

EIGHTEENTH DAY

REGULAR MEETING

December 3, 2007

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

The meeting was called to order at 9:40 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher, Legislators Romaine, Schneiderman, Browning, Caracappa, Losquadro, Eddington, Alden, Barraga, Kennedy, Nowick, Mystal, Stern, and D'Amaro.

Legislator Cooper arrived at 9:40 a.m.

Pledge of Allegiance.

Statements and Presentations
Public Portion

THE MEETING WAS RECESSED AT 12:40 P.M. AND RECONVENED AT 2:35 P.M.

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

Legislator Kennedy arrived at 2:40 p.m.

Legislator D'Amaro arrived at 2:44 p.m.

Legislators Schneiderman, Caracappa and Cooper arrived at 2:50 p.m.

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

Intro Res. No. 2086-2007

Laid on Table 11/20/2007

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

RESOLUTION NO. 1191 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE NO. 286

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
HUNTINGTON:				
0400-251-01-006.003	2006/07	\$37,837.38	\$0.00	\$37,837.38
0400-263-03-039.002	2006/07	\$ 7,670.93	\$0.00	\$ 7,670.93
0400-160-02-043.001	2005/06	\$26,860.40	\$0.00	\$26,860.40
0400-251-01-017.003	2005/06	\$13,800.92	\$0.00	\$13,800.92
0400-251-01-017.003	2006/07	\$11,756.62	\$0.00	\$11,756.62
0400-094-01-042.002	2004/05	\$79,651.42	\$24,684.00	\$54,967.42

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2106-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1192 -2007, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 779-2007)

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 chargeback, be made to the respective TOWN as provided by law.

RESOLUTION NO.		CONTROL# 779-2007	
KEY	EXPLANATION	RPTL SEC	LIMITATIONS
A	Clerical Error	556	3 years
B	Unlawful Entry	556	3 years
C	Error in Essential Fact	556a	3 years

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BROOKHAV	04/05	N/A	200 657 1	3127.61	382.60	2745.01

C	EN BROOKHAV EN	05/06	N/A	12.2 200 657 1	3255.01	397.33	2857.68
C	EN BROOKHAV EN	06/07	N/A	12.2 200 657 1	3709.17	452.87	3256.30
A	BROOKHAV EN	06/07	N/A	200 187 6 20.1	7555.16	1127.63	6427.53
A	BROOKHAV EN	05/06	N/A	200 187 6 20.1	7135.92	958.34	6177.58
A	BROOKHAV EN	04/05	N/A	200 187 6 20.1	6707.40	856.33	5851.07
A	ISLIP	06/07	N/A	500 114 3 102	4002.68	0.00	4002.68

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro Res. No. 2107-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1193 -2007, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #287

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

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

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

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
ISLIP:				
0500-207.00-01.00-050.546	2003/04	\$153,150.06	\$0.00	\$153,150.06

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2223-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1194 -2007, ACCEPTING AND
 APPROPRIATING AN AMENDMENT TO THE COLLEGE
 BUDGET FOR A GRANT AWARD FROM THE U. S.
 DEPARTMENT OF EDUCATION FOR A FEDERAL WORK-
 STUDY PROGRAM 100% REIMBURSED BY FEDERAL
 FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE**

WHEREAS, the 2007-2008 College Operating Budget provides \$573,788 in anticipation of a Federal Work-Study Program grant; and

WHEREAS, the actual grant award from the U. S. Department of Education included an additional amount of \$16,578 bringing the total amount of the grant award to \$590,366 for the period of July 1, 2007 through June 30, 2008; and

WHEREAS, it is necessary to amend the College Budget in the amount of \$16,578 to provide for the increase in the grant award; and

WHEREAS, the Federal Work-Study Program grant is allocated to Ammerman, Grant and East Campuses of Suffolk County Community College; and

WHEREAS, the amended amount of \$16,578 will be allocated to all campuses as follows: Ammerman \$4,674, Grant \$9,418, and East \$2,486; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the Federal Work-Study Program grant award on June 14, 2007, by Resolution No. 2007.49; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of \$16,578 in accordance with the terms of said grant before June 30, 2008; now, therefore be it

1st RESOLVED, that said 2007-2008 College Budget be amended to reflect the increase in the amount of the grant award and \$16,578 to be appropriated for the operation of the program as follows:

REVENUES:	Amount
Federal Aid: Federal Work-Study Program: 818-GRT-4205-08	\$16,578

APPROPRIATIONS:
 Suffolk County Community College
 Federal Work-Study Program
 818-GRT-GA01-08

1000-Personal Services	\$4,674
1130-Temporary Salaries	\$4,674

Suffolk County Community College
 Federal Work-Study Program
 818-GRT-GW01-08

1000-Personal Services \$9,418
1130-Temporary Salaries \$9,418

Suffolk County Community College
Federal Work-Study Program
818-GRT-GE01-08

1000-Personal Services \$2,486
1130-Temporary Salaries \$2,486

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2140-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1195 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED TRAFFIC IMPROVEMENTS ON THE SOUTHWEST CORNER OF CR 85 AND ATLANTIC AVENUE, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Traffic Improvements on the Southwest Corner of CR 85 and Atlantic Avenue, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the enlargement of the southwest radius to improve sight distance and traffic safety; and

WHEREAS, at its October 17, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(4) and (7) and Chapter 279 of the Suffolk County Code, since it involves the enlargement of the southwest radius (less than 4,000 s.f.) to improve sight distance and traffic safety; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 26, 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 Traffic Improvements on the Southwest Corner of CR 85 and Atlantic Avenue, Town of Brookhaven constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(4) and (7) and Chapter 279 of the Suffolk County Code, which project involves the enlargement of the southwest radius (less than 4,000 s.f.) to improve sight distance and traffic safety; 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2141-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1196 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CR 17/WHEELER ROAD EARLY IMPLEMENTATION PROJECT, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CR 17/Wheeler Road Early Implementation

Project, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project provides an improved level of service, and riding surface to an existing paved road CR 17/Wheeler Road in front of Central Islip High School and Early Childhood Center. The pavement markings will be reconfigured to provide a continuous center turning lane with minor widening to accommodate the new configuration and left turn lane. Traffic signals will be installed along with handicap ramp access as well as curbs and sidewalks as required at the schools. All work will be done within the existing R.O.W.; and

WHEREAS, at its October 17, 2007 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(4)(7) and (16) and Chapter 279 of the Suffolk County Code, since it provides an improved level of service and riding surface to an existing paved road on CR 17/Wheeler Road in front of Central Islip High School and Early Childhood Center. The pavement markings will be reconfigured to provide a continuous center turning lane with minor widening to accommodate the new configuration. Traffic signals will be installed at the schools in order to improve pedestrian and traffic safety. All work will be done within the existing R.O.W.; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 27, 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 CR 17/Wheeler Road Early Implementation Project, Town of Islip constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(4)(7) and (16) and Chapter 279 of the Suffolk County Code, which project provides an improved level of service and riding surface to an existing paved road on CR 17/Wheeler Road in front of Central Islip High School and Early Childhood Center. The pavement markings will be reconfigured to provide a continuous center turning lane with minor widening to accommodate the new configuration. Traffic signals will be installed at the schools in order to improve pedestrian and traffic safety. All work will be done within the existing R.O.W.; 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2142-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1197 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CHANDLER ESTATE REVISED ADAPTIVE RE-USE PLAN AND PROPOSED CONSTRUCTION OF NEW PARKING LOT, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Chandler Estate Revised Adaptive Re-Use Plan and Proposed Construction of New Parking Lot, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the implementation of the Chandler Estate Revised Adaptive Re-use Plan and Proposed Construction of a new parking lot which includes a crushed stone parking area for 10 to 15 vehicles with a school bus turnaround along with pre-existing and some new natural trails for passive recreational purposes; and

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

WHEREAS, at its October 17, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Parks; 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 October 26, 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 Chandler Estate Revised Adaptive Re-use Plan and Proposed Construction of a New Parking Lot, 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 project 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 project does not appear to suffer from any severe environmental development constraints (no limiting soil properties; no high groundwater and no unmanageable slopes); and
- 4.) The small parking area will be for only 10 to 15 cars and constructed of crushed stone which is permeable and will not produce stormwater runoff;

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

RESOLUTION NO. 1198 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED RECONSTRUCTION OF CR 97, NICOLLS ROAD (EARLY IMPLEMENTATION PROJECT) FROM FURROWS ROAD TO NYS 25, MIDDLE COUNTRY ROAD, CP 5512, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Reconstruction of CR 97, Nicolls Road (Early Implementation Project) From Furrows Road to NYS 25, Middle Country Road, CP 5512, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the reconstruction of CR 97, Nicolls Road (Early Implementation Project) from Furrows Road to NYS 25, Middle Country Road including roadway widening and improvements at select intersections, new traffic signals, new curb and sidewalks, drainage improvements and roadway resurfacing; 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 October 17, 2007 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 26, 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 Reconstruction of CR 97, Nicolls Road (Early Implementation Project) from Furrows Road to NYS 25, Middle Country Road, CP 5512, 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 project 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 project does not appear to suffer from any severe environmental development constraints (no limiting soil properties; no high groundwater and no unmanageable slopes); and
- 4.) The section of CR 97 where the project is located experiences severe congestion and is a high accident area, therefore, the action will improve traffic flow and safety;

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2144-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1199 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND UNDER THE MULTIFACETED LAND PRESERVATION PROGRAM – PARKLAND PURPOSES KNOWN AS THE THREE MILE HARBOR COUNTY PARK ADDITION – BOYS & GIRLS HARBOR INC., PROPERTY, TOWN OF EAST HAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land Under the Multifaceted Land Preservation Program – Parkland Purposes Known as the Three Mile Harbor County Park Addition – Boys & Girls Harbor Inc., Property, Town of East Hampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 27.82 acres of land by Suffolk County and the Town of East Hampton for parkland 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 October 17, 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)(4) and (10) and Chapter 279 of the Suffolk County Code, since it involves the acquisition of more than 25 acres which is adjacent to publicly owned parkland; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 26, 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 Under the Multifaceted Land Preservation Program – Parkland Purposes Known as the Three Mile Harbor County Park Addition – Boys & Girls Harbor Inc., Property, Town of East Hampton constitutes a Type I action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 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 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 parcels do not appear to suffer from any severe environmental development constraints (no limiting soil properties, no high groundwater, and no unmanageable slopes);

- 4.) The proposed use of the subject parcel(s) will be for park purposes as stated 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

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2145-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1200 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY SAVE OPEN SPACE FUND – HAMLET PARKS COMPONENT – FOR THE AERO WORLD CORPORATION PROPERTY, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land Under the Suffolk County Save Open Space Fund – Hamlet Parks Component – for the Aero World Corporation Property, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 4.42 acres of land by Suffolk County for active recreational 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 October 17, 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 October 26, 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 Under the Suffolk County Save Open Space Fund – Hamlet Parks Component – for the Aero World Corporation Property, Town of Islip constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in 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 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 parcels do not appear to suffer from any severe environmental development constraints (no limiting soil properties, no high groundwater, and no unmanageable slopes);
- 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

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2146-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1201 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE HALLOCK ACRES COUNTY WETLANDS ADDITION – SEBESTA PROPERTY, TOWN OF SMITHTOWN

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 Hallock Acres County Wetlands Addition – Sebesta Property, Town of Smithtown", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 0.37 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 October 17, 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 October 26, 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 Hallock Acres County Wetlands Addition – Sebesta Property, Town of Smithtown constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2147-2007
Introduced by the Presiding Officer

Laid on Table 11/20/2007

RESOLUTION NO. 1202 -2007, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE ASPATUCK CREEK – GARY J. SAPIANE & THE ESTATE OF FRANK BILSKI PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Aspatuck Creek – Gary J. Sapiane & the Estate of Frank Bilski Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 2.42 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 October 17, 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 October 26, 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 Aspatuck Creek – Gary J. Sapiane & the Estate of Frank Bilski Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2171-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1203 -2007, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR AID TO CRIME LABS

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for Aid to Crime Labs in the amount of \$444,500 for the period 04/01/07 through 06/30/08; and

WHEREAS, a portion of these grant funds are already included in the 2008 Suffolk County Operating Budget; and

WHEREAS, \$234,500 needs to be appropriated to fully utilize these grant funds; and

WHEREAS, these grant funds are provided to enhance the effectiveness, efficiency, reliability and accuracy of laboratory services within New York State's forensic laboratories; and

WHEREAS, these funds were not included in the Suffolk County Operating Budget; and

WHEREAS, these funds are 100% State funded; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$234,500 grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3322-Target Crime Initiative Program	\$234,500

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Aid to Crime Labs
001-HSV-4726

<u>Equipment</u>	<u>\$132,600</u>
2080-Medical, Dental & Lab Equipment	\$132,600
<u>Supplies</u>	<u>\$ 31,400</u>
3010-Office Supplies	\$ 4,000
3070-Memberships & Subscriptions	\$ 3,000
3080-Research Books	\$ 3,000
3370-Medical, Dental & Lab Supplies	\$ 13,500
3500-Other: Unclassified	\$ 7,000
3680-Repairs, Special Equipment	\$ 900
<u>Travel</u>	<u>\$ 7,500</u>
4340-Travel: Other	\$ 7,500
<u>Fees for Services</u>	<u>\$ 63,000</u>
4560-Fees for Services, Non-employees	\$ 63,000

and be it further

2nd RESOLVED, that the funding and the expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

3rd RESOLVED, that any unexpended funds be re-appropriated in the 2008 Operating Budget, and will be fully expended by June 30, 2008 in conformance with the terms of the grant award; and be it further

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro Res. No. 2108-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 1204 -2007, ACCEPTING AND APPROPRIATING ADDITIONAL FUNDS FOR A 100% STATE FUNDED GRANT FOR A SUMMER YOUTH EMPLOYMENT PROGRAM.

WHEREAS, the New York State Department of Temporary and Disability Assistance (OTDA) has awarded a grant in the amount of \$913,310 to the Suffolk County Department of Labor to fund a Summer Youth Employment Program; and

WHEREAS, this grant is funded by surplus funds from the Temporary Assistance to Needy Families (TANF) program, for the express purpose of providing a full wage subsidy paid Summer Youth Employment program; and

WHEREAS, the allowable activities under this TANF Grant include work subsidies to employers; education and training; supportive services; transportation for employed persons for the purpose of attending work or training; counseling and employment related services; and the purchase of tools, uniforms, or clothing necessary to look for/accept work; and

WHEREAS, funds were included in the Suffolk County Operating Budget in the amount of \$774,565 including interfund transfers; and

WHEREAS, additional funds were awarded in the amount of \$138,745 and

WHEREAS, these funds are 100% State funded; now, therefore, be it

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

REVENUES:

320- LAB - 3790 State Aid: Various Labor Programs \$138,745

ORGANIZATIONS:

Department of Labor (LAB)
Summer TANF
320-6600

1000 – Permanent Salaries \$128,885
1112 – Summer Program 128,885

8000 - Employees Benefits \$9,860
8330 - Social Security 9,860

and be it further

2nd RESOLVED, that this resolution does not authorize the lease of any additional vehicles; and be it further

3rd RESOLVED, that the County Executive is duly authorized to designate the Department of Labor as the grant recipient and fiscal agent for the Summer TANF Funds; and be it further

4th RESOLVED, that the Reporting Category for the County Integrated Financial Management System (IFMS) is 6600.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2095-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 1205 -2007, ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE U.S. MARSHALS SERVICE TO THE SUFFOLK COUNTY DEPARTMENT OF PROBATION AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS

WHEREAS, the U. S. Marshals Service will provide funding to the Suffolk County Probation Department for the Department's participation in the NY/NJ Regional Fugitive Task Force operations; and

WHEREAS, a total of \$13,000.00 has been awarded by the U.S. Marshals Service for overtime expenses for services rendered by the Department of Probation for the period of October 1, 2007 through September 30, 2008; and

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

1st RESOLVED, that the County Executive is authorized to execute any Agreement with the U.S. Marshals Service, as necessary, to secure said funds; and be it further

2nd RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of \$13,000.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
<i>001-4320-Federal Aid: Crime Control</i>	<i>\$13,000.00</i>

APPROPRIATIONS:

Suffolk County Probation Department

U.S. Marshals Fugitive Task Force

001-PRO-3153

<u>1000 Personal Service</u>	<u>\$13,000</u>
1120-Overtime	\$13,000

and be it further

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

DATED: December 3, 2007

APPROVED BY:

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

Date: December 12, 2007

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

Intro. Res. No. 2083-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1206 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT OLD TOWN ROAD REALTY, INC. (SCTM NO. 0200-203.00-04.00-019.006)

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 203.00, Block 04.00, Lot 019.006, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as lots 786 to and including Lot 807, on a certain map entitled, Map of Onaway Park Section 2, filed in the Office of the Clerk of Suffolk County on September 10, 1907 as Map No. 256; 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 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725; and

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

WHEREAS, SHAWN KEANE, as President of Old Town Road Realty, Inc., has made application of said above described parcel and SHAWN KEANE, as President of Old Town Road Realty, Inc., has paid the application fee and \$11,961.69, 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 OLD TOWN ROAD REALTY, INC., 360 Old Town Road, East Setauket, New York 11733, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2090-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

RESOLUTION NO. 1207 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THERESA MERENA (SCTM NO. 0500-401.00-04.00-010.000)

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 401.00, Block 04.00, Lot 010.000, 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, known and designated as Lot 18, on a certain map entitled, "Map of Chelsea Estates, Section No. 2" and filed in the Office of the Clerk of Suffolk County on May 3, 1963, as Map No. 3770; 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, THERESA MERENA has made application of said above described parcel and SALVATORE INGOGLIA has paid the application fee and \$112,582.15, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; and

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

2nd RESOLVED, that the Director of the Division of Real Property Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to THERESA MERENA, 301 Great River Road, Great River, New York 11739, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2099-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1208 –2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1038-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1038-2007; 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. 1038-2007

In the 5th RESOLVED paragraph change the Amount:

FROM:

\$500,000

TO:

\$2,010,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2104-2007
11/20/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1209 -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 JAMES H. BEDELL (SCTM NO. 0300-100.00-01.00-010.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 100.00, Block 01.00, Lot 010.000, and acquired by tax deed on September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003, in Liber 12276, at Page 226, and otherwise known as and by Town of East Hampton, Lots 10 through 16, inclusive, Block 3, Map of Hampton Terrace, Section B, Filed in the Office of the Suffolk County Clerk November 21, 1911 as Map # 473; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003 in Liber 12276 at Page 226.

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, BANK OF AMERICA, as Executor of the Estate of James H. Bedell, by William J. Sennett, Vice President, has made application of said above described parcel and BANK OF AMERICA, as Executor of the Estate of James H. Bedell, by William J. Sennett, Vice President, has paid the application fee and \$2,234.20, 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 JAMES H. BEDELL, by Bank of America, as Executor, c/o William J. Sennett, Vice President, 157 Church Street, 26th Floor, New Haven, Connecticut 06510, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2123-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1210 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ROBERT BAER (SCTM NO. 0206-009.00-07.00-003.001)

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 Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0206, Section 009.00,

Block 07.00, Lot 003.001, and acquired by tax deed on August 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005, in Liber 12403, at Page 637, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, N x Thompson Street; E x now or formerly McNulty; S x St. Charles Hosp; W x now or formerly Catanese; 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 8, 2005, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 15, 2005 in Liber 12403 at Page 637.

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, ESTHER BAER has made application of said above described parcel and ESTHER BAER has paid the application fee and \$1,606.95, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ROBERT BAER, c/o Sheila Erandio, 440 Kent Avenue, Apt. 10 D, Brooklyn, New York 11211, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2124-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1211 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EVELYN TERZAKOS and JOSEPH GUGGINO JR., (SCTM NOS. 0100-132.00-03.00-016.003 f/k/a P/O 016.001 f/k/a 015.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 132.00, Block 03.00, Lot 016.003 f/k/a P/O 016.001 f/k/a 015.000, and acquired by tax deed on June 22, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 28, 2006, in Liber 12457, at Page 34, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, known and designated as Lot 15 in Block 11 on a certain map entitled, "Map of Ezra Park, Section 4", and filed in the Office of the Clerk of the County of Suffolk on April 23, 1924, as Map No. 108; and

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

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

WHEREAS, THOMAS EVANS has made application of said above described parcel and THOMAS EVANS has paid the application fee and \$199.98, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2006; now, therefore be it

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

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EVELYN TERZAKOS and JOSEPH GUGGINO JR., 642 6th Street, West Babylon, New York 11704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2125-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1212 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT SMITHTOWN GALLERIA II LLC (SCTM NO. 0501-010.00-01.00-009.002)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Brightwaters, 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 0501, Section 010.00, Block 01.00, Lot 009.002, 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 Incorporated Village of Brightwaters, Town of Islip, County of Suffolk and State of New York, known and designated as part of Lot No. 950

in Block 14 on a certain map entitled, "Map of Section B. part of Brightwaters Part 1" and filed in the Office of the Clerk of the County of Suffolk as Map No. 218; 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, SMITHTOWN GALLERIA II LLC, by Larry Gargano as Member, has made application of said above described parcel and SMITHTOWN GALLERIA II LLC, by Larry Gargano as Member, has paid the application fee and \$41,932.36, 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 SMITHTOWN GALLERIA II LLC, 132 E. Main Street, Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

RESOLUTION NO. 1213 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BARBARA A. McCANN, a/k/a BARBARA McCANN, a married woman (SCTM NO. 0206-005.00-03.00-034.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0206, Section 005.00, Block 03.00, Lot 034.000, and acquired by tax deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and designated as Lot No. 21 on a certain map entitled, "Map of Harbor Hills Estates Section 10", and filed in the Office of the Clerk of the County of Suffolk on September 21, 1964 as Map #4164; 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 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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, BARBARA McCANN, a/k/a BARBARA A. McCANN, a married woman, has made application of said above described parcel and BARBARA McCANN, a/k/a BARBARA A. McCANN, a married woman, has paid the application fee and \$95,020.80, 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 BARBARA A. McCANN, /k/a BARBARA McCANN, a married woman, 25 Sands Lane, Port Jefferson, New York 11777, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2130-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1214 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT L. NICHOLAS DEANE (SCTM NO. 0300-050.00-02.00-021.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 050.00, Block 02.00, Lot 021.000, and acquired by tax deed on April 23, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 26, 2007, in Liber 12502, at Page 653, and otherwise known as and by Town of East Hampton, County of Suffolk and State of New York, being known and designated as Lot Nos. 11 and 12 in Block 20 on a certain map entitled, "Subdivision Map of property of Montauk Beach Development Corporation, Fort Pond Business Section" filed in the Office of the Clerk of the County of Suffolk on 11/22/26 as Map No. 174; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 23, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 26, 2007 in Liber 12502 at Page 653.

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, L. NICHOLAS DEANE has made application of said above described parcel and L. NICHOLAS DEANE has paid the application fee and \$25,350.14, 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 L. NICHOLAS DEANE, 24 S. Durham Road, P.O. Box 2686, Montauk, New York 11954, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2131-2007 Laid on Table
11/20/2007
Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1215 -2007, AUTHORIZING THE
SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL**

PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EDWARD BERG and BARBARA BERG, his wife (SCTM NO. 0200-446.00-05.00-038.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 446.00, Block 05.00, Lot 038.000, and acquired by tax deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, County of Suffolk and State of New York, known and designated as and by Lot No. 59 on a certain map entitled, "Map of Selden Downs, Section Two" and filed in the Office of the Clerk of the County of Suffolk on September 29, 1967, as Map No. 4956; 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 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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, EDWARD BERG and BARBARA BERG, his wife, have made application of said above described parcel and EDWARD BERG and BARBARA BERG, his wife, have paid the application fee and \$41,885.72, 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 EDWARD BERG and BARBARA BERG, his wife, 21 Carston Street, Selden, New York 11784, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2135-2007 Laid on Table
11/20/2007
Introduced by the Presiding Officer Lindsay

**RESOLUTION NO. 1216 -2007, APPROVING PAYMENT
TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE
CODE PAGES**

WHEREAS, General Code Publishers Corp. has provided Supplement No. 78 to update the Suffolk County Administrative Code totaling \$6611.92; and

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

1st RESOLVED, that the payment of \$6611.92 for the provisions of such pages is hereby approved.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2136-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

**RESOLUTION NO. 1217 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
944-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 944-2007; 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. 944-2007

In the 1ST RESOLVED paragraph change the first pseudo code under XORG:

FROM:
AXQ2

TO:
AQX2

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2137-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

**RESOLUTION NO. 1218 -2007, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
1043-2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1043-2007; 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 correction:

Resolution No. 1043-2007

In the 1st RESOLVED paragraph change the amount in the ORGANIZATIONS section.

Both totals in the +/- Change column should be \$12,668 the second total associated with pseudo code ANL7 for Pederson-Krag Center currently shows +\$12,688 and should be **+12,668**.

FROM:
+\$12,688

TO:
+\$12,668

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2139-2007
Introduced by Legislator Alden

Laid on Table 11/20/2007

RESOLUTION NO. 1219 -2007, AUTHORIZING

**CERTAIN TECHNICAL CORRECTION TO ADOPTED
RESOLUTION NO. 979-2007**

WHEREAS, the County Legislature adopted Resolution No. 979-2007; and

WHEREAS, when adopted this resolution contained technical errors; and

WHEREAS, the County Legislature desires to make technical corrections to Resolution No. 979-2007; now, therefore be it

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

Resolution No. 979-2007

In the 1st RESOLVED clause change the activity (pseudo) code and activity name:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6004	HWB1	4980	St. Mary's Food Pantry	-\$1,500

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6004	HQG1	4980	St. Mary's Outreach (East Islip)	+\$1,500

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 St. Mary's Outreach (East Islip).

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

RESOLUTION NO. 1220 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT BAY SHORE HOME CORP. (SCTM NO. 0500-226.00-03.00-039.001)

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 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 226.00, Block 03.00, Lot 039.001, 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, on a certain map entitled, "Map of Oakdale Park, Section 1" filed in the Office of the Clerk of the County of Suffolk on February 13, 1903 as Map No. 392, said part of Lot being more particularly bounded and described as follows: BEGINNING at the corner formed by the intersection of the easterly side of Ohio Avenue with the southerly side of New York Avenue; RUNNING THENCE from said point or place of beginning along the southerly side of New York Avenue North 77 degrees 23 minutes 32 seconds East, 152.80 feet; THENCE South 12 degrees 05 minutes 48 seconds East 137.50 feet to the division line between lots 968 and 969 on the aforesaid map; THENCE along said last mentioned division line South 77 degrees 23 minutes 32 seconds West 152.80 feet to the easterly side of Ohio Avenue: THENCE along the westerly side of Ohio Avenue North 12 degrees 05 minutes 48 seconds West 137.50 feet to the corner at the point or place of BEGINNING; 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, BAY SHORE HOME CORP., by Ahsan Z. Fazli as President, has made application of said above described parcel and BAY SHORE HOME CORP., by Ahsan Z. Fazli as President, has paid the application fee and \$22,429.45, 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 BAY SHORE HOME CORP., 4 New Hyde Park Road, Suite 4, Franklin Square, New York 11010, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2201-2007
11/20/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1221 -2007, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT PATIENT FAITH FARM, LLC (SCTM NO. 0900-233.00-01.00-030.000

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

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

District 0900, Section 233.00, Block 01.00, Lot 030.000, and acquired by tax deed on August 8, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 10, 2007, in Liber 12517, at Page 588, and otherwise known as and by Town of Southampton, N x Right of Way; S x Shinnecock Bay; E x now or formerly Atterbury & Ors; W x now or formerly Miller; 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 8, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on August 10, 2007 in Liber 12517 at Page 588.

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, MARK L. LANGE, President of Patient Faith Farm, LLC has made application of said above described parcel and MARK L. LANGE, President of Patient Faith Farm, LLC has paid the application fee and \$161.42, 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; and

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

2nd RESOLVED, that Director Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to PATIENT FAITH FARM, LLC, 21 Southway Drive, Southampton, New York 11968, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 11-6-1-0-0.

Legislators Romaine, Losquadro, Eddington, Montano, Kennedy and Nowick voted no. Legislator Caracappa abstained.

Intro. Res. No. 1942-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1222 –2007, AUTHORIZING THE
SALES OF CERTAIN TAX LIENS SOLD AT THE AUGUST 15,
2007 AUCTION AS PER EXHIBIT "A" (OMNIBUS
RESOLUTION)**

WHEREAS, in accordance with Suffolk County Resolution No. 1258-2006, provision is made for disposition by Auction of certain Brownfield Property Tax Liens; and

WHEREAS, on August 15, 2007, the Department of Environment and Energy, Division of Real Property Acquisition and Management, offered at auction certain tax liens at the minimum upset price set opposite their tax map designation and accepted the highest bid set next to said respective upset prices as shown on listing annexed hereto and made a part hereof as Exhibit "A"; and

WHEREAS, Resolution No. 1258-2006 provides that the County shall deliver to the County Legislature, in resolution for approval, a list of properties shown and proposed to be sold, together with the bid price; and

WHEREAS, the Suffolk County Treasurer, requests authority to deliver a Tax Lien Certificate, on the said designated parcels to the successful bidder thereon; now, therefore be it

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

2nd RESOLVED, that the Suffolk County Treasurer, is authorized to execute and deliver Tax Lien Certificates and all necessary forms as approved by the County Attorney, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus any closing adjustments.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

EXHIBIT A

District	Section	Block	Lot	Upset Price	Highest Bid	Successful Bidder
0500	22400	0100	078000	\$155,786.17	\$280,000.00	Debra L. Becker
0600	12600	0100	023000	\$ 79,059.97	\$ 79,059.97	Prand Corp.

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

Intro. Res. No. 2260-2007
Introduced by the Presiding Officer

Laid on Table 12/3/2007

RESOLUTION NO. 1187 -2007, LEVYING UNPAID WATER RENTS

WHEREAS, there has been transmitted to this Legislature the statement required by Section 198, Subdivision 3 of the Town Law, showing unpaid water rents as follows:

Babylon	\$	2,973.20
Brookhaven	\$	2,584.69
Huntington	\$	322,068.53
Riverhead	\$	121,339.28
Smithtown	\$	176,966.61
Southampton	\$	168,058.57

now, therefore be it

RESOLVED, that the Suffolk County Legislature hereby levies the amount of unpaid water rents, as above stated, against the properties liable therefore, and directs the amount of tax be stated in a separate column in the annual tax rolls of the Towns of Babylon, Brookhaven, Huntington, Riverhead, Smithtown, and Southampton under the name of "Unpaid Water Rents".

DATED: December 3, 2007

APPROVED BY:

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

Date: December 4, 2007

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

Intro. Res. No. 2261-2007
Introduced by the Presiding Officer

Laid on Table 12/3/2007

**RESOLUTION NO. 1188 -2007, IMPLEMENTING BUDGET,
STAFF, AND TAXES FOR THE FISCAL YEAR 2008
(DISCRETIONARY)**

WHEREAS, the County Executive's Proposed Operating County Budget for fiscal year 2007 was filed with the Clerk of this County Legislature on September 21, 2007 and the County Executive and the County Legislature have each duly held two (2) public hearings thereon pursuant to Article IV of the Suffolk County Charter; and

WHEREAS, said proposed budget includes exhibits representing authorized staff for each of the divisions, units, and departments of the County for the fiscal year commencing January 1, 2008; and

WHEREAS, said proposed budget has been amended by the County Legislature; now, therefore, be it

1st **RESOLVED**, that the proposed County budget, for the discretionary portion, including such authorized staff exhibits for the fiscal year 2008 so filed with the Clerk of the County Legislature on September 21, 2007, together with such changes, revisions, modifications and amendments duly enacted by the County Legislature, is hereby approved; and be it further

2nd **RESOLVED**, that the several amounts for each of the general and special sub-objects of expense for the several units for the discretionary portion, in the column marked "Recommended", and a summary of sub-objects into appropriate objects of expense, as the same may have been changed and revised, shall be entered and extended into a column entitled "Adopted"; and be it further

3rd **RESOLVED**, that the authorized staff shown as recommended for each of the divisions, units, and departments of the County on the several pages of the discretionary portion of said proposed budget, as the same has been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

4th **RESOLVED**, that the several amounts so extended in the column entitled "Adopted" be and the same hereby are adopted as the authorized staff of the County departments, divisions and units and as the official budget of the County of Suffolk for the discretionary portion, for the conduct of County government for the ensuing fiscal year beginning January 1, 2008, and that said budget, as so adopted, shall be entered into the minutes of this County Legislature and printed in the annual volume of printed proceedings thereof; and be it further

5th **RESOLVED**, that the several amounts specified in such budget in the column entitled "Adopted", be and they hereby are appropriated for the sub-object, object and/or purpose specified and are adopted as the authorized staff of the County departments, divisions and units for the discretionary portion of said budget, for the ensuing fiscal year effective January 1, 2008; and be it further

6th **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in Resolution No. 1054–2007, or subsequently enacted Budget Amendment Resolutions, directly to the pertinent line item, object, sub-object, or revenue account in the discretionary portion of the Adopted 2008 Operating Budget; shall place all personnel changes (including the revised columns, as adjusted by Resolution No.1054–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No.1054–2007 in the Adopted 2008 Operating Budget; shall place and post all appropriation and revenue changes or adjustments (including the revised columns, as adjusted by Resolution No.1054–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No.1054–2007 pertaining to the fiscal year 2007 Estimated Column for the purpose of calculating the effect on the 2008 tax levy and tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments (including the revised columns, as adjusted by Resolution No.1054–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 1054-2007 in the pertinent line item, object, and sub-object for fiscal years 2007 and/or 2008, all as set forth in Resolution No. 1054–2007 all of which increases, decreases, changes, modifications, restatements, and/or adjustments shall be loaded into the budget system mainframe for merely printing in a format that totals expenses, revenues, and staffing by appropriation object, sub-object, and pertinent category, inclusive of the organizational charts and narratives specific to the Adopted 2008 Operating Budget, none of which ministerial actions shall be construed as amending the Adopted 2008 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 levy and tax warrant and shall be of no legal force or effect; and be it further

7th **RESOLVED**, that 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 was only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant were adopted and set by separate resolution; and be it further

8th **RESOLVED**, that the estimated revenues as shown and recommended for each of the revenue items of the several funds, as the same may have been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

9th **RESOLVED**, that the several amounts of federal and state grants for the several units in the column marked "Recommended" for the discretionary portion of the County Operating Budget, as the same may have been changed and revised, be entered and extended into the column marked "Adopted" and that the amounts are accepted by the County and appropriated for the purposes intended, provided, however, that the expenditure of funds hereunder shall be subject to the availability of such federal and state funds; and be it further

10th **RESOLVED**, that the Clerk of the County Legislature, with the assistance of the County Executive and the County Comptroller, is hereby authorized to convert the appropriation and revenue account numbers in the County Budget to the New York State Municipal Standard Coding System, as promulgated by the Comptroller of the State of New York; and be it further

11th **RESOLVED**, that taxes for the year 2007-2008 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

Intro. Res. No. 2261-2007		Page No. 3
TOWN OF BABYLON		
School Districts	\$	375,555,974.00
Highway (Town Outside Village)		14,990,181.00
Fire Districts		9,096,523.00
Fire Protection Districts		12,876,026.00
Water Districts		102,069.00
Lighting Districts		1,931,214.00
Garbage Improvement Area		35,178,617.00
Commercial Garbage District		6,771,554.00
Ambulance Districts		1,343,799.00
Unpaid Water Rents		2,973.20
Relevy Prior Years Unpaid Commercial Garbage		383,204.07
Relevy Prior Years Unpaid Garbage Improvement Area		195,061.34
Clean-Up Program		129,159.15
General (Town Wide)		20,189,373.00
General (Town Outside Village)		674,137.00
TOTAL TOWN PURPOSES		\$ 479,419,864.76
County Tax - General	\$	15,425,653.00
2006 Actual Surplus – County Tax General		(13,570,591.00)
2007 Estimated Deficit – County Tax General		2,593,202.00
County Tax – Suffolk Community College		458,690.00
District Superintendent of Schools		1,836.11
Sub Total		\$ 4,908,790.11
Relevy of Unpaid Sewer Rents & Charges- SD No. 3		1,340,487.36
Total		\$ 6,249,277.47
Less Credits:		(470.52)
Total Payable to County Treasurer for County General	\$	6,248,806.95
County Police District		57,611,316.00
2006 Actual Deficit - Police District		4,457,021.00
2007 Estimated Surplus - Police District		(5,434,432.00)
District Court District		1,035,962.00
2006 Actual Deficit - District Court District		57,595.00
2007 Estimated Surplus - District Court District		(41,147.00)
County Sewer District No. 3 , District Wide Levy		25,008,028.71
County S.D. No. 3, per parcel charge on 46,038 parcels		1,376,075.82
County S.D. No. 3, S-1 (NYS Dept. Transportation)		23,624.99
County S.D. No. 3, S-2 (NYS Dept. Transportation)		533,118.98
County S.D. No. 3, S-7 (SUNY Farmingdale)		50,941.12
County S.D. No. 3, S-10 (Belmont State Park)		73,773.75
County S.D. No. 3, S-15 (NYS Maintenance)		14,242.18
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(Continued)		

Intro. Res. No. 2261-2007		Page No. 4
TOWN OF BABYLON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		118,578.30
Erroneous Assessments & Tax Refunds - Community College		5,646.40
Erroneous Assessments & Tax Refunds - Town Only		13,305,570.13
Erroneous Assessments & Tax Refunds - Police District		992,315.09
Erroneous Assessments & Tax Refunds - District Court District		18,373.85
Erroneous Assessments & Tax Refunds - Sewer District No. 3		392,480.41
Total Adjustments Mandated by Law for Town of Babylon - \$14,832,964.18		
TOTAL COUNTY PURPOSES	\$	105,847,891.68
TOTAL AMOUNT OF LEVY	\$	585,267,756.44

Intro. Res. No. 2261-2007		Page No. 5
TOWN OF BROOKHAVEN		
School Districts	\$	950,438,613.00
STAR Exemption		(127,740,065.01)
Library District		2,818,869.00
Highway (Town Wide)		13,530,887.00
Highway (Town Outside Village)		43,607,228.00
Fire Districts		72,305,850.00
Fire Protection Districts		451,233.00
Water Districts		368,862.00
Lighting Districts		7,579,866.00
Sewer Districts (Town Only)		112,469.00
Ambulance Districts		8,576,865.00
Park Districts		44,350.00
Dock Districts		256,864.00
Unpaid Sewer and Water Rents		2,584.69
Demolition Unsafe Structures		87,829.39
Erosion Control Districts		1,043,324.00
Clean-Up of Premises		286,726.87
\$100M Bond Act of 2004		6,906,000.00
Real Property Tax Law - Article 7		4,801,199.00
Refuse and Garbage District		44,867,713.11
General (Town Wide)		21,256,246.00
General (Town Outside Village)		5,658,714.00
TOTAL TOWN PURPOSES	\$	1,057,262,228.05
County Tax - General	\$	38,652,039.00
2006 Actual Surplus – County Tax General		(35,365,880.00)
2007 Estimated Deficit – County Tax General		6,550,345.00
County Tax – Suffolk Community College		1,149,338.00
District Superintendent of Schools		3,909.00
Sub Total	\$	10,989,751.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		11,691.93
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		8,865.78
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		5,544.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		66,109.51
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,484.96
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		3,117.47
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		38,813.04
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		26,894.78
Total	\$	11,161,272.47
Less Credits		(27,686.06)
Total Payable to County Treasurer for County General	\$	11,133,586.41
County Police District		152,813,528.00
2006 Actual Deficit - Police District		12,289,141.00
2007 Estimated Surplus - Police District		(14,536,081.00)
District Court District		2,595,810.00
2006 Actual Deficit - District Court District		150,098.00
2007 Estimated Surplus - District Court District		(103,937)
(Continued)		

Intro. Res. No. 2261-2007		Page No. 6
TOWN OF BROOKHAVEN (Continued)		
County Sewer District No 1, Port Jefferson		698,850.00
County Sewer District No. 7 – Medford		1,275,694.00
County Sewer District No. 8 – Strathmore Ridge		100,649.00
County Sewer District No. 9 – College Park		86,810.00
County Sewer District No. 10 – Stony Brook		974,752.00
County Sewer District No. 10, Construction Cost Only		0.00
County Sewer District No. 11, Selden, Zone A		543,925.00
County Sewer District No. 11, Selden, Zone B		1,375,525.00
County Sewer District No. 11, Zone B, Construction Cost Only		1.00
County Sewer District No. 12 – Birchwood/Holbrook		135,979.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		184,417.57
Erroneous Assessments & Tax Refunds - Community College		14,263.25
Erroneous Assessments & Tax Refunds - Town Only		20,154,043.56
Erroneous Assessments & Tax Refunds - Police District		2,638,691.23
Erroneous Assessments & Tax Refunds - District Court District		45,955.78
Erroneous Assessments & Tax Refunds - S.D. #1 (T12)		8.25
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		113,356.03
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		263.95
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		1,450.55
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		447.56
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		1,191.09
Erroneous Assessments & Tax Refunds - S.D. #11B (T30)		51.09
Erroneous Assessments & Tax Refunds - S.D. #12 (T34)		76.11
Total Adjustments Mandated by Law for Town of Brookhaven - \$ 23,154,216.02		
TOTAL COUNTY PURPOSES	\$	192,688,546.43
TOTAL AMOUNT OF LEVY	\$	1,249,950,774.48

TOWN OF EAST HAMPTON

School Districts	\$	81,991,869.27
Highway (Town Outside Village)		5,351,341.60
Fire Districts		3,312,890.88
Fire Protection Districts		2,302,092.63
Lighting Districts		252,000.00
Sewer Districts		13,400.00
Refuse and Garbage Districts		4,518,298.79
Airport		117,861.37
Special Assessment Districts		0.00
Merchants Path		46,127.13
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		8,001.34
So. Durham Road		0.00
General (Town Wide)		15,386,685.71
General (Town Outside Village)		14,696,447.65
TOTAL TOWN PURPOSES	\$	127,997,016.37
County Tax - General	\$	16,174,294.00
2006 Actual Surplus – County Tax General		(12,052,754.00)
2007 Estimated Deficit – County Tax General		2,550,824.00
County Tax – Suffolk Community College		480,951.00
District Superintendent of Schools		1,498.00
	Total	\$ 7,154,813.00
Less Credits		(23,413.45)
Total Payable to County Treasurer for County General	\$	7,131,399.55
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		49,442.84
Erroneous Assessments & Tax Refunds - Community College		5,543.97
Erroneous Assessments & Tax Refunds - Town Only		489,922.52
Total Adjustments Mandated by Law for Town of East Hampton - \$ 544,909.33		
TOTAL COUNTY PURPOSES	\$	7,676,308.88
TOTAL AMOUNT OF LEVY	55	\$ 135,673,325.25

TOWN OF HUNTINGTON		
School Districts		\$ 624,798,733.00
School Districts STAR Exemptions		(52,691,957.47)
Highway (Town Outside Village)		30,779,096.00
Fire Districts		25,249,250.00
Fire Protection Districts		1,237,858.00
Water Districts		8,653,153.00
Lighting Districts		3,855,474.00
Sewer Districts (Town Only)		4,071,042.00
Refuse and Garbage District		23,262,036.00
Ambulance Districts		2,328,593.00
Business Improvement District		186,500.00
Unpaid Water Rents		
Dix Hills		100,740.53
Greenlawn		134,563.48
South Huntington		86,764.52
Unpaid Property Clean-Up		29,250.30
Unpaid Demolition		0.00
Environmental Open Space		4,500,000.00
Zoning Violations Board		0.00
General (Town Wide)		27,007,202.00
General (Town Outside Village)		4,174,344.00
TOTAL TOWN PURPOSES	\$	707,762,642.36
County Tax - General	\$	24,707,310.00
2006 Actual Surplus – County Tax General		(24,083,800.00)
2007 Estimated Deficit – County Tax General		4,358,566.00
County Tax – Suffolk Community College		734,685.00
District Superintendent of Schools		2,941.00
	Sub Total	\$
		5,719,702.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		148,522.72
	Total	\$
		5,868,224.72
Less Credits		(19,482.68)
Total Payable to County Treasurer for County General	\$	5,848,742.04
County Police District		88,522,329.00
2006 Actual Deficit - Police District		7,594,412.00
2007 Estimated Surplus - Police District		(8,771,139.00)
District Court District		1,659,304.00
2006 Actual Deficit - District Court District		102,215.00
2007 Estimated Surplus - District Court District		(69,159.00)
County Sewer Dist. No. 3, S-6 (SUNY Farmingdale)		81,345.20
County Sewer Dist. No. 5, Zone A (Strathmore)		604,501.00
County Sewer Dist. No. 5, Zone B (Strathmore)	56	72,110.00
(Continued)		

Intro. Res. No. 2261-2007		Page No. 9
TOWN OF HUNTINGTON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		146,638.17
Erroneous Assessments & Tax Refunds - Community College		9,493.90
Erroneous Assessments & Tax Refunds - Town Only		6,998,442.02
Erroneous Assessments & Tax Refunds - Police District		1,603,030.08
Erroneous Assessments & Tax Refunds - District Court District		31,276.44
Erroneous Assessments & Tax Refunds - Sewer District No. 3		1,254.56
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone A		828.71
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone B		0.00
Total Adjustments Mandated by Law for Town of Huntington - \$ 8,790,963.88		
TOTAL COUNTY PURPOSES	\$	104,435,624.12
TOTAL AMOUNT OF LEVY	\$	812,198,266.48

Intro. Res. No. 2261-2007		Page No. 10
TOWN OF ISLIP		
School Districts - Less STAR Exemption	\$	583,080,755.29
Highway (Part Town)		12,845,639.00
Fire Districts		38,668,721.00
Fire Protection Districts		1,768,761.00
Water Districts		2,191,236.00
Lighting Districts		4,035,941.00
Special Assessments		102.00
Demolitions		31,493.35
Refuse/Garbage/EPA		39,788,427.00
Joint Garbage		89,874.00
Fehr Way Drainage		49,422.00
Ambulance Districts		5,157,712.00
Erosion Control Disticts		198,986.00
Dock Districts		40,209.00
Bay Shore Business Districts		98,310.00
Medical District		41,216.00
Kismet Street Improvement		178,500.00
Bay Towne Drainage		10,208.00
Lifeguard Districts		420,478.00
General (Town Wide)		25,824,785.00
General (Town Outside Village)		1,657,858.00
TOTAL TOWN PURPOSES	\$	716,178,633.64
County Tax - General		25,621,173.00
2006 Actual Surplus - County Tax General		(22,614,405.00)
2007 Estimated Deficit - County Tax General		4,231,754.00
County Tax - Suffolk Community College		761,859.00
District Superintendent of Schools		2,591.00
Sub Total	\$	8,002,972.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		769,070.67
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		5,009.40
Relevy of Unpaid Sewer Rents and Charges, Dist. #14		84,244.01
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		13,813.80
Total	\$	8,875,109.88
Less Credits		(76,867.82)
Total Payable to County Treasurer for County General Purposes	\$	8,798,242.06
County Police District		99,211,360.00
2006 Actual Deficit - Police District		7,698,268.00
2007 Estimated Surplus - Police District		(9,198,438.00)
District Court District		1,720,678.00
2006 Actual Deficit - District Court District District		95,979.00
2007 Estimated Surplus - District Court District		(67,147.00)
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(Continued)		

Intro. Res. No. 2261-2007		Page No. 11
TOWN OF ISLIP (Continued)		
County Sewer District No. 3 , District Wide Levy		17,208,578.04
S.D. #3 per parcel charge on 29,487 parcels		881,366.43
Sewer Dist. #3, S-8 (C.I. State Hospital)		42,889.23
Sewer Dist. #3, S-9 (NYS DPW)		14,223.18
Sewer Dist. #3, S-11 (Hecksher State Park)		519,844.34
Sewer Dist. #3, S-12 (NYS Park)		7,946.35
Sewer Dist. #3, S-13 (NYS Sagtikos Park)		8,169.36
Sewer Dist. #3, S-14 (NYS Armory)		6,215.32
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		128,720.42
Erroneous Assessments & Tax Refunds-Suffolk Community College		9,212.22
Erroneous Assessments & Tax Refunds-Town Only		11,635,503.29
Erroneous Assessments & Tax Refunds-Police District		1,675,789.53
Erroneous Assessments & Tax Refunds-District Court District		29,908.63
Erroneous Assessments & Tax Refunds - S.D. #3		266,561.81
Total Adjustments Mandated by Law for		
Town of Islip - \$13,745,695.90		
TOTAL COUNTY PURPOSES	\$	140,693,870.21
TOTAL AMOUNT OF LEVY	\$	856,872,503.85

Intro. Res. No. 2261-2007		Page No. 12
TOWN OF RIVERHEAD		
School Districts	\$	63,810,194.71
Library District		2,638,420.00
Highway (Town Wide)		5,641,500.00
Fire Districts		5,765,110.00
Water Districts		1,521,328.00
Lighting Districts		824,900.00
Public Parking District		185,711.00
Sewer Districts (Town Only)		2,554,235.93
Scavenger Waste District		111,100.00
Refuse and Garbage Districts		4,816,524.00
Unpaid Water Rents		121,339.28
Business Improvement District		135,454.00
Ambulance District		907,516.00
Demolition & Clean-Up of Property		9,385.08
General (Town Wide)		25,137,900.00
TOTAL TOWN PURPOSES	\$	114,180,618.00
County Tax - General	\$	4,376,821.00
2006 Actual Surplus – County Tax General		(3,780,656.00)
2007 Estimated Deficit – County Tax General		712,003.00
County Tax – Suffolk Community College		130,147.00
District Superintendent of Schools		406.00
Sub Total	\$	1,438,721.00
Less Credits		(4,399.42)
Total Payable to County Treasurer for County General Purposes	\$	1,434,321.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		26,369.52
Erroneous Assessments & Tax Refunds - College		1,549.24
Erroneous Assessments & Tax Refunds - Town Only		2,719,849.57
Total Adjustments Mandated by Law for Town of Riverhead - \$ 2,747,768.33		
TOTAL COUNTY PURPOSES	\$	4,182,089.91
TOTAL AMOUNT OF LEVY	\$	118,362,707.91

Intro. Res. No. 2261-2007		Page No. 13
TOWN OF SHELTER ISLAND		
School Districts	\$	8,151,400.49
Highway (Town Wide)		831,755.00
Highway (Town Outside Village)		289,652.00
Fire Districts		810,900.00
General (Town Wide)		4,550,596.00
General (Town Outside Village)		284,185.00
TOTAL TOWN PURPOSES		\$ 14,918,488.49
County Tax - General	\$	1,779,516.00
2006 Actual Surplus - County Tax General		(1,420,275.00)
2007 Estimated Deficit - County Tax General		280,172.00
County Tax - Suffolk Community College		52,915.00
District Superintendent of Schools		165.00
Total		\$ 692,493.00
Less Credits		(706.86)
Total Payable to County Treasurer for County General Purposes		\$ 691,786.14
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		5,493.65
Erroneous Assessments & Tax Refunds - Community College		608.17
Erroneous Assessments & Tax Refunds - Town Only		7,745.92
Total Adjustments Mandated by Law for Town of Shelter Island - \$ 13,847.74		
TOTAL COUNTY PURPOSES		\$ 705,633.88
TOTAL AMOUNT OF LEVY		\$ 15,624,122.37

TOWN OF SMITHTOWN

School Districts	\$	284,285,866.00
Highway (Town Wide)		5,489,500.00
Highway (Town Outside Village)		17,995,000.00
Fire Districts		13,503,970.00
Hauppauge Hydrant		40,000.00
Water Districts		45,050.00
Lighting Districts - Street		985,000.00
Lighting Districts - Arterial		1,070,000.00
Refuse Pick Up and Disposal		11,080,571.25
Ambulance Districts		1,131,500.00
Unpaid Water Rents		176,966.61
Unpaid Refuse and Garbage		161,326.50
Omitted Assessments		0.00
Special Assessments		0.00
Library (Town Wide)		10,318,228.00
General (Town Wide)		20,877,000.00
General (Town Outside Village)		4,400,000.00
TOTAL TOWN PURPOSES	\$	371,559,978.36
County Tax - General	\$	12,795,101.00
2006 Actual Surplus - County Tax General		(12,108,517.00)
2007 Estimated Deficit - County Tax General		2,166,192.00
County Tax - Suffolk Community College		380,470.00
District Superintendent of Schools		1,523.00
Sub Total	\$	3,234,769.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #6		112,126.66
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		270.25
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		3,393.53
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		138,712.02
Relevy of Unpaid Sewer Rents and Charges, Dist. #22		15,843.25
Relevy of Unpaid Sewer Rents and Charges, Dist. #28		5,903.50
Total	\$	3,511,018.21
Less Credits		(1,763.26)
Total Payable to County Treasurer for County General Purposes	\$	3,509,254.95
County Police District		47,849,791.00
2006 Actual Deficit - Police District		3,984,596.00
2007 Estimated Surplus - Police District		(4,548,486.00)
District Court District		859,299.00
2006 Actual Deficit - District Court District		51,390.00
2007 Estimated Surplus - District Court District		(34,372.00)
County Sewer Dist. No. 6 - (Kings Park) Discretionary		17,075.00
(Continued)		

Intro. Res. No. 2261-2007		Page No. 15
TOWN OF SMITHTOWN (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		50,457.06
Erroneous Assessments & Tax Refunds-Suffolk Community College		4,718.14
Erroneous Assessments & Tax Refunds-Town Only		6,110,097.13
Erroneous Assessments & Tax Refunds-Police District		830,541.42
Erroneous Assessments & Tax Refunds-District Court District		15,497.22
Total Adjustments Mandated by Law for Town of Smithtown - \$ 7,011,310.97		
TOTAL COUNTY PURPOSES	\$	58,699,858.92
TOTAL AMOUNT OF LEVY	\$	430,259,837.28

TOWN OF SOUTHAMPTON		
School Districts		\$ 183,591,817.41
Highway (Town Outside Village)		6,918,407.00
Highway - Road Repairs		829,795.00
Fire Districts		10,845,073.06
Fire Protection Districts		709,124.72
Water Districts		1,025,098.00
Lighting Districts		541,234.00
Ambulance Districts		2,292,858.52
Unpaid Water Rents		168,058.57
Road Improvement Districts		72,703.51
E-911		2,590,792.00
Tiana Beach Coastal Erosion District		50,000.00
Debris Removal		602.26
Unpaid Security Alarms		30,500.00
Water Mill Park District		152,000.00
Dune Road Donation		20,000.00
Penalties on Agricultural Agreement		5,028.40
Hampton Bays Park District		70,000.00
Bridgehampton Park District		111,000.00
Bridgehampton Parking District		71,600.00
Hampton Bays Parking District		25,500.00
Omitted Assessment		42,576.24
Sagaponack Village Highway		513,820.00
Sagaponack Village Highway Debt Service		121,083.00
General (Town Wide)		19,263,211.00
General (Town Outside Village)		290,314.00
Part Town - Police		18,215,226.00
TOTAL TOWN PURPOSES	\$	248,567,422.69
County Tax - General	\$	30,628,966.00
2006 Actual Surplus - County Tax General		(24,082,995.00)
2007 Estimated Deficit - County Tax General		4,907,694.00
County Tax - Suffolk Community College		910,768.00
District Superintendent of Schools		2,837.00
	Total	\$ 12,367,270.00
Less Credits		(16,944.08)
Total Payable to County Treasurer for County General Purposes	\$	12,350,325.92
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		112,154.96
Erroneous Assessments & Tax Refunds - College		10,671.83
Erroneous Assessments & Tax Refunds - Town Only		2,482,544.12
Total Adjustments Mandated by Law for Town of Southampton - \$ 2,605,370.91		
TOTAL COUNTY PURPOSES	\$	14,955,696.83
TOTAL AMOUNT OF LEVY	64	\$
		263,523,119.52

TOWN OF SOUTHOLD

School Districts	\$	67,839,495.57
Highway (Town Wide)		4,311,595.00
Fire Districts		6,287,043.00
Fire Protection Districts - East/West		541,463.00
Refuse and Garbage Districts - Fishers Island		563,800.00
Southold Solid Waste		1,506,945.00
Park Districts		976,009.00
Fishers Island Ferry		590,000.00
Orient Mosquito		86,900.00
Fishers Island Sewer - Unpaid		1,614.38
Southold Waste Water		3,245.00
Orient by the Sea Road District		4,500.00
Farm Building Penalty		8,231.05
General (Town Wide)		17,391,288.00
General (Town Outside Village)		809,977.00
TOTAL TOWN PURPOSES	\$	100,922,106.00
County Tax - General		6,400,348.00
2006 Actual Surplus – County Tax General	\$	(5,800,863.00)
2007 Estimated Deficit – County Tax General		1,061,776.00
County Tax – Suffolk Community College		190,645.00
District Superintendent of Schools		594.00
	Total \$	1,852,500.00
Less Credits		(519.42)
Total Payable to County Treasurer for County General Purposes	\$	1,851,980.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		22,904.29
Erroneous Assessments & Tax Refunds - College		2,311.06
Erroneous Assessments & Tax Refunds - Town Only		416,985.10
Total Adjustments Mandated by Law for Town of Southold - \$		
TOTAL COUNTY PURPOSES	\$	2,294,181.03
TOTAL AMOUNT OF LEVY	\$	103,216,287.03
Dated: December 3, 2007		
APPROVED BY:		
/s/ Jim Morgo		
Deputy County Executive of Suffolk County	65	
Date: December 4, 2007		

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

Intro. Res. No. 2262-2007
Introduced by the Presiding Officer

Laid on Table 12/3/2007

**RESOLUTION NO. 1189 -2007, IMPLEMENTING BUDGET,
STAFF, AND TAXES FOR THE FISCAL YEAR 2008
(MANDATED)**

WHEREAS, the County Executive's Proposed Operating County Budget for fiscal year 2008 was filed with the Clerk of this County Legislature on September 21, 2007 and the County Executive and the County Legislature have each duly held two (2) public hearings thereon pursuant to Article IV of the Suffolk County Charter; and

WHEREAS, said proposed budget includes exhibits representing authorized staff for each of the divisions, units, and departments of the County for the fiscal year commencing January 1, 2008; and

WHEREAS, said proposed budget has been amended by the County Legislature; now, therefore be it

1st **RESOLVED**, that the proposed County budget for the mandated portion, including such authorized staff exhibits for the fiscal year 2008 so filed with the Clerk of the County Legislature on September 21, 2007, together with such changes, revisions, modifications and amendments duly enacted by the County Legislature, is hereby approved; and be it further

2nd **RESOLVED**, that the several amounts for each of the general and special sub-objects of expense for the several units for the mandated portion, in the column marked "Recommended", and a summary of sub-objects into appropriate objects of expense, as the same may have been changed and revised, shall be entered and extended into a column entitled "Adopted"; and be it further

3rd **RESOLVED**, that the authorized staff shown as recommended for each of the divisions, units, and departments of the County on the several pages of the mandated portion of said proposed budget, as the same has been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

4th **RESOLVED**, that the several amounts so extended in the column entitled "Adopted" be and the same hereby are adopted as the authorized staff of the County departments, divisions and units and as the official budget of the County of Suffolk for the mandated portion, for the conduct of County government for the ensuing fiscal year beginning January 1, 2008, and that said budget, as so adopted, shall be entered into the minutes of this County Legislature and printed in the annual volume of printed proceedings thereof; and be it further

5th **RESOLVED**, that the several amounts specified in such budget in the column entitled "Adopted", be and they hereby are appropriated for the sub-object, object and/or purpose specified and are adopted as the authorized staff of the County departments, divisions and units for the mandated portion of said budget, for the ensuing fiscal year effective January 1, 2008; and be it further

6th **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in Resolution No. 1053–2007, or subsequently enacted Budget Amendment Resolutions, directly to the pertinent line item, object, sub-object, or revenue account in the mandated portion of the Adopted 2008 Operating Budget; shall place all personnel changes (including the revised columns, as adjusted by Resolution No.1053–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No.1053–2007 in the Adopted 2008 Operating Budget; shall place and post all appropriation and revenue changes or adjustments (including the revised columns, as adjusted by Resolution No.1053–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No.1053–2007 pertaining to the fiscal year 2007 Estimated Column for the purpose of calculating the effect on the 2008 tax levy and tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments (including the revised columns, as adjusted by Resolution No.1053–2007 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 1053-2007 in the pertinent line item, object, and sub-object for fiscal years 2007 and/or 2008, all as set forth in Resolution No. 1053–2007 all of which increases, decreases, changes, modifications, restatements, and/or adjustments shall be loaded into the budget system mainframe for merely printing in a format that totals expenses, revenues, and staffing by appropriation object, sub-object, and pertinent category, inclusive of the organizational charts and narratives specific to the Adopted 2008 Operating Budget, none of which ministerial actions shall be construed as amending the Adopted 2008 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 levy and tax warrant and shall be of no legal force or effect; and be it further

7th **RESOLVED**, that 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 was only presented for informational purposes in connection with the calculation of the 2008 tax levy and tax warrant which tax levy and tax warrant were adopted and set by separate resolution; and be it further

8th **RESOLVED**, that the estimated revenues as shown and recommended for each of the revenue items of the several funds, as the same may have been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

9th **RESOLVED**, that the several amounts of federal and state grants for the several units in the column marked "Recommended" for the mandated portion of the County Operating Budget, as the same may have been changed and revised, be entered and extended into the column marked "Adopted" and that the amounts are accepted by the County and appropriated for the purposes intended, provided, however, that the expenditure of funds hereunder shall be subject to the availability of such federal and state funds; and be it further

10th **RESOLVED**, that the Clerk of the County Legislature, with the assistance of the County Executive and the County Comptroller, is hereby authorized to convert the appropriation and revenue account numbers in the County Budget to the New York State Municipal Standard Coding System, as promulgated by the Comptroller of the State of New York; and be it further

11th **RESOLVED**, that taxes for the year 2007-2008 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

Intro. Res. No. 2262-2007		Page No. 3
TOWN OF BABYLON		
School Districts	\$	375,555,974.00
Highway (Town Outside Village)		14,990,181.00
Fire Districts		9,096,523.00
Fire Protection Districts		12,876,026.00
Water Districts		102,069.00
Lighting Districts		1,931,214.00
Garbage Improvement Area		35,178,617.00
Commercial Garbage District		6,771,554.00
Ambulance Districts		1,343,799.00
Unpaid Water Rents		2,973.20
Relevy Prior Years Unpaid Commercial Garbage		383,204.07
Relevy Prior Years Unpaid Garbage Improvement Area		195,061.34
Clean-Up Program		129,159.15
General (Town Wide)		20,189,373.00
General (Town Outside Village)		674,137.00
TOTAL TOWN PURPOSES		\$ 479,419,864.76
County Tax - General	\$	15,425,653.00
2006 Actual Surplus – County Tax General		(13,570,591.00)
2007 Estimated Deficit – County Tax General		2,593,202.00
County Tax – Suffolk Community College		458,690.00
District Superintendent of Schools		1,836.11
	Sub Total	\$ 4,908,790.11
Relevy of Unpaid Sewer Rents & Charges- SD No. 3		1,340,487.36
	Total	\$ 6,249,277.47
Less Credits:		(470.52)
Total Payable to County Treasurer for County General	\$	6,248,806.95
County Police District		57,611,316.00
2006 Actual Deficit - Police District		4,457,021.00
2007 Estimated Surplus - Police District		(5,434,432.00)
District Court District		1,035,962.00
2006 Actual Deficit - District Court District		57,595.00
2007 Estimated Surplus - District Court District		(41,147.00)
County Sewer District No. 3 , District Wide Levy		25,008,028.71
County S.D. No. 3, per parcel charge on 46,038 parcels		1,376,075.82
County S.D. No. 3, S-1 (NYS Dept. Transportation)		23,624.99
County S.D. No. 3, S-2 (NYS Dept. Transportation)		533,118.98
County S.D. No. 3, S-7 (SUNY Farmingdale)		50,941.12
County S.D. No. 3, S-10 (Belmont State Park		73,773.75
County S.D. No. 3, S-15 (NYS Maintenance)		14,242.18
69		
(Continued)		

Intro. Res. No. 2262-2007		Page No. 4
TOWN OF BABYLON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		118,578.30
Erroneous Assessments & Tax Refunds - Community College		5,646.40
Erroneous Assessments & Tax Refunds - Town Only		13,305,570.13
Erroneous Assessments & Tax Refunds - Police District		992,315.09
Erroneous Assessments & Tax Refunds - District Court District		18,373.85
Erroneous Assessments & Tax Refunds - Sewer District No. 3		392,480.41
Total Adjustments Mandated by Law for Town of Babylon - \$14,832,964.18		
TOTAL COUNTY PURPOSES	\$	105,847,891.68
TOTAL AMOUNT OF LEVY	\$	585,267,756.44

Intro. Res. No. 2262-2007		Page No. 5
TOWN OF BROOKHAVEN		
School Districts	\$	950,438,613.00
STAR Exemption		(127,740,065.01)
Library District		2,818,869.00
Highway (Town Wide)		13,530,887.00
Highway (Town Outside Village)		43,607,228.00
Fire Districts		72,305,850.00
Fire Protection Districts		451,233.00
Water Districts		368,862.00
Lighting Districts		7,579,866.00
Sewer Districts (Town Only)		112,469.00
Ambulance Districts		8,576,865.00
Park Districts		44,350.00
Dock Districts		256,864.00
Unpaid Sewer and Water Rents		2,584.69
Demolition Unsafe Structures		87,829.39
Erosion Control Districts		1,043,324.00
Clean-Up of Premises		286,726.87
\$100M Bond Act of 2004		6,906,000.00
Real Property Tax Law - Article 7		4,801,199.00
Refuse and Garbage District		44,867,713.11
General (Town Wide)		21,256,246.00
General (Town Outside Village)		5,658,714.00
TOTAL TOWN PURPOSES	\$	1,057,262,228.05
County Tax - General	\$	38,652,039.00
2006 Actual Surplus – County Tax General		(35,365,880.00)
2007 Estimated Deficit – County Tax General		6,550,345.00
County Tax – Suffolk Community College		1,149,338.00
District Superintendent of Schools		3,909.00
Sub Total	\$	10,989,751.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		11,691.93
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		8,865.78
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		5,544.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		66,109.51
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,484.96
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		3,117.47
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		38,813.04
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		26,894.78
Total	\$	11,161,272.47
Less Credits		(27,686.06)
Total Payable to County Treasurer for County General	\$	11,133,586.41
County Police District		152,813,528.00
2006 Actual Deficit - Police District		12,289,141.00
2007 Estimated Surplus - Police District		(14,536,081.00)
District Court District		2,595,810.00
2006 Actual Deficit - District Court District		150,098.00
2007 Estimated Surplus - District Court District		(103,937)
(Continued)		

Intro. Res. No. 2262-2007		Page No. 6
TOWN OF BROOKHAVEN (Continued)		
County Sewer District No 1, Port Jefferson		698,850.00
County Sewer District No. 7 – Medford		1,275,694.00
County Sewer District No. 8 – Strathmore Ridge		100,649.00
County Sewer District No. 9 – College Park		86,810.00
County Sewer District No. 10 – Stony Brook		974,752.00
County Sewer District No. 10, Construction Cost Only		0.00
County Sewer District No. 11, Selden, Zone A		543,925.00
County Sewer District No. 11, Selden, Zone B		1,375,525.00
County Sewer District No. 11, Zone B, Construction Cost Only		1.00
County Sewer District No. 12 – Birchwood/Holbrook		135,979.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		184,417.57
Erroneous Assessments & Tax Refunds - Community College		14,263.25
Erroneous Assessments & Tax Refunds - Town Only		20,154,043.56
Erroneous Assessments & Tax Refunds - Police District		2,638,691.23
Erroneous Assessments & Tax Refunds - District Court District		45,955.78
Erroneous Assessments & Tax Refunds - S.D. #1 (T12)		8.25
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		113,356.03
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		263.95
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		1,450.55
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		447.56
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		1,191.09
Erroneous Assessments & Tax Refunds - S.D. #11B (T30)		51.09
Erroneous Assessments & Tax Refunds - S.D. #12 (T34)		76.11
Total Adjustments Mandated by Law for		
Town of Brookhaven - \$ 23,154,216.02		
TOTAL COUNTY PURPOSES	\$	192,688,546.43
TOTAL AMOUNT OF LEVY	\$	1,249,950,774.48

TOWN OF EAST HAMPTON

School Districts	\$	81,991,869.27
Highway (Town Outside Village)		5,351,341.60
Fire Districts		3,312,890.88
Fire Protection Districts		2,302,092.63
Lighting Districts		252,000.00
Sewer Districts		13,400.00
Refuse and Garbage Districts		4,518,298.79
Airport		117,861.37
Special Assessment Districts		0.00
Merchants Path		46,127.13
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		8,001.34
So. Durham Road		0.00
General (Town Wide)		15,386,685.71
General (Town Outside Village)		14,696,447.65
		<hr/>
TOTAL TOWN PURPOSES	\$	127,997,016.37
		<hr/>
County Tax - General	\$	16,174,294.00
2006 Actual Surplus – County Tax General		(12,052,754.00)
2007 Estimated Deficit – County Tax General		2,550,824.00
County Tax – Suffolk Community College		480,951.00
District Superintendent of Schools		1,498.00
	Total	<hr/>
	\$	7,154,813.00
Less Credits		(23,413.45)
Total Payable to County Treasurer for County General	\$	<hr/> 7,131,399.55
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		49,442.84
Erroneous Assessments & Tax Refunds - Community College		5,543.97
Erroneous Assessments & Tax Refunds - Town Only		489,922.52
Total Adjustments Mandated by Law for Town of East Hampton - \$ 544,909.33		
		<hr/>
TOTAL COUNTY PURPOSES	\$	7,676,308.88
73		
TOTAL AMOUNT OF LEVY	\$	<hr/> 135,673,325.25

Intro. Res. No. 2262-2007		Page No. 8
TOWN OF HUNTINGTON		
School Districts	\$	624,798,733.00
School Districts STAR Exemptions		(52,691,957.47)
Highway (Town Outside Village)		30,779,096.00
Fire Districts		25,249,250.00
Fire Protection Districts		1,237,858.00
Water Districts		8,653,153.00
Lighting Districts		3,855,474.00
Sewer Districts (Town Only)		4,071,042.00
Refuse and Garbage District		23,262,036.00
Ambulance Districts		2,328,593.00
Business Improvement District		186,500.00
Unpaid Water Rents		
Dix Hills		100,740.53
Greenlawn		134,563.48
South Huntington		86,764.52
Unpaid Property Clean-Up		29,250.30
Unpaid Demolition		0.00
Environmental Open Space		4,500,000.00
Zoning Violations Board		0.00
General (Town Wide)		27,007,202.00
General (Town Outside Village)		4,174,344.00
TOTAL TOWN PURPOSES		\$ 707,762,642.36
County Tax - General	\$	24,707,310.00
2006 Actual Surplus – County Tax General		(24,083,800.00)
2007 Estimated Deficit – County Tax General		4,358,566.00
County Tax – Suffolk Community College		734,685.00
District Superintendent of Schools		2,941.00
Sub Total		\$ 5,719,702.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		148,522.72
Total		\$ 5,868,224.72
Less Credits		(19,482.68)
Total Payable to County Treasurer for County General		\$ 5,848,742.04
County Police District		88,522,329.00
2006 Actual Deficit - Police District		7,594,412.00
2007 Estimated Surplus - Police District		(8,771,139.00)
District Court District		1,659,304.00
2006 Actual Deficit - District Court District		102,215.00
2007 Estimated Surplus - District Court District		(69,159.00)
County Sewer Dist. No. 3, S-6 (SUNY Farmingdale)		81,345.20
County Sewer Dist. No. 5, Zone A (Strathmore)		604,501.00
County Sewer Dist. No. 5, Zone B (Strathmore)		72,110.00
(Continued)		

Intro. Res. No. 2262-2007		Page No. 9
TOWN OF HUNTINGTON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		146,638.17
Erroneous Assessments & Tax Refunds - Community College		9,493.90
Erroneous Assessments & Tax Refunds - Town Only		6,998,442.02
Erroneous Assessments & Tax Refunds - Police District		1,603,030.08
Erroneous Assessments & Tax Refunds - District Court District		31,276.44
Erroneous Assessments & Tax Refunds - Sewer District No. 3		1,254.56
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone A		828.71
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone B		0.00
Total Adjustments Mandated by Law for Town of Huntington - \$ 8,790,963.88		
TOTAL COUNTY PURPOSES	\$	104,435,624.12
TOTAL AMOUNT OF LEVY	\$	812,198,266.48

Intro. Res. No. 2262-2007		Page No. 10
TOWN OF ISLIP		
School Districts - Less STAR Exemption	\$	583,080,755.29
Highway (Part Town)		12,845,639.00
Fire Districts		38,668,721.00
Fire Protection Districts		1,768,761.00
Water Districts		2,191,236.00
Lighting Districts		4,035,941.00
Special Assessments		102.00
Demolitions		31,493.35
Refuse/Garbage/EPA		39,788,427.00
Joint Garbage		89,874.00
Fehr Way Drainage		49,422.00
Ambulance Districts		5,157,712.00
Erosion Control Disticts		198,986.00
Dock Districts		40,209.00
Bay Shore Business Districts		98,310.00
Medical District		41,216.00
Kismet Street Improvement		178,500.00
Bay Towne Drainage		10,208.00
Lifeguard Districts		420,478.00
General (Town Wide)		25,824,785.00
General (Town Outside Village)		1,657,858.00
TOTAL TOWN PURPOSES		\$ 716,178,633.64
County Tax - General		25,621,173.00
2006 Actual Surplus - County Tax General		(22,614,405.00)
2007 Estimated Deficit - County Tax General		4,231,754.00
County Tax - Suffolk Community College		761,859.00
District Superintendent of Schools		2,591.00
Sub Total	\$	8,002,972.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		769,070.67
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		5,009.40
Relevy of Unpaid Sewer Rents and Charges, Dist. #14		84,244.01
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		13,813.80
Total	\$	8,875,109.88
Less Credits		(76,867.82)
Total Payable to County Treasurer for County General Purposes	\$	8,798,242.06
County Police District		99,211,360.00
2006 Actual Deficit - Police District		7,698,268.00
2007 Estimated Surplus - Police District		(9,198,438.00)
District Court District		1,720,678.00
2006 Actual Deficit - District Court District		95,979.00
2007 Estimated Surplus - District Court District		(67,147.00)
77		
(Continued)		

Intro. Res. No. 2262-2007		Page No. 11
TOWN OF ISLIP (Continued)		
County Sewer District No. 3 , District Wide Levy		17,208,578.04
S.D. #3 per parcel charge on 29,487 parcels		881,366.43
Sewer Dist. #3, S-8 (C.I. State Hospital)		42,889.23
Sewer Dist. #3, S-9 (NYS DPW)		14,223.18
Sewer Dist. #3, S-11 (Hecksher State Park)		519,844.34
Sewer Dist. #3, S-12 (NYS Park)		7,946.35
Sewer Dist. #3, S-13 (NYS Sagtikos Park)		8,169.36
Sewer Dist. #3, S-14 (NYS Armory)		6,215.32
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		128,720.42
Erroneous Assessments & Tax Refunds-Suffolk Community College		9,212.22
Erroneous Assessments & Tax Refunds-Town Only		11,635,503.29
Erroneous Assessments & Tax Refunds-Police District		1,675,789.53
Erroneous Assessments & Tax Refunds-District Court District		29,908.63
Erroneous Assessments & Tax Refunds - S.D. #3		266,561.81
Total Adjustments Mandated by Law for		
Town of Islip - \$13,745,695.90		
TOTAL COUNTY PURPOSES	\$	140,693,870.21
TOTAL AMOUNT OF LEVY	\$	856,872,503.85

Intro. Res. No. 2262-2007		Page No. 12
TOWN OF RIVERHEAD		
School Districts	\$	63,810,194.71
Library District		2,638,420.00
Highway (Town Wide)		5,641,500.00
Fire Districts		5,765,110.00
Water Districts		1,521,328.00
Lighting Districts		824,900.00
Public Parking District		185,711.00
Sewer Districts (Town Only)		2,554,235.93
Scavenger Waste District		111,100.00
Refuse and Garbage Districts		4,816,524.00
Unpaid Water Rents		121,339.28
Business Improvement District		135,454.00
Ambulance District		907,516.00
Demolition & Clean-Up of Property		9,385.08
General (Town Wide)		25,137,900.00
TOTAL TOWN PURPOSES	\$	114,180,618.00
County Tax - General	\$	4,376,821.00
2006 Actual Surplus – County Tax General		(3,780,656.00)
2007 Estimated Deficit – County Tax General		712,003.00
County Tax – Suffolk Community College		130,147.00
District Superintendent of Schools		406.00
Sub Total	\$	1,438,721.00
Less Credits		(4,399.42)
Total Payable to County Treasurer for County General Purposes	\$	1,434,321.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		26,369.52
Erroneous Assessments & Tax Refunds - College		1,549.24
Erroneous Assessments & Tax Refunds - Town Only		2,719,849.57
Total Adjustments Mandated by Law for Town of Riverhead - \$ 2,747,768.33		
TOTAL COUNTY PURPOSES	\$	4,182,089.91
TOTAL AMOUNT OF LEVY	\$	118,362,707.91

Intro. Res. No. 2262-2007		Page No. 13
TOWN OF SHELTER ISLAND		
School Districts	\$	8,151,400.49
Highway (Town Wide)		831,755.00
Highway (Town Outside Village)		289,652.00
Fire Districts		810,900.00
General (Town Wide)		4,550,596.00
General (Town Outside Village)		284,185.00
TOTAL TOWN PURPOSES		\$ 14,918,488.49
County Tax - General	\$	1,779,516.00
2006 Actual Surplus - County Tax General		(1,420,275.00)
2007 Estimated Deficit - County Tax General		280,172.00
County Tax - Suffolk Community College		52,915.00
District Superintendent of Schools		165.00
Total		\$ 692,493.00
Less Credits		(706.86)
Total Payable to County Treasurer for County General Purposes		\$ 691,786.14
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		5,493.65
Erroneous Assessments & Tax Refunds - Community College		608.17
Erroneous Assessments & Tax Refunds - Town Only		7,745.92
Total Adjustments Mandated by Law for Town of Shelter Island - \$ 13,847.74		
TOTAL COUNTY PURPOSES		\$ 705,633.88
TOTAL AMOUNT OF LEVY		\$ 15,624,122.37

TOWN OF SMITHTOWN

School Districts	\$	284,285,866.00
Highway (Town Wide)		5,489,500.00
Highway (Town Outside Village)		17,995,000.00
Fire Districts		13,503,970.00
Hauppauge Hydrant		40,000.00
Water Districts		45,050.00
Lighting Districts - Street		985,000.00
Lighting Districts - Arterial		1,070,000.00
Refuse Pick Up and Disposal		11,080,571.25
Ambulance Districts		1,131,500.00
Unpaid Water Rents		176,966.61
Unpaid Refuse and Garbage		161,326.50
Omitted Assessments		0.00
Special Assessments		0.00
Library (Town Wide)		10,318,228.00
General (Town Wide)		20,877,000.00
General (Town Outside Village)		4,400,000.00
TOTAL TOWN PURPOSES	\$	371,559,978.36
County Tax - General	\$	12,795,101.00
2006 Actual Surplus - County Tax General		(12,108,517.00)
2007 Estimated Deficit - County Tax General		2,166,192.00
County Tax - Suffolk Community College		380,470.00
District Superintendent of Schools		1,523.00
Sub Total	\$	3,234,769.00
Relevy of Unpaid Sewer Rents and Charges, Dist. #6		112,126.66
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		270.25
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		3,393.53
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		138,712.02
Relevy of Unpaid Sewer Rents and Charges, Dist. #22		15,843.25
Relevy of Unpaid Sewer Rents and Charges, Dist. #28		5,903.50
Total	\$	3,511,018.21
Less Credits		(1,763.26)
Total Payable to County Treasurer for County General Purposes	\$	3,509,254.95
County Police District		47,849,791.00
2006 Actual Deficit - Police District		3,984,596.00
2007 Estimated Surplus - Police District		(4,548,486.00)
District Court District		859,299.00
2006 Actual Deficit - District Court District		51,390.00
2007 Estimated Surplus - District Court District		(34,372.00)
County Sewer Dist. No. 6 - (Kings Park) Discretionary		17,075.00
(Continued)		

Intro. Res. No. 2262-2007		Page No. 15
TOWN OF SMITHTOWN (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		50,457.06
Erroneous Assessments & Tax Refunds-Suffolk Community College		4,718.14
Erroneous Assessments & Tax Refunds-Town Only		6,110,097.13
Erroneous Assessments & Tax Refunds-Police District		830,541.42
Erroneous Assessments & Tax Refunds-District Court District		15,497.22
Total Adjustments Mandated by Law for Town of Smithtown - \$ 7,011,310.97		
TOTAL COUNTY PURPOSES	\$	58,699,858.92
TOTAL AMOUNT OF LEVY	\$	430,259,837.28

TOWN OF SOUTHAMPTON

School Districts	\$	183,591,817.41
Highway (Town Outside Village)		6,918,407.00
Highway - Road Repairs		829,795.00
Fire Districts		10,845,073.06
Fire Protection Districts		709,124.72
Water Districts		1,025,098.00
Lighting Districts		541,234.00
Ambulance Districts		2,292,858.52
Unpaid Water Rents		168,058.57
Road Improvement Districts		72,703.51
E-911		2,590,792.00
Tiana Beach Coastal Erosion District		50,000.00
Debris Removal		602.26
Unpaid Security Alarms		30,500.00
Water Mill Park District		152,000.00
Dune Road Donation		20,000.00
Penalties on Agricultural Agreement		5,028.40
Hampton Bays Park District		70,000.00
Bridgehampton Park District		111,000.00
Bridgehampton Parking District		71,600.00
Hampton Bays Parking District		25,500.00
Omitted Assessment		42,576.24
Sagaponack Village Highway		513,820.00
Sagaponack Village Highway Debt Service		121,083.00
General (Town Wide)		19,263,211.00
General (Town Outside Village)		290,314.00
Part Town - Police		18,215,226.00
TOTAL TOWN PURPOSES	\$	248,567,422.69
County Tax - General	\$	30,628,966.00
2006 Actual Surplus - County Tax General		(24,082,995.00)
2007 Estimated Deficit - County Tax General		4,907,694.00
County Tax - Suffolk Community College		910,768.00
District Superintendent of Schools		2,837.00
	Total \$	12,367,270.00
Less Credits		(16,944.08)
Total Payable to County Treasurer for County General Purposes	\$	12,350,325.92
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		112,154.96
Erroneous Assessments & Tax Refunds - College		10,671.83
Erroneous Assessments & Tax Refunds - Town Only		2,482,544.12
Total Adjustments Mandated by Law for Town of Southampton - \$ 2,605,370.91		
TOTAL COUNTY PURPOSES	\$	14,955,696.83
TOTAL AMOUNT OF LEVY	85	\$ 263,523,119.52

TOWN OF SOUTHOLD

School Districts	\$	67,839,495.57
Highway (Town Wide)		4,311,595.00
Fire Districts		6,287,043.00
Fire Protection Districts - East/West		541,463.00
Refuse and Garbage Districts - Fishers Island		563,800.00
Southold Solid Waste		1,506,945.00
Park Districts		976,009.00
Fishers Island Ferry		590,000.00
Orient Mosquito		86,900.00
Fishers Island Sewer - Unpaid		1,614.38
Southold Waste Water		3,245.00
Orient by the Sea Road District		4,500.00
Farm Building Penalty		8,231.05
General (Town Wide)		17,391,288.00
General (Town Outside Village)		809,977.00
TOTAL TOWN PURPOSES	\$	100,922,106.00
County Tax - General		6,400,348.00
2006 Actual Surplus – County Tax General	\$	(5,800,863.00)
2007 Estimated Deficit – County Tax General		1,061,776.00
County Tax – Suffolk Community College		190,645.00
District Superintendent of Schools		594.00
	Total \$	1,852,500.00
Less Credits		(519.42)
Total Payable to County Treasurer for County General Purposes	\$	1,851,980.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		22,904.29
Erroneous Assessments & Tax Refunds - College		2,311.06
Erroneous Assessments & Tax Refunds - Town Only		416,985.10
Total Adjustments Mandated by Law for Town of Southold - \$		
TOTAL COUNTY PURPOSES	\$	2,294,181.03
TOTAL AMOUNT OF LEVY	\$	103,216,287.03
Dated: December 3, 2007		
APPROVED BY:		
/s/ Jim Morgo		
Deputy County Executive of Suffolk County	86	
Date: December 4, 2007		

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

Intro. Res. No. 2005 -2007

Laid on Table 10/16/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1223 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO REQUIRE CASH DEPOSITS TO BE MADE IN ACCOUNTS AT AUTHORIZED BANKS OR TRUST COMPANIES

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on October 16, 2007, a proposed local law entitled, "**A LOCAL LAW TO REQUIRE CASH DEPOSITS TO BE MADE IN ACCOUNTS AT AUTHORIZED BANKS OR TRUST COMPANIES;**" 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 REQUIRE CASH DEPOSITS TO BE MADE IN ACCOUNTS AT AUTHORIZED BANKS OR TRUST COMPANIES

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

Section 1. Legislative Intent.

This Legislature hereby finds that the Suffolk County Comptroller recently issued a report on his examination of Suffolk County Departmental Bank Accounts as of December 31, 2003 where he indicated that the requirement that County Departments maintain petty cash checking accounts with the Suffolk County Federal Credit Union may not be permissible under State Law.

This Legislature hereby finds and determines that New York State Law requires that all municipal fund deposits be made to a bank or trust company, and that municipal deposits at credit unions are not authorized.

This Legislature also finds that bank or trust company depositories for Suffolk County funds are authorized by resolution of the Suffolk County Legislature.

This Legislature further finds that certain language currently contained in the definition section of Section A15-8 of the SUFFOLK COUNTY ADMINISTRATIVE CODE does not clearly set forth that Suffolk County is only authorized to deposit funds in a bank or trust company.

Therefore, the purpose of this law is clarify the SUFFOLK COUNTY ADMINISTRATIVE CODE to require that County cash deposits be made only in authorized banks or trust companies.

Section 2. Amendment.

Section 2. Definitions.

[DEPOSITARY] DEPOSITORY – A bank or [,] trust company [, private banker or banking institution] that accepts deposits, grants loans or engages in the extension of credit.

Section 3. Applicability.

This law shall apply to all actions taken immediately upon filing of this law in the Office of the Secretary of State.

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 effect, 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 judgment or order shall be rendered.

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[] Brackets denotes deletion of existing language
__ Underlining denotes addition of new language

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2218-2207

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1224 –2007, APPORTIONING MORTGAGE TAX BY: COUNTY TREASURER

1st RESOLVED, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on November 16, 2007 relative to the distribution of mortgage taxes for the six month period ending September 30, 2007, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

2nd RESOLVED, that the Presiding Officer and Clerk of this Legislature be authorized to execute and deliver to the County Treasurer a warrant of this Legislature directing him to make the payments therein specified in the report in accordance with the provisions of Section 261 of the Tax Law.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2225-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 1225 -2007, AUTHORIZING THE COUNTY COMPTROLLER AND THE COUNTY TREASURER TO TRANSFER FUNDS TO COVER UNANTICIPATED EXPENSES IN THE 2007 ADOPTED DISCRETIONARY BUDGET

WHEREAS, the County Executive and the County Legislature have adopted and approved the 2008 Operating Budget; and

WHEREAS, certain departmental appropriations and sub-objects reflect shortages that will occur in accounts necessary for the payment of personal services and other departmental shortages; and

WHEREAS, there may be a need for internal transfers to be made within the Departments to cover other unanticipated expenses that have been included in the 2007 estimated column of the 2008 Adopted Budget; and

WHEREAS, said authorization and transfer of funds would assist the County Comptroller to close financial accounting records for 2007 expeditiously; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds to cover unanticipated expenses for fiscal year 2007, reflected on Schedule "A"; and be it further

2nd RESOLVED, that the County Comptroller be and hereby is authorized to take whatever steps are necessary to properly reflect these expenses in accordance with generally accepted accounting principles; and be it further

3rd RESOLVED, that the County Comptroller, or his designee, in consultation with the County Executive's Budget Office and the Legislature's Budget Review Office is hereby authorized to execute transfers that are of a necessity to prevent accounts from lapsing into a negative balance during the close of fiscal year 2007; and be it further

4th RESOLVED, that the 2007 Operating Budget be and hereby is amended to transfer said funds on Schedule "A".

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2226-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1226 -2007, AUTHORIZING THE
COUNTY COMPTROLLER AND THE COUNTY TREASURER
TO TRANSFER FUNDS TO COVER UNANTICIPATED
EXPENSES IN THE 2007 ADOPTED MANDATED BUDGET**

WHEREAS, the County Executive and the County Legislature have adopted and approved the 2008 Operating Budget; and

WHEREAS, certain departmental appropriations and sub-objects reflect shortages that will occur in accounts necessary for the payment of personal services, programs and other shortages; and

WHEREAS, there may be a need for internal transfers to be made within the Departments to cover other unanticipated expenses that have been included in the 2007 estimate column of the 2008 Adopted Budget; and

WHEREAS, said authorization would allow the County Comptroller to close financial accounting records for 2007 expeditiously; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds to cover unanticipated expenses for fiscal year 2007, reflected on Schedule "A"; and be it further

2nd RESOLVED, that the County Comptroller be and hereby is authorized to take whatever steps are necessary to properly reflect these expenses in accordance with generally accepted accounting principles; and be it further

3rd RESOLVED, that the County Comptroller, or his designee, in consultation with the County Executive's Budget Office and the Legislature's Budget Review Office, is hereby authorized to execute transfers that are of a necessity to prevent accounts from lapsing into a negative balance during the close of fiscal year 2007; and be it further

4th RESOLVED, that the 2007 Operating Budget be and hereby is amended to transfer said funds on Schedule "A."

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 1828-2007

Laid on Table 8/7/2007

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 1227 -2007, AMENDING ADOPTED RESOLUTION NO. 703-2007 TO APPROPRIATE GENERAL FUNDS FOR (CP 5739)

WHEREAS, its is necessary to amend Resolution No. 703-2007; and

WHEREAS, there are available appropriations in the 2007 Operating Budget to fund this project using general funds; now, therefore be it

1st **RESOLVED**, that the 4th whereas clause of Resolution No. 703-2007 be and hereby is deleted as follows:

[WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,500 in Suffolk County Serial Bonds, now, therefore be it]

and be it further

2nd **RESOLVED**, that the 4th resolved clause of Resolution No. 703-2007 be and it hereby is amended as follows:

Project No.: 5739

Project Title: Pavement Management Rehabilitation at Francis S. Gabreski Airport

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>	
1. Planning and Design	\$650,000	\$ 0	[\$4,500B] [\$4,500S]	<u>\$4,054G</u> <u>\$4,054S</u>

			[\$171,000F]	<u>\$154,061F</u>
TOTAL	\$12,420,00	\$0	[\$180,000]	<u>\$162,169</u>

and be it further

3rd **RESOLVED**, that the 5th, 6th and 7th Resolved clauses of Resolution No. 703-2007 be and they hereby are amended as follows:

5th RESOLVED, that the proceeds of [\$4,500 in Suffolk County Serial Bonds] \$4,054 in General Funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110	Pavement Management Rehabilitation	[\$4,500] <u>\$4,054</u>

6th RESOLVED, that State Aid in the amount of \$4,054 be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110	Pavement Management Rehabilitation	[\$4,500] <u>\$4,054</u>

7th RESOLVED, that Federal Aid in the amount of \$154,061 be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5739.110	Pavement Management Rehabilitation	[\$171,000] <u>\$154,061</u>

and be it further

4th **RESOLVED**, that the Resolution No. 703-2007 be and it hereby is amended by the addition of the following resolved clauses as follows:

and be it further

10th RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
Office Machines:	Interfund Transfer	<u>\$4,054</u>
Public Works	Transfer to Capital Reserve Fund	
<u>001-DPW-1490-2020</u>	<u>001-IFT-E401-9600</u>	

and be it further

11th RESOLVED, that the Adopted 2007 Operating Budget be and hereby is amended increasing interfund revenues and expenditures within the Capital Reserve Fund (Fund 401) and that the additional interfund revenues and expenditures be and hereby are accepted and appropriated as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	401	R001	E401	Transfer from General Fund	\$4,054

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	401	E525	9600	Transfer to Capital Fund	\$4,054

and be it further

12th RESOLVED, that these interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Rev Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R401	E525	Transfer from Gen. Capital Reserve	\$4,054

and be it further

13th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2111-2007
Introduced by Presiding Officer Lindsay

Laid on Table 11/7/2007

**RESOLUTION NO. 1228 –2007, APPOINT MEMBER TO
THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF
TRUSTEES (AVETTE D. WARE)**

WHEREAS, John Kominicki tendered his resignation as a member of the Suffolk County Community College Board of Trustees on July 11, 2007; now, therefore be it

1st RESOLVED, that Avette D. Ware, residing in Patchogue, New York, is hereby appointed as a member of the Board of Trustees of the Suffolk County Community College to fill the unexpired term of John Kominicki, pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW, said term of office to expire on June 30, 2011; 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: December 3, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

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

Intro. Res. No. 2121-2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

Laid on Table 11/20/2007

**RESOLUTION NO. 1229 -2007, AUTHORIZING THE
EXECUTION OF A GRANT AGREEMENT WITH NEW
YORK STATE DEPARTMENT OF TRANSPORTATION,
AVIATION BUREAU IN CONNECTION WITH AIRPORT
IMPROVEMENTS (NOISE BERM)**

WHEREAS, the Department of Economic Development and Workforce Housing has received a \$180,000 grant award from the New York State Department of Transportation,

Aviation Bureau to assist with the construction of a noise berm along the eastern border of the airport; and

WHEREAS, the County of Suffolk hereby acknowledges that this grant requires a \$20,000 County match; and

WHEREAS, the appropriating resolution will be submitted after the SEQRA process is complete; and

WHEREAS, New York State has requested timely acceptance of the grant; now, therefore be it

1st RESOLVED, that the County Legislature hereby authorizes the County Executive or his designee to execute any necessary agreement with the New York State Department of Transportation on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project; and be it further

2nd RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept the State Aid in connection with this project.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2173-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1230 -2007, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF FLIGHTLINE LIGHTING AT FRANCIS S. GABRESKI AIRPORT (CP 5711)

WHEREAS, the Commissioner of the Department of Economic Development and Workforce Housing has requested funds for the Replacement of Flightline Lighting at Francis S. Gabreski Airport; and

WHEREAS, these funds will allow the Department to begin planning the replacements and upgrading of the flightline lights; and

WHEREAS, there are sufficient funds within the 2007 Adopted Capital Budget and Program to cover the cost of said request under Capital Project 5711; 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 \$20,000 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, determines 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 be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 61, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the Department of Economic Development and Workforce Housing pursuant to Section 42-3 (A) of the Suffolk County Charter, and the Department of Public Works pursuant to Section C8-2 (X) of the Suffolk County Charter are hereby authorized, empowered and directed to take such action as may be necessary to complete this project, and be it further

4th RESOLVED, that the proceeds of \$20,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5711.110	<i>Planning to Replace Flightline Lighting</i>	
<i>(Fund 001-Debt Service)</i>	<i>at Francis S. Gabreski Airport</i>	\$20,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

4th RESOLVED, that the proceeds of \$165,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5709.110 (Fund 00-Debt Service)	Planning for Tower Renovations at Francis S. Gabreski Airport	\$15,000
525-CAP-5709.310 (Fund 001-Debt Service)	Construction for Tower Renovations at Francis S. Gabreski Airport	\$150,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2174A-2007

BOND RESOLUTION NO. 1233 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$165,000 BONDS TO FINANCE A PART OF THE COST OF TOWER RENOVATIONS AT GABRESKI AIRPORT (CP 5709.111 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 \$165,000 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 tower renovations at Gabreski Airport, 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 \$265,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1292-2000 (\$75,000 for planning and \$25,000 for construction), (b) the issuance of \$165,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 14 of the Law, is ten (10) years, computed from June 15, 2001, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 1292-2000.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2176-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1234 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE AIRPORT FENCING AND SECURITY SYSTEM AT FRANCIS S. GABRESKI AIRPORT (CP 5721)

WHEREAS, the Commissioner of the Department of Economic Development and Workforce Housing has requested funds for the Airport Fencing and Security system at Francis S. Gabreski Airport; and

WHEREAS, these funds will allow the Department to make complete the installation of the perimeter fencing; and

WHEREAS, the 2007 Adopted Capital Budget and Program includes funds to cover the full cost of said request under Capital Project 5721; 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, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has made determinations through Resolution No. 534-2002 and the Legislature has no further responsibilities and SEQRA is complete; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 66, is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the Department of Economic Development and Workforce Housing pursuant to Section 42-3 (A) of the Suffolk County Charter, and the Department of Public Works pursuant to Section C8-2 (X) of the Suffolk County Charter are hereby authorized, empowered and directed to take such action as may be necessary to complete this project; and be it further

4th RESOLVED, that the proceeds of \$350,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5721.412	<i>Airport Fencing and Security Systems</i>	
<i>(Fund 625-Debt Service)</i>	<i>at Francis S. Gabreski Airport</i>	\$350,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2176A-2007

BOND RESOLUTION NO. 1235 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$350,000 BONDS TO FINANCE THE COST OF THE INSTALLATION OF AIRPORT FENCING AND SECURITY SYSTEMS AT FRANCIS S. GABRESKI AIRPORT (CP 5721.412)

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 installation of airport fencing and security systems at Francis S. Gabreski Airport, 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. 14 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Horsley made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-1-2-0-0. Legislator Barraga voted no. Legislators Romaine and Schneiderman abstained.

Intro. Res. No. 2217-2007
11/20/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1236 -2007, AUTHORIZING THE LEASE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT TO L. I. JET CENTER EAST, INC. FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF A FIXED-BASE OPERATION

WHEREAS, the Department of Economic Development and Workforce Housing, Aviation Division, continues to make necessary resources available to aviation patrons at Gabreski Airport; and

WHEREAS, Long Island Jet Center East, Inc., which currently is providing such services at Gabreski Airport wishes to continue to provide such resources, such as storage, maintenance and servicing of aircraft, sale of aviation assemblies and accessories, sale of aviation fuel and leasing, chartering and tie-down of aircraft; and

WHEREAS, Long Island Jet Center East, Inc. has proposed to construct new facilities including a hangar complex, a terminal/office building and aircraft ramp/taxiway facilities as well as other related improvements to the facilities; and

WHEREAS, the Airport Conservation and Assessment Panel, created by County Executive Order 26-2006 to evaluate lease applications and issue formal recommendations on environmental, economic, and community impacts to the County Legislature, CEQ, and County Executive, met on August 10, 2007 and recommended approval of the application; and

WHEREAS, the Department of Economic Development and Workforce Housing, Aviation Division has negotiated a lease with Long Island Jet Center East, Inc. for approximately 7.5 acres of space at the airport for a term of forty (40) years, at an annual rental rate of \$101,502.00 for the first year of the lease term and an annual escalation of two and one-half percent (2.5%); and

WHEREAS, in addition to the annual rent, Long Island Jet has also agreed to pay Additional Rent based upon a percentage of both fuel sales and other gross receipts; and

WHEREAS, the Department of Economic Development and Workforce Housing, Aviation Division has reviewed this application and recommends the Legislature approve the Lease; now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a lease agreement for the use of the above described property between LI Jet Center East, Inc. and the County of Suffolk, in substantial accordance with the agreement annexed.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2102-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1237 –2007, APPOINTING PETER J. ELKOWITZ, JR., AS A MEMBER OF THE LONG ISLAND

REGIONAL PLANNING COUNCIL A/K/A THE NASSAU-SUFFOLK REGIONAL PLANNING BOARD

WHEREAS, Resolution No. 636-2005, Re-organizing and Strengthening the Nassau-Suffolk Regional Planning Board, and Renaming the Board, "The Long Island Regional Planning Council" adopted by the County of Suffolk on June 7, 2005, provides for the appointment of five members to be appointed from Suffolk County and five members to be appointed from Nassau County to provide for greater and more diverse citizen input through an expanded Board, greater accountability, and more sharply focused goals and responsibilities; and

WHEREAS, Steve Levy, the County Executive of Suffolk County, is abiding by the provisions of Resolution No. 636-2005, even though Nassau County has not yet adopted a resolution substantially similar to Resolution No. 636-2005, as required by the 25th RESOLVED clause of that Resolution; and

WHEREAS, the members appointed to the Long Island Regional Planning Council should have a background in Engineering, Real Estate Development, Construction, Economic Development, Energy Planning and Analysis, Environmental Protection, Health Care Planning, Transportation Planning or Regional Planning, and include members from a broad cross section of interests within the Nassau/Suffolk region but not more than two (2) members shall be from the same type of professional background; and

WHEREAS, County Executive Steve Levy has appointed Peter J. Elkowitz, Jr., currently residing at 31 Beach Road, Belle Terre, New York 11777, as a member of the Long Island Regional Planning Council a/k/a Nassau-Suffolk Regional Planning Board; now, therefore be it

1st RESOLVED, that the appointment of Peter J. Elkowitz, Jr., currently residing at 31 Beach Road, Belle Terre, New York 11777, as a member of the Long Island Regional Planning Council a/k/a Nassau-Suffolk Regional Planning, with a background in Transportation Planning, is hereby approved, pursuant to Resolution No. 636-2005, for a term to expire December 31, 2008, effective immediately.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 1996-2007
Introduced by Legislator Losquadro

Laid on Table 10/16/2007

RESOLUTION NO. 1238 -2007, REAPPOINTING GEORGE PROIOS AS A MEMBER OF THE SUFFOLK COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Suffolk County Board of Supervisors established a Soil and Water Conservation District by Resolution No. 245 of 1964; and

WHEREAS, the term of office of George Proios as a member of the Soil and Water Conservation District will expire on October 31, 2007; now, therefore be it

1st RESOLVED, that George Proios, residing at 17 Woodbury Road, Farmingville, New York 11738, hereby is reappointed as a member of the Suffolk County Soil and Water Conservation District for a term to expire on October 31, 2010, said reappointment having been made pursuant to the provisions of Section 6 of the NEW YORK SOIL CONSERVATION DISTRICTS LAW.

DATED: December 3, 2007

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

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

Intro. Res. No. 2068-2007
Introduced by Legislators Cooper and Stern

Laid on Table 10/16/2007

RESOLUTION NO. 1239 -2007, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (FROELICH/WICKS FARM PRESERVE PROPERTY) TOWN OF HUNTINGTON (SCTM NOS. 0400-090.00-07.00-005.000 & 006.000)

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0400 Section 090.00 Block 07.00 Lot 005.000	2.630	H. Charles Riker 472 Woodbury Road Cold Spring Harbor, NY 11724
No. 2	District 0400 Section 090.00 Block 07.00 Lot 006.000	2.480	H. Charles Riker 472 Woodbury Road Cold Spring Harbor, NY 11724
TOTAL ACREAGE		±5.11	

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

SUFFOLK COUNTY OPEN SPACE RATING SYSTEM FOR LAND ACQUISITION

* PRIMARY CRITERIA

- A. Special Features or Habitat Enhancements (30 Points)**
5–Rare or endangered species, pursuant to Federal or State lists
5–Unique land forms (e.g. Kettle Hole)
5–River, stream, water body, or flood plain
5–Marine or freshwater wetlands or Special Groundwater Protection Area (SGPA) or Critical Environmental Area (CEA)
5–Classified or unique vegetation (i.e. New York State Natural Heritage Program Elements)
5–Special view
5–Multiple in any of the above
- B. Size or Shape (30 Points)**
15 – Over 50 acres
5 – Between 20 – 50 acres
10 – Perimeter to area ratio less than one (bulky shape as opposed to strips)
- C. Proximity or Contiguity to Other Public Open Space (20 Points)**
10 – Abutting or adjacent to County land
5 – Abutting or adjacent to other protected land
5 – Strategic parcel associated with further compatible acquisition
- D. Greenbelts, Trails, and Public Access (10 Points)**
5 – Trail link or public access to shore or water body
5 – Greenbelt link or buffer

SECONDARY CRITERIA

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

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

EXHIBIT "A"

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

Intro. Res. No. 2085-2007
Introduced by Legislators Horsley and Schneiderman

Laid on Table 11/20/2007

RESOLUTION NO. 1240 -2007, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (FIORE PROPERTY) – TOWN OF SOUTHAMPTON (SCTM NOS. 0900-331.00-03.00-016.000 & 014.000)

WHEREAS, Local Law No. 35-1999, “A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers,” authorizes the use of 13.55% of sales and compensating use tax proceeds generated each year for open space acquisition, 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% of the sales and compensating use tax proceeds, for open space acquisition; now, therefore be it

1st RESOLVED, that the parcel(s) listed in Exhibit "A", consisting of approximately 2.25 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the New Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

2nd RESOLVED, that the parcel(s) listed in Exhibit “A” meet the criteria required by the New Drinking Water Protection Program; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

5th RESOLVED, that the cost of such surveys, title searches, audits, maps and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

6th RESOLVED, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby

further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

7th **RESOLVED**, that the County of Suffolk may reimburse any municipality, whose appraisal is utilized for the above-described purpose, for the cost of obtaining such appraisal in the event that the County elects to utilize such appraisals for the subject parcel(s); and be it further

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: December 17, 2007

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 331.00 Block 03.00 Lot 016.000	1.610	Frank Fiore 335 Walnut Street Lindenhurst, NY 11757
No. 2	District 0900 Section 331.00 Block 03.00 Lot 014.000	0.640	Frank Fiore 335 Walnut Street Lindenhurst, NY 11757
Total Acreage		±2.25	

EXHIBIT "A"

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

Intro. Res. No. 2091-2007 Laid on Table
11/20/2007
Introduced by Presiding Officer Lindsay

**RESOLUTION NO. 1241 –2007, APPOINTING MARIA
BROWN TO THE WETLANDS STEWARDSHIP
COMMITTEE**

WHEREAS, Suffolk County Resolution No. 285-2007 adopted the Suffolk County Vector Control and Wetlands Management Long Term Plan; and

WHEREAS, the Long Term Plan called for the creation of a Wetlands Stewardship Committee to oversee the coordination of future marsh management projects and the development of a strategy to meet the management needs of the County's 17,000 acres of tidal wetlands; and

WHEREAS, the Suffolk County Legislature has two appointments to the Wetlands Stewardship Committee; now, therefore be it

1st RESOLVED, that, effective immediately, pursuant to Resolution No. 285-2007, Maria Brown from Dix Hills is hereby appointed to the Wetlands Stewardship Committee, to serve at the pleasure of the Suffolk County Legislature; 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: December 3, 2007

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 285-2007

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

Intro. Res. No. 2118-2007

Laid on Table 11/7/2007

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

RESOLUTION NO. 1243 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO REFINE NOTIFICATION PROCEDURES OF THE PLANNING COMMISSION

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 7, 2007, a proposed local law entitled, “**A LOCAL LAW TO REFINE NOTIFICATION PROCEDURES OF THE PLANNING COMMISSION**”; 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 REFINE NOTIFICATION PROCEDURES OF THE PLANNING COMMISSION

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

Section 1. Legislative Intent.

This Legislature hereby finds that Resolution No. 396-2006 established new notification procedures that must be used by the Planning Commission relative to matters referred to the Planning Commission when the affected property lies within 500’ of a town or village boundary, and for applications for large commercial developments.

This Legislature further finds that the new procedures were implemented in an effort to better serve the goal of effective regional planning, but that revisions need to be made to these new notification procedures because they have proven to be difficult or impracticable to comply with and/or the Planning Commission has been unable to conclusively determine an applicant’s adherence to the requirements.

Therefore, the purpose of this law is to refine the notice requirements applicable to Planning Commission meetings to make it easier to ensure and verify compliance with the requirements.

Section 2. Amendments.

Article XIV of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

**ARTICLE XIV
Department of Planning**

§ A14-15. Notice of Referrals; Consideration of municipal zoning actions by Planning Commission.

A. In every instance where a matter is referred to the Suffolk County Planning Commission by a town or village pursuant to this article on the basis that the affected real property lies within 500 feet of a town or village boundary, the Planning Commission shall give notice of the referral to the town(s) and village(s) adjacent to the border prior to the meeting at which the referred action shall be considered. [Said notice shall be made in writing within five (5) days of the Planning Commission's receipt of the referral.] Said notice shall [also] include the date, time and location of the meeting at which the Planning Commission will consider the referred action. This notice shall be [delivered] mailed to the clerk and mayor of any affected village and the clerk and supervisor of any affected town.

B. If a matter is referred to the Suffolk County Planning Commission on the basis that the affected real property lies within 500 feet of a town or village boundary and the referred matter proposes a commercial development in excess of 25,000 square feet, the applicant shall [provide] mail by first class mail written notice addressed to [all businesses and residences] the owners as shown on the current tax roll, and the occupant of all adjoining properties located within a 1,000 foot radius of the exterior limits of such proposed development, that the matter has been referred to the Suffolk County Planning Commission. Said notice shall include a statement as to the nature of the application, and the date, time and location of the meeting at which the Planning Commission will consider the referred action. The applicant [will provide] shall mail such notice at least ten (10) days prior to the meeting of the Planning Commission [within three (3) business days after it shall have received notice from the Planning Commission as to the date, time and place] when its application [would] will be considered. Prior to the meeting, the applicant shall file with the Planning Commission a certificate of mailing duly certified by the United States Postal Service for each intended recipient of said notice, which legibly indicates the name and address of the person or entity, including the occupant, to which the notice was mailed, and an affidavit of mailing. The affidavit of mailing shall include the name of the person that actually mailed the notices and the names and addresses of the property owners and the addresses of the occupants that were notified. Failure to mail the notices or provide the affidavit and certificates may result in postponement of the application being considered at the meeting.

Section 3. Applicability.

This law shall apply to matters referred to the Planning Commission occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[] Brackets denote deletions of existing language
_____ Underlining denotes additions of new language

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 24, 2007

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

Intro. Res. No. 2119-2007
Introduced by Presiding Officer Lindsay

Laid on Table 11/7/2007

**RESOLUTION NO. 1244 –2007, APPOINTING MEMBER TO
THE COUNCIL ON ENVIRONMENTAL QUALITY (EVA
GROWNEY)**

WHEREAS, appointments to the Council on Environmental Quality (CEQ) are now within the exclusive purview of the County Legislature under Section 1-3 of the SUFFOLK COUNTY CHARTER; and

WHEREAS, Enrico G. Nardone has resigned as a member of the CEQ, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Eva Growney**, whose current address is P.O. Box 939, East Hampton, NY, is hereby appointed as a member of the Suffolk County Council on Environmental Quality, pursuant to Section 1-3(A) of the SUFFOLK COUNTY CHARTER, to fill the unexpired term of Enrico G. Nardone, said term of office to expire on June 27, 2011.

DATED: December 3, 2007

EFFECTIVE PURSUANT TO SECTIONS 2-15(A) AND 1-3(A) OF THE SUFFOLK COUNTY CHARTER

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

Intro. Res. No. 2161-2007

Laid on Table 11/20/2007

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

**RESOLUTION NO. 1245
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE MCDONNELL ESTATE PROPERTY –
MASTIC/SHIRLEY CONSERVATION AREA II TOWN OF
BROOKHAVEN - (SCTM NO. 0200-983.40-06.00-021.000)**

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 Twelve Thousand Dollars (\$12,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 983.40 Block 06.00 Lot 021.000	.13±	The Estate of Catherine McDonnell by Victoria Thacke 2994 Bruckner Blvd. Bronx, NY 10465

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 Twelve Thousand Dollars (\$12,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$12,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$12,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$12,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$12,000.00*

*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 \$12,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for this acquisition; and be it further

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

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

- a.) freshwater/tidal wetlands and buffer lands for same;
- 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 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2162-2007

Laid on Table 11/20/2007

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

RESOLUTION NO.

**1246 -2007, AUTHORIZING THE ACQUISITION OF LAND
UNDER THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE PAPELL PROPERTY – FORGE RIVER
WATERSHED TOWN OF BROOKHAVEN – (SCTM NO. 0200-
787.00-08.00-012.00)**

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. 621-2004, 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 Eighty Five Thousand Dollars (\$85,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	0.180±	Steven Papell
	Section 787.00		86 Yaphank-Middle Island Road
	Block 08.00		Middle Island, NY 11953
	Lot 012.000		

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 Five Thousand Dollars (\$85,000.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$85,000.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$85,000.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$85,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$85,000.00*

*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 \$85,000.00, 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;
- c.) lands within the watershed of the coastal stream, as determined by a reasonable planning or hydrological study; and be it further

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

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

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

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

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

- 4.) if not acquired, the property will most likely be developed for residential purposes; incurring far greater environmental impact 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2163-2007

Laid on Table 11/20/2007

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

**RESOLUTION NO. 1247
-2007, AUTHORIZING THE ACQUISITION OF LAND UNDER
THE NEW SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM – OPEN SPACE COMPONENT -
FOR THE ESTATE OF DAVI & CRINO PROPERTY – SWAN
RIVER TOWN OF BROOKHAVEN - (SCTM NO. 0200-982.60-
01.00-017.000)**

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 Nos. 194-1999 and 1002-2007, 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 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 Fifty Thousand Three Hundred Fifty Dollars (\$50,350.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

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

No. 1	District	0200	1.9±	Estate of Sal Davi (50% interest)
	Section	982.60		28-27 35 th Street
	Block	01.00		Astoria, NY
	Lot	017.000		

Anthony Crino –JTWROS of John Crino
(as to 50% interest)
5-50 46th Road
Long Island City, NY

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 Fifty Thousand Three Hundred Fifty Dollars (\$50,350.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$50,350.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$50,350.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$50,350.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the

SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Water Protection Program	\$50,350.00*

*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 \$50,350.00, 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:

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2164-2007

Laid on Table 11/20/2007

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

RESOLUTION

**NO.
124**

8 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – OPEN SPACE COMPONENT - FOR THE MALPIGLI PROPERTY – SOUTHAVEN COUNTY PARK ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-707.00-02.00-038.000)

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 Seven Thousand Five Hundred Dollars (\$7,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 707.00 Block 02.00 Lot 038.000	0.32±	Joseph F. and Helen E. Malpigli Walden Ponds Apartments Apt #171, Walden Court E. Moriches, NY 11940

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, for the County's purchase price of Seven Thousand Five Hundred Dollars (\$7,500.00), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$7,500.00*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$7,500.00*

*subject to a final survey

and be it further

5th RESOLVED, that the \$7,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2000, fund balance be and hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8709.210	New Drinking Water Protection Program	\$7,500.00*

*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 \$7,500.00, 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:

- 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-1-0-1-0. Legislator Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 2165-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 1249 –2007, AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR THE TOPPING PROPERTY TOWN OF SOUTHAMPTON – (SCTM NO. 0900-087.00-01.00-010.000)

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 Four Million Eight Hundred Ninety Nine Thousand Two Hundred Sixty Dollars (\$4,899,260.00±), at \$580,000.00 per acre for 8.447± 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 Nine Hundred Fifty Nine Thousand Seven Hundred Four Dollars (\$1,959,704.00±), for a forty percent (40%) undivided interest; and the Town's share totaling Two Million Nine Hundred Thirty Nine Thousand Five Hundred Fifty Six Dollars (\$2,939,556.00±), for a sixty percent (60%) undivided interest, at tenants-in-common, subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 087.00 Block 01.00 Lot 010.000	8.447±	Raymond H. Topping 181 Halsey Lane P.O. Box 3019 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 One Million Nine Hundred Fifty Nine Thousand Seven Hundred Four Dollars (\$1,959,704.00±), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,959,704.00±, 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 2165A-2007

BOND RESOLUTION NO. 1250 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,959,704 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF DEVELOPMENT RIGHTS OF THE TOPPING PROPERTY (TOWN OF SOUTHAMPTON) UNDER THE ENVIRONMENTAL LEGACY FUND (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 \$1,959,704 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 Toppings Property (SCTM No. 0900-087.00-01.00-010.000) under the Environmental Legacy Fund, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,899,260. The County's share of such cost is \$1,959,704 (40%) and the \$2,939,556 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 \$1,959,704 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-2-0-1-0. Legislators Barraga and Mystal voted no. Legislator Montano was not present.

Intro. Res. No. 2166-2007

Laid on Table 11/20/2007

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

RESOLUTION NO. 1251 -2007, AUTHORIZING ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR THE LUNDSTROM PROPERTY – WOODLEA NURSERY TOWN OF BROOKHAVEN – (SCTM NO. 0200-751.00-01.00-003.000, 0200-751.00-01.00-004.000, 0200-751.00-01.00-008.000, 0200-751.00-01.00-009.000, 0200-751.00-01.00-010.000, 0200-751.00-01.00-012.000, 0200-751.00-01.00-013.000, 0200-751.00-02.00-006.000 & 0200-788.00-02.00-001.000 p/o)

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. 877-2005 and authorized planning steps for acquisition of the farmland development rights of the subject property; and

WHEREAS, the Town of Brookhaven (“Town”) has approved Resolution No. 208-2007 on February 13, 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 Eleven Million Seven Hundred Eighty Five Thousand Eight Hundred Dollars (\$11,785,800.00±), at \$130,000.00 per acre for 90.66± 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 Eight Hundred Ninety Two Thousand Nine Hundred Dollars (\$5,892,900.00±), for a fifty percent (50%) undivided interest; and the Town’s share totaling Five Million Eight Hundred Ninety Two Thousand Nine Hundred Dollars

(\$5,892,900.00±), 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 for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District	0200	90.66± Eric Lundstrom a/k/a I. Eric Lundstrom a/k/a Ivar Eric Lundstrom and Femmy Lundstrom, his wife 19 Golf Course Road Bellport, NY 11713
	Section 751.00		
	Block	01.00	
	Lot	003.000	
	District	0200	
	Section 751.00		
	Block	01.00	
	Lot	004.000	
	District	0200	
	Section 751.00		
	Block	01.00	
	Lot	008.000	
	District	0200	
	Section 751.00		
	Block	01.00	
	Lot	009.000	
	District	0200	
	Section 751.00		
	Block	01.00	
	Lot	010.000	
	District	0200	
	Section 751.00		
	Block	01.00	
	Lot	012.000	
District	0200		
Section 751.00			
Block	01.00		
Lot	013.000		

No. 2	District	0200	Eric Lundstrom
	Section	751.00	19 Golf Course Road
	Block	02.00	Bellport, NY 11713
	Lot	006.000	as to Parcel 1
	District	0200	
	Section	788.00	
	Block	02.00	
	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 Environmental Legacy Fund, for the County's portion of the purchase price of Five Million Eight Hundred Ninety Two Thousand Nine Hundred Dollars (\$5,892,900.00±), 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 \$5,892,900.00±, 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 fifty percent (50%) undivided interest and the Town owning a 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 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 14-3-0-1-0. Legislators Alden, Barraga and Mystal voted no. Legislator Montano was not present.

Intro. Res. No. 2166A-2007

BOND RESOLUTION NO. 1252 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$5,892,900 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF DEVELOPMENT RIGHTS OF THE LUNDSTROM PROPERTY - WOODLEA NURSERY (TOWN OF BROOKHAVEN) UNDER THE ENVIRONMENTAL LEGACY FUND (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 \$5,892,900 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 development rights of the Lundstrom (SCTM Nos. 0200-751.00-01.00-003.000, 0200-751.00-01.00-004.000, 0200-751.00-01.00-008.000, 0200-751.00-01.00-009.000, 0200-751.00-01.00-010.000, 0200-751.00-01.00-012.000, 0200-751.00-01.00-013.000, 0200-751.00-02.00-006.000 and 0200-788.00-02.00-001.000) under the Environmental Legacy Fund, 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 \$11,785,800. The County's share of such cost is \$5,892,900 (50%) and the \$5,892,900 balance (50%) of the cost is expected to be paid by the Town of Brookhaven 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 \$5,892,900 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2167-2007

Laid on Table 11/20/2007

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

**RESOLUTION NO. 1253
-2007, AUTHORIZING THE ACQUISITION OF FARMLAND
DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK
COUNTY DRINKING WATER PROTECTION PROGRAM -FOR
THE 353 MANOR LANE, LLC PROPERTY – TOTINO
NURSERY TOWN OF RIVERHEAD – (SCTM NO. 0600-047.00-
01.00-003.002 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. 851-2007 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 Three Million Eighty Thousand Dollars (\$3,080,000.00±), at Eighty Eight Thousand Dollars (\$88,000.00) per acre for 35.0± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Two Million One Hundred Fifty Six Thousand Dollars (\$2,156,000.00±), for a seventy percent (70%) undivided interest; and the Town's share, totaling Nine Hundred Twenty Four Thousand Dollars (\$924,000.00±), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u> <u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER</u> <u>AND ADDRESS:</u>
No. 1	District 0600	35.0±	353 Manor Lane, LLC
	Section 047.00		151-24 18 th Avenue
	Block 01.00		Whitestone, NY 11357
	Lot 003.002 p/o		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) 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 Three Million Eighty Thousand Dollars (\$3,080,000.00±), at Eighty Eight Thousand Dollars (\$88,000.00) per acre for 35.0± acres, subject to a final survey, of which the County contribution will be Two Million One Hundred Fifty Six Thousand Dollars (\$2,156,000.00±), subject to a final survey; and be it further

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

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
IFT	477	E525	9600	Transfer to Capital Budget	\$2,156,000.00±*

*subject to a final survey

and be it further

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

REVENUES:

<u>Agency</u>	<u>Fund</u>	<u>Revenue Source</u>	<u>Organization</u>	<u>Description</u>	<u>Amount</u>
IFT	525	R477	E525	Transfer from Fund 477	\$2,156,000.00±*

*subject to a final survey

and be it further

5th RESOLVED, that the \$2,156,000.00± 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:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8708.210	New Drinking Water	\$2,156,000.00±*

*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 \$2,156,000.00±, 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-1-0-1-0. Legislator Barraga voted no. Legislator Montano was not present.

**RESOLUTION NO. 1254 -2007, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
ENVIRONMENTAL LEGACY FUND FOR OPEN SPACE
PRESERVATION FOR THE LAWNDALE LLC
PROPERTY – FRESH POND/DICKERSON CREEK - TOWN
OF SHELTER ISLAND – (SCTM NO. 0700-023.00-01.00-
024.010)**

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

WHEREAS, the Town of Shelter Island (“Town”) has approved a Resolution on August 17, 2007, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Environmental Legacy Fund 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), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Six Hundred Thousand Dollars (\$600,000.00) for a fifty percent (50%) undivided interest; and the Town’s share, totaling Six Hundred Thousand Dollars (\$600,000.00), 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:

SUFFOLK COUNTY		REPUTED OWNER	
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0700	1.2±	Lawnsdale LLC
Section 023.00		140 Old Sag Harbor Road	
Block 01.00		Southampton, NY 11968	
Lot 024.010			

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 purchase price of One Million Two Hundred Thousand Dollars (\$1,200,000.00), of which the County's contribution will be Six Hundred Thousand Dollars (\$600,000.00), 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 \$600,000.00, 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 a fifty percent (50%) undivided interest and the Town owning a 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 above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-2-0-0-0. Legislators Barraga and Mystal voted no.

Intro. Res. No. 2169-2007

Laid on Table 11/20/2007

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

**RESOLUTION NO. 1255 –2007, AUTHORIZING
ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS
UNDER THE SUFFOLK COUNTY MULTIFACETED LAND
PRESERVATION PROGRAM – FOR THE HODUN
PROPERTY TOWN OF RIVERHEAD – (SCTM NO. 0600-
065.00-01.00-009.002 p/o)**

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

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

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

WHEREAS, the Town of Riverhead (“Town”) has approved Resolution No. 850-2007 on September 5, 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 Multifaceted Land

Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE for a total purchase price of Six Million Six Hundred Sixty Thousand Dollars (\$6,660,000.00±), at Ninety Thousand (\$90,000.00) per acre for 74.0± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share totaling Four Million Six Hundred Sixty Two Thousand Dollars (\$4,662,000.00±), for a seventy percent (70%) undivided interest; and the Town's share totaling One Million Nine Hundred Ninety Eight Thousand Dollars (\$1,998,000.00±), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	74.0±	<u>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0600		Walter E. Hodun and
	Section 065.00		Edmund A. Hodun, Jr.
	Block 01.00		254 Deep Hole Road
	Lot 009.002 p/o		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 the purchase price of Six Million Six Hundred Sixty Thousand Dollars (\$6,660,000.00±), at Ninety Thousand Dollars (\$90,000.00) per acre for 74.0± acres, of which the County's contribution will be Four Million Six Hundred Sixty Two Thousand Dollars (\$4,662,000.00±), 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 \$4,662,000.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th RESOLVED, that the 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 seventy percent (70%) undivided interest and the Town owning a thirty percent (30%) undivided interest; and be it further

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

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2170-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1256 -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 MANZI PROPERTY TOWN OF RIVERHEAD – (SCTM NO. 0600-099.00-02.00-013.003 p/o)

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

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

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

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

WHEREAS, the Town of Riverhead (“Town”) has approved Resolution No. 805-2007 on August 21, 2007, and amended by Resolution No. 1040-2007 on November 7, 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 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 \$1,823,360.00± in Suffolk County Serial Bonds to cover the cost of said acquisition under Suffolk County Multifaceted Land Preservation Program; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of farmland development rights of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to Chapter 8 of the SUFFOLK COUNTY CODE, for a total purchase price of Two Million Six Hundred Four Thousand Eight Hundred Dollars (\$2,604,800.00±), at Eighty Eight Thousand Dollars (\$88,000.00) per acre for 29.6± 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 Eight Hundred Twenty Three Thousand Three Hundred Sixty Dollars (\$1,823,360.00±), for a seventy percent (70%) undivided interest; and the Town’s share, totaling Seven Hundred Eighty One Thousand Four Hundred Forty Dollars (\$781,440.00±), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey, and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>REPUTED OWNER</u>
	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0600	29.6±	Joseph G. Manzi, Jr. Irrevocable Trust
	Section 099.00		John Elcik & Robert Arnone, Trustees
	Block 02.00		87 Mahogany Road
	Lot 013.003 p/o		P.O. Box 100

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Two Million Six Hundred Four Thousand Eight Hundred Dollars (\$2,604,800.00±), at Eighty Eight Thousand Dollars (\$88,000.00) per acre for 29.6± acres, of which the County contribution will be One Million Eight Hundred Twenty Three Thousand Three Hundred Sixty Dollars (\$1,823,360.00±) 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 \$1,823,360.00± in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7177.230 (Fund 001-Debt Service)	Suffolk County Multifaceted Land Preservation Program	\$1,823,360.00±

and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,823,360.00±, 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 617.5c (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: December 3, 2007

APPROVED BY:

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

Date: December 10, 2007

Legislator Romaine made motion for the following resolution, seconded by Deputy Presiding Officer Voloria-Fisher. The resolution was passed 15-3-0-0-0. Legislators Montano, Alden and Barraga voted no.

Intro. Res. No. 2170A-2007

BOND RESOLUTION NO. 1257 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,823,360 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE MANZI PROPERTY IN THE TOWN OF RIVERHEAD, UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (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 \$1,823,360 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 Manzi property in the Town of Riverhead (SCTM #0600-099.00-02.00-013.003 p/o) under the Suffolk County Multifaceted Land Preservation Program, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,604,800. The County's share of such cost is \$1,823,360 and the \$781,440 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 the County's share of such cost includes the issuance of \$1,823,360 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2172-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1258 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH PUBLIC HEALTH RELATED HARMFUL
ALGAL BLOOMS (CP 8224)**

WHEREAS, the Commissioner of Health Services has requested funds for the continued monitoring of the Public Health Related Harmful Algal Blooms (HAB); and

WHEREAS, it is necessary to continue to investigate the potential presence of algae which can produce severe and adverse health effects; and

WHEREAS, in 2005 there were a series of shellfish kills of juvenile and adult soft shell clams associated with the occurrence of the newly discovered red tides; and

WHEREAS, these funds will be used to continue to assess the cause, effects, dynamics, and distribution of *Cochlodinium polykrikoides* blooms (red tide) in the Peconic Estuary; and

WHEREAS, there are sufficient funds within the 2007 Adopted Capital Budget and Program to cover the cost of said request under Capital Program No. 8224; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$62,719 in Suffolk County Serial Bonds; and

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty one (61) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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 \$62,719 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8224.114 (Fund 001-Debt Service)	40	Public Health Related Harmful Algal Blooms	\$62,719

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 14-4-0-0-0. Legislators Montano, Alden, Barraga and Kennedy voted no.

Intro. Res. No. 2172A-2007

BOND RESOLUTION NO. 1259 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$62,719 BONDS TO FINANCE THE COST OF STUDIES AND PLANNING REGARDING POSSIBLE FUTURE IMPROVEMENTS RELATING TO THE PUBLIC HEALTH RELATED HARMFUL ALGAL BLOOMS (HAB) (CP 8224.114)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$62,719 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 studies and planning regarding possible future improvements relating to the public health related harmful algal blooms (HAB), 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 \$62,719. The plan of financing includes the issuance of \$62,719 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 15-2-0-1-0. Legislators Romaine and Schneiderman voted no. Legislator Caracappa was not present.

Intro. Res. No. 2129-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1260 -2007, APPROVING THE VECTOR CONTROL PLAN OF THE DEPARTMENT OF PUBLIC WORKS DIVISION OF VECTOR CONTROL PURSUANT TO SECTION C8-4(B)(2) OF THE SUFFOLK COUNTY CHARTER

WHEREAS, the Department of Public Works, Division of Vector Control is responsible for the suppression of mosquitoes, ticks and other arthropods which are vectors of human disease and require public action for control; and

WHEREAS, Section C8-4(B)(2) of the Suffolk County Charter requires the annual filing of a Vector Control Plan with the Legislature outlining the work to be done, methods to be employed and general description of lands to be entered to carry out these responsibilities; and

WHEREAS, the Vector Control 2008 Annual Plan of Work was filed with the Clerk of the Legislature; and

WHEREAS, at its meeting on October 17, 2007, the Suffolk County Council on Environmental Quality recommended a determination that the Vector Control 2008 Annual Plan of Work, as amended, will be carried out in conformance with the conditions and thresholds established for such actions as set forth in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement, as approved by Suffolk County in Resolution No. 285-2007, and that, therefore, no further compliance is required pursuant to Title 6 New York Code of Rules and Regulations (NYCRR) Section 617.10(d)(1) and the State Environmental Quality Review Act, N.Y. Env'tl. Conserv. Law Art. 8 (SEQRA); and

WHEREAS, this Legislature, being the SEQRA lead agency, has independently considered the FGEIS, Findings Statement, Environmental Assessment Form (EAF) and relevant testimony and materials concerning the same; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that, as demonstrated in the Environmental Assessment Form and relevant documents and testimony, the Vector Control 2008 Annual Plan of Work will be carried out in conformance with the conditions and thresholds established for such actions in the Suffolk County Vector Control & Wetlands Management Long Term Plan Final Generic Environmental Impact Statement (FGEIS) and associated Finding Statement as approved by Suffolk County in Resolution No. 285-2007; and be it further

2nd RESOLVED, and determined that, pursuant to Title 6 New York Code of Rules and Regulations Section 617.10(d)(1), implementation of this action requires no further SEQRA compliance; and be it further

3rd 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; and be it further

4th RESOLVED, that the Vector Control 2008 Annual Plan of Work is hereby approved in its entirety.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Montano made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 12-2-4-0-0. Legislator Barraga and Presiding Officer Lindsay voted no. Legislators Romaine, Schneiderman, Mystal and Cooper abstained.

Intro. Res. No. 1797-2007

Laid on Table 8/7/2007

Introduced by Legislators Montano, Browning and Losquadro

**RESOLUTION NO. 1261 -2007, ADOPTING LOCAL LAW
NO. -2007, A LOCAL LAW ENACTING A SOCIAL
HOST LAW TO DETER THE CONSUMPTION OF ALCOHOL BY
MINORS**

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 ENACTING A SOCIAL HOST LAW TO DETER THE CONSUMPTION OF ALCOHOL BY MINORS**"; 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 ENACTING A SOCIAL HOST LAW TO DETER THE CONSUMPTION OF ALCOHOL BY MINORS

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 according to nationwide statistics, nearly 50% of teenagers have attended parties where the consumption of alcohol occurred, and where parents were present.

This Legislature also finds and determines that American Medical Association has reported that 1 out of 3 teenagers said it was easy to obtain alcohol from their own consenting parents, and on average they obtained alcohol 3 times in any given 6 month period.

This Legislature further finds and determines that the Surgeon General has stated that young people who start drinking before the age of 15 are five times more likely to develop alcohol-related problems later in life.

This Legislature finds that the underage consumption of alcohol, whether at a large party or small gathering, poses a risk to the residents of Suffolk County, as minors who drink are more likely to engage in disruptive, loud, or even violent behavior.

Therefore, the purpose of this law is to deter the consumption of alcohol by minors by holding those over the age of eighteen responsible when they permit the consumption of alcohol by minors at their residences.

Section 2. Definitions.

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

A. "ALCOHOL" – ethyl alcohol, hydrated oxide of ethyl or spirits of wine, from whatever source or by whatever means produced.

B. "ALCOHOLIC BEVERAGE" – any liquor, wine, beer, spirits, cider or other liquid, or solid, patented or not, composed of, or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person, except that confectionary containing alcohol as provided by subdivision twelve of Section 200 of the NEW YORK STATE

AGRICULTURE AND MARKETS LAW shall not be regarded as an alcoholic beverage within the meaning of this section.

- C. "KNOWINGLY" – aware of the consumption of alcohol by a minor.
- D. "MINOR" – any person under the age of twenty-one.
- E. "RESIDENCE" - any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

Section 3. Unlawful consumption of alcohol by minor at a residence.

A. It shall be unlawful for any person over the age of eighteen who owns, rents, or otherwise controls a private residence, to knowingly allow the consumption of alcohol or alcoholic beverages by any minor on such premises or to fail to take reasonable corrective action upon learning of the consumption of alcohol or alcoholic beverages by any minor on such premises. Reasonable corrective action shall include, but not be limited to:

- 1. making a prompt demand that such minor either forfeit and refrain from further consumption of the alcoholic beverages or depart from the premises; and
- 2. if such minor does not comply with such request, either promptly reporting such underage consumption of alcohol
 - a. to the local law enforcement agency; or
 - b. to any other person having a greater degree of authority over the conduct of such minor.

B. The provisions of subdivision A of this Section shall not apply to:

- 1. the consumption of alcohol or alcoholic beverages by a minor whose parent or guardian is present and has expressly permitted such consumption; or
- 2. the use and consumption of alcohol or alcoholic beverages by a minor for religious purposes.

Section 4. Penalties.

A violation of Section 3 of this local law shall be punished as follows:

- 1. First Offense – Any person who violates Section 3 of this law shall be guilty of a violation punishable by a fine not to exceed Two Hundred and Fifty (\$250.00) dollars, where such violation constitutes the person's first offense.

2. Second Offense – Any person who violates Section 3 of this law, shall be guilty of a violation punishable by a fine of not less than Two Hundred and Fifty (\$250.00) nor more than Five Hundred (\$500.00) dollars, where such violation constitutes the person’s second offense.
3. Third and Subsequent Offenses – Any person who violates Section 3 of this law, shall be guilty of an unclassified misdemeanor punishable by a fine not to exceed One Thousand (\$1,000.00) dollars, a term of imprisonment not to exceed one (1) year, or both.

Section 5. Effect on other laws.

The provisions of Section 3 of this law, shall not in any way affect the application of any other law, where appropriate, including but not limited to New York Penal Law Section 260.10, Endangering the Welfare of a Minor, and Section 260.20(2), Unlawfully Dealing with a Child.

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 immediately upon filing in the Office of the Secretary of State.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 28, 2007

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

Intro. Res. No. 2182-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Mystal

RESOLUTION NO. 1262 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR HEALTH CENTERS (CP 4055)

WHEREAS, the Commissioner of Health Services has requested the appropriation of funds in connection with the purchase of equipment for Health Centers; and

WHEREAS, it is necessary to purchase new and replacement equipment at the Health Centers to provide quality care for our clients and keep pace with advancements in medical testing and technology; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program Number 4055; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$67,582 in Suffolk County Serial Bonds; and

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

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 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, 25 and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

3rd RESOLVED, that the proceeds of \$67,582 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-4055.527 (Fund 001-Debt Service)	40	Purchase of Equipment for Health Centers	\$67,582

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Eddington made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 16-1-0-1-0. Legislator Alden voted no. Legislator Montano was not present.

Intro. Res. No. 2182A-2007

BOND RESOLUTION NO. 1263 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$67,582 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR HEALTH CENTERS (CP 4055.527)

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 \$67,582 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 health centers, 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 \$67,582. The plan of financing includes the issuance of \$67,582 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, 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2194-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

RESOLUTION NO. 1264 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS & FORENSIC SCIENCES (CP 1132) AND APPROVING THE PURCHASE OF A VEHICLE IN ACCORDANCE WITH SECTION 186-2(B)(6) OF THE

**SUFFOLK COUNTY CODE AND IN ACCORDANCE WITH THE
COUNTY VEHICLE STANDARD**

WHEREAS, the Commissioner of Health Services has requested funds for the purchase of equipment for Medical, Legal Investigations and Forensic Sciences; and

WHEREAS, purchases of medical, technological and office equipment for the Forensic Science Laboratory, Crime Laboratory, and the Toxicology Laboratory is needed to replace outdated instruments, to keep up with technological advances, and/or to be compliant with regulations or statutes; and

WHEREAS, the equipment request includes one 4X4 Sport Utility Vehicle to be used by Crime Scene Investigators to respond to homicides; and

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

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said request under Capital Program No. 1132; and

WHEREAS, pursuant to Resolution No. 615-2006, the application of the 5-25-5 law has been waived during fiscal year 2007; 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 \$215,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations (“NYCRR”), 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 fifty three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the purchase of one replacement vehicle, fleet number 19356, is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with County vehicle standard; and be it further

4th RESOLVED, that the proceeds of \$215,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1132.513	40	Medical-Legal Investigations and Forensic Sciences	\$215,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 16-1-0-1-0. Legislator Alden voted no. Legislator Montano was not present.

Intro. Res. No. 2194A-2007

BOND RESOLUTION NO. 1265 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$215,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES (CP 1132.513)

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 \$215,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for medical, legal investigations and forensic sciences, 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 \$215,000. The plan of financing includes the issuance of \$215,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 32 of the Law, 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2149-2007
Introduced by Legislator Cooper

Laid on Table 11/20/2007

**RESOLUTION NO. 1266 -2007, EXTENDING THE
AUTHORIZATION TO REMIT \$1.2 MILLION FROM THE
ENDOWMENT TRUST FUND TO THE VANDERBILT MUSEUM**

WHEREAS, Resolution No. 933-1994 was adopted on November 4, 1994, for the purpose of permitting the Vanderbilt Museum Trust Fund's Investment Advisor to utilize a total return concept, by providing a fixed annual income of \$1,000,000.00 as requested by the Suffolk County Vanderbilt Museum, and authorizing the use of realized capital gains in the Trust Fund for cash flow purposes only, with any unused funds from said realized gains to be returned to the Trust Fund for reinvestment; and

WHEREAS, said authorization, as increased to \$1.2 million by Resolution No. 656-2000, and extended by Resolution Nos. 196-2002, 1251-2002, 1177-2003, 1372-2004, 1306-2005 and 1477-2006, expires as of December 31, 2007; and

WHEREAS, the Museum Board of Trustees has requested the extension of the guaranteed \$1.2 million revenue from the Endowment Fund; and

WHEREAS, the Vanderbilt Museum Trust Fund's Investment Advisor will be unable to generate \$1.2 million dollars in revenue from the Trust Fund if restricted to the use of realized capital gains generated in the Trust Fund during the calendar year 2008; and

WHEREAS, the Vanderbilt Museum Trust Fund's Investment Advisor has issued written recommendations, dated October 1, 2002 and October 7, 2002, to the Suffolk County Legislature regarding the shortfall in revenue, advised as to the investment vehicle to be utilized to cover the shortfall, and issued a written opinion, dated October 1, 2002 and October 7, 2002, that such measures would not be in violation of the Prudent Investor Rule set forth in Section 11-2.3 of the NEW YORK ESTATES POWERS AND TRUSTS LAW or the Suffolk County Investment Guidelines applicable to the Vanderbilt Museum Trust Fund; now, therefore be it

1st RESOLVED, that the deadline contained in Resolution No. 933-1994, as extended by Resolution Nos. 383-1997, 557-1998, 914-1999, 971-1999, 656-2000, 196-2002, 1251-2002, 1177-2003, 1372-2004, 1306-2005 and 1477-2006 for permitting the Vanderbilt Museum Trust Fund's Investment Advisor to utilize a total return concept, by providing a fixed annual income of \$1,200,000.00 as requested by the Suffolk County Vanderbilt Museum, to be paid to the Suffolk County Vanderbilt Museum at \$100,000.00 per month, and authorizing the use of realized capital gains in the Trust Fund attributable to realized capital gains for a period of time prior to December 18, 2002 through December 31, 2007, for cash flow purposes only, as long as the corpus of the Trust does not go below the value of the original bequest, with any unused funds from said realized gains to be returned to the Trust Fund for reinvestment, is hereby extended from January 1, 2008 through December 31, 2008, subject to the condition that distribution from realized capital gains be limited to a maximum of the realized capital gains, less the trust management fees authorized to be paid from capital gains under Resolution No. 682-1993; and be it further

2nd RESOLVED, that the current investment guidelines permitting a 50/50 split between fixed securities and equities to range between 5-10% of the 50/50 split as determined by market conditions shall remain in effect until modified by duly enacted resolution of the Suffolk County Legislature.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 14-4-0-0-0. Legislators Romaine, Montano, Alden and Kennedy voted no.

Intro. Res. No. 2190-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1267-2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for improvements and lighting at County parks; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said site improvements under Capital Program Number 7079; 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 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; now, therefore be it

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 1383-2005 determined that the proposed improvements and lighting at various County parks constitute an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty three (43), is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

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

Project No.: 7079

Project Title: Improvements and lighting at County Parks

Current	Revised
2007	2007

	<u>Total Est'd Cost</u>	<u>Capital Budget & Program</u>	<u>Capital Budget & Program</u>
3. Site Improvements	<u>\$1,301,000</u>	<u>\$235,000G</u>	<u>\$235,000B</u>
TOTAL	\$1,566,000	\$235,000	\$235,000

and be it further

4th RESOLVED, that the proceeds of \$235,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7079.422 (Fund 001-Debt Service)	60	Improvements and Lighting at County Parks	\$235,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Mystal. The resolution was passed 14-4-0-0-0. Legislators Romaine, Montano, Alden and Kennedy voted no.

Intro. Res. No. 2190A-2007

BOND RESOLUTION NO. 1268 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$235,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS AND LIGHTING AT COUNTY PARKS (CP 7079.422)

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 \$235,000 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 and lighting at County parks, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$235,000. The plan of financing includes the issuance of \$235,000 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. 19 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2192-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1269 -2007, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO COUNTY CAMPGROUNDS (CP 7009)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for construction of improvements to county campgrounds including projects

relating to restroom facilities, storage, building and grounds repair, and other similar campground improvements; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program to cover the cost of said construction under Capital Program Number 7009; and

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

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

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution Nos 905-2003, 26-1998, 498-1995, 766-2001, 767-2001 have determined that these actions constitute a Type II action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.5 (c) 1, 2, 6, 7, 11, 18, 21, 27 and Chapter 279 of the Suffolk County Code, since they involve the construction or expansion of a primary or accessory/appurtenant, non residential structure or facility of less than 4,000 square feet; maintenance, repair, replacement, rehabilitation or construction, landscaping, and extension of existing utilities; extension of utility distribution facilities; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty seven (47), 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 \$1,000,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7009.317 (Fund 001-Debt Service)	26	Construction for Improvements to County Campgrounds	\$1,000,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

BOND RESOLUTION NO. 1270 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO COUNTY CAMPGROUNDS (CP 7009.115 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 \$1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to County campgrounds, 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 \$1,730,000. The plan of financing includes (a) the issuance of \$730,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 964-2006 (\$195,000 for planning and \$535,000 for construction), (b) the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 (c) (a) of the Law, is fifteen (15) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably

pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2193-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1271 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RESTORATION OF SMITH POINT COUNTY PARK (CP 7162)

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for planning and construction as per the master plan at Smith Point County Park; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program under Capital Program Number 7162 to cover the cost of planning and construction for this project; and

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

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

1st RESOLVED, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 656-1997 determined that these actions constitute a Type I action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617.4 (b) (1), (6), and (10) and Chapter 279 of the Suffolk County Code, since it involves adoption of a municipality's Comprehensive Resource Management Plan for Smith Point County Park, which involves activities other than construction of residential facilities that include the physical alteration of more than 2.5 acres within publicly operated park land which will not have a significant effect on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;
- 2.) All significant habitats including wetlands, dunes and bird breeding areas within the park will be protected;

3.) All necessary DEC permits will be obtained; and

4.) The Master Plan will enhance recreational activities; and be if further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty four (64) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

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

Project No. 7162

Project Title: Restoration of Smith Point County Park

	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Program & Budget</u>	<u>Revised Capital Program & Budget</u>
1. Planning	\$1,110,000	\$0	\$150,000B
3. Construction	<u>\$14,515,000</u>	<u>\$1,000,000B</u>	<u>\$850,000B</u>
TOTAL	\$15,625,000	\$1,000,000	\$1,000,000

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

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7162.114 (Fund 001-Debt-Service)	Restoration of Smith Point County Park-Planning	\$150,000
525-CAP-7162.318 (Fund 001-Debt-Service)	Restoration of Smith Point County Park-Construction	\$850,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2193A-2007

BOND RESOLUTION NO. 1272 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE THE COST OF RESTORATION OF SMITH POINT COUNTY PARK (CP 7162.114 and .318)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the restoration of Smith Point County Park, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$150,000 for planning and \$850,000 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. 19 (c) of the Law, is fifteen (15) years.

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2082-2007
Introduced by Legislator Stern

Laid on Table 11/20/2007

RESOLUTION NO. 1273 –2007, AMEND RESOLUTION NO. 656-2007, EXTENDING THE DEADLINE FOR THE UNDERAGE DRINKING TASK FORCE

WHEREAS, Resolution No. 656-2007 created the Underage Drinking Task Force; and

WHEREAS, in order for the Task Force to complete the written report of its findings and determinations, it is necessary to extend the submission date of the written report; now, therefore be it

1st **RESOLVED**, that the 13th **RESOLVED** clause of Resolution No. 656-2007 is hereby amended to read as follows:

13th RESOLVED, that this special Task Force shall submit a written report of its findings and determinations together with its recommendations for action, if any, to each member of the County Legislature and the County Executive no later than [one hundred eighty (180) days subsequent to the effective date of this Resolution] March 1, 2008 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 656-2007, as amended, shall remain in full force and effect; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules,

policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2122-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive and Legislator Mystal

RESOLUTION NO. 1274 –2007, ACCEPTING AND APPROPRIATING \$7,647.50 IN SUB-GRANTED FUNDS FROM THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., FOR THE WYANDANCH WEED AND SEED PROGRAM SPONSORED BY THE U.S. DEPARTMENT OF JUSTICE WITH 85% SUPPORT

WHEREAS, the Economic Opportunity Council of Suffolk, Inc., as the designated Weed and Seed Coordinator for the Wyandanch Weed and Seed Program, has been awarded \$198,834.00 in grant funding by the United States Department of Justice; and

WHEREAS, the Program is designed to coordinate delivery of criminal justice services to eliminate violent crime, drug-trafficking, and drug-related crime, and to provide a safe environment for law abiding citizens to live, work and raise a family; and

WHEREAS, the project requires local law enforcement commitment as a sub-grantee for expanded law enforcement activities (“weeding”) and prevention services (“seeding”) in the target area; and

WHEREAS, the Department of Probation will receive \$7,647.50 under this grant for overtime to support surveillance operations, participation in gang education services to youth and to design program services for ex-offenders returning to the community in an effort to reduce recidivism; and

WHEREAS, the operational period of this program will be from March 1, 2007 to February 29, 2008; and

WHEREAS, said sub-granted funds in the amount of \$7,647.50 for the Suffolk County Probation Department overtime expenses, have not been included in the 2007 Suffolk County Operating Budget; and

WHEREAS, \$1,342.00 in fringe benefits, associated with overtime, have been included in the Suffolk County 2007 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 sub-grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001- 4320-Federal Aid: Crime Control	\$7,647.50

APPROPRIATIONS: AMOUNT

Suffolk County Probation Department

Wyandanch Weed & Seed

001-PRO-3155

<u>1000-Personal Service</u>	<u>\$7,647.50</u>
1120-Overtime	\$7,647.50

and be it further

2nd RESOLVED, County Executive be and hereby is authorized to execute the sub-grant agreement between Suffolk County and the Economic Opportunity Council of Suffolk, Inc.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2133-2007

Laid on Table 11/20/2007

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

RESOLUTION NO. 1275 –2007, ACCEPTING AND APPROPRIATING \$33,226.00 IN SUB-GRANTED FUNDS FROM THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., FOR THE WYANDANCH WEED AND SEED PROGRAM SPONSORED BY THE U.S. DEPARTMENT OF JUSTICE WITH 84.5% SUPPORT

WHEREAS, the Economic Opportunity Council of Suffolk, Inc., as the designated Weed and Seed Coordinator for the Wyandanch Weed and Seed Program, has been awarded \$198,834.00 in grant funding by the United States Department of Justice; and

WHEREAS, the Program is designed to coordinate delivery of criminal justice services to eliminate violent crime, drug-trafficking, and drug-related crime, and to provide a safe environment for law abiding citizens to live, work and raise a family; and

WHEREAS, the project requires local law enforcement commitment as a sub-grantee for expanded law enforcement activities (“weeding”) in the target area; and

WHEREAS, the operational period of this Program will be from March 1, 2007 to February 29, 2008; and

WHEREAS, said sub-granted funds for law enforcement totaling \$33,226.00 for the Suffolk County Police Department, have not been included in the 2007 Suffolk County Operating Budget; and

WHEREAS, \$6,097.00 in fringe benefits, associated with overtime, have been included in the Suffolk County 2007 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 sub-grant funds as follows:

REVENUES:

115-4371-Federal Aid: Weed and Seed

AMOUNT

\$33,226.00

ORGANIZATIONS:

Police Department (POL)
Wyandanch Weed and Seed FY07

1000 – Personal Services
1120 – Overtime Salaries

\$33,226.00
\$33,226.00

and be it further

2nd RESOLVED, County Executive be and hereby is authorized to execute the sub-grant agreement between Suffolk County and the Economic Opportunity Council of Suffolk, Inc.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2222-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1276 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$84,000 FROM THE STATE OF NEW YORK GOVERNOR’S TRAFFIC SAFETY COMMITTEE, TO ENFORCE MOTOR VEHICLE PASSENGER RESTRAINT REGULATIONS WITH 84.5% SUPPORT

WHEREAS, the State of New York Governor’s Traffic Safety Committee has awarded \$84,000 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to continue a Buckle Up program targeting enforcement of motor vehicle passenger restraint regulations; and

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

WHEREAS, said grant funds totaling \$84,000 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:

<u>REVENUES:</u>	<u>Amount</u>
115-4378-Federal Aid: Buckle Up	\$84,000

ORGANIZATIONS:

Police Department (POL)
Buckle Up 2008
115-POL-3232

<u>1000-Personal Services</u>	<u>\$84,000</u>
1120-Overtime Salaries	84,000

and be it further

2nd RESOLVED, that the employee benefits associated with the overtime salaries for this grant are included in the 2007 Suffolk County Operating Budget; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 1879-2007

Laid on Table 9/20/2007

Introduced by Presiding Officer Lindsay and Legislators Romaine, Alden

RESOLUTION NO. 1277 –2007, CREATING A SUFFOLK COUNTY SEWER DISTRICT ASSESSMENT REQUEST FOR PROPOSAL (RFP) COMMITTEE

WHEREAS, funding is included in the 2008-2010 Adopted Capital Program and Budget for an independent study of Suffolk County Sewer Districts and their capacities; and

WHEREAS, sewage treatment plant available capacity as well as anticipated future capacity requirements can indirectly affect economic growth and well being in surrounding areas; and

WHEREAS, this Legislature wishes to quantify the current capacity of Suffolk County's Sewer Districts as well as anticipate future capacity requirements along with the economic ramifications pertaining to environmental protection, economic development, affordable housing , and the preservation of water quality; and

WHEREAS, there may exist a current or future need for the enhancement of sewage treatment facilities within Suffolk County in order to preserve or incubate economic and environmental prosperity; and

WHEREAS, the enhancement of sewage treatment facilities within Suffolk County could help to protect our sole source aquifer and the environment as a whole and may prove to be an impetus for affordable housing and economic growth regionally; now, therefore be it

1st RESOLVED, that the Suffolk County Sewer District Assessment RFP Committee is hereby created for the purpose of initiating and overseeing the preparation of a Request for Proposals (RFP) that will be used to procure a provider of an independent study of Suffolk County Sewer Districts and municipal or privately held sewage treatment plants within Suffolk County, reviewing responses thereto, and making a recommendation to the Legislature for the award of the contract; and be it further

2nd RESOLVED, that the RFP will require the study to address all Suffolk County Sewer Districts with respect to current and anticipated future demand for services coupled with a cost/benefit analysis for possible enhancement of existing capacity through increased efficiency or expansion; and be it further

3rd RESOLVED, that the RFP will require the study to address the feasibility of the interconnection of Suffolk County Sewer Districts with municipal and/or privately held sewage treatment plants coupled with a cost/benefit analysis of the implementation of this action and any economies of scale which could be realized resultant of same; and be it further

4th RESOLVED, that the RFP will require the study to include a cost/benefit analysis of constructing new facilities to address current and future demand for services; and be it further

5th RESOLVED, that this RFP Committee shall consist of the following nine (9) individuals:

1. the Commissioner of the Department of Public Works, or his or her designee;
2. the Chief Engineer of the Division of Sanitation of the Department of Public Works, or his or her designee;
3. the Commissioner of the Department of Health Services, or his or her designee;
4. the Commissioner of the Department of Planning, or his or her designee;
5. the Commissioner of the Department of Environment and Energy, or his or her designee;
6. the Director of the Legislative Office of Budget Review, or his or her designee;
7. a representative of the Suffolk County Executive's Budget Office; and
8. the Presiding Officer of the Suffolk County Legislature, or his or her designee, whom shall assume the responsibilities of Chairperson of the RFP Committee
9. the Chair of the Public Works and Transportation Committee, or his or her designee; and be it further

6th RESOLVED, that this RFP Committee shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened by the Chairperson of the RFP Committee; and be it further

7th RESOLVED, that the members of said RFP Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

8th RESOLVED, that the RFP Committee shall hold regular meetings, keep a record of all its proceedings, and determine the rules of its own proceedings with special meetings to be called by the Chairperson upon his or her own initiative or upon receipt of a written request signed by at least five (5) members of the RFP Committee. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least four (4) days before the date fixed by the notice for such special meeting; and be it further

9th RESOLVED, that five (5) members of the RFP Committee shall constitute a quorum to transact the business of the RFP Committee at both regular and special meetings; and be it further

10th RESOLVED, that clerical services involving the month-to-month operation of this RFP Committee, as well as supplies and postage as necessary, will be provided by the staff of the Suffolk County Legislature; and be it further

11th RESOLVED, that the RFP Committee may conduct such informal hearings and meetings at any place or places within the County of Suffolk for the purpose of obtaining

necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary; and be it further

12th RESOLVED, that the RFP Committee may delegate to any member of the RFP Committee the power and authority to conduct such hearings and meetings; and be it further

13th RESOLVED, that the Department of Public Works will develop and prepare the RFP for review and approval of the RFP Committee no later than one hundred twenty (120) days subsequent to the effective date of this resolution; and be it further

14th RESOLVED, that the Department of Public Works shall issue the RFP for services to perform a study of Suffolk County Sewer Districts and municipal or privately held sewage treatment plants within Suffolk County as detailed above within thirty (30) days after it has been approved by the RFP Committee; and be it further

15th RESOLVED, that the study described herein shall not be performed by any outside consultant or consulting firm unless an RFP is issued for those consulting services and explicit approval and authorization for such consultant or consulting firm is granted pursuant to a duly enacted resolution of the Suffolk County Legislature; and be it further

16th RESOLVED, that the RFP Committee shall expire, and the terms of office of its members terminate, as of December 31, 2008 at which time the RFP Committee shall deposit all the records of its proceedings with the Clerk of the Suffolk County Legislature; and be it further

17th RESOLVED, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2028-2007

Laid on Table 10/16/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1280 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SERIAL BONDS FOR THE EXPANSION AND IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 18 - HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, the Hauppauge Industrial Wastewater Treatment Plants require expansion and infrastructure improvements; and

WHEREAS, all required Public Hearings were held at the regularly scheduled meeting of the County Legislature in connection with the proposed expansion and improvements; and

WHEREAS, a resolution authorizing the issuance of \$34,000,000 in Sewer District Serial Bonds and this resolution which amends the 2007 Capital Budget and Program and appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, an application has been submitted to the New York State Comptroller requesting approval of the funding and the proposed expansion and improvements for the District stated herein; and

WHEREAS, the Administrative Head of Sewer District No. 18 - Hauppauge Industrial has requested that funds be appropriated to cover construction costs associated with the expansion and improvement project; and

WHEREAS, there are sufficient funds in the 2007 Capital Budget and Program for the expansion and improvement of Suffolk County Sewer District 18 - Hauppauge Industrial; 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. 716 of 2004 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 18 - Hauppauge Industrial constitutes a Type I action pursuant to the provisions of NYCRR Part 617.5(b); and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$34,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty seven (67), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the 2007 Capital Budget be and it hereby is amended as follows:

Project No.: 8126
 Project Title: Improvements to Sewer District 18 – Hauppauge Industrial

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
2. Land Acquisition	\$500,000	\$500,000X	-0-
3. Construction	\$63,100,000	\$33,500,000 X	\$34,000,000 X
TOTAL	\$67,108,311	\$34,000,000	\$34,000,000

and be it further

3rd **RESOLVED**, that the proceeds of \$34,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>AMOUNT</u>
527-CAP-8126.311	Improvements to Sewer District 18 - Hauppauge Industrial - Construction	\$34,000,000

and be it further

4th **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 expansion and improvements to SD 18 - Hauppauge Industrial.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: December 18, 2007

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

BOND RESOLUTION NO. 1281 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$34,000,000 BONDS TO FINANCE A PART OF THE COST OF THE EXPANSION AND IMPROVEMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 18-HAUPPAUGE INDUSTRIAL (CP 8126.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$34,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the expansion and improvement of Suffolk County Sewer District No. 18-Hauppauge Industrial, 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 \$38,908,311. The plan of financing includes (a) the expenditure of \$708,311 for planning, design and engineering (\$108,311 Escrow Funds and \$600,000 from the Assessment Stabilization Reserve Fund) as authorized pursuant to Resolution No. 1240-2002, (b) the transfer of \$100,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 1169-2003, (c) the transfer of \$500,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 1155-2005, (d) the issuance of \$2,800,000 bonds or bond anticipation notes (\$2,300,000 for planning and design and \$500,000 for land acquisition) heretofore authorized pursuant to Bond Resolution No. 1395-2006, (e) the transfer of \$800,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 571-2007, (f) the issuance of \$34,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (g) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 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 of the Law, is forty (40) years, computed from November 1, 2007, the date of issuance of the first obligations issued therefore pursuant to Bond Resolution No. 1395-2006.

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

bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2132-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

RESOLUTION NO. 1282 -2007, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$27,623.00 FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, OFFICE OF GRANTS AND TRAINING, FOR A PORT SECURITY PROGRAM WITH 75% SUPPORT

WHEREAS, The United States Department of Homeland Security, Office of Grants and Training has awarded \$27,623.00 in Port Security Supplemental Grant funds to the Suffolk County Police Department to purchase specialized equipment; and

WHEREAS, said project is designed to enhance the Suffolk County Police Department Emergency Service Section's capabilities in the areas of prevention, deterrence, and response to Improvised Explosive Device (IED) events; and

WHEREAS, the operational period of the Project will be from October 1, 2007, through September 30, 2010; and

WHEREAS, said grant requires matching funds totaling \$9,207.00, which currently exist in the 2007 Police Department Operating Budget; and

WHEREAS, said grant funds totaling \$27,623.00 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:

<u>REVENUES:</u>	<u>AMOUNT</u>
115-4396-Federal Aid: Port Security Supplemental 07	\$27,623.00

ORGANIZATIONS:

Police Department (POL)
Port Security Supplemental 07
115-POL-3230

<u>2000-Equipment</u>	<u>\$27,623.00</u>
2500-Other equipment not otherwise	\$27,623.00

and be it further

2nd RESOLVED, that funds in the amount of \$9,207.00 be and they hereby are transferred from the 2007 Suffolk County Operating Budget as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
Police: Police District 115-3121-2500	Port Security Supplemental 07 115-POL-3230-2500	\$9,207.00

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Homeland Security, Office of Grants and Training.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2128-2007 Laid on Table 11/20/2007
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1283 -2007, AUTHORIZING PUBLIC HEARINGS PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF THE STATE OF NEW YORK IN CONNECTION WITH THE ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R. 80 MONTUAK HIGHWAY AT C.R. 31 OLD RIVERHEAD ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK (CP 3301)

WHEREAS, the Commissioner of the Department of Public Works, was directed to prepare maps showing the properties to be acquired for intersection improvements on C.R. 80 Montauk Highway at C.R. 31 Old Riverhead Road, Town of Southampton, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and dimensions of the parcels to be acquired; and

WHEREAS, said maps were prepared on or about March, 2003, and are entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR INTERSECTION IMPROVEMENTS ON C.R. 80 MONTAUK HIGHWAY AT C.R. 31 OLD RIVERHEAD ROAD TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, the project has been adopted in the 2007 Capital Budget as and by Capital Project No. 3301; and

WHEREAS, pursuant to Article 2 of the Eminent Domain Procedure Law, it is required that a public hearing be held prior to acquisition in order to inform the public and to review the public use to be served by this project and to review the impact on the environment for residents of the locality in which the project is situate; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires the making of Findings and Determinations concerning the proposed project and requires the publication thereafter of a brief synopsis; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his Designee, be deemed Hearing Officer with authority to make Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law; and the said Director, or designee, is hereby authorized to exercise the full authority of the Legislature to conduct public hearings and make determinations and findings as provided in Article 2 of the Eminent Domain Procedure Law; and be it further

2nd RESOLVED, that upon conclusion of the aforesaid hearings, pursuant to Eminent Domain Procedure Law, the Hearing Officer file written Findings and Determinations

with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

3rd **RESOLVED**, that a brief synopsis of the filed Findings and Determinations shall be published pursuant to the requirements of Section 204 of the Eminent Domain Procedure Law; and be it further

4th **RESOLVED**, that copies of the Findings and Determinations will be forwarded upon written request, to applicants without cost to said applicant by the Clerk of the Legislature; and be it further

5th **RESOLVED**, that upon completion of hearings required by Article 2 of the Eminent Domain Procedure Law, the map aforesaid, be filed in the Office of the Clerk of the County Legislature of the County of Suffolk; and be it further

6th **RESOLVED**, that upon the filing of the Findings and Determinations with the Clerk of the Legislature, the Legislature of Suffolk County shall consider whether to adopt or reject said Findings and Determinations; and be it further

7th **RESOLVED**, that all costs pertaining to notices, public hearings, publications, stenographic fees, mailings, postings, and direct service of process and/or notices be deemed an appropriate charge to this project as provided in the capital program for the acquisition of said real property.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2134-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1284 -2007, AMENDING THE ADOPTED 2007 OPERATING BUDGET TO ACCEPT FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDS IN CONNECTION WITH THE PURCHASE OF HYBRID VEHICLES FOR PURPOSES OF FLEET REPLACEMENT

WHEREAS, funds are available in the Adopted 2007 Operating Budget for the purchase of hybrid vehicles; and

WHEREAS, Resolution Nos. 1027-2007 and 1047-2007 approved the purchase of vehicles in accordance with Section 186-2 (B) (6) of the Suffolk County Code and in accordance with County vehicle standards; and

WHEREAS, Resolution Nos. 1027-2007 and 1047-2007 approved the purchase of replacement vehicles, some of which will be hybrid vehicles in which the County will seek federal reimbursement from the State of New York to receive eighty (80) percent of the cost of the hybrid vehicle up to a total re-imbusement amount of \$600,000; now, therefore be it

1st RESOLVED, that for purposes of purchasing hybrid vehicles for fleet replacement, the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$600,000 which will be placed into the Operating Budget in account **016-DPW-4089**, entitled "**Federal Aid: Other**"; and be it further

2nd 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2150-2007
Introduced by Legislator Stern

Laid on Table 11/20/2007

**RESOLUTION NO. 1285 -2007, AMENDING THE 2007
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF
THE BRIDGE OVER CR 4, COMMACK ROAD, TOWNS OF
HUNTINGTON AND BABYLON (CP 5560)**

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR4, Commack Road, from the vicinity of Nicolls Road to Polo Street; and

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

WHEREAS, there is State funding available for 80% of the cost of this portion of the project from the New York State Multimodal #4 Program; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$20,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2007 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 67 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(C) (21), (22) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes. As 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 and is hereby amended as follows:

Project No.: 5560

Project Title: Reconstruction of the Bridge over CR 4, Commack Road, Towns of Huntington and Babylon

<u>Cost Elements</u>	<u>Total Estimated Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$4,000,000	\$80,000F	\$80,000S

		\$20,000B	\$20,000B
TOTAL	\$4,000,000	\$100,000	\$100,000

and be it further

4th RESOLVED, that the proceeds of \$20,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5560.310	50	Reconstruction of the Bridge over CR 4, Commack Road, Towns of Huntington and Babylon	\$20,000

and be it further

5th RESOLVED, that State Aid of \$80,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5560.310	50	Reconstruction of the Bridge over CR 4, Commack Road, Towns of Huntington and Babylon	\$80,000

and be it further

6th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$20,000; and be it further

7th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of \$80,000; and be it further

8th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of \$80,000; and be it further

9th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with New York State 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2150A-2007

BOND RESOLUTION NO. 1286 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$20,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE BRIDGE OVER CR 4, COMMACK ROAD, IN THE TOWNS OF BABYLON AND HUNTINGTON (CP 5560.310)

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 \$20,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the bridge over CR 4, Commack Road, in the Towns of Babylon and Huntington, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000. The plan of financing includes (a) the expenditure of \$80,000 in State Aid funds (80%), (b) the issuance of \$20,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2178-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1287 -2007, APPROPRIATING FUNDS IN CONNECTION WITH INSTALLATION OF FIRE, SECURITY, AND EMERGENCY SYSTEMS AT COUNTY FACILITIES (CP 1710)

WHEREAS, the Commissioner of Public Works has requested funds for the Installation of Fire, Security, and Emergency Systems, at County Facilities; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$130,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-five (65) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 254-2005 classified the action contemplated by this as Type II action; and be it further

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

4th RESOLVED, that the proceeds of \$130,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1710.319 (Fund 001-Debt Service)	20	Installation of Fire, Security, and Emergency Systems at County Facilities	\$130,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2178A-2007

BOND RESOLUTION NO. 1288 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$130,000 BONDS TO FINANCE THE COST OF THE INSTALLATION OF FIRE, SECURITY AND EMERGENCY SYSTEMS AT COUNTY FACILITIES (CP 1710.319)

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 \$130,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the installation of fire, security and emergency systems at County facilities, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$130,000. The plan of financing includes the issuance of \$130,000 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 Section 11.00 a. (12) (a) (3) and 56 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro Res. No. 2179-2007	Laid	on	Table
11/20/2007			

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1289 -
2007, APPROVING MAPS AND AUTHORIZING THE
ACQUISITION OF LANDS TOGETHER WITH FINDINGS AND
DETERMINATIONS PURSUANT TO SECTION 204 OF THE
EMINENT DOMAIN PROCEDURE LAW, IN CONNECTION WITH
THE ACQUISITION OF PROPERTIES FOR THE
RECONSTRUCTION OF C.R. 7, WICKS ROAD, FROM C.R. 13
CROOKED HILL ROAD TO BLUE JAY DRIVE, TOWN OF ISLIP,
SUFFOLK COUNTY, NEW YORK (CP 5539)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 7, WICKS ROAD, FROM C.R. 13, CROOKED HILL ROAD TO BLUE JAY DRIVE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, on May 20, 2005, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 409-2005 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution No. 306-2007, the Department of Public Works was directed to hold public hearings; and

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

WHEREAS, a public hearing was duly held on June 12, 2007 for the following purposes:

- A. To inform the public
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.
- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein; and

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

WHEREAS, Findings and Determinations pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on August 10, 2007, pursuant to Adopted Resolution No. 306-2007; and

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

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on August 10, 2007, pursuant to Adopted Resolution No. 306-2007; now, therefore be it

1st **RESOLVED** that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on August 10, 2007, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd **RESOLVED**, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF C.R. 7, WICKS ROAD, FROM C.R. 13, CROOKED HILL ROAD TO BLUE JAY DRIVE, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on August 10, 2007, pursuant to Adopted Resolution No. 306-2007, be and the same are hereby approved and adopted; and be it further

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

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

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

6th **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2180-2007

Laid on Table 11/20/2007

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

RESOLUTION NO. 1290 -2007, ACCEPTING AND APPROPRIATING FEDERAL AID (80%), STATE AID (10%), AND SERIAL BONDS (10%) FOR THE PURCHASE AND INSTALLATION OF BUS SHELTERS (CP 5651)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) have awarded grants for mass transportation related projects which include the purchase and installation of bus shelters along Suffolk Transit bus routes; and

WHEREAS, the grant agreements for Federal and State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grant; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining 10% local share of project costs; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program for this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$20,000 in Suffolk County Serial Bonds to cover the County share of this purchase; 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 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty two (62) 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 purchase and install bus shelters and pursuant to applicable federal and state regulations; and be it further

4th RESOLVED, that the proceeds of \$20,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5651.519	Purchase and Installation of Bus Shelters	\$20,000B

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5651.519	Purchase and Installation of Bus Shelters	\$20,000S

and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5651.519	Purchase and Installation of Bus Shelters	\$160,000F

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2180A-2007

BOND RESOLUTION NO. 1291 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$20,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE AND INSTALLATION OF BUS SHELTERS (CP 5651.519)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$20,000 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 purchase and installation of bus shelters, 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 \$200,000. The plan of financing includes (a) the expenditure of \$160,000 in Federal Aid funds (80%), (b) the expenditure of \$20,000 in State Aid funds (10%), (c) the issuance of \$20,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro Res. No.2181-2007

Laid on Table

11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1292
2007, AUTHORIZING PUBLIC HEARINGS PURSUANT TO
ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW OF
THE STATE OF NEW YORK IN CONNECTION WITH THE
ACQUISITION OF PROPERTIES TO BE ACQUIRED FOR
DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD,
TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK
(CP 5537)**

WHEREAS, the Commissioner of the Department of Public Works, was directed to prepare maps showing the properties to be acquired for drainage improvements on C.R. 39, North Road, Town of Southampton, Suffolk County, New York, indicating the properties to be acquired, the names of the reputed owners, the boundaries and dimensions of the parcels to be acquired; and

WHEREAS, said maps were originally prepared on or about July 6, 1999, and were entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, public hearings were held in accordance with the provisions of the New York State Eminent Domain Procedure Law on November 3, 1999 and August 25, 2004; and

WHEREAS, the Department of Public Works, after carefully considering engineering, economic impact, and historical preservation concerns, has determined that Damage Map Parcel 1 should be deleted from the project and Damage Map Parcel 3 should be added to the project; and

WHEREAS, maps were prepared on or about January 25, 2007, which deleted Damage Map Parcel 1 from the project and added Damage Map Parcel 3 to the project, and were entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR DRAINAGE IMPROVEMENTS ON C.R. 39, NORTH ROAD, TOWN OF SOUTHAMPTON, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, pursuant to Article 2 of the Eminent Domain Procedure law, it is required that a public hearing be held prior to acquisition in order to inform the public and to

review the public use to be served by this project and to review the impact on the environment for residents of the locality in which the project is situate; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires the making of Findings and Determinations concerning the proposed project and requires the publication thereafter of a brief synopsis; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works, or his Designee, be deemed Hearing Officer with authority to make Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law; and the said Director, or designee, is hereby authorized to exercise the full authority of the Legislature to conduct public hearings and make determinations and findings as provided in Article 2 of the Eminent Domain Procedure Law; and be it further

2nd RESOLVED that upon conclusion of the aforesaid hearings, pursuant to Eminent Domain Procedure Law, the Hearing Officer file written Findings and Determinations with the Clerk of the Legislature within 90 days of the conclusion of the Public Hearing provided for in Article 2 of the Eminent Domain Procedure Law; and be it further

3rd RESOLVED, that a brief synopsis of the filed Findings and Determinations shall be published pursuant to the requirements of Section 204 of the Eminent Domain Procedure Law; and be it further

4th RESOLVED, that copies of the Findings and Determinations will be forwarded upon written request, to applicants without cost to said applicant by the Clerk of the Legislature; and be it further

5th RESOLVED, that upon completion of hearings required by Article 2 of the Eminent Domain Procedure Law, the map aforesaid, be filed in the Office of the Clerk of the County Legislature of the County of Suffolk; and be it further

6th RESOLVED, that upon the filing of the Findings and Determinations with the Clerk of the Legislature, the Legislature of Suffolk County shall consider whether to adopt or reject said Findings and Determinations; and be it further

7th RESOLVED, that all costs pertaining to notices, public hearings, publications, stenographic fees, mailings, postings, and direct service of process and/or notices be deemed an appropriate charge to this project as provided in the capital program for the acquisition of said real property.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2183-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1293 -2007, APPROPRIATING FUNDS IN CONNECTION WITH BULKHEADING AT VARIOUS LOCATIONS (CP 5375)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of Bulkhead at Abet's Creek, Town of Brookhaven; and

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

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 795 of 2007 classified the action as a Type II action, which will not have a significant effect on the environment; and be it further

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

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

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5375.314 (Fund 001-Debt Service)	50	Reconstruction of Bulkhead at Abet's Creek	\$200,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2183A-2007

BOND RESOLUTION NO. 1294 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS
TO FINANCE THE COST OF THE RECONSTRUCTION OF
BULKHEAD AT ABET'S CREEK (CP 5375.314)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the reconstruction of bulkhead at Abet's Creek, 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 \$200,000. The plan of financing includes the issuance of \$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. 22 (b) of the Law, is twenty (20) years.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2185-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1295-2007, APPROPRIATING FUNDS IN CONNECTION WITH THE INTERSECTION IMPROVEMENTS ON CR 51, EAST MORICHES-RIVERHEAD ROAD @ CR 94, NUGENT DRIVE AND CR 63, OLD EAST MORICHES-RIVERHEAD ROAD @ CR 104, QUOGUE-RIVERHEAD ROAD, TOWN OF SOUTHAMPTON (CP 5557)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Intersection Improvements on CR 51 @ CR 94 and CR 63 @ CR 104; 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 \$200,000 in Suffolk County Serial Bonds; now, therefore, be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 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; and be it further

4th RESOLVED, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5557.110 (Fund 001-Debt Service)	50	Intersection Improvements on CR 51 @ CR 94 and CR 63 @ CR 104	\$200,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2185A-2007

BOND RESOLUTION NO. 1296 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF THE PLANNING AND ENGINEERING DESIGN FOR INTERSECTION IMPROVEMENTS ON CR 51, EAST MORICHES-RIVERHEAD ROAD AT CR 94, NUGENT DRIVE AND CR 63, OLD EAST MORICHES-RIVERHEAD ROAD AT CR 104, QUOGUE-RIVERHEAD ROAD, TOWN OF SOUTHAMPTON (CP 5557.110)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the planning and engineering design for intersection improvements on CR 51, East Moriches-Riverhead Road at CR 94, Nugent Drive and CR 63, Old East Moriches-Riverhead Road at CR 104, Quogue-Riverhead Road, Town of Southampton, 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 \$200,000. The plan of financing includes the issuance of \$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 Section 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2186-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1297-2007, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 11, PULASKI ROAD, FROM LARKFIELD ROAD TO NYS 25A, TOWNS OF HUNTINGTON AND SMITHTOWN (CP 5095)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 11, Pulaski Road, from Larkfield Road to NYS 25A; 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 \$135,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not

commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

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

4th RESOLVED, that the proceeds of \$135,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5095.112 (Fund 001-Debt Service)	50	Reconstruction of CR 11, Pulaski Road, from Larkfield Road to NYS 25A	\$135,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2186A-2007

BOND RESOLUTION NO. 1298 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$135,000 BONDS TO FINANCE THE COST OF ENGINEERING FOR THE RECONSTRUCTION OF CR 11, PULASKI ROAD, FROM LARKFIELD ROAD TO NYS 25A, IN THE TOWNS OF HUNTINGTON AND SMITHTOWN (CP 5095.112)

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 \$135,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of engineering for the reconstruction of CR 11, Pulaski Road, from Larkfield Road to NYS 25A, in the Towns of Huntington and Smithtown, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$135,000. The plan of financing includes the issuance of \$135,000 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2187-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1299 -2007, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 46, WILLIAM FLOYD PARKWAY, BETWEEN THE LONG ISLAND EXPRESSWAY AND MORICHES-MIDDLE ISLAND ROAD, TOWN OF BROOKHAVEN (CP 5515)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 46, William Floyd Parkway, between the Long Island Expressway and Moriches-Middle Island Road; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$450,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

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

4th RESOLVED, that the proceeds of \$450,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5515.111 (Fund 001-Debt Service)	50	Reconstruction of CR 46, William Floyd Parkway, between the LIE and Moriches-Middle Island Road	\$450,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2187A-2007

BOND RESOLUTION NO. 1300 -2007

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW
YORK, AUTHORIZING THE ISSUANCE OF \$450,000 BONDS
TO FINANCE A PART OF THE COST OF PLANNING FOR THE
RECONSTRUCTION OF CR 46, WILLIAM FLOYD PARKWAY,
BETWEEN THE LONG ISLAND EXPRESSWAY AND
MORICHES - MIDDLE ISLAND ROAD, TOWN OF
BROOKHAVEN (CP 5515.111)**

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 a part of the cost of planning for the reconstruction of CR 46, William Floyd Parkway, between the Long Island Expressway and Moriches - Middle Island Road, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,200,000. The plan of financing includes (a) the issuance of \$750,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1013-2005, (b) the issuance of \$450,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years, computed from November 1, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1013-2005.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2188-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1301 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN THE PEDESTRIAN ENHANCEMENT TRAFFIC SIGNAL IMPROVEMENT PROGRAM (CP 5406)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Pedestrian Enhancement Traffic Signal Improvement Program; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.71, under the Local Safe Street & Traffic Calming Program; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5406 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 \$150,000 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. 1175 of 1995 classified the action contemplated by this as a Type II action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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 Pedestrian Enhancement Traffic Signal Improvement Program; and be it further

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

Project No.: 5406
 Project Title: Pedestrian Enhancement Traffic Signal Program

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$150,000	\$ 0B \$ 0F	\$30,000B \$120,000F
TOTAL	\$180,000	\$30,000	\$180,000

and be it further

5th RESOLVED, that the proceeds of \$30,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5406.310	50	Pedestrian Enhancement Traffic Signal Improvement Program	\$30,000

and be it further

6th RESOLVED, that Federal Aid in the amount of \$120,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
Ref-525-5406.310	50	Pedestrian Enhancement Traffic Signal Program	\$120,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$30,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$120,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$120,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

BOND RESOLUTION NO. 1302 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$150,000 BONDS TO FINANCE A PART OF THE COST OF THE COUNTY SHARE FOR PARTICIPATION IN THE PEDESTRIAN ENHANCEMENT TRAFFIC SIGNAL IMPROVEMENT PROGRAM (CP 5406.310)

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 \$150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the County share for participation in the Pedestrian Enhancement Traffic Signal Improvement 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 \$180,000. The plan of financing includes (a) the expenditure of \$6,000 transferred from the General Capital Reserve Fund and appropriated pursuant to Resolution No. 354-2007, (b) the expenditure of \$24,000 in Federal Aid appropriated pursuant to Resolution No. 354-2007, (c) the issuance of \$150,000 serial bonds authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or \$30,000) and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that Federal 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. 72 (a) of the Law, is twenty (20) years.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2189-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 1303-2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE COUNTY SHARE FOR PARTICIPATION IN PEDESTRIAN MOBILITY IMPROVEMENTS ON CR 97, NICOLLS ROAD, AT PURICK STREET, TOWN OF BROOKHAVEN (CP 5407)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Pedestrian Mobility Improvements on CR 97, Nicolls Road at Purick Street; and

WHEREAS, there are Federal funds available from the Federal Highway Administration for this project, identified as PIN 0758.65, under the Local Safe Street & Traffic Calming Program; and

WHEREAS, the County must first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal portion; and

WHEREAS, sufficient funds are not included in the 2007 Capital Budget and Program to cover the cost of said request under Capital Project 5407 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 \$75,000 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. 1175 of 1995 classified the action contemplated by this as a Type II Action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-six (56) 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 Pedestrian Enhancement Traffic Signal Improvement Program; and be it further

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

Project No.: 5407
 Project Title: Pedestrian Mobility Improvements on CR 97, Nicolls Road at Purick Street

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	\$75,000	\$ 0B \$ 0F	\$15,000B \$60,000F
TOTAL	\$90,000	\$15,000	\$90,000

and be it further

5th RESOLVED, that the proceeds of \$15,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5407.310	50	Pedestrian Mobility Improvements on CR 97, Nicolls Road at Purick Street	\$15,000

and be it further

6th RESOLVED, that Federal Aid in the amount of \$60,000 be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5407.310	50	Pedestrian Mobility Improvements on CR 97, Nicolls Road at Purick Street	\$60,000

and be it further

7th RESOLVED, that the County Comptroller is directed to limit the serial bond borrowing to the County share of \$15,000; and be it further

8th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount of \$60,000; and be it further

9th RESOLVED, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal share of \$60,000; and be it further

10th RESOLVED, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the New York State Department of Transportation and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2189A-2007

BOND RESOLUTION NO. 1304 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$75,000 BONDS TO FINANCE A PART OF THE COST OF THE COUNTY SHARE FOR PARTICIPATION IN THE PEDESTRIAN MOBILITY IMPROVEMENTS ON CR 97, NICOLLS ROAD, AT PURICK STREET, TOWN OF BROOKHAVEN (CP 5407.310)

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 \$75,000 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 County Share for participation in the Pedestrian Mobility Improvements on CR 97, Nicolls Road, at Purick Street, Town of Brookhaven, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$90,000. The plan of financing includes (a) the expenditure of \$3,000 transferred from the General Capital Reserve Fund, (b) the expenditure of \$12,000 in Federal Aid appropriated pursuant to Resolution No. 355-2007, (c) the issuance of \$75,000 bonds or bond anticipation notes authorized pursuant to this resolution (the bond issuance being limited to the County share of 20% or \$15,000) and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that Federal 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 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2199-2007
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 11/20/2007

**RESOLUTION NO. 1305 -2007, AMENDING ADOPTED
RESOLUTION NO. 568-2007 TO APPROPRIATE
CONSTRUCTION FUNDS FOR (CP 8115)**

WHEREAS, the intent of Resolution No. 568-2007 was to appropriate construction funds through the issuance of Sewer District Serial Bonds; and

WHEREAS, Resolution No. 568-2007 appropriated planning funds through the acceptance of Interfund revenues from the Assessment Stabilization Reserve Fund instead of appropriating said construction funds; and

WHEREAS, it is now necessary to amend Resolution No. 568-2007; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$50,000 in Sewer District Serial Bonds; now, therefore be it

1st RESOLVED, that the 3rd WHEREAS clause of Resolution No. 568-2007 be and hereby is deleted as follows:

[WHEREAS, there are sufficient funds included within the 2007 Adopted Operating Budget (404-IFT-E527) to cover the transfer of funds to the Capital Fund for said sewer district improvements; and]

and be it further

2nd RESOLVED, that the 2nd RESOLVED clause of Resolution No. 568-2007 be and it hereby is amended as follows:

[2nd RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized, empowered and directed to accept Interfund revenues for the purchase of sewer facility maintenance equipment as follows:

REVENUE:

<u>Fund/Agency/Source</u>	<u>Description</u>	<u>Amount</u>
527-IFT-R404	Transfer from Assessment Stabilization Reserve Fund	\$50,000

and be it further]

2nd RESOLVED, that the proceeds of \$50,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
<u>527-CAP-8115.311</u>	<u>Improvements to Sewer District 5 - Strathmore Construction</u>	<u>\$50,000</u>

and be it further

and be it further

3rd RESOLVED, that the 3rd RESOLVED clause of Resolution No. 568-2007 be and it hereby is deleted as follows:

[3rd RESOLVED, that funds in the amount of \$50,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8115.110	Improvements to Sewer District 5 – Strathmore Huntington	\$50,000

and be it further]

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2199A-2007

BOND RESOLUTION NO. 1306 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$50,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO SEWER DISTRICT 5 - STRATHMORE (CP 8115.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$50,000 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 Sewer District 5 - Strathmore, 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 \$50,000. The plan of financing includes the issuance of \$50,000 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. 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 15-0-2-1-0. Legislators Montano and Alden abstained. Legislator Mystal was not present.

**RESOLUTION NO. 1307 -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 equipment 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 700,000 in Suffolk County Serial Bonds; and

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 (25) (C) (2), (11), (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; 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 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.: 5060
Project Title: Assessment of Information System and Equipment for Public Works

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	<u>\$655,000</u>	<u>\$380,000B</u>	<u>\$230,000B</u>
TOTAL	\$1,655,000	\$380,000	\$230,000

Project No.: 5533
Project Title: Construction of Shoulders on CR 67, Motor Parkway, Town of Islip

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
3. Construction	<u>\$800,000</u>	<u>\$200,000B</u>	<u>\$ 0</u>
TOTAL	\$1,010,000	\$200,000	\$ 0

Project No.: 5815
Project Title: Painting of County Bridges

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
4. Site Improvements	<u>\$2,135,000</u>	<u>\$350,000G</u>	<u>\$ 0</u>
TOTAL	\$2,135,000	\$350,000	\$ 0

Project No.: 5200
Project Title: Dredging of County Waters

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
5. Furniture & Equipment	<u>\$700,000</u>	<u>\$ 0</u>	<u>\$700,000B</u>

TOTAL \$14,695,000 \$2,120,000 \$2,820,000

and be it further

5th **RESOLVED**, that the proceeds of \$700,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5200.510 (Fund 001-Debt Service)	50	Dredging of County Waters	\$700,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 16-1-1-0-0. Legislator Alden voted no. Legislator Montano abstained.

Intro. Res. No. 2202A-2007

BOND RESOLUTION NO. 1308 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$700,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF EQUIPMENT FOR DREDGING OF COUNTY WATERS (CP 5200.510)

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 \$700,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for dredging 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 \$700,000. The plan of financing includes the issuance of \$700,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 28 of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2204-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1309 -2007, APPROPRIATING FUNDS
IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK
COUNTY FARM (CP 1796)**

WHEREAS, the Commissioner of Public Works has requested funds for the Improvements to the Suffolk County Farm; 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 \$172,500 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature hereby determines that the Proposed Improvements to the Suffolk County Farm, Capital Project 1796, Yaphank, Town of Brookhaven, constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR Part 617.5 (c)(2)(3) and (25) and Chapter 279 of the Suffolk County Code, as it involves renovation of an existing facility, purchase of equipment, and construction of structures consistent with the principles of an ongoing farm; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70) 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 \$172,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1796.111 (Fund 001-Debt Service)	20	Planning for Improvements to Suffolk County Farm	\$17,500
525-CAP-1796.311 (Fund 001-Debt Service)	20	Improvements to Suffolk County Farm	\$155,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2204A-2007

BOND RESOLUTION NO. 1310 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$172,500 BONDS TO FINANCE THE COST OF IMPROVEMENTS TO THE SUFFOLK COUNTY FARM (CP 1796.111 and .311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$172,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements to the Suffolk County Farm, as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$172,500. The plan of financing includes the issuance of \$172,500 bonds or bond anticipation notes authorized pursuant to this resolution (\$17,500 for planning and \$155,000 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 Section 11.00 a. 12(a)(3) 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2216-2007

Laid on the Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1311 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CONSTRUCTION OF SIDEWALKS, ROAD RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5497)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Construction of Sidewalks , Road Resurfacing and Drainage Improvements on Various County Roads; 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 \$1,150,000 in Suffolk County Serial Bonds; and

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-two (52) 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.: 5497
 Project Title: Construction of Sidewalks, Road Resurfacing and Drainage Improvements on Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2007 Capital Budget & Program</u>	<u>Revised 2007 Capital Budget & Program</u>
1. Planning, Design & Supervision	\$1,150,000	\$ 0	\$1,150,000
3. Construction	<u>\$2,555,000</u>	<u>\$1,150,000</u>	<u>\$ 0</u>
TOTAL	\$3,705,000	\$1,150,000	\$1,150,000

and be it further

5th RESOLVED, that the proceeds of \$1,150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5497.112 (Fund 001-Debt Service)	50	Construction of Sidewalks, Road Resurfacing and Drainage Improvements on Various County Roads	\$1,150,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2216A-2007

BOND RESOLUTION NO. 1312 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,150,000 BONDS TO FINANCE THE COST OF THE PLANNING AND DESIGN FOR CONSTRUCTION OF SIDEWALKS, ROAD RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5497.112)

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 \$1,150,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the planning and design for construction of sidewalks, road resurfacing and drainage improvements on various county roads, 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 \$1,150,000. The plan of financing includes the issuance of \$1,150,000 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro Res. No. 2219-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1313 -2007, AUTHORIZING THE PURCHASE OF REPLACEMENT SUPPORT VEHICLES INCLUDING RADIOS AND RELATED EQUIPMENT FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AID (80%), STATE AID (10%) AND COUNTY FUNDS (10%) IN CONNECTION WITH THIS PURCHASE (CP 5658.539)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) have awarded grants for mass transportation related projects which include the purchase of replacement support vehicles with radios and other related equipment to facilitate Suffolk Transit bus operations; and

WHEREAS, the grant agreements for Federal and State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grant; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining 10% local share of project costs; and

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

WHEREAS, it is estimated that the total cost of the purchase of up to sixteen support vehicles for replacement will be \$340,000 with the federal and state shares amounting to 90% of the total cost; and

WHEREAS, there are sufficient funds within the 2007 Capital Budget and Program; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$34,000 in Suffolk County Serial Bonds to cover the County share of this purchase; 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 (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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 Purchasing Division is authorized to acquire support vehicles for replacement, including supervisory/surveillance cars, driver/operator transfer vans and shop trucks for maintenance support, all with radios and other related equipment for Suffolk Transit operations and pursuant to applicable federal and state regulations; and be it further

4th RESOLVED, that the proceeds of \$34,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.539	Purchase replacement support vehicles including radios and other related equipment	\$34,000

and be it further

5th RESOLVED, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.539	Purchase replacement support vehicles including radios and other related equipment	\$34,000

and be it further

6th RESOLVED, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.539	Purchase replacement support vehicles including radios and other related equipment	\$272,000

and be it further

7th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal aid in connection with this project.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2219A-2007

BOND RESOLUTION NO. 1314 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$34,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE OF REPLACEMENT SUPPORT VEHICLES INCLUDING RADIOS AND RELATED EQUIPMENT FOR SUFFOLK TRANSIT (CP 5658.539)

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 \$34,000 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 purchase of replacement support vehicles including radios and related equipment for Suffolk Transit, 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 \$340,000. The plan of financing includes (a) the expenditure of \$272,000 in Federal Aid funds (80%), (b) the expenditure of \$34,000 in State Aid funds (10%), (c) the issuance of \$34,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 29 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2220-2007
Introduced by Presiding Officer, on request of County Executive

Laid on Table 11/20/2007

RESOLUTION NO. 1315 -2007, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT VARIOUS COUNTY FACILITIES (CP 1678)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with rehabilitation of parking lots, drives and curbs at various County facilities; and

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

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

WHEREAS, 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 \$175,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), the proposed rehabilitation of parking lots, drives and curbs at various County facilities constitutes a Type II action pursuant to the provisions Part 617.5 (c) (1), (2), (4), (10), (20), and (27) of the New York Code of Rules and Regulations, 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 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; and be it further

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

Project No: 1678
Project Title: Rehabilitation of parking lots, drives and curbs at various County facilities

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

3. Construction	<u>\$1,582,000</u>	<u>\$175,000G</u>	<u>\$175,000B</u>
TOTAL	\$1,582,000	\$175,000	\$175,000

5th RESOLVED, that the proceeds of \$175,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1678.318 (Fund 001-Debt Service)	50	Rehabilitation of Parking Lots, Drives and Curbs at County Facilities	\$175,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2220A-2007

BOND RESOLUTION NO. 1316 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$175,000 BONDS TO FINANCE THE COST OF THE REHABILITATION OF PARKING LOTS, DRIVES AND CURBS AT VARIOUS COUNTY FACILITIES (CP 1678.318)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$175,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the rehabilitation of parking lots, drives and curbs at various County facilities,

as authorized in the 2007 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$175,000. The plan of financing includes the issuance of \$175,000 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. 20 (f) 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 18, 2007

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

Intro. Res. No. 2097-2007 Laid on Table 11/7/2007
Introduced by Legislators Romaine, Stern, Barraga, Eddington, Cooper, Horsley, Mystal and D'Amaro

**RESOLUTION NO. 1317 -2007, ADOPTING LOCAL LAW
NO. -2007, A LOCAL LAW TO ESTABLISH A COLD
WAR VETERAN PROPERTY TAX EXEMPTION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 17, 2007, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH A COLD WAR VETERAN PROPERTY TAX EXEMPTION**"; now, therefore be it

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

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

**A LOCAL LAW TO ESTABLISH A COLD WAR VETERAN
PROPERTY TAX EXEMPTION**

**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 recently enacted state legislation authorizes counties, towns, villages and cities to establish a real property tax exemption for Cold War Veterans, their spouses or their unremarried surviving spouses.

This Legislature further finds that it has been the long-standing policy of the County of Suffolk to recognize the sacrifices made by veterans in defense of our nation by offering to all eligible veterans, the maximum property tax exemptions allowable under state law.

Therefore, the purpose of this law is to amend Chapter 458 of the SUFFOLK COUNTY CODE to establish a Suffolk County Tax Exemption for Cold War Veterans.

Section 2. Amendments.

Chapter 458 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 458 - TAXATION

* * * *

ARTICLE VIII, Exemption for Veteran[;], Gold Star Parents and Cold War Veterans.

§ 458-22. Definitions.

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

COLD WAR VETERAN – A person who served on active duty for a period of more than 365 days in the United States Army, Navy, Marine Corps, Air Force or Coast Guard during the time period from September 2, 1945 to December 26, 1991, who was discharged or released therefrom under honorable conditions and has been awarded the Cold War Recognition Certificate under the 1998 National Defense Authorization Act.

* * * *

§ 458-23. Exemption granted to Veterans, [and] Gold Star parents and Cold War Veterans.

* * * *

C. Exemptions Granted Under Section 458-b of the Real Property Tax Law to Cold War Veterans

- 1. The maximum exemption allowable to qualifying residential real property under Section 458-b shall be 15% of the assessed real value of the property; provided, however, that such exemption shall not exceed \$12,000 or the product of \$12,000 multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.**
- 2. Where the Cold War Veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the cold war veteran disability rating; provided, however, that such exemption shall not exceed \$40,000, or the product of \$40,000 multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.**
- 3. If a Cold War Veteran receives the exemption under subsections (A) or (B) of this section, the Cold War Veteran shall not be eligible to receive the exemption under this section.**
- 4. The exemption provided under this section shall be granted for a period of ten years.**

* * * *

Section 3. Applicability.

This law shall apply to assessment roles prepared on the basis of taxable status dates occurring on or after January 3, 2008.

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND

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

Section 6. Effective Date.

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 24, 2007

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

Intro. Res. No. 1979-2007
Introduced by Legislator Eddington

Laid on Table 10/16/2007

RESOLUTION NO. 1318 -2007, ADOPTING LOCAL LAW NO. -2007, A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY TO ST. JOSEPH'S COLLEGE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on October 16, 2007, a proposed local law entitled, "**A LOCAL LAW TO AUTHORIZE CONVEYANCE OF REAL PROPERTY TO ST. JOSEPH'S COLLEGE**;" 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 AUTHORIZE CONVEYANCE OF REAL PROPERTY TO ST. JOSEPH'S COLLEGE

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk provides a number of mechanisms by which prior owners may redeem real property that the County has taken for taxes.

This Legislature further finds that in order to redeem their properties, prior owners must make an application to redeem within three years of the recording of the County's tax deed.

This Legislature also determines that the County of Suffolk has taken a tax deed to a single parcel on the campus of St. Joseph's College in Patchogue and that the college missed the deadline to redeem this property. One of the college buildings stands on this parcel.

This Legislature further finds that as an educational institution, St. Joseph's College was entitled to an exemption from real property taxes but the college failed to file for their exemption with Patchogue Village and Brookhaven Town as required by law.

This Legislature further finds that no legal mechanism presently exists authorizing the County to make a direct sale of the property to the college even though such action is clearly in the best interests of Suffolk County. St. Joseph's College is an important educational institution in our county and the benefits derived from keeping the campus intact and allowing the college to properly serve its students and the greater Suffolk County community clearly outweigh the benefits the County would gain from auctioning the property.

This Legislature also determines that an opinion from the New York State Office of Real Property Services indicates that public policy consideration may justify a direct sale of the subject parcel to the college for the total amount of arrears.

Therefore, the purpose of this local law is to authorize the Division of Real Property Acquisition and Management to convey to St. Joseph's College the parcel on the college campus that was previously taken by the County for non-payment of taxes.

Section 2. Conveyance Authorized.

Notwithstanding the provision in any other local law or resolution to the contrary, the Director of the Suffolk County Division of Real Property Acquisition and Management is hereby authorized, empowered and directed to execute, acknowledge and deliver a quitclaim deed to St. Joseph's College, 155 Roe Boulevard, Patchogue, for real property Suffolk County Tax Map No. 0204-004.00-02.00-003.000, item 3028800, upon receipt of all unpaid taxes, interest, penalties and charges due and owing to the County of Suffolk.

Section 3 Applicability.

This law shall only apply to the property designated in Section 2 herein.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 24, 2007

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

Intro. Res. No. 2084-2007
11/20/2007

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1319 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976
BLANCA GUEVARA AND SANTOS ACOSTA AS JOINT
TENANTS WITH RIGHTS OF SURVIVORSHIP (SCTM NO. 0200-
973.70-03.00-013.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 973.70 Block 03.00 Lot 013.000 and acquired by Tax Deed on May 26, 1992 from General L. Rains, the County Deputy Treasurer of Suffolk County, New York, and recorded on June 12, 1992 in Liber 11483 at Page 90 and described as follows, Town of Brookhaven, known as Northerly 5' of Lot # 11 & all of Lot # 12 in Block # 850 on Map of New York & Brooklyn Sub. Inv. Co. filed in the Suffolk County Clerk's Office on November 17, 1890 as Map # 201; 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, BLANCA GUEVARA AND SANTOS ACOSTA, 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 \$2,400.00, 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, therefore be it

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

2nd RESOLVED, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd RESOLVED, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said BLANCA GUEVARA AND SANTOS ACOSTA, 619 Amsterdam Avenue, East Patchogue, N.Y. 11772.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2087-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1320 -2007,SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW - TOWN OF ISLIP – (SCTM NO.
0500-005.00-01.00-003.013 et al)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcels that are surplus to the needs of the County of Suffolk; (see attached Exhibit "A"); and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Islip has requested that the County of Suffolk convey these parcels to it (see annexed resolution - Exhibit "B"); and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of these parcels; now, therefore be it

1st **RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or his Deputy, hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above described properties and on the above described terms and conditions to said Town of Islip for the sum of \$7,406.54; and be it further

2nd **RESOLVED**, that the Town of Islip will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Islip, at any time, uses or attempts to use said subject parcels for other than municipal purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for municipal purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed issued by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **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).

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2089-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1321 -2007, AMENDING THE 2007
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE INTEGRATION OF FILED
MAPS (CP 1697)**

WHEREAS, the County Clerk has requested funds to consolidate three separate processes involved in filing a map in Suffolk County; and

WHEREAS, the integration of filed maps would benefit the County Clerk, the Health Department and the Real Property Tax Service Agency as it will eliminate the scanning function in two departments allowing for a single point of access thereby creating operational efficiencies and revenue generation through the downloading of such maps; and

WHEREAS, this project has been approved by the Information Steering Committee; 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 \$275,000 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 the provisions of NYCRR Part 617.5 (c)(25), 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-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 proceeds of Serial Bonds in the amount of \$275,000 be appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1697.110	Integration of Filed Maps-Planning & Design	\$230,000
525-CAP-1697.510	Integration of Filed Maps-Equipment	\$45,000

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2089A-2007

BOND RESOLUTION NO. 1322 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$275,000 BONDS TO FINANCE THE COST OF THE INTEGRATION OF FILED MAPS (CP 1697.110 and .510)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$275,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the integration of filed maps, 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 \$275,000. The plan of financing includes the issuance of \$275,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$230,000 for planning and \$45,000 for equipment) 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 and 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

**RESOLUTION NO. 1323 -2007, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO SECTION 72-h OF THE
GENERAL MUNICIPAL LAW TOWN OF BROOKHAVEN (SCTM
NO. 0200- 527.00-06.00-021.000)**

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcels that are 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 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 527.00, Block 06.00 Lot 021.000 and acquired by Tax Deed on March 28, 2001 from Joseph Sawicki, Jr., as Chief Deputy County Treasurer of Suffolk County, New York, and recorded on March 29, 2001 in Liber 12110 at Page 677 and described as follows, Town of Brookhaven, known and designated as Lots No. 26 to 30 inclusive, Block No. 8, Section 1, as shown on a certain map entitled "Map of Gordon Heights" and filed in the Suffolk County Clerk's Office on September 6, 1927 as Map No. 643; and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st **RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of one dollar to be waived plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Community purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Community purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Community purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered issued by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this

resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **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).

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2105-2007

Laid on Table 11/20/2007

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

**RESOLUTION NO. 1324 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 DON FELICE, LLC (SCTM NO. 0204-
013.00-06.00-033.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of

Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0204 Section 013.00 Block 06.00 Lot 033.000 and acquired by Tax Deed on August 16, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 2, 2004 in Liber 12341 at Page 445 and described as follows, Village of Patchogue, Town of Brookhaven, N x now or formerly Gallagher, E x now or formerly Row S x now or formerly Rolando Lazo, W x now or formerly D. Felice & others; 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, DON FELICE, LLC, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$4,600. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$4,500, 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 \$4,600, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. THIS restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to

impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a quitclaim deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said DON FELICE, LLC, 165 South Ocean Ave., Apt. 2, Patchogue, NY 11772.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2109-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1325 -2007, AUTHORIZING THE
LEASE OF PREMISES AT FISHERS ISLAND FROM
THE FISHERS ISLAND SCHOOL DISTRICT FOR USE
BY SUFFOLK COUNTY VECTOR CONTROL**

WHEREAS, the Suffolk County Department of Public Works wishes to lease premises on Fishers Island, from the Fishers Island School District for use by the Division of Vector Control as a storage garage; and

WHEREAS, the Landlord has offered to lease approximately 350 square feet of space for use by Vector Control for five (5) years commencing on or about May 21, 2007, and concluding on May 31, 2012, with an option to extend for an additional five (5) one (1) year terms, at a rental rate of \$3,000 per year; and

WHEREAS, the Space Management Steering Committee has recommended the approval of this lease on February 22, 2003; and

WHEREAS, sufficient funds are available for lease payments for the proposed premises; now, therefore be it

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

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

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2154-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1326 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 THE WAY BACK, INC. (SCTM NO.
0206-021.00-03.00-025.002)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0206 Section 021.00 Block 03.00 Lot 025.002 and acquired by Tax Deed on August 17, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on September 14, 1998 in Liber 11916 at Page 755 and described as follows, Incorporated Village of Port Jefferson, Town of Brookhaven, N x now or formerly The Way Back, Inc.; E x now or formerly Karras; S x To A Point; W x now or formerly The Way Back, Inc.; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, THE WAY BACK, INC., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$350.00. 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 \$350.00, 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 \$350.00, 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 THE WAY BACK, INC., 1401 Main Street, Port Jefferson, New York 11777.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Mystal made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 17-0-0-0-1. Legislator D'Amaro was recused.

Intro. Res. No. 2228-2007

Laid on Table 11/20/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1327 -2007, SALE OF
COUNTY-OWNED REAL ESTATE PURSUANT TO
LOCAL LAW 13-1976 MICHAEL BELLO (SCTM NO. 0100-
107.00-01.00-018.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100 Section 107.00 Block 01.00 Lot 018.000 and acquired by Tax Deed on June 3, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on June 4, 1998 in Liber 11898 at Page 728 and described as follows, Town of Babylon, known as the Map of Belmont Parkway Estates, Section 3, Lot 983, Map #650 as filed in the County Clerk's Office of Suffolk County on April 15, 1927; 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, Michael Bello, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$5,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$5,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$5,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Michael Bello at 180 North Michigan Ave., North Massapequa, NY 11758.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 14-4-0-0-0. Legislators Montano, Alden, Barraga and Mystal voted no.

Intro. Res. No. 2168A-2007

BOND RESOLUTION NO. 1328 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$600,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF THE LAWNSDALE LLC PROPERTY - FRESH POND/DICKERSON CREEK (TOWN OF SHELTER ISLAND) UNDER THE ENVIRONMENTAL LEGACY FUND (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 \$600,000 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 the Lawnsdale LLC Property - Fresh Pond/Dickerson Creek (SCTM No. 0700-023.00-01.00-024.010) under the Environmental Legacy Fund, 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 County's share of such cost is \$600,000 (50%) and the \$600,000 balance (50%) of the cost is expected to be paid by the Town of Shelter Island 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 \$600,000 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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 15-3-0-0-0. Legislators Montano, Alden, and Barraga voted no.

Intro. Res. No. 2240A-2007

BOND RESOLUTION NO. 1329 -2007

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$703,500 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS OF THE HODUN PROPERTY IN THE TOWN OF RIVERHEAD, UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP 7177.215) (RES. NO. 1231-2002)

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 \$703,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of farmland development rights of the Hodun property in the Town of Riverhead (SCTM #0600-065-0100-p/o 009.002) 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 \$6,660,000 with the

County's share of such cost being 70% or \$4,662,000. The balance of the County's share is to be paid from CP 7177.227 and the portion of the cost not paid by the County is to be paid by the Town of Riverhead. The plan of financing the County's share includes the issuance of \$703,500 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 Section 11.00 a. 21 of the Law of the Law, is thirty (30) years from May 1, 2003.

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: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

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

Intro. Res. No. 2296-2007

Laid on Table 12/3/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1278 -2007, A RESOLUTION MAKING CERTAIN ADDITIONAL FINDINGS AND DETERMINATIONS IN RELATION TO A PROPOSAL TO EXTEND SEWER DISTRICT NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, Resolution No. 598-2005, Calling for a Public Hearing for the Purpose of Considering the Proposed Increase, Expansion and Improvement of Facilities for

Sewer District No. 18 – Hauppauge Industrial, signed on June 9, 2005, called for a public hearing to be held on the 28th day of June 2005, at 2:30 pm for the purpose of considering the proposed increase and improvement of facilities and extension of the boundaries for Suffolk County Sewer District No. 18 – Hauppauge Industrial; and

WHEREAS, the aforementioned public hearing was held in Riverhead, New York, in said County on June 28, 2005, at 2:30 PM prevailing time and reopened in Hauppauge, New York, in said County on August 9, 2005, at 2:30 PM prevailing time; and

WHEREAS, in Resolution No. 1010-2005, which was adopted on September 27, 2005 and signed by the County Executive on September 30, 2005, the Suffolk County Legislature, upon evidence given at the aforementioned public hearings and upon maps and plans filed with the County Legislature, found and determined that it was in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 18 - Hauppauge Industrial and to extend such district at a maximum estimated cost of \$65,000,000, to be obtained through debt obligations, substantially in accordance with the maps and plans filed at that time with the County Legislature; and

WHEREAS, in Resolution No. 716-2004, the County Legislature acting as the State Environmental Quality Review Act (SEQRA) lead agency determined that the Proposed Improvement and Expansion of Sewer District No. 18 - Hauppauge Industrial, constituted a Type I action pursuant to the provisions of Title 6 NYCRR Part 617.6(b)(6)(i) and Chapter 279 of the Suffolk County Code, which project will not have a significant effect on the environment; and

WHEREAS, in the course of the two intervening years since the original report, map, and plan were filed with the County Legislature, the total cost of the improvement, increase and extension of Suffolk County Sewer District No. 18 – Hauppauge Industrial has increased from \$65,000,000 to \$70,000,000, as reflected in the revised “Report, Map, and Recommendations for Proposed Extension and Improvement of Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007”, which has been duly filed with the County Legislature; and

WHEREAS, in order to seek public comment and input on the revised “Report, Map, and Recommendations for the Proposed Extension and Improvement of the Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007” the County Legislature duly adopted Resolution No. 1040-2007, which called for another public hearing on the revised maps, plans and estimate of cost for the proposed extension of the boundaries said sewer district; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on November 20, 2007 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the revised map and plan and estimate of cost submitted and evidence given at the public hearings held on June 28, 2005 and on November 20, 2007, respectively; now therefore be it

1ST RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to extend the boundaries of Suffolk County Sewer District No. 18 - Hauppauge Industrial and that the proposed facilities are adequate and appropriate;

Section 2. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it further found and determined that it is in the public interest to increase the original amount authorized for the increase, improvement, and extension of Suffolk County Sewer District No. 18 - Hauppauge Industrial from \$65,000,000 to \$70,000,000;

Section 3. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is further found and determined that it is in the public interest to extend the boundaries of Suffolk County Sewer District No. 18 - Hauppauge Industrial at a maximum cost of \$32,147,547, which represents that portion of the aforementioned \$70,000,000 which will be allocated to the extension of said sewer district, substantially in accordance with the revised map and plan;

Section 4. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the proposed extension of Suffolk County Sewer District No. 18 - Hauppauge Industrial will be benefited.

Section 5. Suffolk County Sewer District No. 18 - Hauppauge Industrial, as extended, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being at Hauppauge, Town of Smithtown, County of Suffolk and State of New York, being bounded and described as follows:

Beginning at a point on the northerly line of Vanderbilt Motor Parkway said point being 30.00 feet westerly of an arc having a Radius of 40.00 feet and Length of 62.83 feet which connects the northerly line of Vanderbilt Motor Parkway with the westerly line of Kennedy Drive;

RUNNING THENCE South 84 degrees 52 minutes 36 seconds West for a distance of 965.75 feet to a point;

RUNNING THENCE South 89 degrees 53 minutes 16 seconds West for a distance of 42.68 feet to a point;

RUNNING THENCE South 84 degrees 27 minutes 36 seconds West for a distance of 824.02 feet to a point;

RUNNING THENCE South 83 degrees 20 minutes 16 seconds West for a distance of 183.37 feet to a point;
RUNNING THENCE South 83 degrees 22 minutes 37 seconds West for a distance of 1101.79 feet to a point;
RUNNING THENCE South 84 degrees 04 minutes 48 seconds West for a distance of 1236.94 feet to a point;
RUNNING THENCE South 83 degrees 48 minutes 09 seconds West for a distance of 1301.75 feet to a point;
RUNNING THENCE South 83 degrees 31 minutes 18 seconds West for a distance of 1029.09 feet to a point;
RUNNING THENCE South 84 degrees 15 minutes 00 seconds West for a distance of 317.04 feet to a point;
RUNNING THENCE South 84 degrees 21 minutes 39 seconds West for a distance of 858.90 feet to a point;
RUNNING THENCE South 83 degrees 40 minutes 06 seconds West for a distance of 400.16 feet to a point;
RUNNING THENCE South 83 degrees 40 minutes 45 seconds West for a distance of 481.01 feet to a point;
RUNNING THENCE South 83 degrees 03 minutes 58 seconds West for a distance of 407.79 feet to a point;
RUNNING THENCE South 84 degrees 04 minutes 09 seconds West for a distance of 210.14 feet to a point;
RUNNING THENCE South 84 degrees 05 minutes 48 seconds West for a distance of 400.14 feet to a point;
RUNNING THENCE South 89 degrees 53 minutes 18 seconds West for a distance of 28.94 feet to a point;
RUNNING THENCE South 84 degrees 30 minutes 06 seconds West for a distance of 37.44 feet to an arc which bears to the right having a Radius of 1500.00 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1500.00 feet and a chord of North 77 degrees 43 minutes 11 seconds West 880.30 feet, a distance of 893.45 feet to a point;
RUNNING THENCE North 03 degrees 20 minutes 40 seconds East for a distance of 596.71 feet to a point;
RUNNING THENCE North 02 degrees 53 minutes 50 seconds East for a distance of 37.85 feet to a point;
RUNNING THENCE North 02 degrees 49 minutes 35 seconds East for a distance of 828.90 feet to a point;
RUNNING THENCE North 06 degrees 43 minutes 53 seconds East for a distance of 1052.39 feet to a point;
RUNNING THENCE North 87 degrees 09 minutes 44 seconds West for a distance of 50.12 feet to a point;
RUNNING THENCE North 02 degrees 33 minutes 28 seconds East for a distance of 461.63 feet to a point;
RUNNING THENCE North 76 degrees 26 minutes 24 seconds West for a distance of 218.18 feet to a point;
RUNNING THENCE North 03 degrees 11 minutes 38 seconds West for a distance of 436.09 feet to a point;

RUNNING THENCE North 84 degrees 30 minutes 56 seconds East for a distance of 79.34 feet to a point;
RUNNING THENCE North 02 degrees 10 minutes 34 seconds East for a distance of 49.91 feet to a point;
RUNNING THENCE North 05 degrees 33 minutes 57 seconds West for a distance of 210.00 feet to a point;
RUNNING THENCE North 45 degrees 13 minutes 59 seconds West for a distance of 287.38 feet to a point;
RUNNING THENCE North 83 degrees 28 minutes 20 seconds West for a distance of 77.00 feet to a point;
RUNNING THENCE North 00 degrees 00 minutes 32 seconds West for a distance of 55.35 feet to a point;
RUNNING THENCE South 85 degrees 51 minutes 58 seconds East for a distance of 759.00 feet to an arc which bears to the left having a Radius of 3626.04 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 3626.04 feet and a chord North 87 degrees 14 minutes 56 seconds East, 869.33 feet, a distance of 871.43 feet to an arc which bears to the left having a Radius of 1981.86 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 1981.86 feet and a chord of North 68 degrees 07 minutes 25 seconds East, 840.38 feet, a distance of 846.81 feet to a point;
RUNNING THENCE South 34 degrees 03 minutes 02 seconds East for a distance of 93.90 feet to a point;
RUNNING THENCE North 38 degrees 41 minutes 59 seconds East for a distance of 382.97 feet to an arc which bears to the left having a Radius of 3054.95 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 3054.95 feet and a chord of North 43 degrees 39 minutes 08 seconds East, 566.76 feet, a distance of 567.58 feet to a point;
RUNNING THENCE North 38 degrees 16 minutes 14 seconds East for a distance of 1392.42 feet to an arc which bears to the right having a Radius of 1837.86 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1837.86 feet and a chord of North 76 degrees 32 minutes 29 seconds East, 1531.21 feet, a distance of 1579.36 feet to a point;
RUNNING THENCE South 76 degrees 00 minutes 39 seconds East for a distance of 161.23 feet to a point;
RUNNING THENCE South 76 degrees 54 minutes 28 seconds East for a distance of 796.42 feet to a point;
RUNNING THENCE South 76 degrees 31 minutes 30 seconds East for a distance of 218.72 feet to an arc which bears to the left having a Radius of 2363.83 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 2363.83 feet and a chord of South 79 degrees 09 minutes 55 seconds East, 217.76 feet, a distance of 217.84 feet to a point;
RUNNING THENCE South 76 degrees 22 minutes 35 seconds East for a distance of 411.16 feet to a point;
RUNNING THENCE North 76 degrees 33 minutes 05 seconds East for a distance of 300.17 feet to a point;
RUNNING THENCE North 68 degrees 28 minutes 45 seconds East for a distance of 251.49 feet to a point;

RUNNING THENCE North 82 degrees 12 minutes 35 seconds East for a distance of 351.67 feet to a point;
RUNNING THENCE North 87 degrees 03 minutes 55 seconds East for a distance of 232.34 feet to a point;
RUNNING THENCE South 03 degrees 25 minutes 55 seconds East for a distance of 367.98 feet to a point;
RUNNING THENCE South 12 degrees 40 minutes 51 seconds East for a distance of 1145.02 feet to a point;
RUNNING THENCE South 80 degrees 28 minutes 54 seconds East for a distance of 296.25 feet to a point;
RUNNING THENCE South 80 degrees 30 minutes 44 seconds East for a distance of 1021.42 feet to a point;
RUNNING THENCE South 81 degrees 28 minutes 24 seconds East for a distance of 252.16 feet to a point;
RUNNING THENCE South 82 degrees 00 minutes 04 seconds East for a distance of 1412.33 feet to a point;
RUNNING THENCE South 80 degrees 22 minutes 44 seconds East for a distance of 672.24 feet to a point;
RUNNING THENCE South 67 degrees 14 minutes 47 seconds East for a distance of 64.62 feet to a point;
RUNNING THENCE South 80 degrees 29 minutes 04 seconds East for a distance of 197.25 feet to a point;
RUNNING THENCE South 82 degrees 10 minutes 04 seconds East for a distance of 304.50 feet to a point;
RUNNING THENCE South 77 degrees 33 minutes 04 seconds East for a distance of 132.45 feet to a point;
RUNNING THENCE South 79 degrees 42 minutes 54 seconds East for a distance of 137.37 feet to a point;
RUNNING THENCE South 10 degrees 08 minutes 16 seconds West for a distance of 90.14 feet to a point;
RUNNING THENCE South 04 degrees 51 minutes 06 seconds West for a distance of 55.80 feet to a point;
RUNNING THENCE South 00 degrees 28 minutes 26 seconds West for a distance of 111.28 feet to a point;
RUNNING THENCE South 10 degrees 14 minutes 36 seconds West for a distance of 61.61 feet to a point;
RUNNING THENCE South 03 degrees 17 minutes 54 seconds East for a distance of 150.27 feet to a point;
RUNNING THENCE South 02 degrees 59 minutes 06 seconds West for a distance of 173.80 feet to a point;
RUNNING THENCE South 03 degrees 37 minutes 36 seconds West for a distance of 721.31 feet to a point;
RUNNING THENCE South 03 degrees 04 minutes 56 seconds West for a distance of 165.70 feet to a point;
RUNNING THENCE South 00 degrees 07 minutes 04 seconds East for a distance of 213.78 feet to a point;
RUNNING THENCE South 03 degrees 48 minutes 06 seconds West for a distance of 402.02 feet to a point;

RUNNING THENCE South 00 degrees 59 minutes 36 seconds West for a distance of 101.55 feet to a point;
RUNNING THENCE South 03 degrees 22 minutes 06 seconds West for a distance of 662.37 feet to a point;
RUNNING THENCE South 83 degrees 12 minutes 13 seconds West for a distance of 409.18 feet to a point;
RUNNING THENCE South 82 degrees 48 minutes 46 seconds West for a distance of 278.91 feet to a point;
RUNNING THENCE South 82 degrees 45 minutes 48 seconds West for a distance of 435.92 feet to a point;
RUNNING THENCE South 82 degrees 52 minutes 58 seconds West for a distance of 827.95 feet to the point and place of BEGINNING.

Section 6. As evidenced by certification from the Suffolk County Board of Elections duly filed with the County Legislature, there are no qualified electors who are residents in the existing district or in the proposed district extension, thus a permissive referendum on the proposed increase and improvement to Suffolk County Sewer District No. 18 - Hauppauge Industrial is unnecessary.

Section 7. The Suffolk County Executive or his designee is hereby authorized and empowered to prepare, execute, verify, and submit an application or amend any existing application that the County has filed regarding obtaining the approval for extension of the boundaries of Sewer District No. 18 – Hauppauge Industrial from the New York State Department of Audit and Control consistent with Article 5A of the New York County Law; and be it further

2nd **RESOLVED**, that all other provisions of Resolution No. 1010-2005 are hereby affirmed, ratified and remain in full force and effect; and be it further

3rd **RESOLVED**, 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; and be it further

4th **RESOLVED**, that this resolution shall take effect immediately.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 19, 2007

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

Intro. Res. No. 2297-2007

Laid on Table 12/3/2007

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 1279 -2007, A RESOLUTION
MAKING CERTAIN ADDITIONAL FINDINGS AND
DETERMINATIONS IN RELATION TO A PROPOSAL TO
INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT
NO. 18 – HAUPPAUGE INDUSTRIAL (CP 8126)**

WHEREAS, Resolution No. 598-2005, Calling for a Public Hearing for the Purpose of Considering the Proposed Increase, Expansion and Improvement of Facilities for Sewer District No. 18 – Hauppauge Industrial, signed on June 9, 2005, called for a public hearing to be held on the 28th day of June 2005, at 2:30 pm for the purpose of considering the proposed increase and improvement of facilities and extension of the boundaries for Suffolk County Sewer District No. 18 – Hauppauge Industrial; and

WHEREAS, the aforementioned public hearing was held in Riverhead, New York, in said County on June 28, 2005, at 2:30 PM prevailing time and reopened in Hauppauge, New York, in said County on August 9, 2005, at 2:30 PM prevailing time; and

WHEREAS, in Resolution No. 1010-2005, which was adopted on September 27, 2005 and signed by the County Executive on September 30, 2005, the Suffolk County Legislature, upon evidence given at the aforementioned public hearings and upon maps and plans filed with the County Legislature, found and determined that it was in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 18 - Hauppauge Industrial and to extend such district at a maximum estimated cost of \$65,000,000, to be obtained through debt obligations, substantially in accordance with the maps and plans filed at that time with the County Legislature; and

WHEREAS, Resolution No. 1010-2005 called for the cost of said increase and improvement of facilities of to be allocated to the entire area of Suffolk County Sewer District No. 18 – Hauppauge Industrial, including the area consisting of the proposed extension of said district, inasmuch as both the existing district and the proposed extension of such district would be benefited by the increase and improvement of sewer district facilities; and

WHEREAS, in Resolution No. 716-2004, the County Legislature acting as the State Environmental Quality Review Act (SEQRA) lead agency determined that the Proposed Improvement and Expansion of Sewer District No. 18 - Hauppauge Industrial, constituted a

Type I action pursuant to the provisions of Title 6 NYCRR Part 617.6(b)(6)(i) and Chapter 279 of the Suffolk County Code, which project will not have a significant effect on the environment; and

WHEREAS, in the course of the two intervening years since the original report, map, and plan were filed with the County Legislature, the total cost of the improvement, increase and extension of Suffolk County Sewer District No. 18 – Hauppauge Industrial has increased from \$65,000,000 to \$70,000,000, as reflected in the revised “Report, Map, and Recommendations for Proposed Extension and Improvement of Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007”, which has been duly filed with the County Legislature; and

WHEREAS, in order to seek public comment and input on the revised “Report, Map, and Recommendations for the Proposed Extension and Improvement of the Suffolk County Sewer District No. 18, Hauppauge Industrial – Rev. October 2007” the County Legislature duly adopted Resolution No. 1041-2007, which called for another public hearing on the revised maps, plans and estimate of cost for the proposed increase and improvement of facilities for said sewer district; and

WHEREAS, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Riverhead, New York in said County on November 20, 2007 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the revised map and plan and estimate of cost submitted and evidence given at the public hearings held on June 28, 2005 and on November 20, 2007, respectively; now, therefore be it

1st **RESOLVED**, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to increase the original amount authorized for the increase, improvement, and extension of Suffolk County Sewer District No. 18 - Hauppauge Industrial from \$65,000,000 to \$70,000,000;

Section 2. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is further found and determined that it is in the public interest to increase and improve the facilities of Suffolk County Sewer District No. 18 - Hauppauge Industrial at a maximum cost of \$37,852,453, which represents that portion of the aforementioned \$70,000,000 which will be allocated to increasing and improving said sewer district, substantially in accordance with the revised map and plan;

Section 3. Upon evidence given at the aforesaid public hearings and after due consideration of the revised maps, plans, reports, recommendations, and data filed with the County Legislature, it is further found and determined that cost of said improvements and increases will not constitute an undue burden on the property which will bear the cost thereof and that all real property within Suffolk County Sewer District No. 18 - Hauppauge Industrial and its proposed extension will be benefited by the proposed improvements and no benefited property has been excluded; and

Section 4. Suffolk County Sewer District No. 18 - Hauppauge Industrial, as extended, shall comprise all that certain plot, piece or parcel of land, with improvements erected thereon situate, lying and being at Hauppauge, Town of Smithtown, County of Suffolk and State of New York, being bounded and described as follows:

Beginning at a point on the northerly line of Vanderbilt Motor Parkway said point being 30.00 feet westerly of an arc having a Radius of 40.00 feet and Length of 62.83 feet which connects the northerly line of Vanderbilt Motor Parkway with the westerly line of Kennedy Drive;

RUNNING THENCE South 84 degrees 52 minutes 36 seconds West for a distance of 965.75 feet to a point;

RUNNING THENCE South 89 degrees 53 minutes 16 seconds West for a distance of 42.68 feet to a point;

RUNNING THENCE South 84 degrees 27 minutes 36 seconds West for a distance of 824.02 feet to a point;

RUNNING THENCE South 83 degrees 20 minutes 16 seconds West for a distance of 183.37 feet to a point;

RUNNING THENCE South 83 degrees 22 minutes 37 seconds West for a distance of 1101.79 feet to a point;

RUNNING THENCE South 84 degrees 04 minutes 48 seconds West for a distance of 1236.94 feet to a point;

RUNNING THENCE South 83 degrees 48 minutes 09 seconds West for a distance of 1301.75 feet to a point;

RUNNING THENCE South 83 degrees 31 minutes 18 seconds West for a distance of 1029.09 feet to a point;

RUNNING THENCE South 84 degrees 15 minutes 00 seconds West for a distance of 317.04 feet to a point;

RUNNING THENCE South 84 degrees 21 minutes 39 seconds West for a distance of 858.90 feet to a point;

RUNNING THENCE South 83 degrees 40 minutes 06 seconds West for a distance of 400.16 feet to a point;

RUNNING THENCE South 83 degrees 40 minutes 45 seconds West for a distance of 481.01 feet to a point;

RUNNING THENCE South 83 degrees 03 minutes 58 seconds West for a distance of 407.79 feet to a point;

RUNNING THENCE South 84 degrees 04 minutes 09 seconds West for a distance of 210.14 feet to a point;

RUNNING THENCE South 84 degrees 05 minutes 48 seconds West for a distance of 400.14 feet to a point;

RUNNING THENCE South 89 degrees 53 minutes 18 seconds West for a distance of 28.94 feet to a point;
RUNNING THENCE South 84 degrees 30 minutes 06 seconds West for a distance of 37.44 feet to an arc which bears to the right having a Radius of 1500.00 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1500.00 feet and a chord of North 77 degrees 43 minutes 11 seconds West 880.30 feet, a distance of 893.45 feet to a point;
RUNNING THENCE North 03 degrees 20 minutes 40 seconds East for a distance of 596.71 feet to a point;
RUNNING THENCE North 02 degrees 53 minutes 50 seconds East for a distance of 37.85 feet to a point;
RUNNING THENCE North 02 degrees 49 minutes 35 seconds East for a distance of 828.90 feet to a point;
RUNNING THENCE North 06 degrees 43 minutes 53 seconds East for a distance of 1052.39 feet to a point;
RUNNING THENCE North 87 degrees 09 minutes 44 seconds West for a distance of 50.12 feet to a point;
RUNNING THENCE North 02 degrees 33 minutes 28 seconds East for a distance of 461.63 feet to a point;
RUNNING THENCE North 76 degrees 26 minutes 24 seconds West for a distance of 218.18 feet to a point;
RUNNING THENCE North 03 degrees 11 minutes 38 seconds West for a distance of 436.09 feet to a point;
RUNNING THENCE North 84 degrees 30 minutes 56 seconds East for a distance of 79.34 feet to a point;
RUNNING THENCE North 02 degrees 10 minutes 34 seconds East for a distance of 49.91 feet to a point;
RUNNING THENCE North 05 degrees 33 minutes 57 seconds West for a distance of 210.00 feet to a point;
RUNNING THENCE North 45 degrees 13 minutes 59 seconds West for a distance of 287.38 feet to a point;
RUNNING THENCE North 83 degrees 28 minutes 20 seconds West for a distance of 77.00 feet to a point;
RUNNING THENCE North 00 degrees 00 minutes 32 seconds West for a distance of 55.35 feet to a point;
RUNNING THENCE South 85 degrees 51 minutes 58 seconds East for a distance of 759.00 feet to an arc which bears to the left having a Radius of 3626.04 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 3626.04 feet and a chord North 87 degrees 14 minutes 56 seconds East, 869.33 feet, a distance of 871.43 feet to an arc which bears to the left having a Radius of 1981.86 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 1981.86 feet and a chord of North 68 degrees 07 minutes 25 seconds East, 840.38 feet, a distance of 846.81 feet to a point;
RUNNING THENCE South 34 degrees 03 minutes 02 seconds East for a distance of 93.90 feet to a point;
RUNNING THENCE North 38 degrees 41 minutes 59 seconds East for a distance of 382.97 feet to an arc which bears to the left having a Radius of 3054.95 feet;

RUNNING THENCE along the arc which bears to the left having a Radius of 3054.95 feet and a chord of North 43 degrees 39 minutes 08 seconds East, 566.76 feet, a distance of 567.58 feet to a point;
RUNNING THENCE North 38 degrees 16 minutes 14 seconds East for a distance of 1392.42 feet to an arc which bears to the right having a Radius of 1837.86 feet;
RUNNING THENCE along the arc which bears to the right having a Radius of 1837.86 feet and a chord of North 76 degrees 32 minutes 29 seconds East, 1531.21 feet, a distance of 1579.36 feet to a point;
RUNNING THENCE South 76 degrees 00 minutes 39 seconds East for a distance of 161.23 feet to a point;
RUNNING THENCE South 76 degrees 54 minutes 28 seconds East for a distance of 796.42 feet to a point;
RUNNING THENCE South 76 degrees 31 minutes 30 seconds East for a distance of 218.72 feet to an arc which bears to the left having a Radius of 2363.83 feet;
RUNNING THENCE along the arc which bears to the left having a Radius of 2363.83 feet and a chord of South 79 degrees 09 minutes 55 seconds East, 217.76 feet, a distance of 217.84 feet to a point;
RUNNING THENCE South 76 degrees 22 minutes 35 seconds East for a distance of 411.16 feet to a point;
RUNNING THENCE North 76 degrees 33 minutes 05 seconds East for a distance of 300.17 feet to a point;
RUNNING THENCE North 68 degrees 28 minutes 45 seconds East for a distance of 251.49 feet to a point;
RUNNING THENCE North 82 degrees 12 minutes 35 seconds East for a distance of 351.67 feet to a point;
RUNNING THENCE North 87 degrees 03 minutes 55 seconds East for a distance of 232.34 feet to a point;
RUNNING THENCE South 03 degrees 25 minutes 55 seconds East for a distance of 367.98 feet to a point;
RUNNING THENCE South 12 degrees 40 minutes 51 seconds East for a distance of 1145.02 feet to a point;
RUNNING THENCE South 80 degrees 28 minutes 54 seconds East for a distance of 296.25 feet to a point;
RUNNING THENCE South 80 degrees 30 minutes 44 seconds East for a distance of 1021.42 feet to a point;
RUNNING THENCE South 81 degrees 28 minutes 24 seconds East for a distance of 252.16 feet to a point;
RUNNING THENCE South 82 degrees 00 minutes 04 seconds East for a distance of 1412.33 feet to a point;
RUNNING THENCE South 80 degrees 22 minutes 44 seconds East for a distance of 672.24 feet to a point;
RUNNING THENCE South 67 degrees 14 minutes 47 seconds East for a distance of 64.62 feet to a point;
RUNNING THENCE South 80 degrees 29 minutes 04 seconds East for a distance of 197.25 feet to a point;
RUNNING THENCE South 82 degrees 10 minutes 04 seconds East for a distance of 304.50 feet to a point;

RUNNING THENCE South 77 degrees 33 minutes 04 seconds East for a distance of 132.45 feet to a point;
RUNNING THENCE South 79 degrees 42 minutes 54 seconds East for a distance of 137.37 feet to a point;
RUNNING THENCE South 10 degrees 08 minutes 16 seconds West for a distance of 90.14 feet to a point;
RUNNING THENCE South 04 degrees 51 minutes 06 seconds West for a distance of 55.80 feet to a point;
RUNNING THENCE South 00 degrees 28 minutes 26 seconds West for a distance of 111.28 feet to a point;
RUNNING THENCE South 10 degrees 14 minutes 36 seconds West for a distance of 61.61 feet to a point;
RUNNING THENCE South 03 degrees 17 minutes 54 seconds East for a distance of 150.27 feet to a point;
RUNNING THENCE South 02 degrees 59 minutes 06 seconds West for a distance of 173.80 feet to a point;
RUNNING THENCE South 03 degrees 37 minutes 36 seconds West for a distance of 721.31 feet to a point;
RUNNING THENCE South 03 degrees 04 minutes 56 seconds West for a distance of 165.70 feet to a point;
RUNNING THENCE South 00 degrees 07 minutes 04 seconds East for a distance of 213.78 feet to a point;
RUNNING THENCE South 03 degrees 48 minutes 06 seconds West for a distance of 402.02 feet to a point;
RUNNING THENCE South 00 degrees 59 minutes 36 seconds West for a distance of 101.55 feet to a point;
RUNNING THENCE South 03 degrees 22 minutes 06 seconds West for a distance of 662.37 feet to a point;
RUNNING THENCE South 83 degrees 12 minutes 13 seconds West for a distance of 409.18 feet to a point;
RUNNING THENCE South 82 degrees 48 minutes 46 seconds West for a distance of 278.91 feet to a point;
RUNNING THENCE South 82 degrees 45 minutes 48 seconds West for a distance of 435.92 feet to a point;
RUNNING THENCE South 82 degrees 52 minutes 58 seconds West for a distance of 827.95 feet to the point and place of BEGINNING.

Section 5. As evidenced by certification from the Suffolk County Board of Elections duly filed with the County Legislature, there are no qualified electors who are residents in the existing district or in the proposed district extension, thus a permissive referendum on the proposed increase and improvement to Suffolk County Sewer District No. 18 - Hauppauge Industrial is unnecessary.

Section 6. The Suffolk County Executive or his designee is hereby authorized and empowered to prepare, execute, verify, and submit an application or amend any existing application that the County has filed regarding obtaining the approval for the increase and improvement of facilities for Sewer District No. 18 – Hauppauge Industrial from the New York

State Department of Audit and Control consistent with Article 5A of the New York County Law; and be it further

2nd **RESOLVED**, that all other provisions of Resolution No. 1010-2005 are hereby affirmed, ratified and remain in full force and effect; and be it further

3rd **RESOLVED**, 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; and be it further

4th **RESOLVED**, that this resolution shall take effect immediately.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 19, 2007

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

Intro. Res. No. 2288-2007

Laid on Table 12/3/2007

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1330 -2007, ACCEPTING AND APPROPRIATING \$136,000 IN 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO IMPLEMENT THE ENHANCED COMPREHENSIVE CASE MANAGEMENT PROGRAM IN THE DEPARTMENT OF SOCIAL SERVICES AND AUTHORIZING THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

WHEREAS, the New York State Office of Children Family and Services has

designated Suffolk County as the recipient of 100% funding in the amount of \$136,000 to implement an Enhanced Comprehensive Case Management Program (ECCMP); and

WHEREAS, the purpose of the grant is to fund services for the prevention of detention placements and “persons in need of supervision” (PINS) referrals; and

WHEREAS, the ECCMP is an enhancement of the Pederson-Krag Center, Inc. Home and Community Based Services Waiver program model, and specifically targets prospective PINS and JD youth between 10 and up to 18 years of age who are at risk of detention or out-of-home placement; and

WHEREAS, children and youth will be referred to ECCMP by the Alternatives for Youth (AFY) Program that has successfully coordinated the efforts of the Probation Department, Suffolk County Police Department, Suffolk County Department of Social Services, and the Youth Bureau in averting placements in the PINS program; and

WHEREAS, the New York State Office of Children and Family Services has approved the grant proposal developed in collaboration with Pederson-Krag Center, Inc. as provider of the Enhanced Comprehensive Case Management Program; and

WHEREAS, these funds are available to the Suffolk County Department of Social Services through June 30, 2008 to provide the preventive service program specified herein; and

WHEREAS, there is no cost to Suffolk County; and

WHEREAS, it is in the best interest of Suffolk County to accept these funds; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

REVENUES:

001-3610	STATE AID: Administration	<u>\$136,000</u>
		\$136,000

and be it further

2nd RESOLVED, that the total funds in the amount of \$136,000 be and they hereby are appropriated as follows:

ORGANIZATIONS:

	Social Services	<u>\$136,000</u>
	Family and Children’s Services Administration	
	001-DSS-6010	
<u>4000 – Contractual Expenses</u>		<u>\$136,000</u>

4980-XXXX– Pederson Krag Enhanced Comprehensive
Case Management Program

\$136,000

and be it further

3rd RESOLVED, that any unexpended funds be reappropriated in the 2008 Operating Budget, and will be fully expended by June 30, 2008 in conformance with the terms of the grant award; and be it further

4th RESOLVED, that the County Executive and the Commissioner of Social Services be and they hereby are authorized to execute a contract with the Pederson-Krag Center, Inc. for the Enhanced Comprehensive Case Management Program.

DATED: December 3, 2007

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 17, 2007

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-1-0-0. Legislator Schneiderman abstained.

Intro. Res. No. 2263-2007
Introduced by the Presiding Officer

Laid on Table 12/3/2007

RESOLUTION NO. 1190-2007, AUTHORIZING THAT THE TAX WARRANTS BE SIGNED BY THE PRESIDING OFFICER AND CLERK OF THE COUNTY LEGISLATURE AND THAT THEY BE ANNEXED TO THE TAX ROLLS FOR THE COLLECTION OF TAXES

1st RESOLVED, that the taxes and levies as extended on the 2007-2008 tax and assessment rolls of the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton, and Southold, and the tax districts therein are hereby ratified and confirmed in accordance with the displays attached; and be it further

2nd RESOLVED, that the tax warrants for the collection of such taxes as are provided by law be annexed to the tax rolls of the several said towns, under the seal of the County, and shall be signed by the Presiding Officer and Clerk of the County Legislature.

DATED: December 3, 2007

APPROVED BY:

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

Date: December 4, 2007

**ADJOURNED 6:46PM
TIM LAUBE, CLERK OF THE LEGISLATURE**