00±), at $90,0000.00 per acre for $60.0± acres, subject to a final survey, of which the County contribution will be Three Million Seven Hundred Eighty Thousand Dollars ($3,780,000.00±), subject to a final survey; and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount

IFT	477	E525	9600	Transfer to Capital Budget	$3,780,000.00±*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$3,780,000.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the $3,780,000.00± 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:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Water Protection Program	$3,780,000.00±*

*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 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 $3,780,000.00±, 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 a seventy percent (70%) undivided interest and the Town owning a 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2114-2007 Laid on Table 11/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine and Alden

RESOLUTION NO. 1142 - 2007, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM - FOR THE BELL PROPERTY - TOWN OF RIVERHEAD – (SCTM NO. 0600-063.00-02.00-004.000 p/o)

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(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. 849-2007 on September 5, 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 Seventy Hundred Seventy Three Thousand Dollars ($1,773,000.00±), at Ninety Thousand Dollars ($90,000.00) per acre for 19.7± 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 Forty One Thousand One Hundred Dollars ($1,241,100.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling Five Hundred Thirty One Thousand Nine Hundred Dollars ($531,900.00±), 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:

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

No. 1	District	0600	19.7±	Raymond E. Bell and
	Section	063.00		John A. Bell as tenants-in-common
	Block	02.00		c/o Peter S. Danowski, Jr., Esq.
	Lot	004.000 p/o		616 Roanoke Ave., Box 779
				Riverhead, NY 11901

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Farmland component, Section C12-2(C) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the purchase price of One Million Seven Hundred Seventy Three Thousand Dollars ($1,773,000.00±), at $90,000.00± per acre, for 19.7± acres, subject to a final survey, of which the County contribution will be One Million Two Hundred Forty One Thousand One Hundred Dollars ($1,241,100.00±); and be it further

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

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Budget	$1,241,100.00±*

*subject to a final survey

and be it further

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

REVENUES:

Agency	Fund	Revenue Source	Organization	Description	Amount
IFT	525	R477	E525	Transfer from Fund 477	$1,241,100.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the $1,241,100.00±, 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:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water	$1,241,100.00±*

Protection Program

*subject to a final survey

and be it further

6th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized and directed to accept 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 $1,241,100.00±, 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 a seventy percent (70%) undivided interest, and the Town owning a 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2116-2007 Laid on Table 11/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 1143 –2007, AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR THE TOPPING PROPERTY - TOWN OF SOUTHAMPTON – (SCTM NO. 0900-087.00-01.00-009.000)

WHEREAS, the Suffolk County Environmental Legacy Fund was established by Resolution No. 281-2007, allocating fifty million dollars for the acquisition of: environmentally sensitive lands pursuant to the traditional Open Space Preservation Program, Resolution No. 762-1986 et seq.; farmland development rights pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Lands; active parklands including playgrounds, soccer fields, football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors and/or other community recreational needs; or historic properties that exhibit historic and/or archeological significance, where there is a partner who will provide at least a 50% matching contribution to its acquisition; and

WHEREAS, Resolution No. 281-2007 appropriated $20,000,000.00 for acquisitions under the Suffolk County Environmental Legacy Fund; and

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

WHEREAS, the Town of Southampton ("Town") has approved Resolution No. 2007-1404 on October 9, 2007, authorizing the acquisition of the 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 the Division of Real Property Acquisition and Management to negotiate the acquisition; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Environmental Legacy Fund pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for a total purchase price of Fourteen Million Seven Hundred Sixty Thousand Four Hundred Twenty Dollars ($14,760,420.00±), at $580,000.00 per acre for 25.449± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share totaling Five Million Nine Hundred Four Thousand One Hundred Sixty Eight Dollars ($5,904,168.00±), for a forty percent (40%) undivided interest; and the Town's share totaling Eight Million Eight Hundred Fifty Six Thousand Two Hundred Fifty Two Dollars ($8,856,252.00±), for a sixty percent (60%) 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0900	25.449±	Raymond H. Topping
	Section 087.00			181 Halsey Lane
	Block	01.00		P.O. Box 3019
	Lot	009.000		Bridgehampton, NY 11932

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 Environmental Legacy Fund, for the County's portion of the purchase price of Five Million Nine Hundred Four Thousand One Hundred Sixty Eight Dollars ($5,904,168.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $5,904,168.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8731.210, Suffolk County Environmental Legacy Fund, 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 a forty percent (40%) undivided interest and the Town owning a sixty percent (60%) undivided interest; and be it further

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2116A-2007

BOND RESOLUTION NO. 1144 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $5,904,168 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND PROGRAM FOR OPEN SPACE PRESERVATION FOR THE TOPPING PROPERTY, IN THE TOWN OF SOUTHAMPTON (CP 8731.210)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $5,904,168 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 under the Suffolk County Environmental Legacy Fund program for open space preservation for the Topper Property, in the Town of Southampton (SCTM No. 0900-087.00-01.00-009.000), 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 $14,760,420. The County's share of such cost is $5,904,168 (40%) and the $8,856,252 balance (60%) of the cost is expected to be paid by the Town of Southampton pursuant to an agreement between the County and such Town. The plan of financing the County's share of such cost includes the issuance of $5,904,168 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, 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2041A-2007

BOND RESOLUTION NO. 1145 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,089,428 BONDS TO FINANCE A PART OF THE COST OF THE SUFFOLK COUNTY FARMLAND PRESERVATION PROGRAM FOR THE ACQUISITION OF AGRICULTURAL DEVELOPMENT RIGHTS (CP 8701.215)

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 $1,089,428 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 Suffolk County Farmland Preservation Program for the acquisition of agricultural development rights, 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 $1,089,428. The plan of financing includes the issuance of $1,089,428 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. It is expected that grant funds from the State of New York shall be received to pay the cost of the project and any such aid is authorized to be expended for such purpose. It is expected that no serial bonds shall be issued pursuant to this resolution and that only bond anticipation notes shall be issued pursuant hereto.

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 (a) 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: November 20, 2007

APPROVED BY:

/s/ Jim Morgo

Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2034-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 1146 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4041)

WHEREAS, the Commissioner of Health Services has requested funds for the Purchase of Equipment for the John J. Foley Skilled Nursing Facility; and

WHEREAS, these funds are needed to purchase both new equipment and equipment as part of a planned replacement schedule; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under CP 4041; and

WHEREAS, pursuant to Resolution No. 675-2006, the application of the 5-25-5 law has been waived during fiscal year 2007, this resolution requests the method of financing be changed for this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $119,300 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21), and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

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

Project No.: 4041
Project Title: Equipment for the John J. Foley Skilled Nursing Facility

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
5. Furniture & Equipment	$865,840	$119,300G	$119,300B
TOTAL	$865,840	$119,300	$119,300

and be it further

4th RESOLVED, that the proceeds of $119,300 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-4041.512 (Fund 001-Debt Service)	40	Purchase of Equipment for the John J. Foley Skilled Nursing Facility	$119,300

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-1-0-1-0. Legislator Alden voted no. Legislator Caracappa was not present.

Intro. Res. No. 2034A-2007

BOND RESOLUTION NO. 1147 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $119,300 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY (CP 4041.512)

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 $119,300 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for the John J. Foley Skilled Nursing Facility, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $119,300. The plan of financing includes the issuance of $119,300 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law of the Law, is five (5) years.

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2078-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1148 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE WATER QUALITY MODEL – PHASE V (CP 8237)

WHEREAS, the Commissioner of Health Services has requested to appropriate funds in continuation of the development of the Water Quality Model – Phase V; and

WHEREAS, these funds will be used to continue the development of a Comprehensive Water Resources Management Plan for Suffolk County; and

WHEREAS, this Comprehensive Water Resources Management Plan will provide essential guidance in protecting Suffolk County's vital water supply and surface water resources, while accommodating workforce housing and other initiatives; and

WHEREAS, there are sufficient funds within the 2007 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8237; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 459-2001 as amended by Resolution No. 563-2005 has established a priority ranking system as the basis for funding Capital Projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 459-2001 as amended by Resolution No. 563-2005; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-8237.11X	40	Water Quality Model Phase V	$100,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

Legislator Kennedy made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 16-1-0-1-0. Legislator Alden voted no. Legislator Caracappa was not present.

Intro. Res. No. 2078A-2007

BOND RESOLUTION NO. 1149 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $100,000 BONDS TO

FINANCE THE COST OF THE PREPARATION OF PLANS RELATING TO THE WATER QUALITY MODEL PHASE - V (CP 8237.113)

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

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

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 62 of the Law, 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1791-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1150 -2007, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE DEPARTMENT ENVIRONMENT AND ENERGY (ENVIRONMENTAL TOXICOLOGIST)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of Environmental Toxicologist be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Environment and Energy budget to cover the cost; now, therefore be it

1st RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Environment and Energy Operating Budget be and they are hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

Spec. No.	JC	Position Title	Grade	BU
1222	C	Environmental Toxicologist	28	02

AMENDMENT TO OPERATING BUDGET
ADDITION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-8041-1000-0005	1222	C	Environmental Toxicologist	28	02

DELETION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-8041-1000-0010	0729	C	Health Program Analyst III	24	02

and be it further

2nd RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1818-2007 Laid on Table 8/7/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1151 -2007, AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH A NEW POSITION TITLE IN THE COUNTY CLERK'S OFFICE (SPECIAL SERVICES COORDINATOR)

WHEREAS, the Department of Civil Service/Human Resources has completed a review of the duties and responsibilities of a position; and

WHEREAS, on the basis of this review they have determined that the new title of Special Services Coordinator be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the County Clerk's Office Budget to cover the cost; now, therefore be it

1st **RESOLVED**, that the Suffolk County Classification and Salary Plan and the County Clerk's Office Operating Budget be and they are hereby amended as follows:

ADDITION TO CLASSIFICATION AND SALARY PLAN

Spec No.	JC	Position Title	Grade	BU
0748	C	Special Services Coordinator	28	02

AMENDMENT TO OPERATING BUDGET
ADDITION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-1410-1000-0009	0748	C	Special Services Coordinator	28	02

DELETION

Position No.	Spec No.	JC	Position Title	Grade	BU
01-1410-1000-0015	7093	C	Security Supervisor	21	02

and be it further

2nd **RESOLVED**, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1965-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Eddington

RESOLUTION NO. 1152 –2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-357.00-01.00-007.000)

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 Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 357.00, Block 01.00, Lot 007.000, and acquired by tax deed on July 27, 2000, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 1, 2000, in Liber 12059, CP 740 and otherwise known as and by Town of Brookhaven, known and designated as Lot No. 54 as shown on certain map entitled "Map of Heatherwood at Calverton" Section 1, and filed in the Suffolk County Clerk's office on September 21, 1973 as Map No. 6011; 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 Brookhaven, 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 Economic Development and Workforce Housing 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 Brookhaven, 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 Brookhaven 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 Brookhaven 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 Brookhaven, 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 at least 5 years;
2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director 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 parcel described to the Town of Brookhaven 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 1969-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1153 -2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF SOUTHAMPTON FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit “A” attached hereto; 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 Southampton, 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 Southampton, 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 Southampton 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 Southampton 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 Southampton, 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 at least 5 years;
2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director 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 Southampton 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

Tax Map No.	Location	Hamlet	Acreage
0900-140.00-02.00-049.000	W/S/O Ludham Ave 90 '± S/S/O Brown St. (F/K/A 203 Ludlam Ave.)	Riverhead	0.24
0900-266.00-03.00-003.000	S/E/C/O Carter Ave. and Wakeman Road (F/K/A 33 Carter Road)	Hampton Bays	0.293
0900-359.00-02.00-039.000	W/S/O Peters Lane 90'± S/O Peters La Extension	Westhampton Beach	0.525

(F/K/A 99 Peters La.

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

Intro. Res. No. 2032-2007 Laid on Table 10/16/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1154 –2007, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF SMITHTOWN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0800-062.00-03.00-049.000)

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 Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800, Section 062.00, Block 03.00, Lot 049.000, and acquired by tax deed on April 26, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on April 27, 2004, in Liber 12315, CP 872 and otherwise known as and by Town of Smithtown, known and designated as Lot No. 4 as shown on certain map entitled “Map of Northgate Woods”, Section “1” and filed in the Suffolk County Clerk’s Office on October 1, 1959 as Map No. 3066; 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 Smithtown, 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 Economic Development and Workforce Housing 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 Smithtown, 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 Smithtown 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 Smithtown 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 Smithtown, 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 at least 5 years;
2. Income of purchaser limited to 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
3. Subsidized purchase price of home should not exceed 60% of median sales price for Suffolk County based on State of New York Mortgage Agency Guidelines;
4. Project must be completed within three years of transfer or else property reverts to Suffolk County, unless an extension of time is granted in writing by the Director 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 parcel described to the Town of Smithtown 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

Legislator Losquadro0 made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 16-0-0-2-0. Legislators Caracappa and Horsley were not present.

Intro. Res. No. 1596-2007 Laid on Table 6/12/2007
Introduced by Legislator Horsley

RESOLUTION NO. 1156 –2007, APPOINTING EFFIE GICAS AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 9)

WHEREAS, the term of office of **Howard B. Kleinberg** has expired, effective December 28, 2006; now, therefore be it

1st RESOLVED, that **Effie Gicas** residing in West Babylon, NY, be and she hereby is appointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 9, for a term of office to expire December 28, 2010, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE.

DATED: November 20, 2007

EFFECTIVE PURUSANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Res. No. 1817-2007 Laid on Table 8/7/2007
Introduced by Legislator Losquadro

RESOLUTION NO. 1157 –2007, REQUIRING THE SCREENING OF ALL APPLICANTS FOR SEASONAL EMPLOYMENT IN THE PARKS DEPARTMENT

WHEREAS, the County of Suffolk offers residents many outdoor activities during the summer months, including camps for children and access to County beaches; and

WHEREAS, these activities are often overseen by camp counselors and lifeguards who are not permanent employees of the County, but who are instead employed for just for the active recreation season; and

WHEREAS, recent newspaper reports have indicated that in other jurisdictions, at least one registered sex offender was hired as a seasonal lifeguard, thereby potentially putting children at increased risk; and

WHEREAS, the County of Suffolk should take all steps necessary to ensure the safety of our most vulnerable population, especially from camp counselors or lifeguards who would be entrusted with the children's safety; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to § C28-4(A) of the SUFFOLK COUNTY CHARTER, to check each applicant for seasonal employment with the County of Suffolk against the New York State Sex Offender Registry prior to employment; and be it further

2nd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby further authorized, empowered and directed to disqualify any applicant for seasonal employment if such applicant is found to be listed on the New York State Sex Offender Registry and such applicant's potential employment would pose an unreasonable risk to Suffolk County residents; and be it further

3rd **RESOLVED**, that when determining whether an applicant for seasonal employment would pose an unreasonable risk necessitating disqualification from seasonal employment, the Commissioner shall, consistent with the overall policy of Article 23-A of the NY CORRECTION LAW, consider the factors outlined in § 753 of the NY CORRECTION LAW including, but not limited to, the nature of the applicant's criminal offense; the length of time that has elapsed since the commission of the offense; the age of any children that the applicant may come into contact with; and if employed, whether the applicant's duties would ever result in the applicant being alone unsupervised with children; and be it further

4th **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed to issue and

promulgate such rules and regulations that he/she deems necessary to implement the provisions of this Resolution; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1966-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 1158 –2007, REAPPOINT MEMBER TO THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION (ALEXANDER GLENN McKAY)

WHEREAS, Alexander Glenn McKay, representing the Town of Huntington, is currently a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, his membership is set to expire November 30, 2007; now, therefore be it

1st **RESOLVED**, that Alexander Glenn McKay, currently residing in Northport, New York, be reappointed, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of Huntington, for a term of office to expire on November 30, 2012; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES

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

DATED: November 20, 2007

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

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Caracappa and Horsley were not present.

Intro. Res. No. 1998-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1159 -2007, APPROVING A LICENSE AGREEMENT FOR JASON GERONDEL TO RESIDE AT FARM COTTAGE, UNIT 141, AT BLYDENBURGH COUNTY PARK, SMITHTOWN

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Acting Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Jason Gerondel, Probation Officer for Suffolk County, be approved to enter into a license agreement to reside at Farm Cottage, Unit 141, at Blydenburgh County Park, Smithtown; now, therefore be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Jason Gerondel to reside at Farm Cottage, Unit 141, at Blydenburgh County Park, Smithtown, in accordance with the provisions set**

forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further

2nd RESOLVED, that Farm Cottage, Unit 141, at Blydenburgh County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Caracappa and Horsley were not present.

Intro. Res. No. 1999-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1160 -2007, APPROVING A LICENSE AGREEMENT FOR DEREK ROGERS TO RESIDE AT MEADOWCROFT COTTAGE, UNIT 101, AT MEADOWCROFT COUNTY PARK, SAYVILLE

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Acting Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Derek Rogers, Environmental Analyst for the Parks Department, be approved to enter into a license agreement to reside at Meadowcroft Cottage, Unit 101, at Meadowcroft County Park, Sayville; now, therefore be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Derek Rogers to reside at Meadowcroft Cottage, Unit 101, at Meadowcroft County Park, Sayville, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further**

2nd RESOLVED, that Meadowcroft Cottage, Unit 101, at Meadowcroft County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2000-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1161 -2007, APPROVING A LICENSE AGREEMENT FOR ROBERT FULTON TO RESIDE AT HOUSE #1, UNIT 119A, AT PROSSER PINES COUNTY PARK, MIDDLE ISLAND

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Acting Commissioner of the Department of Parks, Recreation, and Conservation has recommended that Robert Fulton, Park Police Officer I for the Parks Department, be approved to enter into a license agreement to reside at House #1, Unit 119A, at Prosser Pines County Park, Middle Island; now, therefore be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Robert Fulton to reside at House #1, Unit 119A, at Prosser Pines County Park, Middle Island, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further**

2nd RESOLVED, that House #1, Unit 119A, at Prosser Pines County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the

environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2001-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1162 -2007, APPROVING A LICENSE AGREEMENT FOR JAMES CALDER TO RESIDE AT CARETAKER'S COTTAGE, UNIT 131, AT TIMBER POINT COUNTY PARK, GREAT RIVER

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Acting Commissioner of the Department of Parks, Recreation, and Conservation has recommended that James Calder, Deputy Sheriff for Suffolk County, be approved to enter into a license agreement to reside at Caretaker's Cottage, Unit 131, at Timber Point County Park, Great River; now, therefore be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with James Calder to reside at Caretaker's Cottage, Unit 131, at Timber Point County Park, Great River, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further**

2nd RESOLVED, that Caretaker's Cottage, Unit 131, at Timber Point County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2002-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1163 -2007, APPROVING A LICENSE AGREEMENT FOR JAMES CARLETON TO RESIDE IN THE APARTMENT IN BLACK DUCK LODGE, UNIT 136, AT HUBBARD COUNTY PARK, FLANDERS

WHEREAS, Suffolk County Resolution No. 1250-2002, "Establishing Taxpayer Protection Policy for Use of County Residences," repealed the former statutory policy of charging below-market rent for facilities under the jurisdiction of the County Department of Parks, Recreation, and Conservation for use by County employees; and

WHEREAS, Suffolk County Resolution No. 1368-2004, "Revising Taxpayer Protection Policy for Use of County Residences," amended the statute in order to assist the Commissioner of Parks, Recreation, and Conservation in implementing the statute; and

WHEREAS, in accordance with Resolution No. 1250-2002, fair market appraisals of the residences and facilities suitable for use as a residence under the jurisdiction of the Department of Parks, Recreation, and Conservation have been completed; and

WHEREAS, in accordance with the policies set forth by the aforementioned resolutions, the Acting Commissioner of the Department of Parks, Recreation, and Conservation has recommended that James Carleton, Laborer for the Parks Department, be approved to enter into a license agreement to reside in the Apartment in Black Duck Lodge, Unit 136, at Hubbard County Park, Flanders; now, therefore be it

1st RESOLVED**, that the Suffolk County Department of Parks, Recreation, Conservation is authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with James Carleton to reside in the Apartment in Black Duck Lodge, Unit 136, at Hubbard County Park, Flanders, in accordance with the provisions set forth in Section 723-1 of the SUFFOLK COUNTY CODE; and be it further**

2nd RESOLVED, that the Apartment in Black Duck Lodge, Unit 136, at Hubbard County Park and grounds on said premises shall be returned to the County of Suffolk at the conclusion of the License Agreement authorized pursuant to the 1st RESOLVED clause of this resolution in a physical condition that is substantially the same condition as on the effective date of any such agreement, or better, subject to reasonable use, wear, tear, and natural deterioration, between the date thereof and the conclusion of any such use agreements; and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2010-2007 **Laid on Table 10/16/2007**
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1164 -2007, AUTHORIZING A LICENSE AGREEMENT WITH WINDOWS ON THE LAKE, INC., FOR BEAUTIFICATION OF COUNTY PARKLAND ALONG LAKE SHORE ROAD, LAKE RONKONKOMA

WHEREAS, Resolution No. 426-1993 approved an "Adopt-A-County-Park" program through which civic groups, service clubs, or similar organizations could assist the Suffolk County Department of Parks, Recreation and Conservation in the upkeep and beautification of County parkland; and

WHEREAS, Windows On The Lake, Inc., has successfully participated in this program since 1997 by performing improvements and maintenance of County parkland along Lake Shore Road in Lake Ronkonkoma; and

WHEREAS, the license agreement authorizing Windows On The Lake to perform these services has expired; and

WHEREAS, Windows On The Lake has expressed a willingness to continue to provide these services at no cost to the County; and

WHEREAS**, Windows On The Lake would like to enter into a license agreement for a term of five (5) years with one (1) optional term of an additional five (5) years with the County of Suffolk for the non-exclusive use, maintenance and upkeep of County parkland along Lake Shore Road in Lake Ronkonkoma; now, therefore be it**

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement, for a term of five (5) years with one (1) optional term of an additional five (5) years with Windows On The Lake, for the non-exclusive use, maintenance and upkeep of County parkland along Lake Shore Road in Lake Ronkonkoma; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection

with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2014-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1165 -2007, APPROPRIATING FUNDS IN CONNECTION WITH ENERGY SAVINGS AND PARKS COMPLIANCE PLAN (CP 7188)

WHEREAS, the Acting Commissioner of Parks, Recreation and Conservation has requested funds for planning and construction associated with energy savings projects at Deepwells Farm, Coindre Hall, Long Island Maritime Museum, Smith Point, St. James General Store and other buildings in the County parks system; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said planning and construction under Capital Program Number 7188; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of

Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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 proceeds of $100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-7188.110 (Fund 001-Debt Service)	60	Energy Savings/Parks Compliance Plan – Planning	$10,000
525-CAP-7188.310 (Fund 001-Debt Service)	60	Energy Savings/Parks Compliance Plan – Construction	$90,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2014A-2007

BOND RESOLUTION NO. 1166 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $100,000 BONDS TO FINANCE THE COST OF CONSTRUCTION OF ENERGY SAVING IMPROVEMENTS AT VARIOUS PARK FACILITIES (CP 7188.110 and .310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as

the “Law”), the Suffolk County Charter and other applicable laws, to finance the cost of the construction of energy saving improvements at various park facilities, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $100,000. The plan of financing includes the issuance of $100,000 bonds or bond anticipation notes authorized pursuant to this resolution ($10,000 for planning and $90,000 for construction) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) (3) of the Law of the Law, is ten (10) years.

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 1970-2007 Laid on Table 10/16/2007
Introduced by Legislator Browning

RESOLUTION NO. 1167 -2007, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY COMPUTER TO ST. JOHN THE EVANGELIST R.C. CHURCH

WHEREAS, the Suffolk County Department of Public Works has submitted to the Purchasing Department a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, St. John's the Evangelist R.C. Church has requested the donation of a computer from the County; and

WHEREAS, this organization is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st **RESOLVED**, that the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:	**COMPUTER SERIAL NO:**
St. John the Evangelist R.C. Church 25 Ocean Avenue Center Moriches, NY 11934 Contact: Rose Mary Gandolfo Telephone: 631-878-4141	6C2VS01

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed not-for-profit organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2003-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1168 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301)

WHEREAS, the Commissioner of Public Works has requested funds for Safety Improvements on CR 48, Middle Road @ Cox Neck Road, Town of Southold; 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. 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, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; 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.: Traffic Signal Improvements
Project Title: 5054

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning, Design & Supervision	$430,000	$100,000	$ 0
TOTAL	$6,750,000	$100,000	$1,000,000

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

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning, Design & Supervision	$1,142,000	$200,000	$300,000
TOTAL	$13,367,000	$1,960,000	$2,030,000

and be it further

5th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3301.122 (Fund 001-Debt Service)	50	Safety Improvements at Various Intersections	$100,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2003A-2007

BOND RESOLUTION NO. 1169 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $100,000 BONDS TO FINANCE THE COST OF PLANNING FOR SAFETY IMPROVEMENTS AT CR 48, MIDDLE ROAD, AT COX NECK ROAD, IN THE TOWN OF SOUTHOLD (CP 3301.122)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for safety improvements at CR 48, Middle Road, at Cox Neck Road, in the Town of Southold, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $100,000. The plan of financing includes the issuance of $100,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 62 of the Law, 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2015-2007 Laid on Table 1016/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1170 -2007, APPROPRIATING FUNDS IN CONNECTION WITH REPLACING THE EXISTING WELL SUPPLYING WATER FOR FIREFIGHTER TRAINING AT THE FIRE ACADEMY, YAPHANK (CP 3405)

WHEREAS, the Commissioner of Public Works has requested funds for the replacement of the existing fire fighting water well; 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 $350,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 493-2001 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-eight (58) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of $350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-3405.319 (Fund 001-Debt Service)	20	Improvements to Fire Training Center, Yaphank	$350,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2015A-2007

BOND RESOLUTION NO. 1171 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $350,000 BONDS TO FINANCE THE COST OF THE REPLACEMENT OF THE FIRE FIGHTING WATER WELL AT THE FIRE ACADEMY (CP 3405.319)

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 $350,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the replacement of the fire fighting water well at the Fire Academy, 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 $350,000. The plan of financing includes the issuance of $350,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 1 of the Law of the Law, is forty (40) 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2018-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1172 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE BRIDGE REPLACEMENT OF CR 67, MOTOR PARKWAY OVER THE LONG ISLAND EXPRESSWAY (LIE), TOWN OF ISLIP (CP 5172)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with the Replacement of CR 67, Motor Parkway over LIE Bridge at Exit 55; and

WHEREAS, there are State and Federal funds available from the Federal Highway Administration for this project, identified as PIN 0756.14, with a share allocation of 80% Federal funds, 15% State Marchiselli funds and 5% County funds; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the State and Federal portions; and

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to

cover the cost of said request under Capital Project 5172 and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $729,600 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. 904 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 sixty-seven (67) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Replacement of CR 67, Motor Parkway over the LIE Bridge at Exit 55; and be it further

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

Project No.: 5172
Project Title: County Share for the Replacement of CR 67, Motor Parkway over LIE Bridge at Exit 55, Town of Islip

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Land Acquisition	$1,629,000	$100,000B	$ 36,480B
			$109,440S
		$400,000F	$583,680F
TOTAL	$23,829,600	$500,000	$729,600

and be it further

5th RESOLVED, that the proceeds of $36,480 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5172.211 (Fund 001-Debt Service)	50	Replacement of CR 67, Motor Parkway over LIE Bridge at Exit 55	$36,480

and be it further

6th RESOLVED, that State Aid in the amount of $109,440 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5172.211	50	Replacement of CR 67, Motor Parkway over LIE Bridge at Exit 55	$109,440

and be it further

7th RESOLVED, that Federal Aid in the amount of $583,680 be and it hereby is appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5172.211	50	Replacement of CR 67, Motor Parkway over LIE Bridge at Exit 55	$583,680

and be it further

8th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of $36,480; and be it further

9th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of $583,680; and be it further

10th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of $109,440; and be it further

11th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State shares of $693,120; and be it further

12th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 3, 2007

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

Intro. Res. No. 2018A-2007

BOND RESOLUTION NO. 1173 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $729,600 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF LAND FOR THE RECONSTRUCTION OF CR 67, MOTOR PARKWAY, AT LIE EXIT 55, TOWN OF ISLIP (CP 5172.211)

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 $729,600 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 the acquisition of land for the reconstruction of CR 67, Motor Parkway, at LIE Exit 55, Town of Islip, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $2,479,600. The plan of financing includes (a) the issuance of $15,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1305-1996, (b) the issuance of $1,685,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 777-2000, (c) the issuance of $50,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1093-2005, (d) the issuance of $729,600 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 5% or $36,480), and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that Federal/State Aid shall be received to pay a part of the cost of the project and any such aid is authorized to be expended for such purpose.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 of the Law, is fifteen (15) years, computed from November 15, 1997, the date of issuance of the first obligations issued for such purpose pursuant to Bond Resolution No. 1305-1996.

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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 3, 2007

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

Intro. Res. No. 2033-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Stern

RESOLUTION NO. 1174 -2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET, AMENDING THE 2007 ADOPTED CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FUNDS IN CONNECTION WITH THE SEWER DISTRICT NO. 3 SOUTHWEST – FANS PROJECT - DEER LAKE (CP8110)

WHEREAS, the Commissioner of Public Works has requested funds for the Sewer District No. 3 - Southwest Fans Project - Deer Lake; and

WHEREAS, there are insufficient funds in the capital project to complete the planning and design phase; and

WHEREAS, there are sufficient funds included within the 2007 Adopted Operating Budget (203-DPW-8113-4560) to cover the additional cost of said Fans Project – Deer Lake; and

WHEREAS, the Commissioner of Public Works requests that these funds be transferred to 203-IFT-E528 and be allocated for the implementation of the Fans Project – Deer Lake; and

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

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the state Environmental Quality Review Act have been performed; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (18) and (21), in that the resolution concerns information collection including basic data collection and research, engineering studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action and conducting environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such actions; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty (60), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2007 Adopted Operating Budget be and it is hereby amended and appropriations transferred as follows:

From	To	Amount
Public Works Fees for Services 203-DPW-8113-4560	Interfund Transfer Transfer to Capital Fund 528 203-IFT-E528-9600	$17,760

and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept interfund revenues as follows:

Revenue:

Fund /Agency/Source	Description	Activity	Amount
528–IFT–R203 (REF. 528-CAP-IFTR-R203)	Transfer from Southwest Sewer District	D	$17,760

and be it further

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

Project No.: 8110
Project Title: Sewer District No. 3 – Southwest Fans Project – Deer Lake

	Total	Current 2007 Capital	Revised 2007 Capital

	Est'd. Cost	Budget & Program	Budget & Program
1. Planning, Design and Supervision	$12,969,760	$0	$17,760T
TOTAL	$13,499,760	$30,000	$47,760

and be it further

6th RESOLVED, that the funds in the amount of $17,760 be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
528-8110.112	80	Fans Project - Deer Lake	$17,760

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2060-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1175 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Dredging of County Waters; and

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

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

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

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

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 5126
Project Title: Intersection Improvements on CR 83, North Ocean Avenue in the Vicinity of Mt. Sinai Road

	Total Est'd Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
3. Construction	0	$500,000B	$ 0
TOTAL	0	$500,000B	$ 0

Project No.: 5200
Project Title: Dredging of County Waters

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

1. Planning, Design & Supervision	$1,790,000	$110,000B	$610,000B
TOTAL	$12,985,000	$610,000	$1,110,000

and be it further

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

Project No.	J.C.	Project Title	Amount
525-CAP-5200.115 (Fund 001-Debt Service)	50	Dredging of County Waters	$500,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2060A-2007

BOND RESOLUTION NO. 1176 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $500,000 BONDS TO FINANCE THE COST OF PLANNING IN CONNECTION WITH THE DREDGING OF COUNTY WATERS (CP 5200.115)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning in connection with the dredging of County waters, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000. The plan of

financing includes the issuance of $500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 62 of the Law of the Law, is five (5) years.

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: November 30, 2007

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

Intro. Res. No. 2061-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1177 -2007, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND AND APPROPRIATING FUNDS FOR THE ABANDONMENT OF SANITARY FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 8 – STRATHMORE RIDGE (CP 8152)

WHEREAS, the sanitary facilities of Sewer District No. 8 – Strathmore Ridge have been connected to the Dorade Sanitary Facilities; and

WHEREAS, the existing sewerage facilities have been partially abandoned and the remainder of the facilities are now proposed to be abandoned; and

WHEREAS, the Administrative Head of the Sewer Districts has requested that funds be appropriated to cover the costs of the final abandonment; and

WHEREAS, it is proposed that the Assessment Stabilization Reserve loan the district the sum of $50,000 for the purpose of implementing this project; and

WHEREAS, the repayment amount and schedule of payback of said loan will be a payback period of twenty years; and

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

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 926-1993 determined that the proposed project constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5 (C); now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-eight (58), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the Assessment Stabilization Reserve Fund shall loan the Sewer District the sum of $50,000 for the purpose of implementing this project for the benefit of Sewer District No. 8 – Strathmore Ridge; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues as follows:

REVENUE:

Fund/Agency/Source	Description	Amount
527-IFT-R404	Transfer from Assessment Stabilization Reserve Fund	$50,000

and be it further

4th **RESOLVED**, that funds in the amount of $50,000 from the Assessment Stabilization Reserve Fund be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
527-8152.310	Abandonment of SD 8 – Strathmore Ridge	$50,000

and be it further

5th **RESOLVED**, that the Administrative Head of the Sewer Districts be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms

and conditions as he may deem necessary relating to the abandonment of Sewer District No. 8 – Strathmore Ridge.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2062-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1178 -2007, AMENDING THE 2007 ADOPTED OPERATING BUDGET, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FUNDS IN CONNECTION WITH SEWER DISTRICT NO. 3 – SOUTHWEST SLUDGE MANAGEMENT PLAN (CP 8180)

WHEREAS, the Commissioner of Public Works has requested funds for the Sewer District No. 3 - Southwest Sludge Management Plan; and

WHEREAS, there are sufficient funds included within the 2007 Adopted Operating Budget (203-DPW-8113-4560) to cover the cost of said Sludge Management Plan; and

WHEREAS, the Commissioner of Public Works requests that these funds be transferred to 203-IFT-E528 and be allocated for the implementation of the Sludge Management Plan; and

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

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

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (18) and (21), in that the resolution

concerns information collection including basic data collection and research, engineering studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action and conducting environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such actions; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy-two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the 2007 Adopted Operating Budget be and it is hereby amended and appropriations transferred as follows:

From	To	Amount
Public Works Fees for Services 203-DPW-8113-4560	Interfund Transfer Transfer to Capital Fund 528 203-IFT-E528-9600	$510,000

and be it further

4th RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept interfund revenues as follows:

REVENUE:

Fund/Agency/Source	Description	Activity	Amount
528–IFT–R203 (REF. 528-CAP-IFTR-R203)	Transfer from Southwest Sewer District	D	$510,000

and be it further

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

Project No.: 8180
Project Title: Sewer District No. 3 – Southwest, Sludge Management Plan

	Total Est'd. Cost	Current 2007 Capital Budget & Program	Revised 2007 Capital Budget & Program
1. Planning, Design and Supervision	$4,810,000	$0	$510,000T

TOTAL	$29,810,000	$0	$3,510,000

and be it further

6th RESOLVED, that the funds in the amount of $510,000 be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
528-CAP-8180.112	80	Sludge Management Plan	$510,000

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2063-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1179 - 2007, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST (CP 8170)

WHEREAS, the Southwest Wastewater Treatment Plant requires infrastructure improvements; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that funds be appropriated to cover costs associated with the improvement project; and

WHEREAS, there are sufficient funds in the 2007 Capital Budget and Program for the improvement of Suffolk County Sewer District 3 – Southwest; and

WHEREAS, a Public Hearing was held on June 13, 2006 at the regularly scheduled meeting of the County Legislature in Hauppauge, New York in connection with the proposed improvements; and

WHEREAS, an application will be submitted to the New York State Comptroller requesting approval of the funding and the proposed improvements for the District stated herein; 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 $8,400,000 in Sewer District Serial Bonds; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 369-2006 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 3 - Southwest constitutes an Unlisted action pursuant to the provisions of NYCRR Part 617; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $8,400,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
528-CAP-8170.116	Improvements to Sewer District 3 - Southwest Planning, design and supervision	$400,000
528-CAP-8170.317	Improvements to Sewer District 3 - Southwest Construction	$8,000,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to SD 3 - Southwest.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 2063A-2007

BOND RESOLUTION NO. 1180 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $8,400,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3-SOUTHWEST (CP 8170.116 and .317)

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 $8,400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to Suffolk County Sewer District No. 3-Southwest, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $8,400,000. The plan of financing includes the issuance of $8,400,000 bonds or bond anticipation notes authorized pursuant to this resolution ($400,000 for planning, design and supervision and $8,000,000 for construction) 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. 4 of the Law, is forty (40) 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

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

Intro. Res. No. 1946-2007 Laid on Table 9/20/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1181 -2007, ADOPTING LOCAL LAW NO. -2007, A CHARTER LAW AMENDING THE REQUIREMENTS FOR APPRAISERS WHO PERFORM SERVICES IN CONNECTION WITH THE ACQUISITION OR DISPOSITION OF REAL PROPERTY

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on September 20, 2007, a proposed local law entitled "**A CHARTER LAW AMENDING THE REQUIREMENTS FOR APPRAISERS WHO PERFORM SERVICES IN CONNECTION WITH THE ACQUISITION OR DISPOSITION OF REAL PROPERTY**," and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

A LOCAL LAW AMENDING THE REQUIREMENTS FOR APPRAISERS WHO PERFORM SERVICES IN CONNECTION WITH THE ACQUISITION OR DISPOSITION OF REAL PROPERTY

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

Section 1. Legislative Intent.

This Legislature hereby finds that, under Article XLII of the COUNTY CHARTER, the Division of Real Property Acquisition and Management within the Department of Environment and Energy is required to maintain a pool of qualified real property appraisers to conduct County appraisals. The Charter and Chapter 712 of the County Code require that these appraisers meet certain minimum requirements including certification as a New York General Real Estate Appraiser.

This Legislature further finds that there are instances where it is necessary to retain appraisers to provide services that are not strictly related to real property, but nonetheless relate to the acquisition or disposition of real property such as trade fixture appraisers.

This Legislature further finds and determines that there is presently and will be in the future a need by the County for qualified trade fixture appraisers in connection with the acquisition or disposition of real property.

This Legislature also finds that there is no New York State certification or licensing requirements for every type of appraisers including trade fixture appraisers.

This Legislature also finds that there are instances where the services of professional engineers are necessary in connection with acquisition of property pursuant to New York Eminent Domain Procedure Law.

Therefore, the purpose of this law is to allow for the retention of trade fixture appraisers and professional engineers by the County in connection with the acquisition and disposition of real property.

Section 2. Amendments.

I. Article XLII of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

Article XLII
Department of Environment and Energy

*** * * ***

§ C42-2. Department established; Commissioner; organization of Department.

* * * *

C.) There shall be a Division of Real Property Acquisition and Management, the head of which shall be the Director. He or she shall be appointed by the Commissioner.

* * * *

(6) There shall be within the Division of Real Property Acquisition and Management, or any successor thereto, a pool of at least thirty (30) qualified real property or other appraisers [or appraisal firms] and professional engineers, but not more than fifty (50), whose members shall be designated by the Director of the Division of Real Property Acquisition and Management with the approval of the County Legislature by duly enacted resolution. Such information as may reasonably be necessary to evaluate the appraisers or appraisal firms, including but not limited to, curriculum vitae, certifications and other applicable licenses, shall be included with the resolution submitted for approval. Designation and approval of the pool of qualified appraisers or appraisal firms shall occur no less frequently than every two years. The Director of the Division of Real Property Acquisition and Management shall select from the pool as many outside appraisers as are necessary to conduct County appraisals. At a minimum, any real property appraisers [or appraisal firms] must be qualified as New York-certified general appraisers and must maintain such certification in good standing for so long as they conduct County appraisals. Appraisers, other than real estate appraisers, must maintain such professional licenses or other certifications or qualifications which, in the opinion of the Director of the Division of Real Property Acquisition and Management, are necessary to

properly conduct County appraisals. Proof of such certification and licenses shall be submitted to the Director of the Suffolk County Division of Real Property Acquisition and Management on or before December 31 of each year. The Director of the Suffolk County Division of Real Property Acquisition and Management shall promptly forward copies of all such proof to the County Executive and the Clerk of the County Legislature. The selection of appraisers to perform services for the County in connection with the acquisition or disposition of any interest in real estate, from the legislatively approved biennial list, shall be done in a manner that includes administratively established professional criteria.

* * * *

II. Chapter 712 of the Suffolk County Code is amended to read as follows:

Article I
Requirements for Appraisers and Appraisals; Auction of Surplus Real Estate

§ 712-1. Appraiser qualifications.

A. Any real estate appraiser authorized by the County of Suffolk to work on acquisitions or dispositions of any interest in real estate shall be qualified as a New York State Certified General Real Estate Appraiser (the highest level of certification), in accordance with the highest level of qualification as a real estate appraiser as follows:

(1) State-certified general real estate appraiser:

(a) Three thousand hours of experience.

(b) One hundred eighty hours of educational credit.

(c) Written examination.

(d) No restrictions on type or value of appraisal work.

B. The requirement contained in § 712-1A of this chapter shall apply to all real estate appraisals delivered to Suffolk County on or after the effective date of this chapter, and all other requirements contained in this chapter shall apply to transactions or actions occurring on or after the effective date of this chapter.

§ 712-2. Appraiser certification.

The County Real Estate Division shall include backup information with the list of appraisers to perform services to the County of Suffolk in connection with the acquisition or disposition of any interest in real estate by the County of Suffolk submitted to the Legislature, including, but not limited to, copies of appraisal licenses and curriculum vitae; professional or other licenses and, on an annual basis, any real estate appraisers authorized by the County Legislature to perform work for Suffolk County in connection with the acquisition or disposition of any interest in real estate, shall submit proof of certification to the head of the department having jurisdiction over the County Real Estate Division, said

copies to be simultaneously filed with the County Executive and the Clerk of the County Legislature for distribution to each member of the County Legislature.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

Legislator D'Amaro made motion for the following resolution, seconded by Legislator

Mystal. The resolution was passed 17-0-0-1-0. Legislator Caracappa was not present.

Intro. Res. No. 2076-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1182 -2007, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976 DENISE MARTINEZ (SCTM NO. 0100-133.00-04.00-111.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 133.00 Block 04.00 Lot 111.000 and acquired by Tax Deed on May 4, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 8, 1995, Torrens Certificate 444669 (CTF. # 138881) and Transferred Out of Torrens by Deed in Liber 12033 at Page 375, recorded April 10, 2000, and described as follows, Town of Babylon, Filed Map 125 Lots Pts 20 Blk 18 Reg.; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, DENISE MARTINEZ, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $2,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $2,500.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, be it therefore

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

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said DENISE MARTINEZ, 3 Wood Place, Lindenhurst, New York 11757.

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 2077-2007 Laid on Table 10/16/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1183 –2007, AUTHORIZING A LEASE FOR TEMPORARY USE OF COUNTY FACILITIES AT POLICE HEADQUARTERS IN YAPHANK BY NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, from time to time, the County partners with various divisions and departments of federal and State government agencies to afford the best resources for fostering government programs and providing services; and

WHEREAS, such partnering has been proposed regarding New York State's comprehensive crime-fighting program, OPERATION IMPACT, to focus on gun crime and enhancing the utilization of crime analysis in local crime fighting strategies; and

WHEREAS, the intelligence produced will serve as a highly effective tool for tactical, operational and strategic planning, as well as the efficient deployment of assigned personnel; and

WHEREAS, the ability to work hand-in-hand with the State Division of Criminal Justice Services would facilitate this goal; now, therefore be it

1st RESOLVED, that the County Executive be and hereby is authorized to execute a lease with New York State Division of Criminal Justice Services, for use of approximately 240 square feet of County space located in Police Headquarters, Yaphank Avenue, Yaphank, NY, for the purpose of enhancing public safety and improving criminal justice; 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: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-0-0-1-1. Legislator Caracappa was not present. Legislator Kennedy was recused.

Intro. Res. No. 2120-2007 Laid on Table 11/7/2007
Introduced by Legislator Kennedy

RESOLUTION NO. 1184 -2007, APPROVING THE APPOINTMENT OF A RELATIVE OF A COUNTY LEGISLATOR IN THE SUFFOLK COUNTY LEGISLATURE

WHEREAS, §A6-3(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of another County official as defined herein, or who is a relative of a County police official holding the rank of Captain or above, for a position not being filled pursuant to New York Civil Service Law competitive examinations or for promotional or supervisory positions

in the Suffolk County Police Department, then such hiring or promoting shall not be effective unless or until it is approved by a resolution of the Suffolk County Legislature; and

WHEREAS, Leslie A. Kennedy, wife of County Legislator John M. Kennedy, Jr., has been offered employment in the Legislature's 12th District Office as a Legislative Aide; now, therefore be it

1st **RESOLVED**, that the appointment of Leslie A. Kennedy as a Legislative Aide for the 12th Legislative District of the Suffolk County Legislature is hereby approved pursuant to §A6-3(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

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

DATED: November 20, 2007

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 6, 2007

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

Intro. Res. No. 2101-2007 Laid on Table 11/7/2007
Introduced by Presiding Officer, on request of the County Executive and Legislators Losquadro and Eddington

RESOLUTION NO. 1185 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO AMEND CHAPTER 270 OF THE SUFFOLK COUNTY CODE FREQUENTLY KNOWN AS THE "DWI SEIZURE LAW"

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on November 7, 2007, a proposed local law entitled, **"A LOCAL LAW TO AMEND CHAPTER 270 OF THE SUFFOLK COUNTY CODE FREQUENTLY KNOWN AS THE "DWI SEIZURE LAW;"** and said local law in final form is the same as when presented and introduced; now, therefore be it

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

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

A LOCAL LAW TO AMEND CHAPTER 270 OF THE SUFFOLK COUNTY CODE FREQUENTLY KNOWN AS THE "DWI SEIZURE LAW"

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 7-2004, as amended, frequently known as the "DWI Seizure Law," proved to be strong deterrent to drunk drivers.

This Legislature also finds that the New York State Vehicle and Traffic Law has been amended to include aggravated driving while intoxicated, §1192(2-a) and driving while ability impaired by the combined influence of drugs or of alcohol and any drug or drugs, §1192(4-a).

This Legislature further finds it is necessary to incorporate the recent changes to New York State Vehicle and Traffic Law to maintain the effectiveness of Chapter 270 of the Suffolk County Code.

Section 2. Amendments.

Chapter 270 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 270, DRUG PARAPHERNALIA AND PREMISES

*** * * ***

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

* * * *

§ 270-25. Definitions.

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

CLAIMING AUTHORITY -- The District Attorney, or his or her designee, and/or the County Attorney, or his or her designee.

INSTRUMENTALITY OF AN OFFENSE -- Any property whose use contributed directly and materially to the commission of an offense as defined in this article.

OFFENSE -- A violation of New York Vehicle and Traffic Law § 1192, Operating a motor vehicle under the influence of alcohol or drugs, Subdivision 2, 2-a, 3, 4, or 4-a or § 1192-a, Operating a motor vehicle after having consumed alcohol; under the age of 21; per se, or a violation of New York Navigation Law § 49-a, Operation of a vessel while under the influence of alcohol or drugs.

OUTSIDE LAW ENFORCEMENT AGENCY -- Any town or village law enforcement agency located in the County of Suffolk that is not part of the Suffolk County Police District. [Added 10-17-2006 by L.L. No. 55-2006]

§ 270-27. Civil authority.

A. A civil action shall be commenced by the claiming authority, or its designees, against a defendant to forfeit seized property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property was seized in connection with the acts of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), § 49-a of the New York Navigation Law or having been found guilty of violating § 1192-a of the New York Vehicle and Traffic Law, except that:

(1) No property used by any person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provisions of this subsection unless it shall appear that the owner or agent of the owner was a consenting party or privy to the commission of the offense as described in this article; and

(2) No property shall be forfeited under the provisions of this subsection by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than the owner while the subject property was unlawfully in the possession of a person other than the owner.

B. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to seize and to forfeit property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property is to be seized in connection with the action of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), § 49-a of the New York Navigation Law or having been found guilty of § 1192-a of the New York Vehicle and Traffic Law, except that:

(1) No property used by any person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provision of this subsection unless it shall appear that the owner or agent of the owner was a consenting party or privy to the commission of the offense as described in this article; and

(2) No property shall be forfeited under the provisions of this subsection by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than the owner while the subject property was unlawfully in the possession of a person other than the owner.

C. A civil action may also be commenced against a noncriminal defendant to recover the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, subject to the same exceptions contained in Subsections A and B of this section.

D. All actions commenced under this article shall be governed by the procedures enumerated in Article 13-A of the New York Civil Practice Law and Rules, where not specifically outlined herein.

E. No property shall be forfeited under this article unless the claiming authority produces clear and convincing evidence that the noncriminal defendant engaged in affirmative acts which aided, abetted or facilitated the conduct of the criminal defendant. The noncriminal defendant must take all prudent steps to prevent the illegal use of his or her property, and willful disregard by the owner or lienholder of the acts giving rise to forfeiture shall not constitute a defense to such forfeiture.

F. Any action to forfeit seized property under Subsection A of this section shall be commenced within 180 days after the seizure when the property has first been seized under § 270-26 of this article and within 180 days after the commission of the offense when the property has not been first seized under § 270-26, and said action shall be civil, remedial, and in rem in nature and shall not be deemed to be a penalty or criminal forfeiture for any purpose. An action under this law shall not be deemed a criminal proceeding of any type. The action shall be commenced in the manner prescribed by the New York Civil Practice Law and Rules § 304. Potential claimants to the seized asset shall be served with a summons and notice or summons and verified complaint. No property as defined in § 270-25 of this article shall be forfeited without service of notice upon potential claimants to the seized asset and the opportunity for a prompt post-seizure hearing given prior to such forfeiture.

G. Once a civil action for forfeiture has been commenced pursuant to this section, the claiming authority shall notify victims and parents, spouses, sibling, or children of any individual who has been physically injured as a result of the offensive actions of an individual which have precipitated such seizure and forfeiture proceeding as to the time and place of said court forfeiture hearing.

H. In order to establish its case in any action commenced under this article, the County shall demonstrate, by clear and convincing evidence, that the property in question is subject to forfeiture at the time of commission of the offense, as defined in this article, which precipitated the seizure or the commencement of an action for the seizure of the property without regard to the final determination of any criminal actions brought against the individual for such offense. The noncriminal defendant shall then have the burden of proving a lack of knowledge or lack of consent on behalf of said noncriminal defendant sufficient to constitute a defense to such forfeiture.

I. If, after a seizure of property has been made under § 270-26 of this article, it is determined that the noncriminal defendant of the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or the individual whose criminal actions precipitated the seizure, has not been previously convicted at least once of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), § 49-a of the New York Navigation Law or having been found guilty of

violating § 1192-a of the New York Vehicle and Traffic Law, then the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense so seized shall immediately be returned to its lawful owner as of the time of seizure.

J. All property seized pursuant to this article is subject to reasonable and customary towing, maintenance and daily storage fees as may be established by the Suffolk County Police Commissioner. Such fees shall be payable to the seizing agent prior to the release of said property.

* * * *

Section 3. 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 4. SEQRA Determination.

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

Section 5. Applicability.

This law shall apply to all actions and transactions occurring on or after the effective date.

Section 6. Effective Date.

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

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

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 14-2-0-2-0. Legislators Alden and Barraga voted no. Legislators Schneiderman and Caracappa were not present.

Intro. Res. No. 2230-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1186 -2007, EXTENDING EXISTING ONE-QUARTER OF ONE PERCENT SALES AND COMPENSATING USE TAX FOR THE PERIOD BEGINNING DECEMBER 1, 2007, AND ENDING DECEMBER 31, 2030, PURSUANT TO THE AUTHORITY OF SECTION 1210-A OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

WHEREAS, Local Law No. 24 of 2007 extended the 1/4% County Drinking Water Protection Program for seventeen years on a modified basis; and

WHEREAS, this modified basis shall provide for environmental protection, land stewardship initiatives, sewer district tax rate stabilization, and property tax mitigation to help fund programs in the annual County Operating Budget; and

WHEREAS, Section 1210-A of the New York Tax Law, as amended by Chapter 674 of the Laws of 1988 and Chapter 157 of the Laws of 2000, and as further amended by Chapter 683 of the Laws of 2007, authorizes the County of Suffolk to impose within the territorial limits of the County an additional sales and compensating use tax at the rate of one-quarter of one percent for the period beginning December 1, 2007, and ending December 31, 2030; and

WHEREAS, it is now desired to extend and impose such additional sales and compensating use tax rate from December 1, 2007, through December 31, 2030, as authorized by Section 1210-A of the Tax Law, as amended; now, therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

SECTION 1. The first sentence of section 2 of Resolution No. 745-1968, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after June 1, 2001, there is hereby imposed and there shall be paid a tax of four and one-quarter percent, provided, however, that on and after December 1, 2009, there is hereby imposed and there shall be paid a tax of three and one-quarter percent, and provided further, however, that on and after January 1, 20[14]31, there is hereby imposed and there shall be paid a tax of three percent, upon:

SECTION 2. Subdivision (i) of section 3 of Resolution No. 745-1968, as amended, is amended to read as follows:

(i) With respect to the additional tax of one-quarter of one percent imposed for the period beginning December 1, 200[0]7, and ending December 31, 20[13]30, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 200[0]7, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 200[0]7, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 200[0]7. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 200[0]7, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section 4 of Resolution No. 745-1968, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after June 1, 2001, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator), manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering

service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending December 31, 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after January 1, 20[14]31, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For the purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending December 31, 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after January 1, 20[14]31, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending December 31, 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after January 1, 20[14]31, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For the purposes or clauses (C), (D) and (E) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending December 31, 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after January 1, 20[14]31, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period beginning December 1, 2000, and ending May 31, 2001, the tax shall be at the rate of four percent, for the period beginning June 1, 2001, and ending November 30, 2009, the tax shall be at the rate of four and one-quarter percent, for the period beginning December 1, 2009, and ending December 31, 20[13]30, the tax shall be at the rate of three and one-quarter percent, and on and after January 1, 20[14]31, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Paragraph (C) of subdivision (1) of section 11 of Resolution No. 745-1968, as amended, is amended to read as follows:

(1)(C) With respect to the tax of one-quarter of one percent imposed for the period beginning December 1, 200[0]7 and ending December 31, 20[13]30, in respect to the use of property used by the purchaser in this County prior to December 200[0]7.

SECTION 5. Subdivision (c) of section 14 of Resolution No. 745-1968, as amended, is amended to read as follows:

(c) Notwithstanding any other provision of this resolution or of Resolution No. 823-1984, [or] Resolution No. 1568-1988 or Resolution No. 650-2000 to the contrary, the net collections from the one-quarter percent rate of tax imposed pursuant to this resolution for the period beginning December 1, 200[0]7, and ending December 31, 20[13]30, shall, upon payment to the County of Suffolk, be deposited in a special drinking water protection reserve fund, as created pursuant to Article XII of the Suffolk County Charter, as amended, which fund shall be separate and apart from any other funds and accounts of the county. Moneys in such fund shall be deposited in one or more of the banks or trust companies designated, in the manner provided by law, as a depository of the funds of the county. Pending expenditure from such fund, moneys therein may be invested in the manner provided in Section 11 of the New York General Municipal Law. Any interest earned or capital gain realized on the moneys so deposited or invested shall accrue to and become part of such fund. Moneys in said fund may be appropriated from and transferred to or expended in any fiscal year only for the purposes of making payments pursuant to subdivisions (b) and (c) of section 1210-A of the New York Tax Law, to the extent that moneys

in said fund are remaining, as authorized by Local Law No. [35-1999] 24-2007, for the following purposes:

(i) for the purposes of specific environmental protection ([open space acquisition] acquisition of: farmland development rights; open space, wetlands, woodlands, pine barrens and other lands for passive recreational uses; lands for hamlet greens, hamlet parks, pocket parks, historic parks, cultural parks and other lands for active/parkland recreational uses; land necessary for maintaining and protecting the quality of surface water, groundwater and coastal resources);

(ii) for water quality protection and restoration program or programs and land stewardship initiatives;

(iii) [for the purposes of specific environmental protection (farmland acquisition);]

[(iv)] for the purposes of county-wide property tax protection; and

[(v)] (iv) for the purpose of sewer taxpayer protection.

SECTION 6. To the extent that any provision of Resolution No. 823-1984, Resolution No. 1568-1988 or Resolution No. 650-2000 is inconsistent with the provisions of this resolution, the provisions of this resolution shall control.

SECTION 7. That the Clerk of this Legislature is hereby directed to forward a certified copy of this Resolution by registered or certified mail to the New York State Commissioner of Taxation and Finance, and certified copies of this Resolution to the County Clerk, the New York Secretary of State, and the New York State Comptroller within five (5) days after enactment of this Resolution.

SECTION 8. That this resolution shall take effect December 1, 2007.

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

DATED: November 20, 2007

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: November 23, 2007

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

Intro. Res. No. 1906-2007 Laid on Table 9/20/2007
Introduced by Legislator Alden

RESOLUTION NO. 979 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR CONTRACTED SERVICES IN THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING, THE DEPARTMENT OF SOCIAL SERVICES AND THE YOUTH BUREAU

WHEREAS, Suffolk County and the Bay Shore Chamber of Commerce have jointly promoted Bay Shore as a place to live, work and shop in an effort to revitalize this area; and

WHEREAS, these efforts are succeeding and the Legislature desires to further promote this area through the Bay Shore Chamber of Commerce and funding is necessary; and

WHEREAS, it is the desire of this Legislature to provide funding for the food pantries of Pronto of Long Island, Inc., Trinity Lutheran Food Pantry and St. Mary's Parish Social Ministry and funding for the Islip Union Free School District; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as

the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	FRE	3400	HYX1	4980	East Islip Fire Department	$1,000
001	FRE	3400	HZA1	4980	Exchange Ambulance of Islip	$1,000
001	FRE	3400	HZB1	4980	Great River Fire Department	$1,000
001	FRE	3400	HZD1	4980	Islip Fire Department	$1,000
001	FRE	3400	HZE1	4980	Islip Terrace Fire Department	$1,000
001	EXE	7320	HLW1	4980	East Islip Youth Football League	$1,500
001	EXE	7320	HMF1	4980	For the Kids Foundation of East Islip	$5,000
001	EXE	7320	HND1	4980	Islip Buccaneer Youth Football	$3,000
001	EXE	7320	HTB1	4980	Islip Children's Endowment Fund	$17,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	ECD	6410	GZJ1	4980	Bay Shore Chamber Of Commerce	$10,000
001	DSS	6004	ANU1	4980	Pronto of Long Island, Inc	$2,000
001	DSS	6004	HQQ1	4980	Trinity Lutheran Food Pantry	$1,000
001	DSS	6004	HWB1	4980	St. Mary's Food Pantry	$1,500
001	EXE	7320	XXXX	4980	Islip Union Free School District	$17,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Islip Union Free School District; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Bay Shore Chamber of Commerce, Pronto of Long Island, Inc., Trinity Lutheran Food Pantry, St. Mary's Parish Social Ministry and the Islip Union Free School District.

DATED: October 16, 2007

VETOED BY COUNTY EXECUTIVE ON NOVEMBER 1, 2007

VETO OVERRIDE ADOPTED ON NOVEMBER 20, 2007

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

Intro. Res. No. 1930-2007 Laid on Table 9/20/2007
Introduced by Legislator Cooper

RESOLUTION NO. 1099 –2007, AMENDING THE 2007 OPERATING BUDGET AND TRANSFERRING FUNDS FOR CAST, HUNTINGTON FREEDOM CENTER AND THE HUNTINGTON STATION BUSINESS IMPROVEMENT DISTRICT

WHEREAS, the 2007 Operating Budget includes excess appropriations of $25,000 for the Huntington Station Enrichment Center and $15,000 for the Boys and Girls Club of Huntington; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2007 Operating Budget to provide $15,000 to fund CAST (Community & Schools Together), $15,000 to fund the Huntington Freedom Center and $10,000 to fund the Huntington Station Business Improvement District; and

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	EXE	7320	HGV1	4980	Huntington Station Enrichment	-$25,000
001	EXE	7320	HJB1	4980	Boys & Girls Club of Huntington	-$15,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY/OBJECT NAME	AMOUNT

001	EXE	7320	HFC1	4980	CAST (Comm. & Schools Together)	+$15,000
001	EXE	7320	HMZ1	4980	Huntington Freedom Center	+$15,000
001	ECD	6410	XXXX	4980	Huntington Station Business Improvement District	+$10,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Huntington Station Business Improvement District; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding CAST, the Huntington Freedom Center and the Huntington Station Business Improvement District.

DATED: November 20, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 4, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-1-0-1-0. Legislator Barraga voted no. Legislator Caracappa was not present.

Budget Amending Resolution No. 1
Introduced by Presiding Officer Lindsay and Legislators Alden, Browning, Cooper, D'Amaro, Eddington, Horsley, Losquadro, Montano, Mystal, Nowick, Stern and Schneiderman

RESOLUTION NO.1053-2007, ADOPTING THE 2008 OPERATING BUDGET AND PRIORITIZING PUBLIC SAFETY, LEGISLATIVE OVERSIGHT OF WATER QUALITY PROTECTION PROGRAMS, AND TAX STABILIZATION FOR SUFFOLK COUNTY RESIDENTS IN 2008 (MANDATED)

WHEREAS, the 2008 Recommended Operating Budget and 2008 Adopted Budget must comply with Local Law Nos. 21-1983 and 29-1995; and

WHEREAS, Local Law No. 29-1995 established the simplified dual budgetary process requiring that separate Mandated and Discretionary portions of the budget be adopted; and

WHEREAS, it is the intent of the County of Suffolk to adopt a fiscally sound Operating Budget for 2008, which promotes public safety and legislative oversight supported by recurring revenues to the appropriate funds; and

WHEREAS, it is necessary to provide appropriations for mandated expenditures for additional borrowing costs; and

WHEREAS, certain positions are transferred within the Sheriff's Office so that the adopted operating budget reflects actual assignments and organizational responsibilities as requested by the Sheriff; and

WHEREAS, it is the desire of the Suffolk County Legislature to provide sufficient appropriations for the reimbursement to ambulance companies for the provision of ambulance transportation of inmates to hospitals pursuant to Resolution No. 1492-2006 and now, therefore, be it

PROCEDURAL GUIDELINES

1st **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in this Resolution directly to the pertinent line item, organization or object, or revenue account in the Adopted 2008 Operating Budget; shall place all personnel changes contained in this Resolution in the Adopted 2008 Operating Budget; shall place and post all appropriation and revenue changes or adjustments contained in this Resolution pertaining to fiscal year 2007 for the purpose of calculating the effect on the 2008 tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments contained in this Resolution in the pertinent line item, organization, and sub-object for fiscal years 2007 and/or 2008, all as set forth in the attached Schedule "A", not to be construed as amending the Adopted 2007 Operating Budget because the 2007 Estimated Column contained in the Recommended 2008 Operating Budget shall be construed as informational in nature in connection with the calculation of the 2008 tax warrant and shall be of no legal force or effect; and be it further

2nd **RESOLVED**, that the Executive Budget Office shall revise and amend the Status of Funds contained within the 2008 Recommended Operating Budget to be consistent with and reflect the changes that appear in Schedule "A" and in any Budget Amendment Resolution enacted subsequent to the adoption of this Resolution; and be it further

3rd **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution, and that those items not amended by this or any other resolution be posted as "adopted"; and be it further

COMMUNITY INITIATIVES

4th **RESOLVED**, that the Office of the County Comptroller is authorized and directed to collaborate with the Legislature's Budget Review Office and the County Executive's Budget Office to further refine and improve the contract agency disclosure process to enhance the database and related information that is used extensively to make funding determinations regarding contracted services; and be it further

5th **RESOLVED**, that the Office of the County Comptroller is authorized and directed to update the contract agency disclosure information and database to assure that contract agencies

report their administrative expenses in accordance with the definitions in Resolution No. 401-2007 and that the determination of their compliance be based upon 2007 expenditures; and be it further

6th **RESOLVED**, consistent with Resolution No. 401-2007, that funds appropriated to contract agencies pursuant to the 2008 Adopted Budget that are confirmed by the Office of the County Comptroller to have incurred total administrative expenses greater than 20% of total agency program expenses in a prior fiscal year, shall not be expended unless such funding is approved by a subsequent, stand alone resolution or procedural motion of the Suffolk County Legislature; and be it further

BUDGET AMENDMENT CALCULATIONS

7th **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution; and be it further

8th **RESOLVED**, that the Executive Budget Office shall create lower level organizations, also known as "Pseudo Code Index Nos.", for any contract agencies designated as "XXXX" in this Resolution; and be it further

9th **RESOLVED**, that the General Fund transfer of $29,500 to the Suffolk Community College (001-IFT-E818) shall not be interpreted as an increase in the County Contribution to the College and that funds be recognized in the College's revenue account, 818-2812-R001; expenditures reflected in the College's budget 818-2210-1160-Part-Time Instructors, for the continuation of the Welfare-to-Work Mentoring Education Program, which reduces the education drop out rate and assists participants to successfully transition from public assistance to employment and self sufficiency; and be it further

PROGRAMMATIC FUNDING

10th **RESOLVED**, that any line item funding provided under this Resolution for a specific purpose, objective, or entity shall not be used or allocated for any other purpose, objective, or entity, unless specifically approved via duly enacted resolution of the County of Suffolk; and be it further

11th **RESOLVED**, that any line item appropriation provided under this Resolution for programmatic purposes shall be expended by the pertinent County Department, Office, or Agency under which such appropriation is allocated and said pertinent County Department, Office, or Agency is hereby authorized, empowered, and directed to expend such appropriations and implement such program without need for further subsequent authorizing or enabling County legislation, unless otherwise directed by duly enacted Resolution or Law of the County of Suffolk; and be it further

PROGRAMMATIC CONTINGENCY FUNDS

12th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Contingency Account No. 001-MSC-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specific purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

13th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Living Wage Contingency Account No. 001-MSC-1998 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specific purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

SALE OF THE SUFFOLK HEALTH PLAN

14TH **RESOLVED**, the execution of the sale of the Suffolk Health Plan shall not proceed unless the final terms and conditions for such sale are approved by a duly authorized resolution of the Suffolk County Legislature, and be it further

PROPERTY TAXES

15th **RESOLVED**, that the line item revenue designated "Real Property Taxes" for any fund in this Resolution shall not be construed as adopted by any action taken on this Resolution, since said column is only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant shall be adopted and set by separate subsequent resolution; and be it further

APPLICABILITY

16th **RESOLVED**, that this Resolution shall take effect January 1, 2008, except as RESOLVED clauses 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 14th, 15th, 16th, 17th, 18th and 19th, which shall take effect immediately or as otherwise provided therein, and nothing contained herein shall be construed as approving or ratifying the 2007 Estimated Column, as revised or restated, contained in the mandated portion of the Recommended 2008 Operating Budget, which column is only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant shall be adopted and set by separate subsequent resolution; and be it further

SEVERABILITY

17th **RESOLVED**, that if any clause, sentence, paragraph, subdivision, section, or part of this Resolution 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 Resolution, 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; and be it further

AMENDMENT

18th **RESOLVED**, that clauses denominated 1st through 12th RESOLVED Clauses contained on pages 1 through 3 of the 2008 Recommended Operating Budget Mandated Volume 2 are hereby stricken and are not adopted and are not approved; and be it further

19th **RESOLVED**, that the Recommended 2008 Mandated County Operating Budget is hereby amended as shown on Schedule "A" annexed hereto and made a part hereof.

DATED: November 7, 2007

**** LINE ITEM VETOED AS SET FORTH ABOVE AND IN ACCOMPAYING VETO MESSAGE****

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED NOVEMBER 19, 2007

****VETO OVERRIDE ADOPTED RESOLVED CLAUSE 9, M004, M050, M052, M060 ON NOVEMBER 20, 2007****

Legislator Cooper made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 14-3-0-1-0. Legislators Romaine, Caracappa and Losquadro voted no. Legislator Mystal was not present.

Budget Amending Resolution No. 2
Introduced by Presiding Officer Lindsay and Legislators Alden, Browning, Cooper, D'Amaro, Eddington, Horsley, Losquadro, Montano, Mystal, Nowick, Stern and Schneiderman

RESOLUTION NO. 1054-2007, ADOPTING THE 2008 OPERATING BUDGET AND PRIORITIZING PUBLIC SAFETY, LEGISLATIVE OVERSIGHT OF WATER QUALITY PROTECTION PROGRAMS, AND TAX STABILIZATION FOR SUFFOLK COUNTY RESIDENTS IN 2008 (DISCRETIONARY)

WHEREAS, the 2008 Recommended Operating Budget and 2008 Adopted Budget must comply with Local Law Nos. 21-1983 and 29-1995; and

WHEREAS, Local Law No. 29-1995 established the simplified dual budgetary process requiring that separate Mandated and Discretionary portions of the budget be adopted; and

WHEREAS, it is the intent of the County of Suffolk to adopt a fiscally sound Operating Budget for 2008, which promotes public safety and legislative oversight supported by recurring revenues to the appropriate funds; and

WHEREAS, it is necessary and desirable to reorder some County priorities in the 2008 Operating Budget to enhance the efficient delivery of services to the residents of Suffolk County, while remaining within the framework of a .7 percent tax decrease in the General Fund Property Tax; and

WHEREAS, it is the intention of the County of Suffolk to provide sufficient funding in the Police Department for adequate staffing for the protection of the citizens of Suffolk County with recurring revenue that supports a Police Officer class of 66 to begin in December 2007; and

WHEREAS, appropriations are restored to Public Safety for the filling of existing 911 operator positions in the Police Department and Probation Officers in the Probation Department; and

WHEREAS, it is necessary to reprioritize to restore appropriations for under funded youth services, senior citizen programs, nutrition services for the needy such as soup kitchens and food distribution, and other community based organizations that provide a network of necessary services to the residents of Suffolk County; and

WHEREAS, adequate appropriations are added for contracted health clinics to assure uninterrupted service delivery to residents; and

WHEREAS, the Suffolk County Legislature wishes to continue responsibility for the administration of legislative contingency contracts to promote consistency and efficiency; now, therefore, be it

PROCEDURAL GUIDELINES

1st **RESOLVED,** that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in this Resolution directly to the pertinent line item, organization or object, or revenue account in the Adopted 2008 Operating Budget; shall place all personnel changes contained in this Resolution in the Adopted 2008 Operating Budget; shall place and post all appropriation and revenue changes or adjustments contained in this Resolution pertaining to fiscal year 2007 for the purpose of calculating the effect on the 2008 tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments contained in this Resolution in the pertinent line item, organization, and sub-object for fiscal years 2007 and/or 2008, all as set forth in the attached Schedule "A", not to be construed as amending the Adopted 2007 Operating Budget because the 2007 Estimated Column contained in the Recommended 2008 Operating Budget shall be construed as informational in nature in connection with the calculation of the 2008 tax warrant and shall be of no legal force or effect; and be it further

2nd **RESOLVED**, that the Executive Budget Office shall revise and amend the Status of Funds contained within the 2008 Recommended Operating Budget to be consistent with and reflect the changes that appear in Schedule “A” and in any Budget Amendment Resolution enacted subsequent to the adoption of this Resolution; and be it further

3rd **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution, and that those items not amended by this or any other resolution be posted as "adopted"; and be it further

POLICY INITIATIVES

4th **RESOLVED**, that there are sufficient appropriations in the Police District permanent salaries in 2008 to provide for a class of 66 to begin in December 2007; and be it further

5th **RESOLVED**, that, in keeping with the County of Suffolk's aggressive efforts to provide Alternatives to Incarceration, appropriations and positions are herein provided to the Probation Department to support the effort to maximize alternatives such as Day Reporting, Pre - Trial Supervised Release, Juvenile Intensive Supervision and STOP DWI; and be it further

WATER QUALITY

6th **RESOLVED**, that the Legislature shall exercise oversight of the Water Quality Protection and Restoration Program to assure that funds are appropriated for the specific purposes as prescribed in the authorizing legislation; and be it further

7th **RESOLVED**, that certain vacant positions in Fund 477 - Water Quality Protection Program funds are nonessential and are abolished; and be it further

8th **RESOLVED**, there shall be no net increase in the number of positions that are funded under the Water Quality Protection and Restoration Program, Suffolk County Charter §C12-2(B), to ensure that sufficient monies are available for the programmatic elements of the program unless such positions are properly justified, in conformance with program requirements and approved by a duly authorized resolution of the Suffolk County Legislature; and be it further

9th **RESOLVED**, that prior to continuing, extending, renewing or entering into any contracted services or programs funded with Fund 477 Water Quality Protection funds through objects of expenditure 4980 Contracted Services and/or 4560 Fees for Services, the Departments overseeing these contracts, including the Departments of Planning, Economic Development and Environment and Energy are to make an oral and written report no later than March 15, 2008 to the Legislature's Environment, Planning and Agriculture Committee, or successor committee, with copies of said written report to all Legislators and the County Comptroller; and be it further

10th **RESOLVED**, that the report to the Legislature's Environment, Planning and Agriculture Committee shall include the objectives, accomplishments, current status, goals, justification, and amount of Fund 477 Water Quality Protection Program funding as well as the specific service provider of the programs funded in the 2008 adopted budget; and be it further

11th **RESOLVED**, that the Departments identified in the 9th RESOLVED clause above are not to proceed with these contracts, nor is the Comptroller authorized to make payments for these services until

such time as these reports have been made to and accepted by the Legislature's Environment, Planning and Agriculture Committee; and be it further

LEGISLATIVE CONTINGENCY

12th **RESOLVED**, that the Suffolk County Legislature will continue to be responsible for administering contracts funded through sub-object 4981, and that these contracts shall be effective upon execution by the Presiding Officer of the Suffolk County Legislature; and be it further

COMMUNITY INITIATIVES

13th **RESOLVED**, that the Office of the County Comptroller is authorized and directed to collaborate with the Legislature's Budget Review Office and the County Executive's Budget Office to further refine and improve the contract agency disclosure process to enhance the database and related information that is used extensively to make funding determinations regarding contracted services; and be it further

14th **RESOLVED**, that the Office of the County Comptroller is authorized and directed to update the contract agency disclosure information and database to assure that contract agencies report their administrative expenses in accordance with the definitions in Resolution No. 401-2007 and that the determination of their compliance be based upon 2007 expenditures; and be it further

15th **RESOLVED**, consistent with Resolution No. 401-2007, that funds appropriated to contract agencies pursuant to the 2008 Adopted Budget that are confirmed by the Office of the County Comptroller to have incurred total administrative expenses greater than 20% of total agency program expenses in a prior fiscal year, shall not be expended unless such funding is approved by a subsequent, stand alone resolution or procedural motion of the Suffolk County Legislature; and be it further

NAME CHANGES

16th **RESOLVED**, that the agency name included in line 001-PRO-3178 STOP Violence Against Women - 4980 Contracted Services pseudo code GDE1 be updated from LI Women's Coalition to Suffolk County Coalition Against Domestic Violence to reflect the legal name of the agency; and be it further

BUDGET AMENDMENT CALCULATIONS

17th **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution; and be it further

18th **RESOLVED**, that the Executive Budget Office shall create lower level organizations, also known as "Pseudo Code Index Nos.," for any contract agencies designated as "XXXX" in this Resolution; and be it further

19th **RESOLVED**, that the General Fund transfer of $29,500 to the Suffolk Community College (001-IFT-E818) shall not be interpreted as an increase in the County Contribution to the

College and that funds be recognized in the College's revenue account, 818-2812-R001; expenditures reflected in the College's budget 818-2210-1160-Part-Time Instructors, for the continuation of the Welfare-to-Work Mentoring Education Program, which reduces the education drop out rate and assists participants to successfully transition from public assistance to employment and self sufficiency; and be it further

PROGRAMMATIC FUNDING

20th **RESOLVED**, that any line item funding provided under this Resolution for a specific purpose, objective, or entity shall not be used or allocated for any other purpose, objective, or entity, unless specifically approved via duly enacted resolution of the County of Suffolk; and be it further

21st **RESOLVED**, that any line item appropriation provided under this Resolution for programmatic purposes shall be expended by the pertinent County Department, Office, or Agency under which such appropriation is allocated and said pertinent County Department, Office, or Agency is hereby authorized, empowered, and directed to expend such appropriations and implement such program without need for further subsequent authorizing or enabling County legislation, unless otherwise directed by the 9th, 10th, 11th and 15th RESOLVED CLAUSES or other duly enacted Resolution or Law of the County of Suffolk; and be it further

CAPITAL RESERVE FUND

22nd **RESOLVED**, that a Capital Reserve Fund (Fund 401) for the payment of Pay-As-You-Go projects eligible for such funding under Section 4-19(B) of the SUFFOLK COUNTY CHARTER is hereby established; and be it further

PROGRAMMATIC CONTINGENCY FUNDS

23rd **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Contingency Account No. 001-MSC-1991 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specific purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

24th **RESOLVED**, that any appropriations placed in a Programmatic Contingency Account i.e., Living Wage Contingency Account No. 001-MSC-1998 under this Budget, pursuant to Section 4-23 of the SUFFOLK COUNTY CHARTER, may only be transferred, expended, or utilized for the specific purpose pursuant to a separate subsequent duly enacted Resolution of the County of Suffolk; and be it further

PROPERTY TAXES

25th **RESOLVED**, that the line item revenue designated "Real Property Taxes" for any fund in this Resolution shall not be construed as adopted by any action taken on this Resolution, since said column is only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant shall be adopted and set by separate subsequent resolution; and be it further

CLASSIFICATION AND SALARY PLAN

26th **RESOLVED**, that the Suffolk County Classification and Salary Plan is hereby amended as follows, effective immediately;

ADDITION

Spec No.	J/C	Position Title	Grade	Bargaining Unit
9603	C	Assistant General Services Manager	From 29 to 27	2

and be it further

VEHICLES

27th **RESOLVED**, that appropriations are provided for an increase of ten vehicles for the Department of Probation and such vehicles are to be calculated as new vehicles, not replacements; and be it further

28th **RESOLVED**, appropriations are transferred to the Health Department for the purchase of vehicles for the sanitarians which shall be in compliance with all current rules and procedures for the purchase of vehicles and will provide an auditable accounting trail to maximize state aid at the request of the Department of Health Services; and be it further

SALE OF THE SUFFOLK HEALTH PLAN

29th **RESOLVED**, the execution of the sale of the Suffolk Health Plan shall not proceed unless the final terms and conditions for such sale are approved by a duly authorized resolution of the Suffolk County Legislature, and be it further

APPLICABILITY

30th **RESOLVED**, that this Resolution shall take effect January 1, 2008, except as RESOLVED clauses 1st, 2nd, 3rd, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 22nd, 25th, 26th, 29th, 30th, 31st, 32nd, and 33rd which shall take effect immediately or as otherwise provided therein, and nothing contained herein shall be construed as approving or ratifying the 2007 Estimated Column, as revised or restated, contained in the discretionary portion of the Recommended 2008 Operating Budget, which column is only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant shall be adopted and set by separate subsequent resolution; and be it further

SEVERABILITY

31st **RESOLVED**, that if any clause, sentence, paragraph, subdivision, section, or part of this Resolution 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 Resolution, 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; and be it further

AMENDMENT

32nd **RESOLVED**, that clauses denominated 1st through 21st RESOLVED Clauses contained on pages 24 through 28 of the 2008 Recommended Operating Budget Volume I are hereby stricken and are not adopted and are not approved; and be it further

33rd **RESOLVED**, that the Recommended 2008 Discretionary County Operating Budget is hereby amended as shown on Schedule "A" annexed hereto and made a part hereof.

DATED: November 7, 2007

**** LINE ITEM VETOED AS SET FORTH ABOVE AND IN ACCOMPAYING VETO MESSAGE****

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED NOVEMBER 19, 2007

****VETO OVERRIDE ADOPTED RESOLVED CLAUSE 5, 7, 19, 27 ON NOVEMBER 20, 2007****

****VETO OVERRIDE ADOPTED D001, D002, D006, D009, D011, D016, D017, D020, D022, D025, D027, D028, D029, D030, D032, D033, D034, D050, D052, D053, D054, D056, D058, D060 ON NOVEMBER 20, 2007****

****VETO OVERRIDE ADOPTED D042 AND D043 ON NOVEMBER 20, 2007** (The Co. Exec. did not Veto the additional $1,544,869 for the six health clinics nor the additional Public Health revenue (001-3401) of $253,101)******

****VETO SUSTAINED RESOLVED CLAUSE 9, 10, 11, ON NOVEMBER 20, 2007****

****VETO SUSTAINED FAILED FOR LACK OF MOTION D036****

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 14-0-2-2-0. Legislators D'Amaro and Cooper abstained. Legislators Caracappa and Montano were not present.

Mem. Res. No. 57-2007 LOT 10/16/2007
Introduced by Legislator Romaine

MEMORIALIZING RESOLUTION IN SUPPORT OF EXEMPTING THE IMPOSITION OF SALES TAX ON THE PURCHASE OF MILITARY SERVICE FLAGS, PRISONER OF WAR FLAGS AND BLUE RIBBON FLAGS

WHEREAS, many citizens of the State of New York desire to display their support for our troops in harms way by flying the flags of the United States and often a prisoner of war flag or a military service flag; and

WHEREAS, those families with troops overseas often display a blue star banner on their doors or in a window to show support for their loved one; and

WHEREAS, at present, the imposition of sales and use tax is exempted for the purchase of United States flags and State of New York flags; and

WHEREAS, this same status should apply to the purchase of military service flags, prisoner of war flags and blue star banners; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill No. A.02063 and Senate Bill No. S.00933 which would exempt from the imposition of sales tax, the purchase of military service flags, prisoner of war flags and blue star banners; 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: November 20, 2007

s:\memres\mr-exempt-military-flags

ADJOURNED 4:49PM
TIM LAUBE, CLERK OF THE LEGISLATURE