

FOURTH DAY

REGULAR MEETING

March 4, 2008

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

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

Statements and Presentations

Public Portion

EXECUTIVE SESSION WAS HELD FROM 12:09 P.M. TO 12:42 P.M.

THE MEETING WAS RECESSED AT 12:42 P.M. AND RECONVENED AT 2:34 P.M.

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

Legislator Romaine 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. 1057-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 36 -2008, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY
TREASURER BY: COUNTY LEGISLATURE #288

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>
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SEE ATTACHED LIST

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1059-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 37 -2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #289

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>
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BROOKHAVEN:

0200-487.00-01.00-033.000

(ITEM #8101322)	2006/07	\$204,755.14	\$0.00	\$204,755.14
0200-419.00-02.00-001.000 (ITEM #8107201)	2006/07	\$9,791.20	\$0.00	\$9,791.20

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 6, 2008

Legislator Romaine 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. 1060-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 38-2008, TO READJUST, COMPROMISE,
AND GRANT REFUNDS AND CHARGEBACKS ON
CORRECTION OR ERRORS/COUNTY TREASURER BY:
COUNTY LEGISLATURE #290

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:				
0400-147.00-05.00-001.000	2007/08	\$3386.06	\$0.00	\$3386.06
0400-147.00-05.00-002.000	2007/08	\$3386.06	\$0.00	\$3386.06
0400-147.00-05.00-003.000	2007/08	\$5643.46	\$0.00	\$5643.46
0400-147.00-05.00-004.000	2007/08	\$2821.73	\$0.00	\$2821.73

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1115-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 39-2008, ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR STRENGTHENED CAMPUS-BASED ASSESSMENT 100% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

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

WHEREAS, the Assessment Program has been increased by an additional amount of \$10,400, to continue the assessment for mathematics and writing, bringing the total amount of the grant award to \$15,600 for the 2007-08 academic year; and

WHEREAS, it is necessary to amend the College budget in the amount of \$10,400 to provide for the increase in the grant award; and

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

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the grant award amendment on February 14, 2008 by Resolution No. 2008. ; and

WHEREAS, the College anticipates spending the \$10,400, in accordance with the terms of said grant amendment 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 \$10,400, from the State University of New York for Strengthened Campus-Based Assessment to be appropriated for the operation of the program as follows:

REVENUES: 818-GRT-3295-08	Amount
State Aid: Strengthened Campus-Based Assessment:	\$10,400

APPROPRIATIONS: 818-GRT-GC61-08	Amount
Strengthened Campus-Based Assessment	\$10,400

Suffolk County Community College

Strengthened Campus-Based Assessment
818-GRT-GC61-08

1000-Personal Services \$8,946
1160-Part-time Instructors-Day

8000-Employee Benefits \$1,454
8160-TIAA-CREF Retirement 716
8330-Social Security 684
8350-Unemployment Insurance 54
DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1071-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 40-2008, ACCEPTING AND APPROPRIATING 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE SAFETY NET ASSISTANCE PROJECT (SNAP) AND AUTHORIZE THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

WHEREAS, the New York State Office of Temporary and Disability Assistance has designated the Suffolk County Department of Social Services as the recipient of 100% State Funding in the amount of \$60,000 to implement a Safety Net Assistance Project (SNAP) to provide outreach services to Safety Net recipients of advanced age; and

WHEREAS, the purpose of the grant is to provide funds for case management services targeting Safety Net Non MOE recipients who are currently unable to retain employment due to mental and/or physical disability; and

WHEREAS, the New York State Office of Temporary Disability Assistance has approved the grant proposal developed in collaboration with the Education and Assistance Corporation (EAC) as the provider of the SNAP project, and

WHEREAS, EAC will perform intake assessments to fully determine employability and make referrals for employment, physical, mental health, substance abuse services, and SSI/SSD application assistance where applicable; 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:

<u>REVENUES:</u>		<u>Amount</u>
001-3610	STATE AID: Administration	<u>\$60,000</u>

and be it further

2nd RESOLVED, that total funds in the amount of \$60,000 be and are hereby appropriated as follows:

<u>ORGANIZATIONS:</u>		<u>\$60,000</u>
	Department of Social Services Housing, Adult and Employment Services 001-DSS-6008	

<u>4000 – Contractual Expenses</u>	<u>\$60,000</u>
4980 – XXXX - Education and Assistance Corporation (EAC), SNAP Project	\$60,000

and be it further

3rd RESOLVED, that any unexpended funds be reappropriated in the 2008 Operating Budget, and will be fully expended by June 20, 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 are hereby are authorized to execute a contract with the Education and Assistance Corporation, Inc. for the Safety Net Assistance Project (SNAP).

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1074-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

**RESOLUTION NO. 41-2008, 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 THE
TOXICOLOGY LAB – 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 the Toxicology Lab – Aid to Crime Labs in the amount of \$104,763 for the period 04/01/07-06/30/08; and

WHEREAS, this grant funding is provided to enhance the effectiveness, efficiency, reliability, and accuracy of laboratory services within New York State’s forensic laboratories; and

WHEREAS, a portion of this funding is already included in the 2008 Suffolk County Operating Budget and \$37,723 needs to be appropriated; 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 \$37,723 in grant funds as follows:

<u>REVENUES:</u>	<u>Amount</u>
001-3322 Target Crime Initiative Program	\$37,723

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Toxicology Lab – Aid to Crime Labs
001-HSV-4722

<u>Personal Services</u>	<u>\$18,000</u>
1120 Overtime Salaries	\$18,000
<u>Supplies</u>	<u>\$19,500</u>
3080 Research and Law Books	\$ 6,000
3650 Repairs: Buildings	\$ 3,000
3680 Repairs: Special Equipment	\$10,500
<u>Travel</u>	<u>\$ 223</u>
4340 Travel: Other	\$ 223

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 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1075-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 42-2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF HEALTH SERVICES, DIVISION OF MEDICAL, LEGAL INVESTIGATIONS AND FORENSIC SCIENCES FOR THE PAUL COVERDELL NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT, FY07

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the Paul Coverdell National Forensic Sciences Improvement Act, FY07 in the amount of \$43,830 for the period 10/01/07-09/30/08; and

WHEREAS, this grant funding will provide a demonstrated improvement over current operations in the quality and/or timeliness of forensic science services provided by the Crime Laboratory; and

WHEREAS, this is a renewal of a current program and \$38,000 has been appropriated in the 2008 Suffolk County Operating Budget; and

WHEREAS, the grant award this cycle provided funding of \$5,830 which was not included in the 2008 Suffolk County Operating Budget; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$5,830 in grant funds as follows:

<u>REVENUES:</u>	<u>Amount</u>
001-4320 Crime Control	\$5,830

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
Paul Coverdell National Forensic Sciences Improvement Program
001-HSV-4729

Personal Services
1120 Overtime Salaries

\$5,830
\$5,830

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 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1078-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 43-2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO VARIOUS MENTAL HEALTH AGENCIES AND TO TRANSFER EXISTING FUNDS

WHEREAS, the New York State Office of Mental Health has awarded \$1,453,103 in additional 100% State Aid for the provision of services to the seriously and persistently mentally ill; and

WHEREAS, \$68,500 is targeted for Family Service League (FSL) for a suicide prevention program; and

WHEREAS, \$56,233 is allocated to F.E.G.S. for its Transitional Employment and Placement program; and

WHEREAS, \$538,192 is allocated to Maryhaven for the Sheltered Workshop; and

WHEREAS, \$522,150 is allocated to CONCERN for two community residence sites; and

WHEREAS, \$107,528 is allocated to Nassau - Suffolk Law Services Mental Health Project to provide funding for the full year; and

WHEREAS, \$80,250 is allocated to Family Service League and \$80,250 is allocated to Clubhouse of Suffolk for a shelter clinic case management program; and

WHEREAS, this unallocated 100% additional State Aid is not currently included in the 2008 Adopted Operating Budget; and

WHEREAS, \$145,388 in funding for the Maryhaven Psychosocial Rehabilitation Special Employment Program has been collapsed into the funding for the Sheltered Workshop program as per the agency's request; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate \$1,453,103 in additional State Aid as follows:

REVENUES:

001-HSV-3493 State Aid: Community Support Services +\$1,453,103

ORGANIZATIONS:

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
Community Support Services
001-HSV-4330-4980

<u>XORG Object Name</u>	<u>2008 Adopted</u>	<u>Change</u>
XXXX FSL Suicide Prevention Program	0	+\$ 68,500
GGP1 F.E.G.S. Psych Rehab Spec Employ	0	+\$ 56,233
ALC1 Maryhaven	\$596,190	+\$538,192
XXXX CONCERN	0	+\$522,150
HYO1 Nassau Suffolk Law Services	\$102,800	+\$107,528
XXXX FSL Shelter-Clinic Case Management	0	+\$ 80,250
XXXX Clubhouse Shelter-Clinic Case Management	0	+\$ 80,250

and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds as follows:

ORGANIZATIONS:

Department of Health Services (HSV)
Division of Community Mental Hygiene Services
Community Support Services
001-HSV-4330-4980

<u>XORG Object Name</u>	<u>Change</u>
ALC5 Maryhaven Psych Rehab Spec Employ	-\$145,388
ALC1 Maryhaven	+\$145,388

and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named agencies; and be it further

4th 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

5th 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1058-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 44-2008, ACCEPTING AND APPROPRIATING
100% FEDERAL FUNDS AWARDED BY THE U.S. MARSHALS
SERVICE TO THE SUFFOLK COUNTY DISTRICT ATTORNEY AND
AUTHORIZING THE SUFFOLK COUNTY EXECUTIVE TO EXECUTE
RELATED AGREEMENTS**

WHEREAS, the U.S. Marshals Service will provide funding to the Suffolk County District Attorney for participation in the NY/NJ Regional Fugitive Task Force operation; and

WHEREAS, a total of \$5,300.00 has been awarded by the U.S. Marshals Service for overtime expenses for services rendered by the Suffolk County District Attorney for the period October 1, 2007 through September 30, 2008; and

WHEREAS, said funds have not been included in the 2007 or the 2008 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 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 \$5,300.00 as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4320-Federal Aid: Crime Control	\$5,300

APPROPRIATIONS:

Suffolk County District Attorney

U.S. Marshals Fugitive Task Force
001-DIS-1155

1000 Personal Service	\$5,300
1120-Overtime	\$5,300

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1069-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 45 -2008, ACCEPTING AND APPROPRIATING ONE HUNDRED PERCENT FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR THE SUFFOLK COUNTY MEDICAL RESERVE CORPS.

WHEREAS, the National Association of County and City Health Officials (NACCHO), has awarded the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) funds to prepare for a full-scale special needs drill in 2008, and a nursing home evacuation exercise in 2008 through National Incident Management System (NIMS) Incident Command training and providing volunteers necessary supplies such as personal protective equipment; and

WHEREAS, NACCHO has received a grant from the Department of Health and Human Services (Grant Number: 1 MRCSG061001-02, CFDA Number: 93.008) (the "Grant") to build the capacity of local Medical Reserve Corps ("MRC") units; and

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

WHEREAS, pursuant to the terms of the Grant, NACCHO desires to provide funding to FRES in exchange for FRES agreeing, among other things, to undertake the activities indicated in their capacity building application or oversee such activities; and

WHEREAS, FRES houses an MRC unit that is registered in good standing with the OSG/CVMRC; and

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

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

WHEREAS, this is a grant program, effective immediately to July 31, 2008 in which Suffolk County has been awarded \$5,000 from NACCHO; and

WHEREAS, \$5,000 of said funds have not been included in the 2008 Operating Budget, now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept \$5,000 and appropriate said grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4089 Federal Aid: Other	\$5,000

ORGANIZATIONS:

Medical Reserve Corps
001-FRE-3400- \$5,000

<u>3000 – Supplies, Materials & Other Expenses</u>	<u>\$2,738</u>
3500 – Other, Unclassified	\$2,738

<u>4000 – Contractual Expenses</u>	<u>\$2,262</u>
4560 – Fees for Services	\$2,262

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1077-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 46 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$88,325.00 FROM THE STATE OF NEW YORK GOVERNOR’S TRAFFIC SAFETY COMMITTEE, TO TARGET SPEEDING, AGGRESSIVE DRIVING, AND MOTORCYCLE SAFETY WITH 85% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$88,325.00 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to perform targeted enforcement of speeding and aggressive driving behaviors on all roadways, including corridors, as well as to continue enforcement of vehicle and traffic laws related to motorcycle operation; and

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

WHEREAS, said grant funds totaling \$88,325.00 have not been included in the 2008 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>REVENUE:</u>	<u>AMOUNT</u>
115-4398-Federal Aid: STEP 08	\$88,325.00

ORGANIZATIONS:

Police Department (POL)
STEP 08
115-POL-3254

<u>1000-Personal Services</u>	<u>\$82,000.00</u>
1120-Overtime Salaries	82,000.00
<u>2000-Equipment</u>	<u>\$5,825.00</u>
2500-Other equipment not otherwise	5,825.00
<u>3000-Supplies, Materials & Others</u>	<u>\$500.00</u>
3040-Printing	500.00

and be it further

2nd RESOLVED, that the fringe benefits associated with the overtime salaries for this grant are included in the 2008 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1087-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 47 –2008, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$827,000 FOR THE “STATE HOMELAND SECURITY PROGRAM (SHSP) FY2007” ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County Federal Funds under the SHSP FY2007 program to be implemented by the Suffolk County Department of Fire, Rescue and Emergency Services; and

WHEREAS, the SHSP FY2007 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive materials; and

WHEREAS, this grant is for a thirty-six (36) period in which the County will receive 100% grant funding in the amount of \$827,000 for the SHSP FY2007; and

WHEREAS, the SHSP FY2007 is slated to operate for the period beginning 07/01/2007 to 06/30/2010; and

WHEREAS, said funds have not been included in the 2008 Operating Budget; and

WHEREAS, the SHSP FY2007 grant includes funding to continue the employment of two (2) part-time Training Officers for terrorism training; and

WHEREAS, these positions already exist in the 2007 Operating Budget in 001-FRE-3412 as positions numbers 0300-0001 and 0300-0002; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective July 1, 2008, to 001-FRE-3416 as position numbers 0300-0001 and 0300-0002;

WHEREAS, the SHSP FY2007 grant includes funding to continue the employment of one (1) Planning Aide for the Department of Fire, Rescue and Emergency Services; and

WHEREAS, the position already exist in the 2008 Operating Budget in 001-FRE-3408 as position number 0100-0001; and

WHEREAS, the Department of FRES requests said position be continued and be transferred effective 5/26/2008, to 001-FRE-3416 as position number 0100-0001; and

WHEREAS, the SHSP FY2007 grant includes funding for the purchase of one (1) Multi-Modal Transportation Security Command/Response Vehicle for the Police Department to properly and safely respond to transportation security incidents; and

WHEREAS, the purchase of this vehicle will increase the fleet of the Police Department by one (1); and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase has been granted via duly enacted Resolution of the Suffolk County Legislature; now, therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept \$827,000 and appropriate said grant funds as follows:

SHSP FY2007 - \$827,000

<u>REVENUES:</u>	<u>AMOUNT</u>
001-FRE-4332– SHSP FY2007	\$452,000
001-POL-4332 – SHSP FY2007	\$250,000
001-HSV-4332 – SHSP FY2007	\$100,000
001-IST-4332 – SHSP FY2007	\$ 25,000

ORGANIZATIONS:

Suffolk County Police Department
SHSP FY2007
001-POL-3265 - \$250,000

<u>2000 – Equipment</u>	<u>\$250,000</u>
2040 – Trucks, Trailers & Jeeps	\$ 60,000
2090 – Communications Equipment	\$ 43,000
2500 – Other Equipment	\$147,000

Suffolk County Dept of Fire, Rescue and Emergency Services

Domestic Preparedness Support

001-FRE-3416 - \$408,934

<u>1000 – Personnel Services</u>	<u>\$162,078</u>
1100 – Permanent Salaries	\$162,078
<u>3000 – Supplies</u>	<u>\$141,556</u>
3040 – Outside Printing	\$ 86,556
3680 – Repairs, Special Equipment	\$ 55,000
<u>4000 – Utilities</u>	<u>\$ 90,000</u>
4010 – Telephone & Telegraph	\$ 90,000
<u>4500 – Contractual Expenses</u>	<u>\$ 15,300</u>
4560 – Fees for Services – Non Employees	\$ 15,300

**Suffolk County Dept. of Health Services
Division of Emergency Medical Services
001-HSV-4627 - \$100,000**

<u>2000 – Equipment</u>	<u>\$100,000</u>
2080 – Medical, Dental, Laboratory Equipment	\$100,000

**Suffolk County Information Technology Services
001-ITS-1680 - \$25,000**

<u>2000 – Equipment</u>	<u>\$ 25,000</u>
2020 – Office Machines	\$ 25,000

**Employee Benefits
Social Security
001-EMP - 9030 - \$12,399**

<u>8000 – Employee Benefits</u>	<u>\$ 12,399</u>
8330 – Social Security	\$ 12,399

**Employee Benefits
Retirement**

001-EMP-9010 – \$6,602

<u>Employee Benefits</u>	<u>\$6,602</u>
8280 – Retirement	\$6,602

Employee Benefits
Welfare Fund
001-EMP-9080 - \$2,187

<u>Employee Benefits</u>	<u>\$2,187</u>
8380 – Welfare Fund Contribution	\$2,187

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - \$21,878

<u>Employee Benefits</u>	<u>\$21,878</u>
9600 Transfer of Funds	\$21,878

and be it further

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

REVENUES:

039-IFT-R0001 Transfer from General Fund	\$21,878
--	----------

ORGANIZATION:

Employee Benefits
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>\$21,878</u>
8360 – Health Insurance	\$21,878

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute related agreements; and be it further

3rd RESOLVED, that the following positions be and they hereby are transferred in the Department of Fire, Rescue and Emergency Services effective July 1, 2008:

Department of Fire, Rescue & Emergency Services

Transfer FROM:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3412-0300-0001/0002	5812	Training Officer- Emergency Preparedness	C	16

Transfer TO:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3416-0300-0001/0002	5812	Training Officer- Emergency Preparedness	C	16

and be it further

4th RESOLVED, that the following positions be and they hereby are transferred in the Department of Fire, Rescue and Emergency Services effective May 26, 2008:

Department of Fire, Rescue and Emergency Services

Transfer FROM:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3408-0100-0001	1510	Planning Aide		C 17

Transfer TO:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>
3416-0100-0001	1510	Planning Aide		C 17

and be it further

5th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the

positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

6th RESOLVED, that the County Legislature hereby authorized the fleet of the Police Department to be increased one (1) vehicle; and be it further

7th RESOLVED, that the purchase of one (1) Multi-Modal Transportation Security Command/Response Vehicle is hereby approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard; 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 the 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 of 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1089-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

RESOLUTION NO. 48 -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS OFFICE OF HOMELAND SECURITY IN THE AMOUNT OF \$2,000,000 FOR THE "URBAN AREA SECURITY INITIATIVE PROGRAM (UASI) FY2007" ADMINISTERED BY THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES AND TO EXECUTE GRANT RELATED AGREEMENTS

WHEREAS, the New York State Office of Homeland Security has awarded Suffolk County Federal Funds under the UASI FY2007 program to be implemented by the Suffolk County Department of Fire, Rescue and Emergency Services; and

WHEREAS, the UASI FY2007 will provide funds to support planning, equipment, training and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear and explosive matters; and

WHEREAS, this grant is for a thirty-six (36) month period in which the County will receive 100% grant funding in the amount of \$2,000,000; and

WHEREAS, the UASI FY2007 is slated to operate for the period beginning 07/01/2007 to 06/30/2010; and,

WHEREAS, said funds have not been included in the 2008 Operating Budget; and

WHEREAS, the UASI FY2007 grant includes funding to continue the employment of a Resources Management Officer (full-time) for the Department of Fire, Rescue and Emergency Services to handle WMD logistics; and

WHEREAS, the position already exist in the 2008 Operating Budget in 001-FRE-3413 as position number 0300-0003; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective July 1, 2008, to 001-FRE-3417 as position number 0300-0003; and

WHEREAS, the UASI FY2007 grant includes funding to continue the employment of four (4) Resources Management Officers (part-time) for the Department of Fire, Rescue and Emergency Services; and

WHEREAS, the positions already exist in the 2008 Operating Budget in 001-FRE-3409 as position numbers 0100-0001/2/3/4; and

WHEREAS, the Department of FRES requests said positions be continued and be transferred effective January 1, 2009, to 001-FRE-3417 as position number 0300-0004/5/6/7; and

WHEREAS, the UASI FY 007 grant includes funding for the purchase of one (1) Critical Infrastructure Protection Vehicle for the Police Department to properly and safely respond to incidents of energetic materials or weapons of mass destruction; and funding for the purchase of one (1) Trailer for the Medical Examiner's Office of the Dept of Health Services for the transport of supplies and equipment to for response to mass fatality incidents; and

WHEREAS, the purchase of these vehicles will increase the fleet of the Police Department and Department of Health Services by one (1) each; and

WHEREAS, Chapter 186 of the Suffolk County Code requires that no vehicle shall be purchased or leased unless explicit approval for the acquisition of such vehicle, via lease or purchase has been granted via duly enacted Resolution of the Suffolk County Legislature; now, therefore be it

1st RESOLVED, the County Comptroller and the County Treasurer be and they hereby are authorized to accept \$2,000,000 and appropriate said grant funds as follows:

UASI FY2007 - \$2,000,000

<u>REVENUES</u>	<u>AMOUNT</u>
001-FRE-4328 – UASI FY2007	\$774,462
001-POL-4328 – UASI FY2007	\$803,000
001-HSV-4328 – UASI FY2007	\$230,550
001-DPW-4328 – UASI FY2007	\$159,988
001-PKS-4328 – UASI FY2007	\$ 2,000
001-SHF-4328 – UASI FY2007	\$ 30,000

ORGANIZATIONS

Suffolk County Department of Fire, Rescue and Emergency Services

001-FRE-3417 - \$727,530

<u>1000 – Personnel Services</u>	<u>\$197,202</u>
1100 – Permanent Salaries	\$126,302
1120 – Overtime	\$ 70,900
<u>2000 – Equipment</u>	<u>\$356,328</u>
2090 – Radio & Communications Equipment	\$340,012
2500 – Equipment - Other	\$ 16,316
<u>3000 – Supplies</u>	<u>\$ 35,000</u>
3500 – Supplies, Other	\$ 35,000

<u>4300 – Travel</u>	<u>\$ 19,000</u>
4360 – Employee Training	\$ 19,000
<u>4500 – Contractual Expenses</u>	<u>\$ 53,000</u>
4770 – Contract Agencies	\$ 53,000

Suffolk County Police Department
001-POL-3258 - \$747,100

<u>1000 – Personnel Services</u>	<u>\$319,100</u>
1120 – Overtime	\$319,100
<u>2000 – Equipment</u>	<u>\$375,000</u>
2040 – Trucks, Trailers and Jeeps	\$375,000
<u>4700 – Special Services</u>	<u>\$ 53,000</u>
4770 – Special Services	\$ 53,000

Suffolk County Dept. of Health Services
Division of Emergency Medical Services
001-HSV-4626 - \$228,425

<u>1000 – Personnel Services</u>	<u>\$ 12,875</u>
1120 – Overtime	\$ 12,875
<u>2000 – Equipment</u>	<u>\$ 30,000</u>
2040 – Trucks, Trailers & Jeeps	\$ 15,000
2090 – Radio & Communications Equipment	\$ 15,000
<u>3000 – Supplies</u>	<u>\$159,450</u>
3010 – Office Supplies	\$103,500
3160 – Computer Software	\$ 30,000
3500 – Other Supplies	\$ 7,500
3680 – Repairs – Miscellaneous Equipment	\$ 18,450
<u>4500 – Contractual Expenses</u>	<u>\$ 26,100</u>

4560 – Fees for Services-Non Employees \$ 26,100

Dept. of Public Works
001-DPW-5121 - \$159,988

2000 – Equipment \$159,988

2090 – Radio & Communication Supplies \$ 59,988

2500 – Equipment, Other \$100,000

Sheriff’s Office
001-SHF-3116 - \$25,738

1000 – Personnel Services \$ 25,738

1120 – Overtime \$ 25,738

Parks Department
001-PKS-7110 - \$1,725

1000 – Personnel Services \$ 1,725

1120 – Overtime \$ 1,725

Employee Benefits
Social Security
001-EMP - 9030 - \$22,798

Employee Benefits \$22,798

8330 – Social Security \$22,798

Employee Benefits
Retirement
001-EMP-9010 – \$67,697

Employee Benefits \$67,697

8280 – Retirement \$67,697

Employee Benefits
Welfare Fund

001-EMP-9080 - \$1,726

<u>Employee Benefits</u>	<u>\$1,726</u>
8380 – Welfare Fund Contribution	\$1,726

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039 - \$17,273

<u>Employee Benefits</u>	<u>\$17,273</u>
9600 Transfer of Funds	\$17,273

and be it further

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

REVENUES:

039-IFT-R0001 Transfer from General Fund	\$17,273
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ORGANIZATION:

Employee Benefits
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>\$17,273</u>
8360 – Health Insurance	\$12,273

and be it further

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

4th RESOLVED, that the following positions be and they hereby are created in the Department of Fire, Rescue and Emergency Services:

Department of Fire, Rescue and Emergency Services

Transfer FROM:

<u>Position No.</u>	<u>Spec No.</u>	<u>Position Title</u>	<u>JC</u>	<u>Grade</u>	<u>No. Created</u>
3413-0300-0003	5808	Resources Mgmt. Officer Emergency Preparedness	C	16	1
3409-0100-0001/2/3/4	5808	Resources Mgmt. Officer Emergency Preparedness	C	16	4

Transfer TO:

3417-0300-0003	5808	Resources Mgmt. Officer Emergency Preparedness	C	16	1
3417-0300-0004/5/6/7	5808	Resources Mgmt. Officer Emergency Preparedness	C	16	4

and be it further

5th RESOLVED, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the positions created by this Resolution at the conclusion of the grant funding provided for such positions created by said grant; and be it further

6th RESOLVED, that the County Legislature hereby authorizes the fleet of the Department of Health Services and Police Department be increased by one (1) vehicle each; and be it further

7th RESOLVED, the purchase of one (1) Critical Infrastructure Protection Vehicle for use by the Police Department and one (1) trailer for use by the Dept. of Health Services is hereby approved pursuant to Chapter 186-2 (b)(6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the County Vehicle Standard; 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 the 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 of 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1091-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 49-2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$8,640 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2008) BUCKLE-UP NY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE has made \$8,640 in funds available to Suffolk County for the (GTSC FFY2008) Buckle-Up NY Program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program provides high visibility enforcement, public information and education, designed to save lives and reduce the severity of injuries by increasing seatbelt use; and

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

WHEREAS, said grant funds have not been included in the 2007 and 2008 Suffolk County Operating Budgets; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant 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 grant funds in the amount of \$8,640 as follows:

<u>REVENUE:</u>	<u>AMOUNT</u>
001-4392-Federal Aid: Sheriff- Traffic Safety Initiative	\$8,640

ORGANIZATIONS:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

1000-Personal Services
1120-Overtime Salaries

\$8,640
\$8,640

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1092-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 50-2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$8,500 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE (GTSC FFY2008) CHILD PASSENGER SAFETY PROGRAM TO SUPPORT A SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made \$8,500 in funds available to Suffolk County for the Child Passenger Safety Program (GTSC FFY2008) to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, child safety seats reduce the risk of fatal injury by 71% when used correctly, however, misuse reduces effectiveness and more than 90% of child safety seats are used improperly; and

WHEREAS, the Sheriff's Office will address this issue by participating in the New York State Child Passenger Safety Program; and

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

WHEREAS, said grant funds have not been include in the 2008 Suffolk County Operating Budget; now, therefore be it

1st RESOLVED, that the County Executive and Sheriff are authorized to execute any Agreement with the State of New York, as necessary, to secure said grant 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 grant funds in the amount of \$8,500 as follows:

REVENUE: 001-4392-Federal Aid: Sheriff – Traffic Safety Initiative AMOUNT
\$8,500

APPROPRIATION:

Suffolk County Sheriff's Office
Sheriff Traffic Safety Initiative
001-SHF-3114

3000-Supplies, Materials & Other Expenses \$8,500
3500-Other: Unclassified \$8,500

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1093-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 51-2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$154,000.00 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S OPERATION HOT WHEELS IV PROGRAM WITH 100% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has made \$154,000.00 in State Motor Vehicle Theft and Insurance Fraud Prevention Program funds available to Suffolk County for the continuance of the Suffolk County Police Department's Operation Hot Wheels Program; and

WHEREAS, this program is designed to reduce the incidence of motor vehicle theft and insurance fraud within Suffolk County; and

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

WHEREAS, said grant funds have not been included in the 2008 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>REVENUE:</u>	<u>AMOUNT</u>
001-3365-State Aid: Operation Hot Wheels IV	\$154,000

ORGANIZATIONS:

Police Department (POL)
Operation Hot Wheels IV
001-POL-3262

<u>1000-Personnel Services</u>	<u>\$127,081</u>
1120-Overtime Salaries	\$127,081

<u>4000-Utilities</u>	<u>\$3,684</u>
4015-Cellular Communications	\$3,684

Employee Benefits
Retirement
001-EMP-9010

<u>8000-Employee Benefits</u>	<u>\$21,400</u>
8280-Employee Retirement System	\$21,400

Employee Benefits
Social Security
001-EMP-9030

<u>8000-Employee Benefits</u>	<u>\$1,835</u>
8330-Social Security	\$1,835

and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1040-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 52-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1148-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1148-2007; and

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

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

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

Resolution No. 1148-2007

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

FROM:

525-CAP-8237.11X

TO:

525-CAP-8237.113

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1041-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 53-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1232-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1232-2007; 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

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

Resolution No. 1232-2007

In the 4th RESOLVED paragraph change the Project No.:

FROM:

525-CAP-5709.110

TO:

525-CAP-5709.111

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1042-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO 54-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1414-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1414-2007; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 1414-2007

In the 5th RESOLVED paragraph change the Project No.:

FROM:

525-CAP-5048.110

TO:

525-CAP-5048.112

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1053-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 55-2008, AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY
ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX
ACT 20 EASTPORT MANOR ROAD CORP. (SCTM NO. 0200-686.00-
01.00-021.000)**

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 686.00, Block 01.00, Lot 021.000, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 686.00, Block 01.00, Lot 021.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

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, MOHAMMAD GOLPARVAR, President of 20 Eastport Manor Road Corp. and AKHTAR GOLPARVAR, Treasurer of 20 Eastport Manor Road Corp., have made application of said above described parcel and MOHAMMAD GOLPARVAR, President of 20 Eastport Manor Road Corp. and AKHTAR GOLPARVAR, Treasurer of 20 Eastport Manor Road Corp., have paid the

application fee and \$52.75, 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 of the Division of Real Property Acquisition and Management Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to 20 EASTPORT MANOR ROAD CORP., 20 Eastport Manor Road, Eastport, New York 11941, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1056-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 56-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT EDWARD BENNETT (SCTM NO. 0100-170.00-02.00-028.002 f/k/a P/O 028.001)

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 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 170.00, Block 02.00, Lot 028.002 f/k/a P/O 028.001, and acquired by tax deed on October 3, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2001, in Liber 12146, at Page 198, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, as shown on a certain map entitled, "Map of Lincoln Estates" and filed in the Office of the Clerk of the County of Suffolk on January 11, 1926 as Map No. 186 and known as Lots 387 and 388; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 3, 2001, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 10, 2001 in Liber 12146 at Page 198.

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, WELLS FARGO BANK N.A., as Successor Holder of a Mortgage made by Edward Bennett to Fleet Mortgage, has made application of said above described parcel and WELLS FARGO BANK N.A., by Dan M. Blumenthal, as Attorney, has paid the application fee and \$1,550.00, 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 of the Division of Real Property Acquisition and Management Christopher E. Kent, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to EDWARD BENNETT, c/o Dan M. Blumenthal, Ezratty, Ezratty & Levine, LLP, 80 East Old Country Road, Mineola, New York 11501, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1067-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 57-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, his wife (SCTM NO. 0200-403.00-05.00-043.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 403.00, Block 05.00, Lot 043.000, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by Town of Brookhaven, Artist Lake Condominium 30 Bldg 19 Unit 315 Type A 80; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 281.

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 WALSH and CHERYL WALSH have made application of said above described parcel and THOMAS WALSH and CHERYL WALSH have paid the application fee and \$1,443.66, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd RESOLVED, that 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 THOMAS J. WALSH a/k/a THOMAS WALSH and CHERYL L. WALSH a/k/a CHERYL WALSH, his wife, 172 West Lido Promenade, Lindenhurst, New York 11757, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 58-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship (SCTM NO. 0103-020.00-03.00-014.000)

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 Lindenhurst, 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 0103, Section 020.00, Block 03.00, Lot 014.000, and acquired by tax deed on April 25, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 28, 2006, in Liber 12447, at Page 648, and otherwise known as and by Incorporated Village of Lindenhurst, Town of Babylon, known and designated as Lot No. 99 on a certain map entitled, "Map of Roosevelt Park", and filed in the Office of the Clerk of the County of Suffolk on June 30, 1948, as Map No. 1633; and

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

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

WHEREAS, DAVID J. GREGORY, has made application of said above described parcel and DAVID J. GREGORY, has paid the application fee and will be paying \$56,566.31 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd RESOLVED, that 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 ELIZABETH GREGORY and DAVID GREGORY, as Joint Tenants with the Right of Survivorship, 256 Phyllis Drive, Lindenhurst, New York 11757, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1084-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

RESOLUTION NO. 59-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1431-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1431-2007; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 1431-2007

In the 4th RESOLVED paragraph change the Fund No.:

FROM:

525-CAP-1729.518
(Fund 001-Debt Service)

TO:

525-CAP-1729.518
(Fund 016-Debt Service)

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1085-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 60-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1232-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1232-2007; and

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

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

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

Resolution No. 1232-2007

In the 4th RESOLVED paragraph change the Fund Nos.:

FROM:

525-CAP-5709.111
(Fund 00-Debt Service)

TO:

525-CAP-5709.111
(Fund 625-Debt Service)

FROM:

525-CAP-5709.310
(Fund 001-Debt Service)

TO:

525-CAP-5709.310
(Fund 625-Debt Service)

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine 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. 1086-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 61 -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 671-
2007**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 671-2007; 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

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

Resolution No. 671-2007

In the Title paragraph change the CP No.:

FROM:

(CP 3301.119)

TO:

(CP 3301.121)

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro Res. No. 1063-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Treasurer

**RESOLUTION NO. 62 -2008, AUTHORIZING THE COUNTY
TREASURER TO BORROW CASH FUNDS FROM OTHER COUNTY
FUNDS FOR 2008**

WHEREAS, the County Treasurer recommends that moneys be borrowed from a variety of County Funds to meet a temporary shortfall of cash during the remainder of 2008; and

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

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

WHEREAS, the Suffolk County Legislature has previously granted the County Treasurer approval to temporarily borrow cash in Resolution Nos. 609-2007; 1011-2006; 1097-2005; 800-2004; 711-2003; 878-2002; and prior years; and

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

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

2nd RESOLVED, that any moneys borrowed from any County Fund pursuant to this resolution shall be repaid to said fund with interest at the prevailing rate from subsequent revenues as soon as it is fiscally practicable, but no later than December 31, 2008; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

**Legislator Beedenbender made motion for the following resolution, seconded by
Legislator Stern. The resolution was passed 15-1-2-0-0. Legislator Montano voted no.
Legislators Romaine and Losquadro abstained.**

Intro. Res. No. 1079-2008
Introduced by Legislator Beedenbender

Laid on Table 2/5/2008

RESOLUTION NO. 63 –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR CERTAIN CONTRACTED AGENCIES IN THE YOUTH BUREAU AND THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in the Youth Bureau and the Department of Economic Development and Workforce Housing to supply Suffolk County residents with the necessary services for an improved lifestyle and environment; and

WHEREAS, the Sachem Community Youth Services and Middle Country Girls Youth Lacrosse Association, Inc. can provide Suffolk County youth with positive athletic programs; and

WHEREAS, the Middle Country Coalition for Smart Growth needs additional funds to purchase digital signs which when strategically placed can supply community information; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$18,750 to the certain contracted agencies in the Youth Bureau and the Department of Economic Development and Workforce Housing; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	DPW	1363	0000	4410	Rent: Offices & Buildings	-\$18,750

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	Sachem Community Youth Services	+\$5,000
001	ECD	6410	XXXX	4980	Middle Country Coalition for Smart Growth	+\$8,750
001	EXE	7320	XXXX	4980	Middle Country Girls Youth Lacrosse Association, Inc.	+\$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign activity (pseudo) codes for the Sachem Community Youth Services, Middle Country Girls Youth Lacrosse Association, Inc. and the Middle Country Coalition for Smart Growth; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Sachem Community Youth Services, Middle Country Girls Youth Lacrosse Association, Inc. and the Middle Country Coalition for Smart Growth.

DATED: March 4, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 20, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-1-1-0-0. Legislator Montano voted no. Legislator Losquadro abstained.

Intro. Res. No. 1080-2008

Laid on Table 2/5/2008

Introduced by Legislators Beedenbender, Stern, Eddington

RESOLUTION NO. 64 –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR VETERANS OF FOREIGN WARS SUFFOLK COUNTY COUNCIL IN VETERANS SERVICES

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in Veterans Services to supply Suffolk County residents with necessary services for an improved lifestyle; and

WHEREAS, the Veterans of Foreign Wars Suffolk County Council is able to provide veterans with needed food and emergency assistance in times of need; and

WHEREAS, every Veteran deserves our great respect and gratitude, as well as the dignity of essential services for themselves and their families; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$10,000 to the contracted agency Veterans of Foreign Wars Suffolk County Council in Veterans Services; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	DPW	1363	0000	4410	Rent: Offices & Buildings	-\$10,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	6510	XXXX	4980	Veterans of Foreign Wars Suffolk County Council	+\$10,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign an activity (pseudo) code for the Veterans of Foreign Wars Suffolk County Council; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Veterans of Foreign Wars Suffolk County Council.

DATED: March 4, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 20, 2008

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

Intro. Res. No. 1083-2008
Introduced by Legislator Eddington

Laid on Table 2/5/2008

RESOLUTION NO. 65 –2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE TOWN OF BROOKHAVEN FOR MEDFORD MEMORIAL PARK AND STREET LIGHTING

WHEREAS, the 2008 Operating Budget does not include sufficient funds to provide contracted agencies in the Department of Economic Development and Workforce Housing to supply Suffolk County residents with a protected and anodyne environment; and

WHEREAS, Medford Memorial Park is in need of restoration; and

WHEREAS, improved street lighting will provide a safe and secure environment; and

WHEREAS, the contracted agency Town of Brookhaven can furnish these improvements to provide places for Suffolk County residents to interact and traverse freely; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$20,000 each to the contracted agencies Town of Brookhaven and Town of Brookhaven – Street Lighting in the Department of Economic Development and Workforce Housing; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	GVU1	4980	Bayport-Blue Pt Chamber Of Comm.	-\$20,000
001	ECD	6410	HWF1	4980	Medford Chamber of Commerce	-\$20,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Town of Brookhaven	+\$20,000
001	ECD	6410	XXXX	4980	Town of Brookhaven – Street Lighting	+\$20,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign an activity (pseudo) code for the Town of Brookhaven and for the Town of Brookhaven – Street Lighting; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding restoration of the Medford Memorial Park and improved street lighting in the Town of Brookhaven.

DATED: March 4, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MARCH 20, 2008

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

Intro. Res. No. 1127-2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/2008

RESOLUTION NO. 66–2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE LEAGUE OF WOMEN VOTERS IN THE YOUTH BUREAU

WHEREAS, the 2008 Operating Budget does not include sufficient funds for contracted agencies in the Youth Bureau; and

WHEREAS, the League of Women Voters can provide services to improve school environments through the use of restorative practices; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$5,000 to the League of Women Voters in the Youth Bureau; and

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

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	PKS	7110	HOD1	4980	Montauk Observatory	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	League of Women Voters	+\$5,000

and be it further

2nd RESOLVED, that the County Executive’s Budget Office is authorized to assign an activity (pseudo) code for the League of Women Voters; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the League of Women Voters.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 17-0-1-0-0. Deputy Presiding Officer Mystal abstained.

Intro. Res. No. 1099-2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/2008

RESOLUTION NO. 67-2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (PB DEVELOPERS, INC., PROPERTY) TOWN OF BROOKHAVEN (SCTM NO. 0200-917.00-03.00-048.000)

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 for environmentally sensitive land acquisition;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 917.00 Block 03.00 Lot 048.000	.222	PB Developers, Inc. Columbus Avenue East Moriches, NY 11940

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 17-0-1-0-0. Deputy Presiding Officer Mystal abstained.

Intro. Res. No. 1100-2008
Introduced by Legislator Schneiderman

Laid on Table 2/5/2008

RESOLUTION NO. 68-2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (FLANDERS PROPERTY) TOWN OF SOUTHAMPTON (SCTM NO. 0900-142.00-01.00-054.003)

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 for environmentally sensitive land acquisition;

SEE ATTACHED EXHIBIT "A"

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

**PARCEL: SUFFOLK COUNTY ACRES: REPUTED OWNER
TAX MAP NUMBER: AND ADDRESS: (One Share)**

No. 1 District 0900
 Section 142.00
 Block 01.00
 Lot 054.003

22

Faye Reynolds
PO Box 1074
Mattituck, NY 11952

Susan Psillos
11 Bartkiewicz Road
Chester, CT 06412

H. Thomas Hubbard
P.O. Box 638
Jamesport, NY 11947

David Hubbard
PO Box 593426
Orlando, FL 32859

One Share

Louise Pipczynski
55 Whitebrook Drive
Riverhead, NY 11901

One Share

Joan Francke
417 Evelyn Avenue, #213
Albany, CA 94706

One Share

Charles Smolka
15 Mine Hill Road
New Milford, CT 06776

Elaine Mondi
12 Dickinson Lane
Manalapan, NJ 07726

Carole Cataudella
3300 Michelle Drive
Weddington, NC 28104

EXHIBIT "A"

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 17-0-1-0-0. Deputy Presiding Officer Mystal abstained.

Introduced by Legislator Schneiderman

RESOLUTION NO. 69 -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (WIDENOR PROPERTY) TOWN OF BROOKHAVEN (SCTM NO. 0200-834.00-04.00-002.007)

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 for environmentally sensitive land acquisition;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 834.00 Block 04.00 Lot 002.007	2.467	Malcolm & Marcia Widenor 11 Downing Avneue Sea Cliff, NY 11579

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1106-2008
Introduced by Legislator Eddington

Laid on Table 2/5/2008

RESOLUTION NO. 70 -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (HEDGES CREEK COUNTY WETLANDS ADDITION) TOWN OF BROOKHAVEN (SCTM NO. 0200-982.90-08.00-023.000)

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;

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 982.90 Block 08.00	25.1	Port Grove Associates 1671-1 Route 112 Coram, NY 11727

Lot 023.000

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1108-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 71 -2008, DONATION AND DEDICATION OF CERTAIN LAND NOW OWNED BY RIVERHEAD ESTATES, INC. TO THE COUNTY OF SUFFOLK (SCTM NO. 0900-135.00-01.00-059.000)

WHEREAS, Riverhead Estates, Inc. is the owner of an environmentally sensitive property with no site or building improvements thereon located in the hamlet of Riverside, Town of Southampton; and

WHEREAS, said property, is an overlay parcel, totaling 0.52± acres and is currently in a natural state, within the Peconic River County Park (SH12) and within the Pine Barrens Core Area (Exhibit A); and

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

WHEREAS, Riverhead Estates, Inc. has agreed to donate this property at no cost to the County of Suffolk for preservation purposes as part of a Suffolk County Department of Health Services Board of Review determination (File No. S09-06-0061) dated and amended on November 19, 2007, requiring the owner to relinquish its ownership of this parcel without an actual transfer of density due to its status as an overlay parcel (Exhibit B); and

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

1st RESOLVED, that the County of Suffolk hereby approves the donation of the subject property set forth below, as an environmentally sensitive land acquisition, at no cost to the County:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 135.00 Block 01.00 Lot 059.000	0.52±	Riverhead Estates, Inc. 135 Northern Parkway Riverhead, NY 11901

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to accept this donation of overlay parcel(s) listed herein above from the reputed owner; and be it further

3rd RESOLVED, that the Assessor of the Town of Southampton, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said properties are owned by the County of Suffolk and are hereby exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law pursuant to Section 406(1) of the New York Real Property Tax Law; and be it further

4th RESOLVED, that the Suffolk County Department of Environment and Energy, Division of Real Property Acquisition and Management shall transfer jurisdiction of said land to the Suffolk County Department of Parks, Recreation and Conservation for protection of environmentally sensitive lands/passive recreation purposes; and be it further

5th RESOLVED, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

6th RESOLVED, that the project will not have a significant effect on the environment for the following reasons:

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

2.) the proposed use of the subject parcel(s) will be for protection of environmentally sensitive lands/passive recreation; and

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

7th RESOLVED, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1109-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 72 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE BAYNE ESTATE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-188.00-04.00-016.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution No. 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such open space acquisitions; and

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Five Thousand Dollars (\$5,000.00), 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 report 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 188.00 Block 04.00 Lot 016.000	0.045±	Estate of Leonard Bayne, Bridgett Hyatt, Executor 1795 Shamrock Avenue Santa Clara, CA 95051

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Five Thousand Dollars (\$5,000.00), 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 \$5,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

6th RESOLVED, that 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 property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1110-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 73 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE MCLAUGHLIN PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-213.00-01.00-007.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution No. 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such open space acquisitions; and

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA lead agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Twenty Thousand Dollars (\$20,000.00), 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 report and insurance, and tax adjustments:

<u>PARCEL:</u>	SUFFOLK COUNTY		REPUTED OWNER
No. 1	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
	District 0200	0.18±	J. Stewart McLaughlin
	Section 213.00		350 East Main Street
	Block 01.00		Bay Shore, NY 11706
	Lot 007.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Twenty Thousand Dollars (\$20,000.00), subject to a final survey; and be it further

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$20,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

6th RESOLVED, that 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 property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1111-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 74 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – FOR THE HOLDER PROPERTY – CARLLS RIVER WATERSHED ADDITION TOWN OF BABYLON - (SCTM NO. 0100-041.00-03.00-021.000)

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

WHEREAS, in compliance with Sections C12-3(B) and (C) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, prior to the Division Director of the Division of Real Property Acquisition and Management entering into any negotiations for the acquisition of, and consummation of acquisition of any such parcel, the Board of Trustees of the Department of Parks, Recreation and Conservation shall review and recommend its acquisition; and

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Fifty

Thousand Dollars (\$50,000.00±), 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 0100	0.33±	Ira S. and Gladys Holder
	Section 041.00		768 Norstrand Avenue
	Block 03.00		Uniondale, NY 11533
	Lot 021.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Fifty Thousand Dollars (\$50,000.00), 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 \$50,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDHI under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

6th RESOLVED, that 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 property for

passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 15-0-3-0-0. Deputy Presiding Officer Mystal and Legislators Montano and Alden abstained.

Intro. Res. No. 1112-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 75 –2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE CRYSTAL BAY CONSTRUCTION, INC. PROPERTY TOWN OF RIVERHEAD – (SCTM NOS. 0600-127.00-07.00-012.000 & 0600-129.00-06.00-017.000)

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

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

WHEREAS, Resolution No. 1324-2006 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Riverhead has approved Resolution No. 1095-2007 on November 20, 2007, amended by Resolution No. 53-2008 on January 10, 2008, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of One Million Six Hundred Ten Thousand Dollars (\$1,610,000.00), which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling One Million One Hundred Twenty Seven Thousand Dollars (\$1,127,000.00) for a seventy percent (70%) undivided interest; and the Town’s share, totaling Four Hundred Eighty Three Thousand Dollars (\$483,000.00), 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	7.72±	<u>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0600 Section 127.00 Block 07.00 Lot 012.000		Crystal Bay Construction, Inc. 5014 Expressway Drive South Ronkonkoma, NY 11779
No. 2	District 0600 Section 129.00 Block 06.00 Lot 017.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for the County’s portion of the purchase price of One Million One Hundred Twenty Seven Thousand Dollars (\$1,127,000.00), 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 \$1,127,000.00, 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 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 13-2-3-0-0. Legislators Montano and Barraga voted no. Legislators Alden, Kennedy and Nowick abstained.

Intro. Res. No. 1124-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 76 -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET AND APPROPRIATING FUNDS FROM THE WATER PROTECTION FUND (FUND 477) FUND BALANCE TO COVER THE COST OF AN ENVIRONMENTAL PLANNER POSITION IN THE PLANNING DEPARTMENT

WHEREAS, funds were appropriated in past years' budgets from the fund balance of Fund 477 for water quality-related purposes; and

WHEREAS, the Commissioner of Planning has done a review of the scope of the mandated projects and programs as well as those requested by the County Executive and the Legislature, and has found that there still exists a need for adequate professional staffing to meet discretionary and mandated projects and programs in a reasonable timely and competent manner; and

WHEREAS, on the basis of that review there has been a determination that at least one additional Environmental Planner position is necessary to meet the water protection, water quality, and storm water drainage needs of the County and its citizens; and

WHEREAS, this position will be devoted exclusively to programs and projects which meet the goals and purposes of Fund 477; and

WHEREAS, sufficient funds currently exist within the fund balance of Fund 477 to cover the costs of said position; now, therefore be it

1st RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the following be and hereby are appropriated from the Fund 477 fund balance:

EXPENDITURES:

<u>Agency</u>	<u>Fund</u>	<u>Organization</u>	<u>Object</u>	<u>Description</u>	<u>Amount</u>
PLN	477	8038	1100	Permanent Salaries	\$34,179

and be it further

2nd RESOLVED, that the Suffolk County Classification and Salary Plan and the Department of Planning Operating Budget be and they are hereby amended as follows:

AMENDMENT TO 2008 OPERATING BUDGET
ADDITION

<u>Fd-Agy-Org-Unit</u>	<u>Position Title</u>	<u>Grade</u>	<u>BU</u>	<u>2008 Adopted</u>	<u>2008 MOD</u>	<u>Increase</u>
477-PLN-8038-0100	Environmental Planner	21	02	1	2	+1

and be it further

3rd RESOLVED, that this Legislature hereby determines that the above activity constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR Part 617.5(c), and Chapter 279 of the Suffolk County Code, as the project involves continuing agency administration dealing with the addition of a position in the Department of Planning.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1007-2008
Introduced by Legislator Cooper

Laid on Table 1/2/2008

**RESOLUTION NO. 78 -2008, ADOPTING LOCAL LAW NO. 4
-2008, A LOCAL LAW TO EXPAND QUALIFICATIONS FOR
VANDERBILT MUSEUM TRUSTEES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on January 2, 2008, a proposed local law entitled, "**A LOCAL LAW TO EXPAND QUALIFICATIONS FOR VANDERBILT MUSEUM TRUSTEES**"; now, therefore be it

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

LOCAL LAW NO. 4 -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO EXPAND QUALIFICATIONS FOR VANDERBILT
MUSEUM TRUSTEES**

**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 membership on the Board of Trustees of the Suffolk County Vanderbilt Museum is limited to those who have a background in public education, cultural affairs or an expertise in a subject matter area reflected in the Museum's collection.

This Legislature further finds that in order for the Museum to properly maintain its buildings and grounds and provide worthwhile programs for the residents of Suffolk County, new efforts must be undertaken to increase corporate donations and, in general, enhance private support for the Museum.

This Legislature also determines that it would be beneficial for the Museum's fundraising efforts to have trustees that possess a strong record of philanthropy or background in non-profit fundraising.

Therefore, the purpose of this local law is to add fundraising and philanthropic experience as valid criteria for membership on the Suffolk County Vanderbilt Museum's Board of Trustees.

Section 2. Amendments.

Chapter 184 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 184, VANDERBILT MUSEUM, SUFFOLK COUNTY

* * * *

§ 184-7. Membership of Commission.

* * * *

B. No person shall be appointed or reappointed to a position under Subsection A of this section unless such person shall demonstrate:

- 1) Relevant, previous, personal commitment to public education or expertise in a subject matter area reflected in the collection strength of the Suffolk County Vanderbilt Museum, including but not limited to history and natural history of Suffolk County, with particular emphasis in those areas directly affecting the collection of the museum and/or the historic and natural resources of Suffolk County historic trust and/or the Suffolk County nature preserve trust as per Article I of the Suffolk County Charter; [and/or]
- 2) A widely recognized and acknowledged record of cultural affairs, philanthropy or related voluntarism[.]; or
- 3) At least five (5) years prior experience in fundraising for charitable, non-profit organizations.

* * * *

Section 3. Applicability.

This law shall apply to all appointments to the Vanderbilt Museum Board of Trustees occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: March 4, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED APRIL 2, 2008

After a public hearing duly held on March 18, 2008
Filed with the Secretary of State on April 11, 2008

Legislator Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Montano abstained. Legislator Kennedy was not present.

Intro. Res. No. 1131-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Cooper

RESOLUTION NO. 79 -2008, APPROPRIATING FUNDS IN CONNECTION WITH REPLACEMENT OF THE GOTO PROJECTOR AT THE VANDERBILT MUSEUM AND PLANETARIUM (CP 7452)

WHEREAS, the Deputy/Acting Director of the Suffolk County Vanderbilt Museum has requested equipment funds to replace the star projector, sound system, lighting, special effects and related technical show production equipment at the Vanderbilt Planetarium; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, there are sufficient funds within the 2008 Adopted Capital Program and Budget to cover the cost of said request; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,400,000 in Suffolk County Serial Bonds; and

WHEREAS, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter called "SEQRA"), Resolution No. 779-2007 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(25) and Chapter 279 of the Suffolk County Code because it involves the purchase of equipment; now, therefore be it

1st 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

2nd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete such improvements to the Vanderbilt Planetarium at the Suffolk County Vanderbilt Museum; and be it further

3rd RESOLVED, that the proceeds of \$1,400,000 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-7452.510 (Fund 001-Debt Service)	Replacement of GOTO Projector at the Vanderbilt Museum and Planetarium	\$1,400,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

Legislator Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Montano abstained. Legislator Kennedy was not present.

Intro. Res. No. 1131A-2008

BOND RESOLUTION NO. 80 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS TO FINANCE
A PART OF THE COST OF THE REPLACEMENT OF THE GOTO
PROJECTOR AT SUFFOLK COUNTY VANDERBILT MUSEUM (CP
7452.510)**

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 \$1,400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the replacement of the GOTO projector at Suffolk County Vanderbilt Museum, as authorized in the 2008 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 \$3,000,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1279-2000, (b) the issuance of \$1,500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 992-2007 (c) the issuance of \$1,400,000 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. 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Vilorio-Fisher. The resolution was passed 16-0-2-0-0. Deputy Presiding Officer Mystal and Legislator Montano abstained.

RESOLUTION NO. 81 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM FOR THE ENTWISTLE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-213.00-01.00-013.000)

WHEREAS, Resolution No. 762-1986 established a Capital Budget and Program for the acquisition of land designated as the Open Space Preservation Program and appropriated sixty million dollars (\$60,000,000.00) in connection therewith; and

WHEREAS, subsequent resolutions have been adopted to increase funding for the Open Space Preservation Program; and

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution No. 762-1986 establishing and outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and 877-2005 – Master Lists I and II Reports, respectively; and

WHEREAS, the following property(s) as described in the 1st Resolved is listed in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and/or Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Ten Thousand Dollars (\$10,000.00), 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 report 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 213.00 Block 01.00 Lot 013.000	0.09±	Beryl D. Entwistle 1110 East Durwood Crescent Richmond, VA 23229-6702

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or her designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Ten Thousand Dollars (\$10,000.00), 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 \$10,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

6th RESOLVED, that 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 property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of non-significance has already be issued in Suffolk County Resolution No. 1083-2007.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1144-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 82 -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM, AND APPROPRIATING FUNDS IN CONNECTION WITH A THREE YEAR BAY SCALLOP RESTORATION PROJECT (CP 8710)

WHEREAS, there are sufficient funds within the Reserved Fund Balance of Fund 477 for the purpose of Water Quality Protection; and

WHEREAS, the Suffolk County Water Quality Review Committee, pursuant to, Article XII of the SUFFOLK COUNTY CHARTER has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program funds; and

WHEREAS, the Suffolk County Department of Environment and Energy will sponsor a three year Bay Scallop Restoration Project in accordance with Article XII of the SUFFOLK COUNTY CHARTER; and

WHEREAS, the project proposes to undertake a three year restoration program for bay scallops in class SA waters in East Hampton Town. The project will stock 300,000 reproductively viable one year old scallops into spawner sanctuaries in each of two years. Survival, growth, reproductive success and contribution to population recruitment will be evaluated through the period as factors contributing to restoration of the resource; and

WHEREAS, funding for this project is requested through the Suffolk County Water Quality Protection and Restoration Program; and

WHEREAS, the Town of East Hampton will commit by Town Resolution No. 2007-1602 to either the lesser of \$93,663 or one half the cost of this project; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 461-2006, has established a priority ranking system, implemented in the 2008 Adopted Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, there are sufficient available Fund 477 funds within the Reserved Fund Balance for Water Quality related projects to support the appropriation of this project within the 2008 Capital Budget and Program; now, therefore be it

1st RESOLVED, that the Town of East Hampton, New York, having conducted a coordinated review and being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, found, as documented in Town Resolution No. 2007-1546, approved on December 19, 2007, that this project constitutes an unlisted action, for which a Negative Declaration was issued, therefore the SEQRA review is complete and no further action needs to be taken by Suffolk County; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-nine (69) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that sufficient funds exist within Fund 477's Water Quality Reserve Fund Balance component to cover the cost of the County's share for this project; and be it further

4th RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 477 Reserve Fund Balance as follows:

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 Fund	\$93,663

and be it further

5th RESOLVED, that the 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 (Ref. 525-CAP-IFTR-R477)	525	R477	E525	Transfer from Water Quality Protection	\$93,663

and be it further

6th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 8710
Project Title: Bay Scallop Restoration Project in East Hampton

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
4. Site Improvements – Other (Growing, Seeding, Monitoring & Evaluating)	\$93,663	\$0.00	\$93,663W
TOTAL	\$93,663	\$0.00	\$93,663

and be it further

7th RESOLVED, that these Water Quality proceeds in the amount of \$93,663 be and hereby is appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8710.410	Bay Scallop Restoration Project East Hampton (Growing, Seeding, Monitoring & Evaluating)	\$93,663

and be it further

8th 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; and be it further

9th RESOLVED, that the County Executive is hereby authorized to execute an intermunicipal agreement with the Town of East Hampton under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW, which shall include but not be limited to, a provision authorizing the Town of East Hampton to conduct a Bay Scallop Restoration Project to be administered over a three year period.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Nowick made motion for the following resolution, seconded by Legislator Vilorio-Fisher. The resolution was passed 15-3-0-0. Legislators Montano, Alden, and Barraga voted no.

Intro. Res. No. 1146-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

**RESOLUTION NO. 83 -2008, AMENDING THE 2008
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM AND
WORKFORCE HOUSING PROGRAM**

WHEREAS, Suffolk County has earned National Recognition for its various land acquisition programs which protect our environment and preserve the unique character of our County; and

WHEREAS, Suffolk County Workforce Housing Program was established to promote the development of affordable housing; and

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

WHEREAS, there are sufficient funds within the 2008 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 2008 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 \$13,333,000 in Suffolk County Serial Bonds to cover the cost of acquiring land under the Suffolk County Multifaceted Land Preservation Program and Workforce Housing Program; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(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, not including new programs or major reordering of priorities that may affect the environment; and be it further

2nd RESOLVED, that prior to the approval by this Legislature of any property for acquisition under this capital project, an environmental review of each property shall be undertaken and completed in accordance with SEQRA; and be it further

3rd RESOLVED, that the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law; and be it further

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

5th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 7177
 Project Title: Suffolk County Multifaceted Land Preservation Program

	Total Estimated Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
2. Land Acquisition	\$154,613,943	\$13,333,000B	\$8,833,000B
TOTAL	\$154,613,943	\$13,333,000	\$8,833,000

Project No. 8704
 Project Title: Purchase and/or Acquisition of Property for Workforce Housing

	Total Estimated Cost	Current 2008 Capital Program and Budget	Revised 2008 Capital Program and Budget
2. Land Acquisition	\$16,050,000	\$ 0	\$4,500,000B

TOTAL \$16,050,000 \$ 0 \$4,500,000

and be it further

6th RESOLVED, that the proceeds of \$13,333,000 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-7177.231	Suffolk County Multifaceted	\$8,833,000
(Fund 001-Debt Service)	Land Preservation Program	
525-CAP-8704.212	Purchase and/or Acquisition	
(Fund 001-Debt Service)	of Property for Workforce Housing	\$4,500,000

and be it further

7th RESOLVED, that no funds appropriated by this resolution may be expended unless and until a resolution authorizing planning and/or acquisition of a piece of property for the purposes of these capital projects has been duly adopted.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 6, 2008

Legislator Nowick made motion for the following resolution, seconded by Legislator Vilorio-Fisher. The resolution was passed 15-3-0-0-0. Legislators Montano, Alden, and

Barraga voted no.

Intro. Res. No. 1146A-2008

BOND RESOLUTION NO. 84 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$8,833,000 BONDS TO FINANCE
THE COST OF THE ACQUISITION OF LAND UNDER THE SUFFOLK
COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (CP
7177.231)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$8,833,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of land under the Suffolk County Multifaceted Land Preservation Program, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$8,833,000. The plan of financing includes the issuance of \$8,833,000 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. 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 6, 2008

Legislator Nowick made motion for the following resolution, seconded by Legislator Vilorio-Fisher. The resolution was passed 16-2-0-0-0. Legislators Alden and Barraga voted no.

Intro. Res. No. 1146B-2008

BOND RESOLUTION NO. 85 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$4,500,000 BONDS TO FINANCE**

THE COST OF THE ACQUISITION OF LAND FOR THE WORKFORCE HOUSING PROGRAM (CP 8704.212)

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 \$4,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of land for the Workforce Housing Program, as authorized in the 2008 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 \$4,500,000. The plan of financing includes the issuance of \$4,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 6, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 14-4-0-0-0. Deputy Presiding Officer Mystal and Legislators Montano, Alden and Barraga voted no.

Intro. Res. No. 1147-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 86 -2008,
APPROPRIATING FUNDS FOR THE SUFFOLK COUNTY
ENVIRONMENTAL LEGACY FUND (CP 8731)**

WHEREAS, Suffolk County has achieved and earned national recognition for the acquisition and preservation of environmentally sensitive lands which protect our environment and preserve the unique character of Suffolk County; and

WHEREAS, acquiring, preserving and protecting environmentally sensitive lands denominated as open space, farmlands, historic properties and active parklands is especially important in light of the competitive real estate market and decreasing availability of such lands; and

WHEREAS, it is important that governments work together with each other and/or with private not-for-profit environmental land protection organizations in the acquisition and preservation of such properties; and

WHEREAS, our financial resources must be used in a creative fashion to continue the programs which have benefited Suffolk County residents through leveraged funding by providing partnerships which maximize our ability to preserve and protect these environmentally sensitive lands; and

WHEREAS, the Adopted 2007-2009 Capital Program provides that FIFTY MILLION and 00/100 DOLLARS (\$50,000,000.00) be made available to be matched with other governmental entities and/or private, not-for-profit organizations which specialize in the acquisition of environmentally sensitive lands of the type contemplated for acquisition herein, with their funding to be at least equivalent or in excess of the County's funding of FIFTY MILLION and 00/100 DOLLARS (\$50,000,000.00) which would be a total of at least ONE HUNDRED MILLION and 00/100 DOLLARS (\$100,000,000.00) dedicated to protecting and preserving our open space, farmlands, parklands, and historic properties; and

WHEREAS, the Suffolk County 2007-2009 Capital Program further provides for TWENTY MILLION and 00/100 DOLLARS (\$20,000,000.00) thereof authorized in 2007, FIFTEEN MILLION and 00/100 DOLLARS (\$15,000,000.00) thereof to be authorized in 2008 and FIFTEEN MILLION and 00/100 DOLLARS (\$15,000,000.00) thereof to be scheduled in 2009, all of which is subject to the aforesaid

requirement that at least the equivalent amount be provided by the above noted non-County sources, which will enhance the County's overall funding in order to viably compete for the purchase of such environmentally significant open space, farmlands, parklands and historic properties; and

WHEREAS, it is necessary to appropriate the FIFTEEN MILLION and 00/100 DOLLARS (\$15,000,000.00) from the Adopted 2008 Capital Budget for the Environmental Legacy Fund; and

WHEREAS, the County Legislature by even date herewith has authorized the issuance of \$13,996,228 in Suffolk County Serial Bonds under CP 8731.211 to cover the cost of acquiring land under the Environmental Legacy Fund; and

WHEREAS, the County Legislature has previously authorized the issuance of \$1,003,772 in Suffolk County Serial Bonds under CP 8731.210 for the purchase of certain land under this program; 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 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type I action, pursuant to 6 NYCRR §617.4(b)(4) and (10). This Legislature further finds and determines that implementation of this action will not have a significant impact on the environment for the following reasons:

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

2. SEQRA review shall be conducted on any proposed acquisition and its uses; however, in the event that SEQRA for a particular acquisition has been previously approved, or has otherwise been completed for said acquisition or use of said parcel, under another Suffolk County environmental acquisition program, then said prior SEQRA determination shall be used; and

3. 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 appropriate notices or determinations in accordance with this Resolution;

and be it further

2nd RESOLVED, that it is determined that this program, with a priority ranking of sixty-three (63), 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 prior to the approval by this Legislature of any acquisition under this capital project, an environmental review of each acquisition shall be undertaken and completed in accordance with SEQRA; and be it further

4th RESOLVED, that the proceeds of said FIFTEEN MILLION and 00/100 DOLLARS

(\$15,000,000.00) in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8731.210	01	Environmental Legacy Fund	\$1,003,772
(Fund 001-Debt Service)			

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8731.211	01	Environmental Legacy Fund	\$13,996,228
(Fund 001-Debt Service)			

and be it further

5th RESOLVED, that the lands to be purchased with Environmental Legacy Funds shall be environmentally significant open space, farmlands, active parklands and historic properties; and be it further

6th RESOLVED, that said open space shall be the same type of property purchased pursuant to the traditional Open Space Preservation Program pursuant to Resolution No. 762-1986 et seq.; said farmland purchases shall be purchases of farmland development rights which shall be made pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Land; and said active parklands shall be acquired to be used for playgrounds, soccer fields football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors, and/or other community recreational needs, all subject to continued public access to such property; and be it further

7th RESOLVED, that the properties shall only be eligible for consideration by the County of Suffolk upon receipt by the County Executive of a written binding pledge or commitment by the respective governmental entity and/or not-for-profit organization which specializes in the acquisition of environmentally sensitive lands of the type contemplated for acquisition herein, which represents that the property is eligible for acquisition under one of the above categories; authorizes acquisition of fee title, or a lesser interest therein, i.e., farmland development rights; appropriates funds for the acquisition in an amount of at least fifty percent (50%) of the total cost of acquisition, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustments and taxes prior to exemption; and be it further

8th RESOLVED, the Suffolk County Division of Real Property Acquisition and Management of the Department of Environment and Energy is authorized to negotiate and to acquire, on behalf of the County of Suffolk, the interest as noted above in the properties eligible for acquisition in this program; and be it further

9th RESOLVED, that up to, but no more than fifty percent (50%) of the funding for the acquisition of the total costs, as noted herein, are hereby authorized to be provided by the County of Suffolk, and the remaining amount of at least fifty percent (50%) of the funding of the total costs as noted herein shall be provided at the closing by the respective governmental entity and/or not-for-profit organization which specializes in the acquisition of environmentally sensitive lands of the type contemplated for acquisition herein, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustments and taxes prior to exemption; and be it further

10th RESOLVED, that the Commissioner of the Department of Environment and Energy and/or the Director of Real Property Acquisition and Management are hereby authorized to perform all acts, and negotiate and execute all documents in order to effectuate the terms of this resolution; and be it further

11th RESOLVED, that the County's acquisition shall be further subject to the terms and conditions as approved by the Suffolk County Attorney; and be it further

12th RESOLVED, that title shall be held by

- (a) The County of Suffolk; or

- (b) The County of Suffolk and the respective governmental entity and/or not-for-profit organization, each owning an undivided interest in proportion to its financial contribution, as tenants in common; or

- (c) Physically dividing the property up between the County of Suffolk and the respective governmental entity and/or with the not-for-profit organization, each owning all of the interest in its respective portion of the property, commensurate with its financial contribution in its respective portion of the property; and be it further

13th RESOLVED, that the County resolution authorizing the acquisition shall specify that jurisdiction of Suffolk County's interest in the respective type of property acquired shall be transferred to the Department of Parks, Recreation and Conservation, except that where farmland development rights are acquired, such jurisdiction shall be transferred to the Office of Farmland Acquisition and Management of the Department of Environment and Energy, in conjunction with the Department of Planning in accordance with the policies set forth above; and be it further

14th RESOLVED, that, if it is not contrary to any statute, the Suffolk County Charter, any local law, any regulation or other County policy, the County is hereby authorized to negotiate and enter into a municipal cooperation agreement with the respective governmental entity for the management of said County acquisition, and/or a management agreement with the not-for-profit organization which specializes in the acquisition of environmentally sensitive lands of the type contemplated for acquisition herein, the terms and conditions of which shall be approved by the Suffolk County Attorney in consultation with the respective Commissioner of the County Department charged with the management and operation of said property; and be it further

15th RESOLVED, that no funds appropriated by this resolution may be expended unless and until a resolution authorizing planning and/or acquisition of a piece of property for the purposes of these capital projects has been duly adopted.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: March 6, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 14-4-0-0-0. Deputy Presiding Officer Mystal and Legislators Montano, Alden and Barraga voted no.

Intro. Res. No. 1147A-2008

BOND RESOLUTION NO. 87 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$13,996,228 BONDS TO
FINANCE THE COST OF THE ACQUISITION OF LAND UNDER THE
ENVIRONMENTAL LEGACY FUND (CP 8731.211)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$13,996,228 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition of land under the Environmental Legacy Fund, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$13,996,228. The plan of financing includes the issuance of \$13,996,228 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, 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 6, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by

Legislator Eddington. The resolution was passed 18-0.

Intro. Res. No. 1061-2008

Laid on Table 2/5/2008

Introduced by Legislators Browning and Cooper

RESOLUTION NO. 88 -2008, DESIGNATING THE MONTH OF APRIL AS "CHILD ABUSE/SHAKEN BABY SYNDROME MONTH" IN SUFFOLK COUNTY

WHEREAS, new parents often experience stress, exhaustion and irritability; and

WHEREAS, some parents and caretakers become overwhelmed by the responsibilities of child rearing, which can cause a parent to lose control when their baby will not stop crying; and

WHEREAS, Shaken Baby Syndrome is inflicted head trauma, a form of child abuse caused by direct blows to the head, dropping or throwing a child, or simply shaking a child which can cause brain damage, seizures, blindness, paralysis and even death; and

WHEREAS, approximately 1,200 to 1,400 children were hospitalized last year in the United States for the treatment of Shaken Baby Syndrome. Approximately 25% of those children die as a result of their injuries, and the remainder suffer extensive neurological damage and are changed forever; and

WHEREAS, parents and caretakers need to be made aware of the dangers associated with shaking a baby and educated in methods to alleviate stress while trying to quiet a crying baby; and

WHEREAS, the Suffolk County Legislature wishes to make parents and all Suffolk County residents aware of the dangers of shaking a baby and the options available to help prevent the occurrence of Shaken Baby Syndrome; now, therefore be it

1st RESOLVED, that beginning in 2008 and continuing every year thereafter, the month of April shall be designated as "Child Abuse/Shaken Baby Syndrome Month" in Suffolk County; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1072-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 89 -2008, AUTHORIZING THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO APPLY FOR A SUBSCRIPTION TO THOMSON MICROMEDEX FOR ACCESS TO THE IDENTIDEX SYSTEM

WHEREAS, this subscription will assist Crime Laboratory staff in the identification of drugs that are seized by law enforcement; and

WHEREAS, proper drug identification is critical to evidentiary reports; and

WHEREAS, this Identidex System is provided by Thomson Micromedex at a cost of \$1,800.75 per year; and

WHEREAS, SOP A-02 requires that Legislative approval be granted for membership and subscriptions exceeding \$1,000; and

WHEREAS, the 2008 Operating Budget in 001-4720-3070 included funds in anticipation of this subscription renewal; now, therefore be it

1st RESOLVED, that the Department of Health Services is authorized to apply to Thomson Micromedex for renewal of the Identidex System subscription.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1095-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 90 -2008, REPEALING SUFFOLK COUNTY PRESCRIPTION DRUG COST COMPARISON PROGRAM

WHEREAS, the County of Suffolk enacted Resolution No. 922-2001, "Establishing Suffolk County Prescription Drug Cost Comparison Program," whereby the County Department of

Health Services was to develop a list of the twenty-five prescription drugs most used by senior citizens, for the purpose of conducting a comparative cost survey on a quarterly basis; and

WHEREAS, Resolution No. 664-2004, amended this program to increase the number of prescription drugs to be studied to fifty; and

WHEREAS, since the program's inception, the Department of Health Services has regularly reported on prescription drug prices, and several other County departments have helped to disseminate this information to the citizens of the County; and

WHEREAS, since beginning this program, the amount of information available to the public regarding prescription drug prices has grown-via the internet, not-for-profit organizations, pharmacies, or from the drug companies directly-making the Suffolk County Prescription Drug Cost Comparison Program redundant and unnecessary; and

WHEREAS, only a half-dozen pharmacies are now participating in the Drug Cost Comparison Program; and

WHEREAS, in the absence of the County's program, the citizens of Suffolk County will still have access to information on drug prices from alternative sources; and

WHEREAS, the County of Suffolk must constantly evaluate its programs, and look to eliminate or modify programs that provide no useful benefit to Suffolk taxpayers; now, therefore be it

1st **RESOLVED**, that Resolution No. 922-2001 is hereby repealed in its entirety; and be it further

2nd **RESOLVED**, that Resolution No. 664-2004 is hereby repealed in its entirety.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1096-2008
Introduced by Legislator Cooper

Laid on Table 2/5/2008

**RESOLUTION NO. 91 -2008, DESIGNATING THE FIRST
WEEK OF MAY AS "AMYOTROPHIC LATERAL SCLEROSIS WEEK"
IN SUFFOLK COUNTY**

WHEREAS, Amyotrophic Lateral Sclerosis (ALS) also known as Lou Gehrig's disease, is a rapidly progressive, invariably fatal neurological disease that attacks the nerve cells responsible for controlling voluntary muscles; and

WHEREAS, over 5,000 new ALS patients are diagnosed annually; and

WHEREAS, ALS is one of the most common neuromuscular diseases worldwide, affecting people of all races and ethnic backgrounds; and

WHEREAS, the early symptoms of ALS, which are often subtle, include twitching, cramping, muscle weakness that affects the arms or legs, slurred and nasal speech and stiffness of muscles; and

WHEREAS, ALS eventually causes a person's muscles to atrophy as they become a functional quadriplegic; and

WHEREAS, the Suffolk County Legislature wishes to increase the public's awareness of ALS by encouraging health care organizations and professionals to participate in appropriate activities that will educate their patients and encourage further research into the causes and the cures of all types of neurological diseases; now, therefore be it

1st RESOLVED, that beginning in May 2008 and continuing every year thereafter, the first week of May shall be designated as "Amyotrophic Lateral Sclerosis Week" in Suffolk County; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1097-2008
Introduced by Legislator Beedenbender

Laid on Table 2/5/2008

**RESOLUTION NO. 92 -2008, DECLARING MAY 18 THROUGH
MAY 24, 2008 AS "ALPHA-1 ANTITRYPSIN DEFICIENCY
AWARENESS WEEK" IN SUFFOLK COUNTY**

WHEREAS, Alpha-1 antitrypsin deficiency, also called AAT, is an inherited condition that causes lung disease in adults and liver disease in children and adults; and

WHEREAS, Alpha-1 antitrypsin is a protein made in the liver; and

WHEREAS, this protein goes into the bloodstream and helps protect the body's organs from the harmful effects of other proteins, with the lungs being the main organ it protects; and

WHEREAS, AAT deficiency occurs when the AAT proteins made in the liver are misshapen, become caught in the liver cells and fail to reach the bloodstream; and

WHEREAS, if too few AAT proteins travel to the lungs, the risk of lung disease increases and if there are too many AAT proteins in the liver, liver disease can develop; and

WHEREAS, Alpha-1 can lead to lung destruction and is often misdiagnosed as asthma, emphysema or smoking-related Chronic Obstructive Pulmonary Disease (COPD); and

WHEREAS, AAT can be detected by a simple blood test; and

WHEREAS, the Suffolk County Legislature wishes to increase awareness of this serious hereditary and often misdiagnosed disorder, as well as to educate the public and the medical community on Alpha-1 detection and treatment for those affected with this condition; now, therefore be it

1st RESOLVED, that the week of May 18, 2008 through May 24, 2008 is hereby designated as "**ALPHA-1 ANTITRYPSIN DEFICIENCY AWARENESS WEEK**" within the County of Suffolk to increase awareness of this inherited disorder that causes lung disease in adults and liver disease in children and adults and for which there is no cure; 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1098-2008
Introduced by Legislator Horsley

Laid on Table 2/5/2008

RESOLUTION NO. 93 –2008, DIRECTING THE DEVELOPMENT OF BEST MANAGEMENT PRACTICES FOR THE MAINTENANCE OF GREASE TRAPS AT FOOD SERVICE ESTABLISHMENTS

WHEREAS, a thriving business community is vital to the economic and social well-being of Suffolk County, but the business community must also respect the fragile nature of the County's environment; and

WHEREAS, when food service establishments discharge waste water containing grease into the County's sewer systems, they run the risk of causing sewer overflows and interfering with proper sewage treatment operations; and

WHEREAS, the discharge of grease into sewer systems often is not done intentionally, but instead is the result of improperly maintained grease traps or grease interceptors, which separate grease from waste water before the waste water is discharged into the sewers; and

WHEREAS, it is in the best interest of the County of Suffolk to encourage the proper maintenance of grease traps and grease interceptors at food service establishments, especially by promoting the regular pumping out of these devices; now, therefore be it

1st RESOLVED, that the Department of Health Services, with the assistance of the Department of Public Works, shall, within sixty (60) days of the effective date of this Resolution, develop Best Management Practices (BMPs) for the proper care and maintenance of grease traps and/or grease interceptors at food service establishments throughout Suffolk County; and be it further

2nd RESOLVED, that the Department of Health Services shall incorporate such BMPs into the food manager training course provided by the Department, and shall develop written materials on such BMPs for dissemination to all individuals attending this course; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1140-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 95 -2008, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR ORAL SURGERY SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES, JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Health Services requested an RFP for "Oral Surgery Services" for the John J. Foley Skilled Nursing Facility; and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and mailed the RFP to four (4) potential vendors and received only one response from Sharon A. Pollick, DMD, PC; and

WHEREAS, an independent evaluation committee reviewed the proposal from Sharon A. Pollick, DMD, PC and found her quality of work and experience satisfactory, and her cost proposal submission within the industry standards, and have recommended that the Department of Health Services enter into a contractual agreement with Sharon A. Pollick, DMD, PC; and

WHEREAS, there are sufficient funds in the 2008 Suffolk County Operating Budget to cover the cost of this contract; now, therefore be it

1st RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Health Services enter into a contractual agreement with Sharon A. Pollick, DMD, PC for the provision of oral surgery services; and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Sharon A. Pollick, DMD, PC.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1145-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Stern

RESOLUTION NO. 96 -2008, APPROVING THE APPOINTMENT OF IENE COOPER AS A MEMBER OF THE SUFFOLK COUNTY YOUTH BOARD COORDINATING COUNCIL REPRESENTING LEGISLATIVE DISTRICT NO. 16

WHEREAS, Jacqueline Hasson has resigned from her appointment to the Suffolk County Youth Board Coordinating Council; now, therefore be it

1st RESOLVED, that the appointment of Ilene Cooper, currently residing at 7 Deanna Court, Dix Hills, New York 11746, as a member of the Suffolk County Youth Board Coordinating Council, representing the 16th Legislative District, for a term of office expiring April 30, 2010, is hereby approved, said appointment effective the date of enactment of this resolution pursuant to the provisions of Section A3-5 of the Suffolk County Administrative Code.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1050-2008 Laid on Table 2/5/2008
Introduced by Legislator Browning

RESOLUTION NO. 97 -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2008 BY THE MASTICS-MORICHES-SHIRLEY COMMUNITY LIBRARY'S FAMILY LITERACY PROJECT

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is a not-for-profit organization; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project would like to use the Smith Point County Park in Shirley for the purpose of hosting a fund drive, the proceeds of which would go to the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the Mastics-Moriches-Shirley Community Library's Family Literacy Project is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

WHEREAS, the parking lot will be used as a staging point and also for parking for participants; and

WHEREAS, the 5 Kilometer race will be held in the park itself; and

WHEREAS, this race would be held on Saturday, September 13, 2008 from 7:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 Dollars (\$250.00), payment of which shall be guaranteed by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastics-Moriches-Shirley Community Library's Family Literacy Project; and

WHEREAS, the use of County property for such a fund drive for support of the Mastics-Moriches-Shirley Community Library's Family Literacy Project would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastics-Moriches-Shirley Community Library's Family Literacy Project, in consideration of the payment of Two Hundred Fifty and 00/100 Dollars (\$250.00) for the purpose of holding a 5 Kilometer race on September 13, 2008, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, the Mastics-Moriches-Shirley Community Library's Family Literacy Project must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for the Mastics- Moriches-Shirley Community Library's Family Literacy Project at Smith Point County Park in Shirley; and be it further

4th **RESOLVED**, that the Mastics-Moriches-Shirley Community Library's Family Literacy Project shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of

New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1082-2008
Introduced by Legislator Cooper

Laid on Table 2/5/2008

RESOLUTION NO. 98 -2008, AUTHORIZING USE OF MAKAMAH PRESERVE IN NORTHPORT BY NORTHPORT ROAD RUNNERS CLUB

WHEREAS, the Northport Road Runners Club is a nonprofit club whose members are active volunteers improving and maintaining nature trails throughout Long Island; and

WHEREAS, the Northport Road Runners Club would like to use the County-owned Makamah Preserve to sponsor a 8K race for the purpose of honoring Dr. Douglas Wood and benefiting the Douglas Wood Scholarship Fund, which funds would be awarded to a promising high school athlete; and

WHEREAS, the race would be held on April 12, 2008 at the Makamah Preserve in Northport; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty and 00/100 (\$250.00) Dollars, payment of which shall be guaranteed by the Northport Road Runners Club; and

WHEREAS, the use of County property for such fund drive to benefit the Douglas Wood Scholarship Fund would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Makamah Preserve in Northport, in consideration of the payment of Two Hundred Fifty and 00/100 (\$250.00) Dollars, for the purpose of a 8K race on April 12, 2008, between the hours of 8:30 a.m. and 11:00 a.m., is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the County's receipt of a Certificate of Insurance naming the County of Suffolk as an additional insured from the Northport Road Runners Club, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER and Section 378-7 of the SUFFOLK COUNTY CODE to issue a permit to the Northport Road Runners Club. The Department of Parks, Recreation and Conservation and the County Department of Public Works are further authorized, empowered and directed to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive for support of the services to benefit the public provided by the Northport Road Runners Club at Makamah Preserve in Northport by the Northport Road Runners Club; and be it further

3rd RESOLVED, that the Northport Road Runners Club shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

4th RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1123-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 99 -2008, AUTHORIZING LICENSE AGREEMENT WITH MONTAUK FIRE DISTRICT FOR USE OF GATR SITE IN THEODORE ROOSEVELT COUNTY PARK, MONTAUK, NY

WHEREAS, Montauk Fire District, having its principal office in Montauk, New York, desires to enter into a license agreement with the County to construct, install, maintain and operate a wireless telecommunications equipment complex at the GATR site in Theodore Roosevelt County Park in order to improve its wireless communications and emergency services radio system; and

WHEREAS, the GATR site was once a communications facility and the installation of said equipment will have no impact on the use of the County-owned property by the County or the general public; and

WHEREAS, Montauk Fire District will pay the County an annual license fee for each year of the license equal to 80% of revenues received from operation of said equipment; and

WHEREAS, Montauk Fire District will utilize a wireless telecommunications carrier licensed by the Federal Communications Commission (FCC) to operate in Suffolk County; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law, Article 8 (hereinafter "SEQRA"), Resolution No. 1334-2007 determined that these actions constitute an unlisted action pursuant to the provisions of Title 6 of the New York Code of Rules and Regulations (NYCRR), Part 617 and Chapter 279 of the Suffolk County Code, and will not have significant adverse impacts on the environment; and

WHEREAS, the County desires to enter into an agreement with Montauk Fire District in order to implement these activities; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Parks, Recreation, Conservation is hereby authorized, empowered, and directed, pursuant to Section 28-4(D) of the SUFFOLK COUNTY CHARTER, to enter into a License Agreement with Montauk Fire District for a term of ten (10) years, with two (2) optional terms of an additional five (5) years each at the discretion of the Commissioner of Parks, Recreation and Conservation, for a non-exclusive, non-transferable License to construct, install, maintain and operate a wireless telecommunications equipment complex in Theodore Roosevelt County Park at the GATR site in accordance with the provisions set forth above.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1128-2008
Introduced by Legislator Browning

Laid on Table 2/5/2008

RESOLUTION NO. 100 -2008, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK PROPERTY IN 2008 FOR A 5K RACE

WHEREAS, Alicia Biondo, mother of baby Evelyn who is a victim of Shaken Baby Syndrome, would like to use the Southaven County Park in Brookhaven for the purpose of hosting a fund drive wherein the proceeds go to the raise awareness of the dangers of "Shaken Baby Syndrome"; and

WHEREAS, this race will be held on Sunday, April 27, 2008 from 7:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Two Hundred Fifty Dollars (\$250.00), per diem, payment of which shall be guaranteed by Ms. Biondo; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured will be provided by the Strong Island Sound; and

WHEREAS, the use of County property for such a fund drive will raise awareness of the dangers of "Shaken Baby Syndrome" and educate residents on how to alleviate the stress associated with trying to quiet a crying baby and prevent the occurrence of "Shaken Baby Syndrome"; now, therefore be it

1st **RESOLVED**, that the use of County-owned property, i.e. the Southaven County Park in Brookhaven, by Alicia Biondo, in consideration of the payment of Two Hundred Fifty Dollars (\$250.00) per diem, for the purpose of holding a 5 Kilometer Race on April 27, 2008, between the hours of 7:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd **RESOLVED**, that before this event shall be permitted to occur, Ms. Biondo must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of the fund drive; and be it further

4th **RESOLVED**, that Ms. Biondo shall also provide an entertainment promoter certificate to Suffolk County if he wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and, since this is a Type II action, the County Legislature has no further responsibilities under SEQRA.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro Res. No. 1070-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. 101 -2008, ACCEPTING AND APPROPRIATING 84% GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR SERVICES PROVIDED BY THE SUFFOLK COUNTY PROBATION DEPARTMENT IN OPERATION ROLLING THUNDER

WHEREAS, New York State Division of Criminal Justice Services has awarded Suffolk County Law Enforcement Agencies \$25,000 to for its participation in Operation Rolling Thunder; and

WHEREAS, Operation Rolling Thunder is a collaborative effort between the NYS Division of Criminal Justice Services, the U.S. Marshals Service NY/NY Fugitive Task Force and the Suffolk County Department of Police, Probation and the Sheriff's Office to conduct a sweep of felony fugitives with outstanding warrants; and

WHEREAS, the Suffolk County Probation Department was allocated \$6,000 of said grant funds to be used for overtime expenses totaling \$7,101.26 related to Operation Rolling Thunder for the period 11/26/07 through 11/30/07; and

WHEREAS, funding has not been included in the Probation Department's 2007 Suffolk County Adopted Operating Budget for Operation IMPACT IV; now, therefore be it

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

<u>REVENUES:</u>	<u>Amount</u>
001-3321-Criminal Justice Services	\$6,000.00

ORGANIZATIONS:

Probation Department (PRO)
Operation Impact IV
001-PRO-3181

<u>Personal Services</u>	<u>\$6,000.00</u>
1120-Overtime Salaries	\$6,000.00

and be it further

2nd RESOLVED, that the non-reimbursable overtime and fringe benefits associated with the overtime salaries for this grant are included in the 2007 Suffolk County Budget; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Reso. No. 1076-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 102 -2008, ACCEPTING AND APPROPRIATING
A GRANT IN THE AMOUNT OF \$16,648.00 IN PASS-THROUGH
FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICES FOR THE RENOVATION AND UPGRADING OF
THE SUFFOLK COUNTY POLICE DEPARTMENT'S VIDEO
INTERVIEW ROOM WITH 90% SUPPORT**

WHEREAS, the New York State Division of Criminal Justice Services has made \$16,648.00 in Federal pass-through funds available to Suffolk County for the renovation and upgrading of the Suffolk County Police Department's Video Interview Room to enhance law enforcement efforts and prosecution outcomes through videotaping of interviews and interrogations; and

WHEREAS, the operational period of the program will be from July 1, 2005 through December 31, 2007; and

WHEREAS, said grant funds totaling \$16,648.00 have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, the \$1,849.00 required in matching funds has been included in previous years' Suffolk County Operating Budgets; 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>REVENUE:</u>	<u>Amount</u>
001-4326-Federal Pass-Through Funding: Video Interview Room Project	\$16,648.00

ORGANIZATIONS:

Police Department (POL)
Video Interview Room
001-POL-3242

<u>2000 Equipment</u>	<u>\$16,648.00</u>
2010 Furniture & Fixtures	1,457.00
2500 Other Equipment Not Otherwise	15,191.00

and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1120-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 103-2008, APPROPRIATING FURNITURE AND EQUIPMENT FUNDS FOR THE EXPANSION OF SHERIFF'S ENFORCEMENT DIVISION AT CRIMINAL COURT BUILDING (CP 3013)

WHEREAS, the Sheriff has requested funds for the purchase of replacement security control panels and locking devices to be installed during the expansion and renovation of the Enforcement Division's prisoner detention area of the Criminal Court Building; and

WHEREAS, the current security equipment and locking devices are demonstrating signs of deterioration, are obsolete and well past their life expectancy; and

WHEREAS, the number of incarcerated inmates has substantially increased and is projected to continue to rise, placing an added burden on the prisoner detention area of the Criminal Court Building; and

WHEREAS, Suffolk County has committed to the expansion of the Criminal Court Building to address building issues and the growth in the number of Deputy Sheriffs assigned to that area; and

WHEREAS, there are now sufficient funds within the 2008 Capital Budget and Program to cover the costs of said request under Capital Program Number 3013; 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 2008 Capital Budget and Program, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$200,000 in Suffolk County Serial Bonds; and

WHEREAS, pursuant to the State Environmental Quality Review Act, Environmental Conservation Law Article 8, Resolution No. 253-2005 classified the action contemplated by this as a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5 (c) (7) and (21), as this action involves the construction or expansion of an accessory non-residential facility involving less than 4,000 square feet; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-four (54), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd RESOLVED, that 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-3013.511 (Fund 001-Debt Service)	18	Furniture & Equipment for the Expansion of Sheriff's Enforcement Division At Criminal Court Building	\$200,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Intro. Res. No. 1320-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

**RESOLUTION NO. 319 -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 103-
2008**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 103-2008; and

WHEREAS, this resolution when adopted contained technical errors; and

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

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

Resolution No. 103-2008

In the 2nd RESOLVED paragraph change the Project No.:

FROM:

525-CAP-3013.511

TO:

525-CAP-3013.510

DATED: May 13, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 28, 2008

Legislator Beedenbender 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. 1120A-2008

BOND RESOLUTION NO. 104 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE A
PART OF THE COST OF EXPANSION OF THE SHERIFF'S
ENFORCEMENT DIVISION AT THE CRIMINAL COURT BUILDING
(CP 3013)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of

expansion of the Sheriff's Enforcement Division at the Criminal Court Building, as authorized in the 2008 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 \$2,125,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1101-2005, (b) the issuance of \$1,775,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 391-2007 (\$1,750,000 for construction and \$25,000 for furniture and equipment), (c) the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution (for furniture and equipment) 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 11.00 a. 12 (a) (2) of the Law of the Law, is fifteen (15) years, computed from May 15, 2007, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 1011-2005.

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1126-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 105 -2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY C – 141, RIVERHEAD (CP 3014)

WHEREAS, the Sheriff of Suffolk County has requested additional funds for numerous improvements to the County Correctional Facility – C – 141 – Riverhead including, but not limited to, locating and repairing roof and plumbing leaks to include the 4th floor slab extension leakage repairs, reconfiguring the four pod housing areas of the Medium Security Correctional Facility for direct supervision of inmates which will require the relocation of control panels already scheduled to be replaced and up-graded; replacing 24 air handlers and cleaning all related duct work, replacing the perimeter heating system and controls, replacing the main electrical switch and automatic transfer switch with bypass type; modifying and/or resurfacing the parking lot, providing a sanitary connection for the existing security booth at the Facility’s front entrance, repairing and reinforcing the floor and drainage system of the kitchen food preparation area; and

WHEREAS, the Riverhead Correctional Facility continues to deteriorate at an alarming rate and requires immediate repairs to keep the facility operational and habitable; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the Planning and Construction costs of said request under Capital Program Number 3014; 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 2008 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 \$1,080,000 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, Environmental Conservation Law Article 8, hereby finds and determines the action contemplated by this as constitutes a Type II action, pursuant to the provisions of Title 6 NYCCR, Part 617.5 (1), (2) and (21), as the project involves planning as well as replacement and rehabilitation involving no substantial changes to an existing structure, or reconstruction of a structure or facility in-kind; and be it further

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

3rd RESOLVED, that the proceeds of \$1,080,000 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-3014.318 (Fund 001-Debt Service)	18	Improvements to the County Correctional Facility C-141-Riverhead	\$1,000,000
525-CAP-3014.512 (Fund 001-Debt Service)	18	Furniture and Equipment For Improvements to the County Correctional Facility C-141-Riverhead	\$80,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Intro. Res. No. 1321-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 4/29/2008

**RESOLUTION NO. 320 –2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 105-
2008**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 105-2008; 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

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

Resolution No. 105-2008

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

FROM:

525-CAP-3014.512

TO:

525-CAP-3014.513

DATED: May 13, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 28, 2008

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

Intro. Res. No. 1126A-2008

BOND RESOLUTION NO. 106 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$1,080,000 BONDS TO FINANCE
THE COST OF IMPROVEMENTS TO THE COUNTY CORRECTIONAL
FACILITY C-141, RIVERHEAD (CP 3014.318 and .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 \$1,080,000 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 the County Correctional Facility C-141, Riverhead, as authorized in the 2008 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 \$1,080,000. The plan of financing includes the issuance of \$1,080,000 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)(2) 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1065-2008
Introduced by Legislator Montano

Laid on Table 2/5/2008

**RESOLUTION NO. 107 -2008, AUTHORIZING TRANSFER OF ONE
(1) SURPLUS COUNTY KODAK IMAGELINK 70 TO THE
BRENTWOOD PUBLIC LIBRARY**

WHEREAS, the Office of County Clerk has submitted documentation to the Purchasing Division declaring a Kodak Imagelink 70 as surplus property, which has been taken out of service because of obsolescent technology; and

WHEREAS, the Brentwood Public Library has requested the donation of the Kodak Imagelink 70 from the County; and

WHEREAS, the public library is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st RESOLVED, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following local government agency, for use within its facilities for nominal consideration:

TO:
Brentwood Public Library
34 Second Avenue
Brentwood, NY 11717

DESCRIPTION OF ITEM:
Kodak Imagelink 70
Serial No. 7969846

Contact: Tom A. Tarantowicz, Director
Telephone: 631-273-7883

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed local government agency for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1066-2008
Introduced by Legislator Montano

Laid on Table 2/5/2008

RESOLUTION NO. 108 -2008, AUTHORIZING TRANSFER OF ONE (1) SURPLUS COUNTY KODAK IMAGELINK 70 TO THE CENTRAL ISLIP PUBLIC LIBRARY

WHEREAS, the Office of County Clerk has submitted documentation to the Purchasing Division declaring a Kodak Imagelink 70 as surplus property, which has been taken out of service because of obsolescent technology; and

WHEREAS, the Central Islip Public Library has requested the donation of the Kodak Imagelink 70 from the County; and

WHEREAS, the public library is willing to assume responsibility for the removal and transportation of this equipment; now, therefore be it

1st **RESOLVED**, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following local government agency, for use within its facilities for nominal consideration:

TO:
Central Islip Public Library
33 Hawthorne Avenue
Central Islip, NY 11722

DESCRIPTION OF ITEM:
Kodak Imagelink 70
Serial No. 7969850

Contact: Paul Facchiano, Director
Telephone: 631-234-9333 x110

and be it further

2nd **RESOLVED**, that the above described surplus County personal property is hereby declared to be of scrap value only and is transferred to the above listed local government agency for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

3rd **RESOLVED**, that the above named organization shall assume responsibility for the removal and transportation of said equipment; and be it further

4th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1088-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

**RESOLUTION NO. 109 -2008, AMENDING THE 2008
OPERATING BUDGET FOR SUFFOLK COUNTY SEWER DISTRICT**

NO. 2 - TALLMADGE WOODS, APPROPRIATING FUNDS FOR OPERATION AND MAINTENANCE, AUTHORIZING THE CREATION AND RELEASE OF POSITIONS AND APPROVING THE USER CHARGE

WHEREAS, Resolution No. 734-2004, as amended by Resolution No. 324-2005, provided the basis of the creation of SC Sewer District No. 2 – Tallmadge Woods and this district creation was approved by the NYS Comptroller but no assets were transferred to the District pending the approval of an operating budget; and

WHEREAS, after due consideration and public information meetings and a public hearing for a rate increase to \$503 per year per household over that originally listed in the creation report of 2002 at \$420 per year per household; and

WHEREAS, it is now necessary to create the 2008 Operating Budget for Sewer District No. 2 – Tallmadge Woods, create and authorize release of the positions required to provide assistance to the operation (Request for a new STP Operator Trainee position) and approve the user charges necessary to pay for the operating costs since nothing has been included in the Adopted 2008 Operating Budget; now, therefore be it

1st RESOLVED, that the 2008 Operating Budget is amended as follows:

<u>REVENUES:</u>	<u>\$540,672</u>
202-2121 Sewer Rents	\$540,672

APPROPRIATIONS:

Department of Public Works
Sewer District No. 2 - Tallmadge Woods
202-8112

<u>Equipment</u>	<u>\$33,000</u>
2500 – Other Equipment	\$33,000

<u>Supplies, Materials and Other Expenses</u>	<u>\$106,725</u>
3060 – Fuel for Operations	1,000
3120 – Small Tools & Auto Maint. Supplies	750
3160 – Computer Software	1,500
3180 – Sewer Maintenance Supplies	25,000
3200 – Ground Equipment Supplies	500
3230 – Road Materials	10,000
3250 – Building Materials	2,000
3350 – Safety Supplies	500
3360 – Chemicals	36,000
3370 – Medical, Dental & Lab Supplies	475
3500 – Other: Unclassified	4,000
3650 – Repairs: Buildings	5,000
3680 – Repairs: Special Equipment	20,000

<u>4000 – Utilities</u>	<u>83,700</u>
4010 – Telephone and Telegraph	900
4020 – Light, Power & Water	82,800

<u>INTERFUND EXPENSE:</u>	
202-IFT-E261 Tr to Fund 261 Sewer Op & Maintenance	317,247

INTERFUND REVENUE:
261-IFT-R202 Transfer from Sewer District #2

317,247

and be it further

2nd RESOLVED, that the position(s) to provide the necessary assistance for operation and maintenance are hereby created and are authorized to be hired as follows:

<u>POSITION</u>	<u>No.</u>	<u>Grade</u>	<u>Spec No.</u>
Maintenance Mechanic III 61-8199-2000-0115	+1	15	7004

and be it further

3rd RESOLVED, that the users of the Tallmadge Woods sewerage facilities will be charged based on the percentage of adjusted water flows determined by the Department of Public Works. Rates charged will fluctuate from year to year based on the actual costs of operating and maintaining the facilities, including debt service.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Viloría-Fisher 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. 1090-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 110 -2008, APPROVING A VOLUNTARY LAND EXCHANGE BETWEEN THE COUNTY OF SUFFOLK AND BRIAN V. KLUG AND MONICA KLUG, HIS WIFE

WHEREAS, the County of Suffolk owns a sewage treatment plant located on the west side of County Road 51, East Moriches-Riverhead Road, Hamlet of Speonk, Town of Southampton, Suffolk County, New York; said parcel having a Suffolk County Tax Map Identification Number of District 0900 Section 192.00 Block 01.00 Lot 013.005 (hereinafter referred to as the "Sewage Treatment Plant"); and

WHEREAS, this Sewage Treatment Plant treats raw sewage generated by the Suffolk County Community College situated on Suffolk County Tax Map Parcel District 0900 Section 212.00 Block 02.00 Lot 007.002; and

WHEREAS, presently the Suffolk County Community College is connected to the Sewage Treatment Plant described above by a sewer pipeline that traverses over the privately owned lands of Brian V. Klug and Monica Klug, his wife, said privately owned lands having a Suffolk County Tax Map Identification Number of District 0900 Section 192.00 Block 01.00 Lot 003.000; and

WHEREAS, there is no formal easement of public record that exists allowing the County of Suffolk to use, occupy, maintain, expand or upgrade said sewer pipeline over that portion of the sewer pipeline that traverses over the privately owned lands of Brian V. Klug and Monica Klug, his wife; and

WHEREAS, abutting the above-described privately-owned property of Brian V. Klug and Monica Klug, his wife, is an unused and surplus portion of Old Moriches-Riverhead Road owned by the County of Suffolk that is no longer used as a part of the County Road System but for which the County is still fiscally responsible and liable for its maintenance and upkeep; and

WHEREAS, the County of Suffolk would like to obtain a permanent subsurface sanitary sewer easement from Brian V. Klug and Monica Klug, his wife that allows that portion of said sewage pipeline that traverses over their privately owned land to be maintained, expanded, and/or upgraded to accommodate the future sewage treatment needs of the Suffolk County Community College; and

WHEREAS, Brian V. Klug and Monica Klug, his wife, have offered to provide the County of Suffolk with said permanent subsurface sanitary sewer easement in exchange for a fee simple conveyance of a section of the surplus portion of Old Moriches-Riverhead Road; and

WHEREAS, a map and description of the fee simple conveyance requested by Brian V. Klug and Monica Klug, his wife is attached hereto as Parcel "A" and a map and description of the permanent subsurface sewer easement requested by the County of Suffolk is attached hereto as Parcel "B"; and

WHEREAS, Brian V. Klug and Monica Klug, his wife, have additionally agreed to construct a new entrance and ramp to the Sewage Treatment Plant from County Road 51, East Moriches-Riverhead Road, along with all necessary appurtenances thereto at their own cost and expense, in accordance with Suffolk County Department of Public Works specifications and standards, as a part of the consideration provided by them to the County of Suffolk required as a result of this voluntary land exchange; and

WHEREAS, this voluntary land exchange, if approved by the County of Suffolk, would provide the following valuable benefits to the County of Suffolk:

- A. It would allow the County of Suffolk to properly maintain, expand, and/or upgrade it's current sewer line connecting the Suffolk County Community College to the Sewage Treatment Plant;
- B. It would relieve the County of Suffolk from any and all fiscal responsibility and liability for the maintenance and upkeep over the surplus portion of Old Moriches-Riverhead Road conveyed to Brian V. Klug and Monica Klug, his wife; and
- C. It would provide for enhanced access to the Sewage Treatment Plant off of County Road 51, East Moriches-Riverhead Road to accommodate pumping and maintenance trucks sufficient for handling current and future sewage waste loads; and

WHEREAS, the Department of Public Works has determined that the portion of Old Moriches-Riverhead Road as described in Parcel "A" attached hereto is surplus to the needs of the County of Suffolk and is not needed for public highway purposes; and

WHEREAS, all of the exchanges indicate a lesser market value for the County-owned parcel (Parcel "B") to be conveyed to the private property owners than for easement and the goods and services to be provided by Brian V. Klug and Monica Klug, his wife as a result of this exchange; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (SEQRA) Env. Con. Law Art. 8, hereby finds and determines that this resolution constitutes a Type II action pursuant to Volume 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5(c) (20) and (27) in that the Resolution concerns routine or continuing agency administration, not including new programs or major reordering of priorities that may affect the environment, 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 a copy of this Resolution shall be filed with the Suffolk County Department of Public Works, the initiating unit of said project, and with the Council on Environmental Quality (CEQ); and be it further

3rd RESOLVED, that the portion of Old Moriches Riverhead Road as described in Parcel "B" attached hereto is surplus to the needs of the County of Suffolk and is not needed for public highway purposes is hereby declared surplus for the purpose of the exchange of properties described herein; and be it further

4th RESOLVED that the exchanges as stated and outlined in this Resolution are hereby authorized and approved; and be it further

5th RESOLVED, that the Suffolk Department of Public Works is hereby authorized, empowered, and directed to take such actions as may be necessary and appropriate to consummate such acquisitions, including but not limited to obtaining surveys, obtaining engineering reports, securing title searches and insurance, conducting environmental surveys, and executing such other documents as are required to acquire such interest in said lands, subject to the following terms and conditions:

- a. the exchange shall be equitable and at no cost to the County of Suffolk;
- b. compliance by the owners of the privately owned lands with Suffolk County Code Chapter 342 (Land Acquisition Disclosure) and all County Laws relating to land exchanges, including, but not limited to New York County Law Section 215;

and be it further

6th RESOLVED, that in the event that one or more Suffolk County Tax Map Identification Numbers contained in this Resolution has been deleted or removed, or has been changed by either subsequent technical modification of the Suffolk County Tax Map System, or prior technical modification that was unknown to the Suffolk County Department of Public Works at the time at which said Exhibit was prepared, the Tax Map Designation shall be deemed to include such successor Tax Map Identification Number as represents the parcel to be acquired and certified in writing by the Director of the Suffolk County Department of Planning, and further, the Tax Map Designation shall be deemed to include those blocks and lots located in the same section listed therein, which blocks and lots may not be listed therein.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Eddington made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1116-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 111 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF SEWAGE PUMP-OUT VESSELS (CP 8229)

WHEREAS, the Commissioner of Health Services has requested funds for the Purchase of Sewage Pump-out Vessels; and

WHEREAS, these funds will continue the Sewage Pump-out Vessel Reimbursement Program to assist towns and villages in Suffolk County to purchase these vessels; and

WHEREAS, the adoption of the Clean Water Act in 1972, has made it illegal to discharge raw sewage directly into waters within the three mile limit; and

WHEREAS, purchases of these pump-out vessels would provide more opportunities for boaters to pump out their holding tanks and increase the likelihood of protecting water quality in Suffolk County's embayments; and

WHEREAS, there are sufficient funds within the 2008 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 2008 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, that this Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"). Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (25) and (27), in that the resolution concerns the purchase 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 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 proceeds of \$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-8229.511 (Fund 001-Debt Service)	40	Purchase of Sewage Pump-out Vessels	\$150,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1116A-2008

BOND RESOLUTION NO. 112 -2008

**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 ACQUISITION OF SEWAGE PUMP-
OUT VESSELS (CP 8229)**

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 acquisition of sewage pump-out vessels, as authorized in the 2008 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 \$250,000. The plan of financing includes (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 620-2005, (b) the issuance of \$150,000 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. 26 of the Law, is ten (10) years, computed from May 15, 2007, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 620-2005.

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1117-2008

Laid on Table 2/5/2008

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

RESOLUTION NO. 113 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 97, Nicolls Road; and

WHEREAS, there are sufficient funds within the 2008 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 2008 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 \$3,500,000 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. 1198 of 2007 classified the action contemplated by this as an unlisted action which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of sixty-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 complete the Reconstruction of CR 97, Nicolls Road; and be it further

4th RESOLVED, that the proceeds of \$3,500,000 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-5512.310 (Fund 001-Debt Service)	50	Reconstruction of CR 97, Nicolls Road	\$3,500,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1117A-2008

BOND RESOLUTION NO. 114 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS TO FINANCE
A PART OF THE COST OF THE RECONSTRUCTION OF CR 97,
NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$3,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 97, Nicolls Road, Town of Brookhaven, as authorized in the 2008 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 \$4,790,000. The plan of financing includes (a) the issuance of \$1,290,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 751-2003, (b) the issuance of \$3,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 1, 2004, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 751-2003.

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1118-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 115 -2008, APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving County Roads; and

WHEREAS, there are sufficient funds within the 2008 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 2008 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 \$5,500,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 1171-1995 classified the action contemplated by this as a Type II action, which will not have a significant effect on the environment; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$5,500,000 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-5014.345 (Fund 001-Debt Service)	50	Strengthening and Improving County Roads	\$5,500,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 15-1-1-1-0. Legislator Barraga voted no. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1118A-2008

BOND RESOLUTION NO. 116 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS TO FINANCE
THE COST OF STRENGTHENING AND IMPROVING COUNTY ROADS
(CP 5014.345)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$5,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of strengthening and improving County roads, as authorized in the 2008 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 \$5,500,000. The plan of financing includes the issuance of \$5,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1119-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 117 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF DRAINAGE SYSTEMS ON VARIOUS COUNTY ROADS (CP 5024)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of Drainage Systems on Various County Roads; and

WHEREAS, there are sufficient funds within the 2008 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 2008 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 \$500,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action (replacement in-kind), pursuant to Section 617.5 (C)(2) 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 County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter to complete the Reconstruction of Drainage Systems on Various County Roads; and be it further

4th RESOLVED, that the proceeds of \$500,000 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-5024.310 (Fund 001-Debt Service)	50	Reconstruction of Drainage Systems on Various County Roads	\$500,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 14-1-1-2-0. Legislator Barraga voted no. Legislator Alden abstained. Presiding Officer Lindsay and Legislator Montano were not present.

Intro. Res. No. 1119A-2008

BOND RESOLUTION NO. 118 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE A
PART OF THE COST OF THE RECONSTRUCTION OF DRAINAGE
SYSTEMS ON VARIOUS COUNTY ROADS (CP 5024.310)**

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 \$500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of drainage systems on various County roads, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The

plan of financing includes (a) the issuance of \$500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 301-2007, (b) the issuance of \$500,000 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. 4 of the Law, is forty (40) years, computed from November 1, 2007, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 301-2007.

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Presiding Officer Lindsay was not present.

Intro. Res. No. 1121-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 119 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS (CP 5497)

WHEREAS, the Commissioner of Public Works has requested funds for engineering/construction in connection with the construction of sidewalks on CR 76, Townline Road, from the vicinity of Jackson Street to the vicinity of Walter Street, Towns of Islip and Smithtown; and

WHEREAS, sufficient funds are not included in the 2008 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 2008 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 \$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-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the construction of sidewalks on CR 76, Townline Road, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5039
 Project Title: Drainage Improvements on CR 76, Townline Road, Towns of Islip and Smithtown

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	<u>\$400,000</u>	<u>\$600,000B</u>	<u>\$400,000B</u>
TOTAL	\$463,200	\$600,000	\$400,000

Project No.: 5497
 Project Title: Construction of Sidewalks on Various County Roads

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
1. Planning, Design & Supervision	<u>\$400,000</u>	<u>\$ 0</u>	<u>\$200,000B</u>
TOTAL	\$4,405,000	\$500,000	\$700,000

and be it further

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5497.113 (Fund 001-Debt Service)	50	Construction of Sidewalks on CR 76, Townline Road, from the vicinity of Jackson Street to the vicinity of Walter Street	\$200,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: March 19, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Presiding Officer Lindsay was not present.

Intro. Res. No. 1121A-2008

BOND RESOLUTION NO. 120 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE
THE COST OF THE ENGINEERING IN CONNECTION WITH THE
CONSTRUCTION OF SIDEWALKS ON CR 76, TOWNLINE ROAD,
FROM THE VICINITY OF JACKSON STREET TO THE VICINITY OF
WALTER STREET, TOWNS OF ISLIP AND SMITHTOWN (CP 5497.113)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$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 engineering in connection with the construction of sidewalks on CR 76, Townline Road, from the vicinity of Jackson Street to the vicinity of Walter Street, Towns of Islip and Smithtown, as authorized in the 2008 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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Presiding Officer Lindsay was not present.

Intro. Res. No. 1122-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

RESOLUTION NO. 121-2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 4, COMMACK ROAD, FROM THE VICINITY OF NICOLLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON (CP 5560)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with the Reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle; and

WHEREAS, there are sufficient funds within the 2008 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 2008 Capital Budget, as the basis for funding Capital Projects such as this project; and

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

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (20), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of \$250,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5560.111 (Fund 001-Debt Service)	50	Engineering/Reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle	\$250,000

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Presiding Officer Lindsay was not present.

Intro. Res. No. 1122A-2008

BOND RESOLUTION NO. 122 -2008

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK,
AUTHORIZING THE ISSUANCE OF \$250,000 BONDS TO FINANCE A
PART OF THE COST OF THE PLANNING FOR THE
RECONSTRUCTION OF CR 4, COMMACK ROAD, IN THE TOWNS
OF BABYLON AND HUNTINGTON (CP 5560)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$250,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the planning for reconstruction of CR 4, Commack Road, in the Towns of Babylon and Huntington, as authorized in the 2008 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 \$400,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 616-2005, (b) the issuance of \$250,000 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 May 15, 2006, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 616-2005.

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: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

RESOLUTION NO. 123 –2008, AUTHORIZING A SECOND PUBLIC HEARING BY THE OFFICE FOR THE AGING

WHEREAS, the Suffolk County Office for the Aging is required to hold an annual public hearing to gain public input on its State funded programs; and

WHEREAS, public input is vital to the successful delivery of services to our seniors; and

WHEREAS, traveling long distances is a hardship which can prevent seniors from attending a public hearing; and

WHEREAS, Suffolk County has a large senior citizen population, with a disproportionate share of the senior population residing in the five east end towns; and

WHEREAS, it is the long-standing policy of the County of Suffolk to encourage public participation in Suffolk County government; and

WHEREAS, the Office for the Aging should conduct two public hearings, one on the west end of Suffolk County and one on the east end, to maximize public participation; now, therefore be it

1st RESOLVED, that the Director of the Suffolk County Office for the Aging is hereby authorized, empowered and directed to conduct two public hearings each year for the purpose of eliciting input from the residents of Suffolk County regarding the Office's State funded programs; and be it further

2nd RESOLVED, that one of the public hearings shall be conducted in a west end town (Babylon, Brookhaven, Huntington, Islip or Smithtown) and one shall be held in an east end town (East Hampton, Riverhead, Shelter Island, Southampton or Southold); and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

Legislator Viloría-Fisher made motion for the following resolution, seconded by Legislator D'Amario. The resolution was passed 18-0.

Intro. Res. No. 1052-2008

Laid on Table 2/5/2008

Introduced by Legislator Viloría-Fisher

RESOLUTION NO. 124 -2008, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO CHRISTINE M. RYAN, KAREN CRANDALL SANFORD AND BRIAN K. SMITH (SCTM NO. 0206-018.00-04.00-069.000)

WHEREAS, the County of Suffolk is the fee owner of the following described parcel:

ALL that certain plot, piece or parcel of land with any buildings and improvements thereon erected, situate, lying and being in Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0206, Section 018.00, Block 04.00, Lot 069.000, and acquired by tax deed on July 7, 2005 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 15, 2005, in Liber 12397, at Page 974, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, State of New York, known and designated as Lot #10 as shown on a certain map entitled "Map of Brook Hollow, Section 1, Port Jefferson, L.I., New York, owned by Bernard Goldman, surveyed October 1964 by Hawkins and Webb, Surveyors," and which map was filed in the Suffolk County Clerk's Office on February 10, 1966 as Map #4572.

and

WHEREAS, Christine M. Ryan, Karen Crandall Sanford and Brian K. Smith were the former owners of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Viloría Fisher has determined that said non-payment of taxes was not an intentional act but was due to circumstances beyond their control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$425,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$65,119.85 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Christine M. Ryan, Karen Crandall Sanford, Brian K. Smith
4 Corie Court
Port Jefferson, NY 11777

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1081-2008
Introduced by Legislator Browning

Laid on Table 2/5/2008

**RESOLUTION NO. 125 -2008, AUTHORIZING CONVEYANCE OF
PARCEL WITHIN THE MASTIC ROAD BUSINESS DISTRICT,
TOWN OF BROOKHAVEN (SECTION 72-h, GENERAL
MUNICIPAL LAW)**

WHEREAS, the County of Suffolk is the owner of a parcel of vacant land within the Mastic Road Business District, Town of Brookhaven; and

WHEREAS, the County of Suffolk has declared this parcel to be surplus County property; and

WHEREAS, the Town of Brookhaven has requested, via town board resolution, that this property be transferred from the County of Suffolk to the Town of Brookhaven for the purpose of developing a municipal parking lot; now, therefore be it

1st RESOLVED, that the Director of the County Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to execute and deliver a quitclaim deed to the Town of Brookhaven in consideration for the sum of One Dollar (\$1.00), with back taxes waived, for said property, more particularly described and designated as Suffolk County Tax Map No. District 0200, Section 968.00, Block 04.00, Lot 017.000, pursuant to Section 72-h of the NEW YORK GENERAL MUNICIPAL LAW, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Brookhaven in order for the Town to develop a municipal parking lot; and be it further

2nd RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Property Acquisition and Management, his or her deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the above-described property is not used for the above-described public governmental purposes within three (3) years after delivery of the Deed of transfer to the grantee; or in the event that the Town of Brookhaven attempts to sell, transfer, or otherwise dispose of or does, in fact, sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes subsequent to delivery of said deed to the Town of Brookhaven; or in the event that the Town of Brookhaven 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 in the event that the Town violates Resolution No. 256-1998, whichever occurs first; and be it further

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

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

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

Intro. Res. No. 1107-2008
Introduced by Legislator Horsley

Laid on Table 2/5/2008

RESOLUTION NO. 126 -2008, AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF LINDENHURST FOR THE IMPROVEMENT OF CR 3, WELLWOOD AVENUE, TOWN OF BABYLON

WHEREAS, Resolution No. 758-2007 amended the 2007 Capital Budget Program and appropriated \$200,000.00 for improvements on CR 3 Wellwood Avenue, in the Village of Lindenhurst, Town of Babylon; and

WHEREAS, the Village of Lindenhurst is planning to make its own improvements along Wellwood Avenue within the village including resurfacing roads, drainage improvements, curbing and sidewalk repairs, decorative street lighting and tree plantings; and

WHEREAS, it is in the best interests of the County of Suffolk and the Village of Lindenhurst to enter into an intermunicipal agreement whereby the Village will make the

improvements contemplated by Resolution No. 758-2007 along CR 3, Wellwood Avenue, Village, Lindenhurst; now, therefore be it

1st RESOLVED, that, pursuant to NEW YORK GENERAL MUNICIPAL LAW §119-o, the County Executive or his designee is hereby authorized to enter into an intermunicipal agreement with the Village of Lindenhurst whereby the Village of Lindenhurst will utilize the monies appropriated by Resolution No. 758-2007 to complete improvements along CR 3, Wellwood Avenue, Village of Lindenhurst, specifically construction of a median promenade, in conjunction with other improvements that are further undertaken by the Village; 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) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 19, 2008

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

Intro. Res. No. 1114-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 2/5/2008

**RESOLUTION NO. 127 -2008, AUTHORIZING THE
TRANSFER OF CERTAIN PROPERTIES TO SUFFOLK COUNTY
DEPARTMENT OF PARKS, RECREATION AND CONSERVATION**

WHEREAS, the COUNTY OF SUFFOLK is the owner of certain real property, surplus to its needs, described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, these parcels, as shown on aforesaid Exhibit A have been identified by the Suffolk County Planning Department and Suffolk County Department of Parks, Recreation and Conservation and Division of Real Property Acquisition and Management as containing or are directly adjacent stream corridor systems and their associated tidal and/or freshwater wetlands as well as under water lands; or are adjacent or associated with presently existing Suffolk County Parkland/Nature Preserve; and

WHEREAS, as a result thereof the jurisdiction of said parcels should be transferred to the Suffolk County Department of Parks, Recreation and Conservation in order to become part of said Suffolk County Parkland; and

WHEREAS, if it is found that such properties shown on Exhibit A, once transferred or dedicated, have created a landlocked parcel or parcels, or denied access to such parcel or parcels, such portion of the dedication was inadvertent, and it is the intention of the Suffolk County Legislature not to dedicate such land to Suffolk County Parks system and/or Nature Preserve as may be required to maintain access and to prevent said properties from being either landlocked or having access denied thereto; and

WHEREAS, it is not the intention of the Suffolk County Legislature to grant rights to adjacent property owners that did not exist at the time of this dedication; and

WHEREAS, Section 406, Real Property Law provides that municipal real property held on public use shall be free of taxation; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, be authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, No Number Montauk Highway, Sayville, New York, the interest of Suffolk County in the above described properties for the above stated reasons and purpose; and be it further

2nd RESOLVED, that in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and property to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

3rd RESOLVED, that said parcel (s) are held in public use and free of taxation under Section 406 (1) New York Real Property Tax Law and the assessor of the Town of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Smithtown, Southampton and Southold and all other assessors having jurisdiction thereof, be and they hereby are directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the afore stated assessors for this purpose; and be it further

4th RESOLVED, that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Part 617.5 (c) (20), routine or continuing agency administration, with no further environmental review necessary.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

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

Intro. Res. No. 1134-2008

Laid on Table 2/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 128 –2008, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE OCTOBER 15TH AND OCTOBER 16TH, 2007 AUCTION PURSUANT TO LOCAL LAW 13-1976 AS PER EXHIBIT "A" (OMNIBUS RESOLUTION)

WHEREAS, in accordance with Suffolk County Local Law No. 13-1976, provision is made for disposition by Auction of certain County owned real property which is surplus to the needs of said County; and

WHEREAS, pursuant to Section 9 of said Local Law the Department of Environment and Energy, Division of Real Property Acquisition and Management, on October 15th and October 16th 2007, offered at auction certain parcels at the minimum upset price set opposite their tax map designation and accepted the highest bid for such parcel set next to said respective upset prices as shown on listing annexed hereto and made a part hereof as Exhibit "A"; and

WHEREAS, pursuant to Section 11 of said Local Law No. 13-1976, the Department of Environment and Energy, Division of Real Property Acquisition and Management is authorized to deliver, by a Bargain and Sale Deed, without covenants or such deed as further restricted by the parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject to Legislative approval; and

WHEREAS, section A42-4[G] of the Suffolk County Administrative Code provides that the County Director of Planning shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, requests authority to execute a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, on the said designated parcels to the successful bidder thereon; now, therefore be it

1st RESOLVED, that the said described parcels are surplus to the needs of Suffolk County; and be it further

2nd 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

3rd RESOLVED, that the Director of the Department of Environment and Energy, Division of Real Property Acquisition and Management, be and hereby is authorized to execute and deliver a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus usual closing adjustments.

DATED: March 4, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 18, 2008

ADJOURNED 8:28PM
TIM LAUBE, CLERK OF THE LEGISLATURE