SIXTH DAY

REGULAR MEETING

APRIL 29, 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 9:35 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Mystal; Legislators Browning, Beedenbender, Losquadro, Eddington, Alden, Barraga, Kennedy, Nowick, Horsley, Stern, and Cooper.

Legislator D'Amaro was absent.

Statements and Presentations

Public Portion

AN EXECUTIVE SESSION WAS HELD FROM 12:02 P.M. TO 12:32 P.M.

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

THE MEETING WAS RECESSED AT 12:32 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, Schneiderman, Browning, Beedenbender, Losquadro, Eddington, Montano, Alden, Barraga, Nowick, Horsley, and Stern.

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

Home Rule Message No. 13-2008 LOT 3/18/2008
Introduced by Legislators Browning, Montano, Beedenbender, Losquadro and Schneiderman

HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO ENACT THE DOWNSTATE SUBURBAN WORKFORCE HOUSING FOR ECONOMIC SUSTAINABILITY ACT (ASSEMBLY BILL NO. A10111 AND SENATE BILL NO. S7065)

WHEREAS, the downstate suburban counties of New York, which includes Suffolk County, have been suffering from unique economic growth problems associated with a very high cost of living and lack of affordable homes to sustain a young workforce; and

WHEREAS, the so-called "brain drain" of young professionals moving out of Suffolk County, and the downstate suburban area in general, is having a deleterious effect on local businesses and industries that seek to expand; and

WHEREAS, a regional approach needs to be taken to stop the "brain drain" and to provide for more affordability in housing throughout the region, and an increase in infrastructure loans and planning grants from the State of New York should be made available to help meet these goals; and

WHEREAS, legislation is currently pending before the New York State Legislature that would identify regional workforce housing needs and create economic incentives for municipalities to foster the development of affordable housing; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby supports Assembly Bill No. A10111 and Senate Bill No. S7065, known as the "Downstate Suburban Workforce Housing for Economic Sustainability Act," which would create the Downstate Suburban Workforce Housing Council; identify regional housing needs in the Downstate Suburban region; create Housing Opportunity Areas which will encourage higher density development; and to provide one-time payments from the State for the purposes of planning and development within Housing Opportunity Areas; and be it further

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

DATED: April 29, 2008

s:\memres\hr-affordable-housing

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

Introduced by Presiding Officer Lindsay Laid on Table 4/29/08

PROCEDURAL RESOLUTION NO. 8 –2008, TO SET A PUBLIC HEARING FOR THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS

IN THE TOWNS OF BROOKHAVEN, HUNTINGTON, ISLIP, RIVERHEAD, SOUTHAMPTON, AND SOUTHOLD

WHEREAS, Section 25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, allows the annual inclusion of land which is predominantly viable agricultural land within certified agricultural districts; and

WHEREAS, in accordance with §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAW, the County Legislature must hold a public hearing on the proposed inclusion of land into existing agricultural districts; and

WHEREAS, existing Agricultural Districts will increase by nine thousand fifty four and nine tenths (9,054.9) acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board recommends the inclusion of new parcels into existing Agricultural Districts in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold; now, therefore be it

1st **RESOLVED**, that, pursuant to §25-AA of the NEW YORK AGRICULTURE AND MARKETS LAWS, a public hearing shall be scheduled and held by the Suffolk County Legislature on May 13, 2008 at 2:30 p.m. in the Rose Y. Caracappa Auditorium at the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, NY for the purpose of inclusion of new parcels into existing Agricultural Districts in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold.

DATED: Adopted April 29, 2008

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

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Legislator Viloria-Fisher made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Introduced by Presiding Officer Lindsay Laid on Table 4/29/08

MOTION NO. 9 – 2008, PROCEDURAL RESOLUTION AUTHORIZING FUNDING FOR COMMUNITY SUPPORT INITIATIVES (PHASE I)

WHEREAS, funds are included in the 2008 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

WHEREAS, pursuant to Resolution No. 1054-2007, this Legislature is administering these "Community Support Initiatives"; now, therefore be it

1st **RESOLVED**, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

Agency	Sponsor	Amount
Breast Cancer Help, Inc.	**Alden**	**$1,000**
Bright Hopes, Inc.	**Viloria-Fisher**	**$1,000**
Coastal Steward	**Viloria-Fisher**	**$1,000**
Community Programs Center of Long Island	**Viloria-Fisher**	**$1,000**
Dix Hills Fire Department	**Stern**	**$2,000**
Gallery North	**Viloria-Fisher**	**$2,000**
Herstory Writers Workshop	**Viloria-Fisher**	**$1,000**
Jacob's Light Foundation, Inc.	**Stern**	**$1,000**
Long Island Symphonic Choral Association	**Viloria-Fisher**	**$1,000**
Long Island Seaport and Eco Center, Inc.	**Viloria-Fisher**	**$1,000**
Marine Corps League, Inc. (Huntington Chapter 792)	**Stern**	**$1,000**
Our Daily Bread Soup Kitchen and Food Pantry at St. James Church	**Viloria-Fisher**	**$1,000**
Parents for Megan's Law	**Losquadro**	**$2,000**
Parish Resource Center	**Losquadro**	**$1,500**
Pronto of Long Island	**Alden**	**$1,000**
South Shore Restoration Group, Inc.	**Alden**	**$1,000**
Suffolk County Coalition Against Domestic Violence	**Alden**	**$2,000**
Suffolk County United Veterans Halfway House Project, Inc.	**Eddington**	**$1,000**
Three Village Meals on Wheels	**Viloria-Fisher**	**$1,000**

and be it further

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

DATED: Adopted April 29, 2008

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

s\procedural motions\CSI Motion Phase I

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro Res. No. 1283-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on the request of the County Executive

RESOLUTION NO. 216-2008 TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #294

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
BROOKHAVEN:				
0200-441.00-04.00-004.003 (ITEM #6006096)	2005/06	$18,127.37	$0.00	$18,124.37

0200-441.00-04.00-004.003 (ITEM #6006096)	2006/07	$20,376.28	$0.00	$20,376.28

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1268-2008 Laid on the Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 217–2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS FOR OUTREACH DEVELOPMENT CORPORATION (PROJECT OUTREACH – ICM)

WHEREAS, the approved New York State Budget for Fiscal Year 2007-2008 includes funding in Aid to Localities to support the provision of chemical dependence services; and

WHEREAS, Managed Addiction Treatment Services (MATS) is a program that provides case management services to Medicaid eligible recipients of chemical dependence services; and

WHEREAS, the goal of MATS is to assure effective and appropriate access to needed treatment services and positive treatment outcomes for Medicaid recipients; and

WHEREAS, Outreach Development Corporation (Project Outreach – ICM) is the designated provider of MATS in Suffolk County; and

WHEREAS, additional 100% State Aid has become available for the provision of MATS in Suffolk County; and

WHEREAS, acceptance of this additional 100% State Aid requires a local match that is already included in the 2008 Adopted Operating Budget and needs to be transferred to Outreach Development Corporation (Project Outreach – ICM); and

WHEREAS, the addition of the new and transferred funds will provide the Outreach Development Corporation (Project Outreach – ICM) with a 2008 Budget of $405,135; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $28,922 in additional State Aid as follows:

REVENUES:

	AMOUNT
001-3486 State Aid: Narcotics Addiction Control	$28,922

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

XORG	OBJECT NAME	Adopted Budget	Increase/ Decrease	2008 Modified Budget
GNC1	Project Outreach – ICM	$372,338	+$28,922	$401,260

and be it further

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

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

FROM:

001-HSV-4310-4980 Contracted Service	-$3,875

TO:

XORG	OBJECT NAME	2008 Adopted Budget	Increase/ Decrease	2008 Modified Budget
GNC1	Project Outreach – ICM	$372,338	+$3,875	$376,213

and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Outreach Development Corporation (Project Outreach – ICM); and be it further

4th **RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1280-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 218-2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) TO VARIOUS CONTRACT AGENCIES FOR A COST OF LIVING ADJUSTMENT (COLA)

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services has awarded a Cost of Living Adjustment (COLA) on the state share of funding for chemical dependence, prevention, gambling prevention and treatment programs, effective January 1, 2008; and

WHEREAS, this 100% additional Federal and State Aid from the New York State Office of Alcoholism and Substance Abuse Services is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $31,420 in additional Federal and State Aid as follows:

REVENUES:

001-4491 Federal Aid: Alcoholism	$18,966
001-3486 State Aid: Narcotics Addiction Control	$11,464
001-3488 State Aid: Compulsive Gambling	$990

ORGANIZATIONS:

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

XORG	OBJECT NAME	2008 Adopted Budget	Increase/ Decrease	2008 Modified Budget
AUG1	Town of Huntington/Starshine	$641,328	$2,857	$644,185
AQX2	Southampton Alternatives	$849,093	$3,953	$853,046
AYU1	YMCA of L.I. , Inc.	$1,143,927	$5,278	$1,149,205
ATC1	Town of Babylon	$419,208	$1,865	$421,073
AFM2	Drug Abuse Prevention Council	$5,023	$28	$5,051
AOH1	Riverhead Community Awareness	$165,524	$901	$166,425
ACN4	Catholic Charities Talbot House	$1,491,309	$7,851	$1,499,160
AET2	Catholic Charities – Alcohol Clinic	$506,929	$993	$507,922
AJF1	Islip Accesso Clinic	$431,567	$1,728	$433,295
AUT1	Town of Islip/Access	$398,170	$1,521	$399,691
AAA2	Access -Town of Islip	$184,373	$788	$185,161
GGX1	Three Village Schools	$51,602	$264	$51,866
AIS2	Hugs Inc.	$62,410	$88	$62,498
AGW1	Family Service League Inc. Alcohol	$468,705	$962	$469,667
HKC1	WSNCHS East Inc./South Oaks Hos.	$175,203	$990	$176,193
AJR1	J. Mather Memorial Hospital	$174,766	$482	$175,248
HZQ1	Brookhaven Memorial Hospital CTR	$157,278	$871	$158,149

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named provider agencies; and be it further

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1281-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 219-2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR PEDERSON-KRAG CENTER

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has awarded a Cost of Living Adjustment (COLA) on the state share of funding for chemical dependence and prevention programs, effective January 1, 2008; and

WHEREAS, NYS OASAS has awarded additional 100% Federal Aid for a vocational rehabilitation program administered by Pederson-Krag Center; and

WHEREAS, NYS OASAS has awarded additional 100% State Aid for the continued support of services and expenses to provide integrated chemical dependence and mental health services to persons dually diagnosed with chemical dependence and mental illness; and

WHEREAS, NYS OASAS has awarded additional 100% State Aid to the Pederson-Krag Center for prevention education programs to increase awareness and knowledge about healthy choices, risk and protective factors; and

WHEREAS, NYS OASAS has reduced State Aid for a compulsive gambling treatment program administered by Pederson-Krag Center; and

WHEREAS, this realignment of funding has resulted in increased Federal and State Aid for certain programs administered by Pederson-Krag Center and a reduction in State Aid for their compulsive gambling treatment program; and

WHEREAS, this additional 100% Federal and State Aid and the reduction in 100% State Aid for gambling services are not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate additional Federal Aid in the amount of $17,450 and additional State Aid in the amount of $141,601 and to reduce State Aid by $32,075, as follows:

REVENUES:

001-HSV 4491 Federal Aid: Alcoholism	$17,450
001-HSV 3486 State Aid: Narcotics Addiction Control	$141,601
001-HSV 3488 State Aid: Compulsive Gambling	($32,075)

ORGANIZATIONS:

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

XORG	OBJECT NAME	2008 2008 Adopted Budget	Increase/ Decrease	Modified Budget
ANL9	PK Compulsive Gamblg.	$144,930	-$32,075	$112,855
ANL7	PK Alcohol Clinic Inc.	$827,172	+$159,051	$986,223

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Pederson-Krag Center; and be it further

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1282-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 220 –2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR VARIOUS CHEMICAL DEPENDENCY AGENCIES

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has awarded a Cost of Living Adjustment (COLA) on the state share of funding for chemical dependence and prevention programs, effective January 1, 2008; and

WHEREAS, the New York State OASAS has awarded additional one-time only 100% State Aid to Brentwood School District and Eastern Suffolk BOCES (BOCES II) to purchase and conduct Bach Harrison needs assessments surveys; and

WHEREAS, the New York State OASAS has awarded additional 100% State Aid to the Town of Smithtown/Horizons for chemical dependency prevention services; and

WHEREAS, the New York State OASAS has awarded additional 100% Federal and State Aid to Family Counseling Services, Inc. for chemical dependency treatment and prevention services; and

WHEREAS, this unallocated additional 100% Federal and State Aid from New York State OASAS is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $143,803 in additional Federal and State Aid as follows:

REVENUES:
001-4491 Federal Aid: Alcoholism
$42,951 001-3486 State Aid: Narcotics Addiction Control
$100,852

ORGANIZATIONS:

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

XORG	OBJECT NAME	2008 Adopted Budget	Increase/ Decrease	2008 Modified Budget
ABN1	BOCES II	$1,159,347	+$19,394	$1,178,741
ABZ1	Brentwood UFSD	$ 169,555	+$12,939	$ 182,494

AIJ1	Family Counseling Services	$ 395,763	+$60,433	$ 456,196
AVH1	Town of Smithtown/Horizons	$ 669,220	+$51,037	$ 720,257

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with each of the above-named provider agencies; and be it further

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1240-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 221-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of Ameriquest Mortgage Securities Inc., Asset Backed Pass-Through Certificates, Series 2003-11 under the Pooling & Servicing Agreement dated as of November 1, 2003, Without Recourse (SCTM NO. 0200-059.00-01.00-014.000)

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 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 059.00, Block 01.00, Lot 014.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 059.00, Block 01.00, Lot 014.000; 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 August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725; and

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

WHEREAS, C. LANCE MARGOLIN, ESQ., OF PITNICK & MARGOLIN, LLP, as Attorney for Deutsche Bank National Trust Company, has made application of said above described parcel and PITNICK & MARGOLIN, LLP has paid the application fee and $2,151.63, 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, 2008; 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 Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee of Ameriquest Mortgage Securities Inc., Asset Backed Pass-Through Certificates, Series 2003-11 under the Pooling & Servicing Agreement dated as of November 1, 2003, Without Recourse, 505 City Parkway West, Suite 100, Orange, California 92868, c/o Pitnick & Margolin, LLP, 6800 Jericho Turnpike, New York 11791, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1244-2008 **Laid on Table 3/18/2008**
Introduced by Legislator Alden

RESOLUTION NO. 222 –2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO THE 2008 ADOPTED OPERATING BUDGET FOR THE CONTRACTED AGENCY ISLIP UNION FREE SCHOOL DISTRICT

WHEREAS, the 2008 Adopted Operating Budget provides funding for the contracted agency Islip Union Free School District; and

WHEREAS, the 2008 Operating Budget when adopted contained technical errors; and

WHEREAS, the County Legislature desires technical corrections to the 2008 Operating Budget; now, therefore be it

1st RESOLVED, that the 2008 Adopted Operating Budget be and it hereby is corrected as follows:

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	HSV	4310	AJN2	4980	Islip Union Free School District	-$15,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	EXE	7320	JDH1	4980	Islip Union Free School District	+$15,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used exclusively for public benefit and for the sole purpose of funding the Islip Union Free School District.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1245-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 223 –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 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. 1414-2007

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

FROM:

(Fund 001-Debt Service)

TO:

(Fund 016-Debt Service)

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1246-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 224-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 1415-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 1415-2007; 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. 1415-2007

In the Title paragraph change the Project No.:

FROM:

CP 5048.110

TO:

CP 5048.112

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-0-0-3-0. Legislators Browning, D'Amaro and Cooper were not present.

Intro. Res. No. 1248-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 225 -2008, APPROVING PAYMENT TO GENERAL CODE PUBLISHERS FOR ADMINISTRATIVE CODE PAGES

WHEREAS, General Code Publishers Corp. has provided Supplement No. 79 to update the Suffolk County Administrative Code totaling $3039.87; and

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

1st RESOLVED, that the payment of $3039.87 for the provisions of such pages is hereby approved.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 14-2-0-2-0. Legislators Alden and Barraga voted no. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1215-2008 Laid on Table 3/4/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 226 -2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE BOARD OF ELECTIONS (CP 1459)

WHEREAS, in February 2008 the New York State Board of Elections certified specific optical scan voting machines for compliance with Help America Vote Act (HAVA) mandates; and

WHEREAS, New York State mandates that all Election Boards replace current voting machines with optical scan voting machines; and

WHEREAS, New York State will provide $12.9 million of federal HAVA funds, subject to a 5% local match, for the purchase of these optical scan voting machines and any poll worker training and voter education related to that purchase; and

WHEREAS, the Suffolk County Board of Elections must receive, secure, operate, test, maintain, and store these machines and all ancillary equipment in a climate controlled environment; and

WHEREAS, the Suffolk County Board of Elections anticipates receipt of a portion of the new machines in March 2008 which require more storage space than the current lever voting machines; and

WHEREAS, the addition of 6,500 square feet of additional warehouse space has become the immediate priority for improvements to the Board of Elections; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,500,000 in Suffolk County Serial Bonds; and

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-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

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, determines that this project constitutes an unlisted action, with a SEQRA determination of non-significance (negative declaration), pursuant to Title 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code. As an unlisted action with a SEQRA determination of non-significance this project will have no significant, adverse impact upon the environment for the following reasons:

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

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

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

4. Insulation with an R value of 30 will be used in the ceiling;

and be it further

3rd RESOLVED, that the proceeds of $1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-1459.111 (Fund 001-Debt Service)	20	Planning and Engineering for Improvements to Board of Elections	$150,000

Project No.	J.C.	Project Title	Amount
525-CAP-1459.311 (Fund 001-Debt Service)	20	Improvements to Board of Elections	$1,350,000

DATED: April 29, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 14, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1215A-2008

BOND RESOLUTION NO. 227 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,500,000 BONDS TO FINANCE THE COST OF CONSTRUCTING IMPROVEMENTS TO THE BOARD OF ELECTIONS BUILDING (CP 1459.111 and .311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of constructing improvements to the Board of Elections 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 $1,500,000. The plan of financing includes the issuance of $1,500,000 bonds or bond anticipation notes ($150,000 for planning and engineering and $1,350,000 for improvements) 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1302-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 228 -2008, REFUNDING BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED APRIL 29, 2008, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED $170,000,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $170,000,000 REFUNDING BONDS TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

Recitals

WHEREAS, on February 18, 1998 the County of Suffolk, New York (herein called the "County"), issued its $4,055,000 Public Improvement Refunding (Serial) Bonds, 1998 Series B (the "1998 Series B Refunding Bonds"), currently outstanding in the principal amount of $930,000 (the "1998 Series B Outstanding Refunding Bonds"); and

WHEREAS, the 1998 Series B Refunding Bonds were originally issued to advance refund, pursuant to Section 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), all or a portion of

the County's Public Improvement (Serial) Bonds, 1978 Series B and Sewer Districts (Serial) Bonds, 1979, which were originally issued pursuant to the bond resolutions referenced in Exhibit B hereto for the purpose of funding the projects set forth therein; and

WHEREAS, the 1998 Series B Outstanding Refunding Bonds mature on August 1 in the years and in the principal amounts and bear interest payable semiannually on February 1 and August 1 in each year to maturity, as follows:

Year of Maturity	Principal Amount	Interest Rate
2008	$315,000	4.50%
2009	310,000	4-5/8%
2010	305,000	4.70%

WHEREAS, the 1998 Series B Outstanding Refunding Bonds maturing on or after August 1, 2009 are subject to redemption prior to maturity, at the option of the County, on August 1, 2008 and any date thereafter, as a whole or in part, at the following redemption prices, plus accrued interest to the date of redemption:

Redemption Dates (all dates inclusive)	Redemption Price as a Percentage of Par Amount
August 1, 2008 through July 31, 2009	101%
August 1, 2009 and thereafter	100%

WHEREAS, on February 18, 1998, the County issued its $36,750,000 Public Improvement Refunding (Serial) Bonds, 1998 Series C (the "1998 Series C Refunding Bonds"), currently outstanding in the principal amount of $12,420,000 (the "1998 Series C Outstanding Refunding Bonds"); and

WHEREAS, the 1998 Series C Refunding Bonds were originally issued to advance refund, pursuant to Section 90.10 of the Law, all or a portion of the County's Public Improvement (Serial) Bonds, 1977 Series B, Public Improvement (Serial) Bonds, 1991 Series A and Public Improvement (Serial) Bonds, 1991 Series B, which were originally issued pursuant to the bond resolutions referenced in Exhibit B hereto for the purpose of funding the projects set forth therein; and

WHEREAS, the 1998 Series C Outstanding Refunding Bonds mature on September 15 in the years and in the principal amounts and bear interest payable semiannually on March 15 and September 15 in each year to maturity, as follows:

Year	Currently Outstanding	Interest Rate
2008	$1,565,000	5.00%
2009	1,530,000	4-5/8
2010	1,450,000	4.70
2011	1,150,000	4.75
2012	1,090,000	4.75
2013	1,055,000	4.75
2014	1,060,000	5.00
2015	1,055,000	5.00
2016	550,000	5.00
2017	550,000	5.00
2018	545,000	5.00
2019	530,000	5.00
2020	290,000	5.00

WHEREAS, the 1998 Series C Refunding Bonds maturing on or after September 15, 2009 are subject to redemption prior to maturity, at the option of the County, on September 15, 2008 and any date thereafter, as a whole or in part, at the following redemption prices, plus accrued interest to the date of redemption:

Redemption Dates (all dates inclusive)	Redemption Price as a Percentage of Par Amount
September 15, 2008 through September 14, 2009	101%
September 15, 2009 and thereafter	100%

WHEREAS, on February 18, 1998, the County of Suffolk issued its $38,095,000 Public Improvement Refunding Serial Bonds, 1998 Series D (the "1998 Series D Refunding Bonds"), currently outstanding in the principal amount of $17,615,000 (the "1998 Series D Outstanding Refunding Bonds"); and

WHEREAS, the 1998 Series D Refunding Bonds were originally issued to advance refund, pursuant to Section 90.10 of the Law, all or a portion of the County's Public Improvement (Serial) Bonds, 1992 Series A and Public Improvement (Serial) Bonds, 1992 Series B, which were originally issued pursuant to the bond resolutions referenced in Exhibit B hereto for the purpose of funding the projects set forth therein; and

WHEREAS, the 1998 Series D Outstanding Refunding Bonds mature on November 1 in the years and in the principal amounts and bear interest payable semiannually on May 1 and November 1 in each year to maturity, as follows:

Year	Currently Outstanding	Interest Rate
2008	$1,990,000	5.00%
2009	2,005,000	4.60
2010	2,005,000	4.70
2011	1,380,000	4.75
2012	1,245,000	4.75
2013	1,175,000	4.75
2014	1,175,000	5.00
2015	1,170,000	5.00
2016	1,155,000	5.00
2017	1,160,000	4.75
2018	1,125,000	4.75
2019	1,055,000	4.75
2020	975,000	4.75

WHEREAS, the 1998 Series D Outstanding Refunding Bonds maturing on or after November 1, 2009 are subject to redemption prior to maturity, at the option of the County, on November 1, 2008 and any date thereafter, as a whole or in part, at the following redemption prices, plus accrued interest to the date of redemption:

Redemption Dates (all dates inclusive)	Redemption Price as a Percentage of Par Amount
November 1, 2008 through October 31, 2009	101%
November 1, 2009 and thereafter	100%

WHEREAS, on May 19, 2004, the County issued its $70,945,000 Public Improvement (Serial) Bonds, 2004 Series A (the "2004 Series A Bonds"), currently outstanding in the principal amount of $62,780,000 (the "2004 Series A Outstanding Bonds"), and which were originally issued pursuant to the bond resolutions referenced in Exhibit B to provide funding the purposes set forth therein; and

WHEREAS, the 2004 Series A Outstanding Bonds mature on May 1 in the years and in the principal amounts and bear interest payable semiannually on May 1 and November 1 in each year to maturity, as follows:

Year	Currently Outstanding	Interest Rate
2008	$3,890,000	3.50%
2009	4,005,000	4.00
2010	4,130,000	5.00
2011	4,255,000	5.00
2012	4,395,000	5.00
2013	4,555,000	5.00
2014	4,725,000	5.00
2015	4,915,000	5.00
2016	5,120,000	5.00
2017	5,330,000	5.00
2018	5,560,000	5.00
2019	5,820,000	5.00

2020	6,080,000	5.25

WHEREAS, the 2004 Series A Outstanding Bonds maturing on or after May 1, 2015 are subject to redemption prior to maturity, at the option of the County, on any date on or after May 1, 2014, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the redemption price of 100% of the par amount of the 2004 Series A Outstanding Bonds to be redeemed, plus accrued interest to the date of redemption; and

WHEREAS, on November 3, 2004, the County issued its $32,845,000 Public Improvement Serial Bonds-2004 Series C (the "2004 Series C Bonds"), currently outstanding in the principal amount of $28,565,000 (the "2004 Series C Outstanding Bonds"), and which were originally issued pursuant to the resolutions referenced in Exhibit B to fund the purposes set forth therein; and

WHEREAS, the 2004 Series C Outstanding Bonds mature on June 15 in the years and in the principal amounts and bear interest payable semiannually on June 15 and December 15 in each year to maturity, as follows:

Year of Maturity	Principal Amount	Interest Rate
2008	$2,210,000	4.00%
2009	2,260,000	4.00
2010	2,325,000	4.00
2011	2,395,000	4.00
2012	2,475,000	4.00
2013	2,560,000	4.00
2014	2,655,000	4.00
2015	2,755,000	4.00
2016	2,860,000	4.00
2017	2,975,000	4.25

2018	3,095,000	4.25

WHEREAS, the 2004 Series C Outstanding Bonds maturing on or after June 15, 2015 are subject to redemption prior to maturity, at the option of the County, on any date on or after June 15, 2014, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the redemption price of 100% of the par amount of the 2004 Series C Outstanding Bonds to be redeemed, plus accrued interest to the date of redemption; and

WHEREAS, on May 24, 2005, the County issued its $42,815,000 Public Improvement Serial Bonds-2005 Series A (the "2005 Series A Bonds"), currently outstanding in the principal amount of $34,685,000 (the "2005 Series A Outstanding Bonds"), and which were originally issued pursuant to the bond resolutions referenced in Exhibit B to provide funding the purposes set forth therein; and

WHEREAS, the 2005 Series A Outstanding Bonds mature on February 1 in the years and in the principal amounts and bear interest payable semiannually on February 1 and August 1 in each year to maturity, as follows:

Year of Maturity	Principal Amount	Interest Rate
2009	$2,970,000	3.50%
2010	3,060,000	3.50
2011	3,160,000	3.50
2012	3,265,000	3.50
2013	3,375,000	3.50
2014	3,500,000	3.50
2015	3,625,000	3.60
2016	3,765,000	4.00
2017	3,905,000	4.00
2018	4,060,000	4.00

WHEREAS, the 2005 Series A Outstanding Bonds maturing on or after February 1, 2016 will be subject to redemption prior to maturity, at the option of the County, on any date on or after February 1, 2015, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the redemption price of 100% of the par amount of the 2005 Series A Outstanding Bonds to be redeemed, plus accrued interest to the date of redemption; and

WHEREAS, on November 7, 2005, the County issued its $80,725,000 Public Improvement Serial Bonds-2005 Series B (the "2005 Series B Bonds"), currently outstanding in the principal amount of $74,990,000 (the "2005 Series B Outstanding Bonds" and together with the "1998 Series B Outstanding Refunding Bonds"; the "1998 Series C Outstanding Refunding Bonds"; 1998 Series D Outstanding Refunding Bonds; 2004 Series A Outstanding Bonds; 2004 Series C Outstanding Bonds; and 2005 Series A Outstanding Bonds, the "Outstanding Bonds"), and which were originally issued pursuant to the bond resolutions referenced in Exhibit B to provide funding the purposes set forth therein; and

WHEREAS, the 2005 Series B Outstanding Bonds mature on November 1 in the years and in the principal amounts and bear interest payable semiannually on May 1 and November 1 in each year to maturity, as follows:

Year of Maturity	Principal Amount	Interest Rate
2008	$2,995,000	4.00%
2009	3,090,000	4.00
2010	3,195,000	4.00
2011	3,305,000	4.00
2012	3,420,000	4.00
2013	3,545,000	4.00
2014	3,680,000	4.25

2015	3,820,000	4.25
2016	3,970,000	4.25
2017	4,130,000	4.25
2018	4,295,000	4-3/8
2019	4,470,000	4-3/8
2020	4,655,000	4-3/8
2021	4,850,000	4.50
2022	5,055,000	4.50
2023	5,275,000	4.50
2024	5,500,000	4.50
2025	5,740,000	4.50

WHEREAS, the 2005 Series B Outstanding Bonds maturing on or after November 1, 2016 are subject to redemption prior to maturity, at the option of the County, on any date on or after November 1, 2015, in whole or in part, and if in part in any order of their maturity and in any amount within a maturity (selected by lot within a maturity), at the redemption price of 100% of the par amount of the 2005 Series B Outstanding Bonds to be redeemed, plus accrued interest to the date of redemption; and

WHEREAS, Section 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), permits the County to refund all or a portion of the outstanding unredeemed maturities of the 1998 Series B Refunding Bonds, 1998 Series C Refunding Bonds, 1998 Series D Refunding Bonds, 2004 Series A Bonds, 2004 Series C Bonds, 2005 Series A Bonds and 2005 Series B Bonds (referred to herein collectively as the "Original Bonds") by the issuance of new bonds, the issuance of which will result in present value debt service savings for the County, and the County Legislature has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds; NOW, THEREFORE, be it

1st **RESOLVED** BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

(a) "Bond To Be Refunded" or "Bonds To Be Refunded" means all or a portion of the aggregate Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.

(b) "Escrow Contract" means the contract to be entered into by and between the County and the Escrow Holder pursuant to Section 10 hereof.

(c) "Escrow Holder" means the bank or trust company designated as such pursuant to Section 10 hereof.

(d) "Original Bonds" shall mean the 1998 Series B Refunding Bonds, 1998 Series C Refunding Bonds, 1998 Series D Refunding Bonds, 2004 Series A Bonds, 2004 Series C Bonds, 2005 Series A Bonds and 2005 Series B Bonds.

(e) "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.

(f) "Redemption Date" means August 1, 2008 or any date thereafter with respect to the 1998 Series B Refunding Bonds; September 15, 2008 or any date thereafter with respect to the 1998 Series C Refunding Bonds; November 1, 2008 or any date thereafter with respect to the 1998 Series D Refunding Bonds; May 1, 2014 or any date thereafter with respect to the 2004 Series A Bonds; June 15, 2014 or any date thereafter with respect to the 2004 Series C Bonds; February 1, 2015 or any date thereafter with respect to the 2005 Series A Bonds; and November 1, 2015 or any date thereafter with respect to the 2005 Series B Bonds.

(g) "Refunding Bond" or "Refunding Bonds" means all or a portion of the $170,000,000 Refunding Serial Bonds-2008 of the County of Suffolk, authorized to be issued pursuant to Section 2 hereof.

(h) "Refunding Bond Amount Limitation" means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

Section 2. The County Legislature of the County hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed $170,000,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed $170,000,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the County to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the County in the maximum principal amount of $170,000,000 and designated substantially as "REFUNDING SERIAL BONDS-2008", are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as **Exhibit A** (the "refunding financial plan") prepared for the County by its financial advisor, Capital Markets Advisors, LLC, New York, New York, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the County in connection with said refunding from such proceeds and the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the unmatured aggregate outstanding balances of the 1998 Series B Refunding Bonds, 1998 Series C Refunding Bonds, 1998 Series D Refunding Bonds, 2004 Series A Bonds, 2004 Series C Bonds, 2005 Series A Bonds and 2005 Series B Bonds issued pursuant to various bond resolutions duly adopted on their respective dates, authorizing the issuance of bonds of the County for various purposes. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed $170,000,000 shall mature in amounts and at dates to be determined. The Comptroller, the chief fiscal officer of the County, is hereby authorized to approve all details of the refunding financial plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness ("PPU") permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in **Exhibits B-1 through B-11** annexed hereto and hereby made a part hereof, for the objects or purposes financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

Section 5. The aggregate amount of estimated Present Value Savings is set forth in the proposed refunding financial plan attached hereto as **Exhibit A**, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said refunding financial plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The County Legislature recognizes that the principal amount of the

Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting present value savings, may vary from such assumptions and that the refunding financial plan may vary from that attached hereto as **Exhibit A**.

Section 6. The Refunding Bonds shall be sold at private sale and the County Comptroller or the Chief Deputy County Comptroller, the chief fiscal officer of the County, is hereby authorized to execute a purchase contract on behalf of the County for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller, and further providing that prior to the issuance of the Refunding Bonds the Comptroller shall have filed with the County Legislature a certificate approved by the State Comptroller setting forth the Present Value Savings to the County resulting from the issuance of the Refunding Bonds. In connection with such sale, the County authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Comptroller is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the County in connection with said refunding, including the preparation of the refunding financial plan referred to in Section 2 hereof.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding 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 Refunding Bonds and provision shall be made annually in the

budget of the County for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. 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 Sections 50.00, 56.00 to 60.00, 90.10 and 168.00 of the Law, the powers and duties of the County Legislature relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing any arbitrage certification relative thereto, and as to executing the Escrow Contract described herein, the Official Statement referred to in herein and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, and as to making elections to call in and redeem all or a portion of the Bonds to be Refunded, are hereby delegated to the County Comptroller and the Chief Deputy County Comptroller, the chief fiscal officer of the County.

Section 9. The validity of the Refunding Bonds authorized by this resolution 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 10. Prior to the issuance of the Refunding Bonds, the County shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the refunding financial plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the County, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the County the notice of redemption authorized to be given pursuant to Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the refunding financial plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the County with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the refunding financial plan. Any such moneys remaining in the

custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the County and shall be applied by the County only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the refunding financial plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the refunding financial plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the County Legislature hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date, as shall be determined by the Comptroller in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the

par value thereof, the accrued interest to such Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the County by mailing such notice at least thirty days prior to such Redemption Date, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. The Refunding Bonds shall be sold at private sale to such underwriter or underwriters to be selected through the County procurement process (collectively, the "Underwriter") for purchase prices to be determined by the County Comptroller, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds; provided, however, that such Refunding Bonds shall only be sold at private sale to the Underwriter in the event that (i) such sale results in net present value savings, as shown upon the final Refunding Financial Plan, in the case of each such sale of Refunding Bonds, in the aggregate for all of the Refunding Bonds sold on any date with regard to the outstanding par amount of the Refunded Bonds so refunded by such sale of Refunding Bonds; (ii) the term of the Refunding Bonds does not extend beyond the last maturity date of the Refunded Bonds refunded by such series of Refunding Bonds; (iii) there shall be no negative savings in any maturity or in the aggregate generated as a result of the issuance of the Refunding Bonds; (iv) the net present value savings of the Refunding Bonds shall exceed the costs of issuance for the Refunding Bonds by two and one half times (2 ½); (v) the present value savings generated by the Refunding Bonds shall, in the aggregate, exceed three per centum per annum (3%); (vi) a maturity of the Refunded Bonds may be refunded only to the extent that the entire maturity is so refunded. For purposes of this resolution, the County procurement process shall be as follows: a Request for Proposal Committee shall be established consisting of a representative of (i) the Office of the County Executive, (ii) the County Comptroller, (iii) the County Treasurer, and (iv) the Suffolk County Legislature's Budget Review Office; a request for proposals shall be prepared and distributed by such Request for Proposal Committee to such underwriters as shall be selected by the Request for Proposals Committee. The Request for Proposals Committee shall evaluate responses to the request for proposals and select the underwriter for the sale of the Refunding Bonds. Subject to the approval of the terms and conditions of each such private sale by the State Comptroller as

required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the County Comptroller or the Chief Deputy County Comptroller is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the County Comptroller to the Underwriter in accordance with said purchase contract upon the receipt by the County of said purchase price, including accrued interest.

Section 15. 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 30, 2008

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

AYES:

NOES:

The resolution was declared adopted.

****

EXHIBIT A

PROPOSED REFUNDING FINANCIAL PLAN

EXHIBIT B-1

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-2

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-3

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-4

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-5

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-6

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-7

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-8

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-9

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-10

PERIODS OF PROBABLE USEFULNESS

EXHIBIT B-11

PERIODS OF PROBABLE USEFULNESS

CERTIFICATE

I, Tim Laube, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Bond Resolution No. 228-2008 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on April 29, 2008, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on April 29, 2008 and approved by the County Executive on _____, 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this 29th day of April, 2008.

(SEAL)

_____
Tim Laube
Clerk of the Legislature

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on April 29, 2008 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Suffolk, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

BY ORDER OF THE COUNTY LEGISLATURE
OF THE COUNTY OF SUFFOLK

DATED: April 29, 2008
Hauppauge, New York

Tim Laube
Clerk of the Legislature

REFUNDING BOND RESOLUTION NO. 228-2008

REFUNDING BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED APRIL 29, 2008, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED $170,000,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $170,000,000 REFUNDING BONDS TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO.

The object or purpose for which the bonds are authorized is to refund of certain outstanding bonds of the County, issued in 1998, 2004 and 2005, as more fully described in the resolution.

The amount of obligations to be issued is $170,000,000.

The period of probable usefulness ("PPU") of the bonds will not exceed the PPU of the bonds to be refunded.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Legislature, W.H. Rogers Legislature Building, 725 Veterans Memorial Highway, Hauppauge, New York.

The bond resolution was adopted on April 29, 2008.

Legislator Browning made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 16-0-0-2-0. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1264-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 229 -2008, AMENDING THE ADOPTED 2008 OPERATING BUDGET, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING NEW YORK STATE DEPARTMENT OF TRANSPORTATION, AVIATION BUREAU FUNDS AND COUNTY MATCHING FUNDS IN CONNECTION WITH AIRPORT IMPROVEMENTS (CP 5740)

WHEREAS, through Resolution No. 1229-2007 the County accepted a grant from the New York State Department of Transportation, Aviation Bureau to assist with the construction of a noise berm along the eastern border of the airport; and

WHEREAS, the 2008 Operating Budget and the 2008 Capital Program and Budget need to be amended to create a new capital project and to appropriate the New York State Department of Transportation, Aviation Bureau grant funds and the County local match; and

WHEREAS, there are sufficient operating funds within Economic Development Fund 625-ECD-5610-4560 Fees for Services to transfer to the Capital Fund to cover the County's local match; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include funds to cover the cost of said request and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal or State Aid; and

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

WHEREAS, that this Legislature as SEQRA lead agency, through Resolution No. 1333-2007 determine that the project constitutes an unlisted action, issued a negative declaration and completed all SEQRA requirements; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the transfer of $20,000 in Suffolk County Budgeted Operating Funds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of (fifty-seven) 57 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 Adopted 2008 Operating Budget be and hereby is amended and that the following appropriations be and hereby are transferred:

FROM	**TO**	**AMOUNT**
Fund 625 Economic Development 625-ECD-5610-4560 Fees for Services	Fund 625 Interfund Transfer 625-IFT-E525-9600 Transfer to Capital Fund	$20,000

and be it further

3rd RESOLVED, that these interfund revenues be and hereby are transferred and accepted within the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev Source	Organization	Description	Amount
IFT	525	R625	E525	Transfer from Fund 625	$20,000

and be it further

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5740

Project Title: Airport Improvements at Francis S. Gabreski Airport

	Total Est'd Cost	2008 Current Capital Budget & Program	2008 Revised Capital Budget & Program
3. Construction	$20,000	$0	$20,000 G
	180,000	$0	$180,000 S
TOTAL	$200,000	$0	$200,000

and be it further

5th RESOLVED, that the proceeds of $180,000 in State Aid be and they are hereby appropriated as follows:

Project	Project Title	Amount
525-CAP-5740.310	***Airport Improvements***	
$180,000		

and be it further

6th RESOLVED, that the proceeds of $20,000 in Interfund Transfer Revenues be and they are hereby appropriated as follows:

Project	Project Title	Amount
525-CAP-5740.310	Airport Improvements	$20,000

and be it further

7th 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 and from the Capital Fund required to finance this capital project; and be it further

8th RESOLVED, the Department of Public Works pursuant to Section C8-2 (X) of the Suffolk County Charter are hereby authorized, empowered and directed to take such action as may be necessary to complete this project.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Schneiderman. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1153-2008 Laid on Table 3/4/2008
Introduced by Legislators Romaine and Losquadro

RESOLUTION NO. 230 -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (ZOUMAS PROPERTY) TOWN OF RIVERHEAD (SCTM NO. 0600-075.00-03.00-004.000)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of land for use as hamlet greens, hamlet parks, pocket parks, active parkland, active recreation, historic and/or cultural parks in accordance with specific criteria set forth therein; and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

WHEREAS, the Shoreham Wading River Little League (SWRLL) has proposed an active parkland acquisition for the captioned property for use as youth sports fields and other community recreational needs; and

WHEREAS, SWRLL has made a commitment to Suffolk County to assume responsibility for construction and maintenance of the fields; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land for use as active parkland; now, therefore be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 18 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as active parkland; and be it further

2nd **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

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

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

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:	ACRES:	REPUTED OWNER AND ADDRESS:
No. **1**	District 0600 Section 075.00 Block 03.00 Lot 004.000	18	Ioannis & William Zoumas Route 25A Wading River, NY 11792

EXHIBIT "A"

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

Intro. Res. No. 1247-2008 Laid on Table 3/18/2008
Introduced by Legislator Romaine

RESOLUTION NO. 231 -2008, DIRECTING THE DEPARTMENT OF PLANNING TO FILE OPEN SPACE RATING SYSTEM FORMS WITH THE LEGISLATURE

WHEREAS, the Department of Planning rates proposed open space acquisitions on a point system when a planning steps resolution is introduced in the County Legislature; and

WHEREAS, the rating forms prepared by the Department of Planning, which are advisory in nature, play a key role in determining which proposed acquisitions will be approved for planning steps; and

WHEREAS, the Planning Department's Open Space Rating Forms are usually distributed to the members of the Legislature's Environment, Planning and Agriculture Committee when the planning steps resolution is being considered initially; and

WHEREAS, the Planning Department does not generally distribute the Open Space Rating Forms to all members of the County Legislature; and

WHEREAS, all Legislators should have access to the Planning Department's rating forms; and

WHEREAS, the Legislator sponsoring a planning steps resolution sometimes has access to information that is unavailable to the Planning Department which could effect the scoring of the proposed acquisition; now, therefore be it

1st **RESOLVED**, that the Suffolk County Planning Department is hereby authorized and directed to file with the Clerk of the Suffolk County Legislature the Suffolk County Open Space Rating

System Form (for natural environments; for active recreation/hamlet parks, historic cultural park uses; for farmland development rights) prepared in connection with a planning steps resolution, at least two business days prior to the general meeting at which the planning steps resolution is first eligible for consideration by the full Legislature; and be it further

2nd **RESOLVED**, that the Clerk of the County Legislature shall distribute copies of Suffolk County Open Space Rating Systems Forms to all County Legislators; 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1254-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 232 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE KARRAS PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION TOWN OF BROOKHAVEN – (SCTM NO. 0200-188.00-05.00-006.000)

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. 83-2008 appropriated $8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 – Master Lists I and/or 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 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 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 reports and insurance, and tax adjustments:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	4,000± s.f.	Theodore Karras
	Section	188.00		141 Cruise Road
	Block	05.00		Manahawkin, NJ 08050
	Lot	006.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of 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-7177, Suffolk County Multifaceted Land 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 been issued in Suffolk County Resolution No. 1083-2007.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 13-2-1-2-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1255-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Eddington, Browning

RESOLUTION NO. 233 –2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE RODICK REALTY CORP. PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA II - TOWN OF BROOKHAVEN – (SCTM NOS. 0200-983.40-06.00-034.000 and 0200-983.40-

06.00-035.000)

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. 83-2008 appropriated $8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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 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/or 877-2005 – Master Lists I and/or 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 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 Forty Thousand Dollars ($40,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	.23±	Rodick Realty Corp.
	Section 983.40			409 Sunrise Highway
	Block	06.00		Sayville, NY 11782
	Lot	034.000		
No. 2	District	0200	.32±	Same as above
	Section 983.40			
	Block	06.00		
	Lot	035.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Forty Thousand Dollars ($40,000.00), 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 $40,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land 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 been issued in Suffolk County Resolution No. 1083-2007.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Eddington made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 13-2-1-2-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1257-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Eddington

RESOLUTION NO. 234 –2008 AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE VERRICO PROPERTY – PATCHOGUE RIVER WETLANDS ADDITION (TOWN OF BROOKHAVEN – SCTM No. 0200-865.00-03.00-053.000)

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. 83-2008 appropriated $8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; 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/or 877-2005 – Master Lists I and/or 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 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 Ninety Two Thousand Dollars ($92,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.23+	Salvatore Verrico
	Section 865.00			341 70th Street – Apt. 14D
	Block	03.00		New York, NY 10021
	Lot	053.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Ninety Two Thousand Dollars ($92,000.00), 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 $92,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land 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 been issued in Suffolk County Resolution No. 1083-2007.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1258-2008 Laid on Table 3/18/2008

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

RESOLUTION NO. 235-2008, APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – MARCH 2008

WHEREAS, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties, and farmland development rights where there is a partner who will provide a 50% matching contribution; and

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

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and be it further

I.) ENVIRONMENTAL LEGACY PROGRAM

3rd **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning

steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

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

and be it further

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

5th **RESOLVED**, that 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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

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

8th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

9th **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning

steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

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

and be it further

10th **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

11th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

12th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

13th **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

14th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS

15th **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A)(1)(f) of the SUFFOLK COUNTY CHARTER:

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

and be it further

16th **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

17th **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

18th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcel(s), the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

19th **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A)(1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

20th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

21st **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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

APPENDIX A

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 01	District Section Block Lot	0200 751.00 01.00 003.000	5.4	Eric Lundstrom 19 Golf Course Road Bellport, NY 11713
No. 02	District Section Block Lot	0200 593.00 01.00 009.000	57.1	Eastport Properties LP Sunrise Highway Manorville, NY 11949
No. 03	District Section Block Lot	0200 593.00 01.00 010.000	0.8	Eastport Properties LP Sunrise Highway Manorville, NY 11949
No. 04	District Section Block Lot	0500 078.00 02.00 037.000	3.0	Central Islip Civic Council Inc. 68 Wheeler Road Central Islip, NY 11772
No. 05	District Section Block Lot	0500 078.00 02.00 038.000	1.5	Central Islip Civic Council Inc. 68 Wheeler Road Central Islip, NY 11772
No. 06	District Section Block	0600 008.00 03.00	24.7	Stanley Cichanowicz & Stanley Cichanowicz Jr. 5753 Sound Avenue

	Lot	007.001		Riverhead, NY 11901
No. 07	District Section Block Lot	0600 022.00 01.00 005.001	21.6	Stanley A. Cichanowicz 5753 Sound Avenue Riverhead, NY 11901
No. 08	District Section Block Lot	0600 044.00 02.00 008.003	97.4	DeLalio Sod Farms Inc. 652 Deer Park Avenue Huntington, NY 11746
No. 09	District Section Block Lot	0600 044.00 02.00 010.005	55.5	DeLalio Sod Farms Inc. 652 Deer Park Avenue Huntington, NY 11746
No. 10	District Section Block Lot	0600 045.00 01.00 013.002	13.0	Thomas J. Hilty, Jr. 11 Cherry Lane E. Setauket, NY 11733
No. 11	District Section Block Lot	0600 069.00 02.00 023.000	19.7	Jason Cellers LLC 591 Bicycle Path Pt. Jefferson Sta., NY 11776
No. 12	District Section Block Lot	0600 079.00 01.00 005.001	36.5	Altop Ugur Ano & George Kalamaras 3311 34th Avenue Astoria, NY 11106
No. 13	District Section Block Lot	0600 134.00 01.00 008.003	21.4	Castle Court LLC P.O. Box 534 Wading River, NY 11792
No. 14	District Section Block Lot	1000 052.00 05.00 055.000	6.6	Andrew Cassidy & Carole Cassidy 6 Hill Drive Pt. Jefferson, NY 11777
No. 15	District Section Block Lot	1000 055.00 03.00 006.001	36.5	Maureen H M Wolfe Living Trust 3810 Denfield Avenue Kensington, MD 20895

TOTAL ACRES

400.7

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1259-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 236-2008, APPROVING PLANNING STEPS FOR THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS – DELEA FARM OUTPARCELS AND OTHERS

WHEREAS, the Environmental Legacy Program was approved under the adopted 2007-2009 Capital Program allocating fifty million dollars for the acquisition of environmentally sensitive lands, active recreation sites, historic properties and farmland development rights where there is a partner who will provide a 50% matching contribution; and

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

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County 1/4% Drinking Water Protection Program for Environmental Protection," authorizes the use of 31.10 per cent of sales and compensating use tax proceeds generated each year for Specific Environmental Protection including acquisition of open space; environmentally sensitive lands; farmland development rights; hamlet parks; active recreational parks; or historic/cultural parks, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

2nd **RESOLVED**, that such acquisition(s) is(are) to be made in accordance with the procedures set forth in Chapter 8 of the SUFFOLK COUNTY CODE which provided that they be consummated in accordance with provisions of General Municipal Law Section 247 and the recommendation(s) of the Suffolk County Farmland Committee; and be it further

I.) ENVIRONMENTAL LEGACY PROGRAM

3rd **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Environmental Legacy Program, approved under the ADOPTED 2007-2009 CAPITAL PROGRAM:

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

and be it further

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

5th **RESOLVED**, that 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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C), of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

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

8th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed,

pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

II.) MULTIFACETED LAND PRESERVATION PROGRAM – FARMLAND DEVELOPMENT RIGHTS

9th **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County Multifaceted Land Preservation Program, according to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, and pursuant to Chapter 8 of the SUFFOLK COUNTY CODE:

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

and be it further

10th **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

11th **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

12th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

13th **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to the provisions of the 5th RESOLVED clause of Resolution No. 459-2001, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

14th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

III.) NEW DRINKING WATER PROTECTION PROGRAM (AS AMENDED BY LOCAL LAW NO. 24-2007, EFFECTIVE DECEMBER 1, 2007) – FARMLAND DEVELOPMENT RIGHTS

15th **RESOLVED**, that the following parcel(s) listed below, in addition to parcels previously approved for consideration for acquisition of farmland development rights via duly enacted resolutions of the County of Suffolk, is(are) hereby approved for preliminary planning steps (i.e., survey, appraisal, title search, and environmental audit) and ultimate inclusion in the Suffolk County New Drinking Water Protection Program, Farmland component, Section C12-(A)(1)(f) of the SUFFOLK COUNTY CHARTER:

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

and be it further

16th **RESOLVED**, that the Commissioner of the County Department of Public Works and/or the Director of the Division of Real Property Acquisition and Management, Department of Environment and Energy, and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s) in accordance with Resolution No. 423-1988; and be it further

17th **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) of the SUFFOLK COUNTY CHARTER, to have the subject parcel(s) appraised, environmentally audited, and searched for title; and be it further

18th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to initiate written contact with the owner(s) of the property, prior to ordering an appraisal, for the purpose of commencing negotiations to acquire the farmland development rights of the subject parcels, the actual acquisition of which shall be subject to approval via duly enacted resolution of the County of Suffolk; and be it further

19th **RESOLVED**, that the cost of such surveys, title searches, audits, maps, and/or appraisals, if any, shall be paid from the funds to be appropriated pursuant to Section C12-(A)(1)(f) of the SUFFOLK COUNTY CHARTER, as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

20th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, is hereby further authorized, empowered, and directed, pursuant to Section C42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

21st **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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

APPENDIX A

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

1.	0200 16700 0100 001000	.34	Myron A. Hauptman – Ralph DeLea
2.	0200 16700 0100 002000	.50	Myron A. Hauptman - Ano
3.	0200 16700 0100 003000	.10	Joseph & Madeline Carlin
4.	0200 16700 0100 004000	.14	Myron A. Hauptman – Ralph DeLea
5.	0200 16700 0100 005000	.28	Myron A. Hauptman – Ralph DeLea
6.	0200 16700 0100 006000	.14	William Wade Wolfe – James Wolfe
7.	0200 16700 0100 007000	.19	Myron A. Hauptman – Ralph DeLea
8.	0200 16700 0100 008000	.09	Mary Ann Mathis
9.	0200 16700 0100 009000	.23	Myron A. Hauptman – Ralph DeLea
10.	0200 16700 0100 010000	.23	Caroline Hodgson
11.	0200 16700 0100 011000	.56	Myron A. Hauptman – Ralph DeLea
12.	0200 16700 0100 012000	.14	Patricia Carol Johnson
13.	0200 16700 0100 013000	.23	Elizabeth Steele Brown
14.	0200 16700 0100 014000	.23	Elaine M. & King A. Miles
15.	0200 16700 0100 015000	.50	Myron A. Hauptman – Ralph DeLea
16.	0200 16700 0100 016000	.37	Louis DeLea & Sons, Inc.
17.	0200 16700 0100 017000	.14	Steven Papell
18.	0200 16700 0100 018000	.37	Myron A. Hauptman – Ralph DeLea
19.	0200 16700 0100 019000	.10	Erza W. Lewis
20.	0200 16700 0100 020000	.13	Myron A. Hauptman – Ralph DeLea
21.	0200 16700 0100 021000	.23	Comati Revocable Trust
22.	0200 16700 0100 022000	.23	Myron A. Hauptman – Ralph DeLea
23.	0200 16700 0100 023000	.09	Louis DeLea & Sons, Inc.
24.	0200 16700 0100 024000	.14	Myron A. Hauptman – Ralph DeLea
25.	0200 16700 0100 025000	.23	Myron A. Hauptman – Ralph DeLea
26.	0200 16700 0100 026000	.23	Myron A. Hauptman – Ralph DeLea
27.	0200 16700 0100 027000	.09	George Hefner
28.	0200 16700 0100 028000	.37	Myron A. Hauptman – Ralph DeLea
29.	0200 16700 0100 029000	.23	Louis DeLea & Sons, Inc.
30.	0200 16700 0100 031000	.60	Myron A. Hauptman – Ralph DeLea
31.	0200 16700 0100 032000	.09	Oswald Bowser

32.	0200 16700 0100 033000	.37	Myron A. Hauptman – Ralph DeLea
33.	0200 16700 0100 034000	.05	Frederick Jones
34.	0200 16700 0100 035000	.18	Myron A. Hauptman – Ralph DeLea
35.	0200 16700 0200 001000	.31	Myron A. Hauptman – Ralph DeLea
36.	0200 16700 0200 002000	.46	Myron A. Hauptman – Ralph DeLea
37.	0200 16700 0200 004000	.32	Myron A. Hauptman – Ralph DeLea
38.	0200 16700 0200 005000	.23	Robert Toussie
39.	0200 16700 0200 006000	.37	Myron A. Hauptman – Ralph DeLea
40.	0200 16700 0200 007000	.29	Myron A. Hauptman – Ralph DeLea
41.	0200 16700 0200 008000	.02	Paul P. Watson
42.	0200 16700 0200 009000	.65	Myron A. Hauptman – Ralph DeLea
43.	0200 16700 0200 010000	.12	Myron A. Hauptman – Ralph DeLea
44.	0200 16700 0200 011000	.05	George McMackin
45.	0200 16700 0200 012000	.03	Myron A. Hauptman – Ralph DeLea
46.	0200 16700 0200 013000	.09	Martin L. Haseldon
47.	0200 16700 0200 014000	.05	Andone LLC
48.	0200 16700 0200 015000	.23	George McMackin
49.	0200 16700 0200 016000	.15	Myron A. Hauptman – Ralph DeLea
50.	0200 16700 0200 017000	.34	Myron A. Hauptman – Ralph DeLea
51.	0200 16700 0200 018000	.09	Norman D. Sutton
52.	0200 16700 0200 019000	.10	Myron A. Hauptman – Ralph DeLea
53.	0200 16700 0200 020000	.02	Myron A. Hauptman – Ralph DeLea
54.	0200 16700 0200 021000	.14	Mildred Drayton Jefferson
55.	0200 16700 0200 022000	1.16	Howard & Sheila Bell – Louis DeLea – M. Louis DeLea, Sr. Irrevocable Trust
56.	0200 16700 0200 023000	.23	Savvasi Vasiliades
57.	0200 16700 0200 024000	.14	Myron A. Hauptman – Ralph DeLea
58.	0200 16700 0200 025000	.18	Andone LLC
59.	0200 16700 0200 026000	.14	Myron A. Hauptman – Ralph DeLea
60.	0200 16700 0200 027000	.32	George P. & Elizabeth G. Montis
61.	0200 16700 0200 028000	2.00	Myron A. Hauptman – Ralph DeLea

62.	0200 16700 0200 029000	.09	Alexis Hefner
63.	0200 16700 0200 030000	.28	Myron A. Hauptman – Ralph DeLea
64.	0200 16700 0200 031000	.24	D.A. Abrams
65.	0200 16700 0200 032000	.14	Myron A. Hauptman – Ralph DeLea
66.	0200 16700 0200 033000	.14	Robert I. Toussie
67.	0200 16700 0200 034000	.05	Myron A. Hauptman – Ralph DeLea
68.	0200 16700 0200 035000	.14	Robert I. Toussie
69.	0200 16700 0300 001000	.24	Myron A. Hauptman – Ralph DeLea
70.	0200 16700 0300 003000	.48	Myron A. Hauptman – Ralph DeLea
71.	0200 16700 0300 004000	.33	Myron A. Hauptman – Ralph DeLea
72.	0200 16700 0300 005000	.09	Myron A. Hauptman – Ralph DeLea
73.	0200 16700 0300 007000	.09	Myron A. Hauptman – Ralph DeLea
74.	0200 16700 0300 008000	.09	Newport Construction, Inc.
75.	0200 16700 0300 009000	.55	Myron A. Hauptman – Ralph DeLea
76.	0200 16700 0300 010000	.10	Arthur Halbritter
77.	0200 16700 0300 011000	.23	Myron A. Hauptman – Ralph DeLea
78.	0200 16700 0300 012000	.10	Rod Staten Corp.
79.	0200 16700 0300 013000	.14	Myron A. Hauptman – Ralph DeLea
80.	0200 16700 0300 014000	.09	Louis DeLea & Sons, Inc.
81.	0200 16700 0300 015000	.09	Thomas M. Patton
82.	0200 16700 0300 016000	.65	Myron A. Hauptman – Ralph DeLea
83.	0200 16700 0300 017000	.09	Willard A. Silcox – ORS
84.	0200 16700 0300 018000	.23	Myron A. Hauptman – Ralph DeLea
85.	0200 16700 0300 019000	.10	Robert I. Toussie
86.	0200 16700 0300 021000	.09	Ilena M. Sturgeon
87.	0200 16700 0300 023000	.04	Frank Langman
88.	0200 16700 0300 024000	.09	Myron A. Hauptman – Ralph DeLea
89.	0200 16700 0300 025000	.04	Vincent R. Sasso
90.	0200 16700 0300 026000	.33	Myron A. Hauptman – Ralph DeLea
91.	0200 16700 0300 027000	.46	Myron A. Hauptman – Ralph DeLea
92.	0200 16700 0300 028000	.55	Myron A. Hauptman – Ralph DeLea
93.	0200 16700 0300 029000	.45	Myron A. Hauptman – Ralph DeLea

94.	0200 16700 0300 030000	.46	Myron A. Hauptman – Ralph DeLea
95.	0200 16700 0300 031000	.46	Myron A. Hauptman – Ralph DeLea
96.	0200 16700 0300 032000	.23	Myron A. Hauptman – Ralph DeLea
97.	0200 16700 0300 033000	.55	Myron A. Hauptman – Ralph DeLea
98.	0200 16700 0300 034000	.37	Myron A. Hauptman – Ralph DeLea
99.	0200 16700 0300 035000	.09	Rod Staten Corp.
100.	0200 16700 0300 036000	.14	Myron A. Hauptman – Ralph DeLea
101.	0200 16700 0400 001000	.60	Myron A. Hauptman – Ralph DeLea
102.	0200 16700 0400 002000	.09	Rod Staten Corp.
103.	0200 16700 0400 003000	.33	Myron A. Hauptman – Ralph DeLea
104.	0200 16700 0400 004000	.04	Terry K. Meredith
105.	0200 16700 0400 005000	.14	Myron A. Hauptman – Ralph DeLea
106.	0200 16700 0400 006000	.23	Myron A. Hauptman – Ralph DeLea
107.	0200 16700 0400 007000	.23	Joann Ashley
108.	0200 16700 0400 008000	.09	Rod Staten Corp.
109.	0200 16700 0400 009000	.37	Myron A. Hauptman – Ralph DeLea
110.	0200 16700 0400 010000	.14	Arthur A. Arnstein Corp.
111.	0200 16700 0400 011000	.42	Myron A. Hauptman – Ralph DeLea
112.	0200 16700 0400 012000	.14	Olczyk Family Trust
113.	0200 16700 0400 013000	.23	Patricia Rae Fo Ford – Robert Martin Schill – Jacqueline Jean Zankle
114.	0200 16700 0400 015000	.78	Myron A. Hauptman – Ralph DeLea
115.	0200 16700 0400 016000	.09	Robert Ehlers
116.	0200 16700 0400 017000	.51	Myron A. Hauptman – Ralph DeLea
117.	0200 16700 0400 018000	.18	Newport Construction, Inc.
118.	0200 16700 0400 019000	.41	Myron A. Hauptman – Ralph DeLea
119.	0200 16700 0400 020000	.05	Edith Donoghue
120.	0200 16700 0400 021000	.14	William H. Johnson
121.	0200 16700 0400 022000	.28	Myron A. Hauptman – Ralph DeLea
122.	0200 16700 0400 023000	.09	Mildred W. Rinehart
123.	0200 16700 0400 024000	.55	Myron A. Hauptman – Ralph DeLea

124.	0200 16700 0400 026000	.14	Myron A. Hauptman – Ralph DeLea
125.	0200 16700 0400 027000	.14	Gerald Lawson
126.	0200 16700 0400 028000	.09	Myron A. Hauptman – Ralph DeLea
127.	0200 16700 0400 029000	.05	Miller Cam LLC
128.	0200 16700 0400 030000	.74	Myron A. Hauptman – Ralph DeLea
129.	0200 16700 0400 031000	.23	Myron A. Hauptman – Ralph DeLea
130.	0200 16700 0400 032000	.05	Myron A. Hauptman – Ralph DeLea
131.	0200 16700 0400 033000	.09	Andone LLC
132.	0200 16700 0400 035000	.05	Myron A. Hauptman – Ralph DeLea
133.	0200 16700 0400 038000	.32	Myron A. Hauptman – Ralph DeLea
134.	0200 16700 0400 039000	.23	Andone LLC
135.	0200 16700 0500 001000	.28	Myron A. Hauptman – Ralph DeLea
136.	0200 16700 0500 002000	.05	Harriet E. Martin
137.	0200 16700 0500 003000	.05	Gladys Horan
138.	0200 16700 0500 004000	.56	Myron A. Hauptman – Ralph DeLea
139.	0200 16700 0500 005000	.46	Myron A. Hauptman – Ralph DeLea
140.	0200 16700 0500 006000	.23	Myron A. Hauptman – Ralph DeLea
141.	0200 16700 0500 007000	.19	Anthony Nicoletti
142.	0200 16700 0500 008000	.28	Myron A. Hauptman – Ralph DeLea
143.	0200 16700 0500 009000	.23	Newport Construction, Inc.
144.	0200 16700 0500 010000	.08	Realty Redemption Co., Inc.
145.	0200 16700 0500 011000	.05	Myron A. Hauptman – Ralph DeLea
146.	0200 16700 0500 012000	.06	Louis DeLea & Sons, Inc.
147.	0200 16700 0500 013000	.17	Myron A. Hauptman – Ralph DeLea
148.	0200 16700 0500 014000	.16	Myron A. Hauptman – Ralph DeLea
149.	0200 16700 0500 015000	.04	Louis DeLea (o)
150.	0200 16700 0500 016000	.13	Myron A. Hauptman – Ralph DeLea
151.	0200 16700 0500 017000	.03	Realty Redemption Co., Inc.
152.	0200 16700 0500 018000	.03	Myron A. Hauptman -Ralph DeLea
153.	0200 16700 0500 019000	.04	William H. Jervey
154.	0200 16700 0500 020000	.05	Myron A. Hauptman – Ralph DeLea

155.	0200 16700 0500 021000	.02	DeLea Sod Farms
156.	0200 16700 0500 022000	.87	Myron A. Hauptman – Ralph DeLea
157.	0200 16700 0500 023000	1.02	Myron A. Hauptman – Ralph DeLea
158.	0200 16700 0500 024000	.10	William J. McMackin Revocable Trust
159.	0200 16700 0500 025000	.14	John J. Masserwick
160.	0200 16700 0500 026000	.69	Myron A. Hauptman – Ralph DeLea
161.	0200 16700 0500 027000	.14	Ruth Little John
162.	0200 16700 0500 028000	.23	Myron A. Hauptman – Ralph DeLea
163.	0200 16700 0600 001000	.13	Myron A. Hauptman – Ralph DeLea DeLea
164.	0200 16700 0600 002000	.23	Arthur A. Arnstein Corp.
165.	0200 16700 0600 003000	.46	Myron A. Hauptman – Ralph DeLea
166.	0200 16700 0600 004000	.72	Myron A. Hauptman – Ralph DeLea
167.	0200 16700 0600 005000	.11	Myron A. Hauptman – Ralph DeLea
168.	0200 16700 0600 007000	.21	Myron A. Hauptman – Ralph DeLea
169.	0200 16700 0600 008000	.64	Myron A. Hauptman – Ralph DeLea
170.	0200 16700 0600 010000	.05	Edith Donoghue
171.	0200 16700 0600 011000	.18	Myron A. Hauptman – Ralph DeLea
172.	0200 16700 0600 012000	.17	M. Louis DeLea, Sr. Irrevocable Trust
173.	0200 16700 0600 013000	.27	Myron A. Hauptman – Ralph DeLea
174.	0200 16700 0600 014000	.27	Myron A. Hauptman – Ralph DeLea
175.	0200 16700 0600 015000	.10	Alexander Beck
176.	0200 16700 0600 016000	.23	Louis DeLea & Sons, Inc.
177.	0200 16700 0600 017000	.03	Bruno Beck – Ano
178.	0200 16700 0600 018000	.08	Myron A. Hauptman – Ralph DeLea
179.	0200 16700 0600 019000	1.16	Myron A. Hauptman – Ralph DeLea
180.	0200 16700 0600 021000	.35	Myron A. Hauptman – Ralph DeLea
181.	0200 16700 0600 022000	.04	Andone LLC
182.	0200 16700 0600 023000	.09	Myron A. Hauptman – Ralph DeLea
183.	0200 16700 0600 024000	.05	Andone LLC
184.	0200 16700 0600 025000	.05	Myron A. Hauptman – Ralph DeLea
185.	0200 16700 0600 026000		Myron A. Hauptman –

		.31	Ralph DeLea
186.	0200 16800 0100 001000	.32	Myron A. Hauptman – Ralph DeLea
187.	0200 16800 0100 002000	.09	Pinckney B. Ezekiel
188.	0200 16800 0100 003000	.04	Myron A. Hauptman – Ralph DeLea
189.	0200 16800 0100 004000	.14	Rhoda M. Whitman
190.	0200 16800 0100 005000	.33	Myron A. Hauptman – Ralph DeLea
191.	0200 16800 0100 006000	.69	Myron A. Hauptman – Ralph DeLea
192.	0200 16800 0100 007000	.23	Louis DeLea & Sons, Inc.
193.	0200 16800 0100 008000	.96	Myron A. Hauptman – Ralph DeLea
194.	0200 16800 0100 009000	.18	Donald A. Hayes
195.	0200 16800 0100 010000	.42	Myron A. Hauptman – Ralph DeLea
196.	0200 16800 0100 011000	.14	Robert I. Toussie
197.	0200 16800 0100 012000	.14	Myron A. Hauptman – Ralph DeLea
198.	0200 16800 0100 013000	.23	Myron A. Hauptman – Ralph DeLea
199.	0200 16800 0100 014000	.46	Campos Bros.
200.	0200 16800 0100 015000	.69	Myron A. Hauptman – Ralph DeLea
201.	0200 16800 0100 017000	.93	Myron A. Hauptman – Ralph DeLea
202.	0200 16800 0100 018000	.14	Louis DeLea & Sons, Inc.
203.	0200 16800 0100 019000	.70	Myron A. Hauptman – Ralph DeLea
204.	0200 16800 0100 020000	.78	Myron A. Hauptman – Ralph DeLea
205.	0200 16800 0100 021000	.14	Jewell McNair Johnson Family Trust
206.	0200 16800 0100 022000	.23	Myron A. Hauptman – Ralph DeLea
207.	0200 16800 0200 001000	.05	Vincent R. Sasso
208.	0200 16800 0200 002000	.18	Myron A. Hauptman – Ralph DeLea
209.	0200 16800 0200 003000	.56	Myron A. Hauptman – Ralph DeLea
210.	0200 16800 0200 005000	.46	Myron A. Hauptman – Ralph DeLea
211.	0200 16800 0200 006000	.18	AB of Sayville Ltd.
212.	0200 16800 0200 007000	.09	Louis DeLea & Sons, Inc.
213.	0200 16800 0200 008000	.82	Myron A. Hauptman – Ralph DeLea
214.	0200 16800 0200 009000		Myron A. Hauptman –

		2.05	Ralph DeLea
215.	0200 16800 0200 010000	.05	Frederick B. Jones
216.	0200 16800 0200 011000	.19	Myron A. Hauptman – Ralph DeLea
217.	0200 16800 0200 012000	2.07	Myron A. Hauptman – Ralph DeLea
218.	0200 16800 0200 013000	.05	Andone LLC
219.	0200 16800 0200 014000	.19	Robert I. Toussie
220.	0200 16800 0200 015001	.83	Myron A. Hauptman – Ralph DeLea
221.	0200 16800 0200 015002	.05	Louis DeLea and M. Louis DeLea, Sr. Irrevocable Trust
222.	0200 16800 0200 016000	.09	Myron A. Hauptman – Ralph DeLea
223.	0200 16800 0300 001000	.05	Andone LLC
224.	0200 16800 0300 002000	.61	Myron A. Hauptman – Ralph DeLea
225.	0200 16800 0300 003000	.09	Robert I. Toussie
226.	0200 16800 0300 004000	.55	Myron A. Hauptman – Ralph DeLea
227.	0200 16800 0300 005000	.23	Myron A. Hauptman – Ralph DeLea
228.	0200 16800 0300 007000	.69	Myron A. Hauptman – Ralph DeLea
229.	0200 16800 0300 008000	1.34	Myron A. Hauptman – Ralph DeLea
230.	0200 16800 0300 009000	.14	Andone LLC
231.	0200 16800 0300 010000	.32	Myron A. Hauptman – Ralph DeLea
232.	0200 16800 0300 011000	.04	Miller Cam LLC
233.	0200 16800 0300 012000	.46	Myron A. Hauptman – Ralph DeLea
234.	0200 16800 0300 013000	.14	Marika R. Schwartz Living Trust
235.	0200 16800 0300 014000	.09	Gilmer S. Morris
236.	0200 16800 0300 015000	.89	Myron A. Hauptman – Ralph DeLea
237.	0200 16800 0300 016000	.05	AB of Sayville Ltd.
238.	0200 16800 0300 017000	1.20	Myron A. Hauptman – Ralph DeLea
239.	0200 16800 0300 018000	.05	Vincent R. Sasso
240.	0200 16800 0300 019000	.46	Myron A. Hauptman – Ralph DeLea
241.	0200 16800 0300 020000	.09	Myron A. Hauptman – Ralph DeLea
242.	0200 16800 0300 021000	.05	Edith Donoghue
243.	0200 16800 0300 022000	.10	Myron A. Hauptman – Ralph DeLea
244.	0200 16800 0300 023000	.92	Myron A. Hauptman – Ralph DeLea
245.	0200 16800 0300 024000	.23	Steven Papell

246.	0200 16800 0400 002000	.14	Myron A. Hauptman – Ralph DeLea
247.	0200 16800 0400 003000	.36	Myron A. Hauptman – Ralph DeLea
248.	0200 16800 0400 005000	.05	Rudolph Roof, Jr.
249.	0200 16800 0400 006000	.09	Myron A. Hauptman – Ralph DeLea
250.	0200 16800 0400 009000	.14	Catherine E. Beck
251.	0200 16800 0400 010000	.18	Myron A. Hauptman – Ralph DeLea
252.	0200 16800 0400 011000	.14	Louis DeLea
253.	0200 16800 0400 012000	.28	Myron A. Hauptman – Ralph DeLea
254.	0200 16800 0400 013000	.23	Myron A. Hauptman – Ralph DeLea
255.	0200 16800 0400 014000	.14	Shamvell Pasha – Roheel Pasha Subhani
256.	0200 16800 0400 015001	.32	Myron A. Hauptman – Ralph DeLea
257.	0200 18800 0200 001000	.47	Myron A. Hauptman – Ralph DeLea
258.	0200 18800 0200 002000	.14	Myron A. Hauptman – Ralph DeLea
259.	0200 18800 0200 003000	.23	Louis DeLea & Sons, Inc.
260.	0200 18800 0200 004000	.42	Myron A. Hauptman – Ralph DeLea
261.	0200 18800 0200 005000	.46	Myron A. Hauptman – Ralph DeLea
262.	0200 18800 0200 006000	.23	Myron A. Hauptman – Ralph DeLea
263.	0200 18800 0200 008000	.47	Myron A. Hauptman – Ralph DeLea
264.	0200 18800 0200 009000	.55	Myron A. Hauptman – Ralph DeLea
265.	0200 18800 0200 010000	.05	Vincent Sasso – Luther Ross
266.	0200 18800 0200 011000	.46	Myron A. Hauptman – Ralph DeLea
267.	0200 18800 0200 012000	.19	Myron A. Hauptman – Ralph DeLea
268.	0200 18800 0200 013000	.09	Lewis P. Jordan
269.	0200 18800 0200 014000	.14	Miller Cam LLC
270.	0200 18800 0200 015000	.09	Myron A. Hauptman – Ralph DeLea
271.	0200 18800 0200 016000	.09	Andone LLC
272.	0200 18800 0200 017000	.05	Myron A. Hauptman – Ralph DeLea
273.	0200 18800 0200 018000	.10	Stuart Podolsky
274.	0200 18800 0200 019000	.33	Myron A. Hauptman – Ralph DeLea

275.	0200 18800 0200 020000	.23	Christopher & Francine Moore
276.	0200 18800 0200 021000	.14	Stuart Podlosky
277.	0200 18800 0200 022000	.46	Myron A. Hauptman – Ralph DeLea
278.	0200 18800 0200 023000	.24	Blanche G. Davis
279.	0200 18800 0200 024000	.09	Andone LLC
280.	0200 18800 0200 025000	.19	Myron A. Hauptman – Ralph DeLea
281.	0200 18800 0200 026000	.09	Duncan & Garnett Gillies
282.	0200 18800 0200 027000	.09	Myron A. Hauptman – Ralph DeLea
283.	0200 18800 0200 029000	.45	Myron A. Hauptman – Ralph DeLea
284.	0200 18800 0200 030000	.23	Myron A. Hauptman – Ralph DeLea
285.	0200 18800 0200 031000	.78	Myron A. Hauptman – Ralph DeLea
286.	0200 18800 0200 032000	.23	Savvasi Vasiliades
287.	0200 18800 0200 033000	.05	Myron A. Hauptman – Ralph DeLea
288.	0200 18800 0200 034000	.46	Myron A. Hauptman – Ralph DeLea
289.	0200 18800 0200 035000	.47	Myron A. Hauptman – Ralph DeLea
290.	0200 18800 0200 037000	.37	Myron A. Hauptman – Ralph DeLea
291.	0200 18800 0200 038000	.47	Myron A. Hauptman – Ralph DeLea
292.	0200 18800 0200 040000	.32	Myron A. Hauptman – Ralph DeLea
293.	0200 18800 0200 041000	.23	Savvasi Vasiliades
294.	0200 18800 0300 001000	.43	Myron A. Hauptman – Ralph DeLea
295.	0200 18800 0300 002000	.46	Myron A. Hauptman – Ralph DeLea
296.	0200 18800 0300 003000	.56	Myron A. Hauptman – Ralph DeLea
297.	0200 18800 0300 004000	.37	Myron A. Hauptman – Ralph DeLea
298.	0200 18800 0300 005000	.09	Andone LLC
299.	0200 18800 0300 006000	.23	Myron A. Hauptman – Ralph DeLea
300.	0200 18800 0300 007000	.19	Joseph Myers
301.	0200 18800 0300 008000	.47	Myron A. Hauptman – Ralph DeLea
302.	0200 18800 0300 010000	.38	Myron A. Hauptman – Ralph DeLea
303.	0200 18800 0300 011000	.46	Myron A. Hauptman – Ralph DeLea
304.	0200 18800 0300 014000		Myron A. Hauptman –

		.70	Ralph DeLea
305.	0200 18800 0300 015000	.10	Myron A. Hauptman – Ralph DeLea
306.	0200 18800 0300 016000	.15	Steven Papell
307.	0200 18800 0300 017000	.32	Myron A. Hauptman – Ralph DeLea
308.	0200 18800 0300 018000	.43	Myron A. Hauptman – Ralph DeLea
309.	0200 18800 0300 019000	.05	Myron A. Hauptman – Ralph DeLea
310.	0200 18800 0300 020000	.05	Bruno Beck – Others
311.	0200 18800 0300 021000	.05	Bruno Beck – Ano
312.	0200 18800 0300 022000	.04	Myron A. Hauptman – Ralph DeLea
313.	0200 18800 0300 023000	.10	George J. Theriot
314.	0200 18800 0300 024000	.65	Myron A. Hauptman – Ralph DeLea
315.	0200 18800 0300 025000	.15	Myron A. Hauptman – Ralph DeLea
316.	0200 18800 0300 026000	.13	Myron A. Hauptman – Ralph DeLea
317.	0200 18800 0300 027000	.09	Kennad L. & Carolyn L. Skeen
318.	0200 18800 0300 028000	.05	Myron A. Hauptman – Ralph DeLea
319.	0200 18800 0300 030000	.32	Myron A. Hauptman – Ralph DeLea
320.	0200 18900 0100 001000	.01	Walter W. Point
321.	0200 18900 0100 002000	.29	Myron A. Hauptman – Ano
322.	0200 18900 0100 003000	.10	Myron A. Hauptman – Ano
323.	0200 18900 0100 005000	.12	Myron A. Hauptman – Ano
324.	0200 18900 0100 006000	.46	Myron A. Hauptman – Ano
325.	0200 18900 0100 007000	.10	Louis DeLea & Sons, Inc.
326.	0200 18900 0100 008000	.46	Myron A. Hauptman – Ano
327.	0200 18900 0100 009000	.09	Louis Mazo – Simon Mazo
328.	0200 18900 0100 011000	.05	Myron A. Hauptman – Ano
329.	0200 18900 0100 013000	.04	Theodore Karras
330.	0200 18900 0100 014000	.32	Myron A. Hauptman – Ano
331.	0200 18900 0100 015000	.32	Myron A. Hauptman – Ano
332.	0200 18900 0100 016000	.46	Myron A. Hauptman – Ano

333.	**0200 18900 0100 018000**	**.05**	**John Sullivan**
334.	**0200 18900 0100 020000**	**.32**	**Myron A. Hauptman – Ano**
335.	**0200 18900 0100 021000**	**.09**	**Theodore Karras**
336.	**0200 18900 0100 022000**	**.37**	**Myron A. Hauptman – Ano**
337.	**0200 18900 0100 024000**	**.79**	**Myron A. Hauptman – Ano**
338.	**0200 18900 0100 025000**	**.05**	**Vincent R. Sasso**
339.	**0200 18900 0100 026000**	**.18**	**Myron A. Hauptman – Ano**
340.	**0200 18900 0100 027000**	**.09**	**DeLea Sons – DeLea**
341.	**0200 18900 0100 028000**	**.47**	**Myron A. Hauptman – Ano**
342.	**0200 18900 0100 029000**	**.54**	**Myron A. Hauptman – Ano**
343.	**0200 18900 0100 031000**	**.13**	**Myron A. Hauptman – Ano**
TOTAL ACRES		**95.88**	

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

Intro. Res. No. 1263-2008 Laid on Table 3/18/2008
Introduced by Legislators Cooper, Romaine, Browning, Schneiderman and Viloria-Fisher

RESOLUTION NO. 237 –2008, DIRECTING THE DEPARTMENT OF PLANNING TO FILE RATING SYSTEM FORMS WITH LAND ACQUISITION RESOLUTIONS

WHEREAS, the Department of Planning rates proposed open space acquisitions on a point system when a planning steps resolution is introduced in the County Legislature; and

WHEREAS, the rating forms prepared by the Department of Planning, which are advisory in nature, are typically distributed to the members of the Legislature's Environment, Planning and Agriculture Committee when the planning steps resolution is being considered; and

WHEREAS, these rating forms provide important information and analysis regarding proposed acquisitions; and

WHEREAS, these rating forms are generally not made available to legislators when an acquisition resolution is submitted to the Legislature after the planning steps process is completed; and

WHEREAS, there is usually a substantial time lapse between the planning and acquisition resolutions; and

WHEREAS, legislators should have the Planning Department's rating sheet available at the point where they are considering the expenditure of public monies for open space acquisitions; now, therefore be it

1st **RESOLVED**, in the event that the Suffolk County Planning Department has prepared a Suffolk County Open Space Rating System Form (for natural environment; for active recreation/hamlet parks; for historic cultural park uses; for farmland development rights) in connection with a planning steps resolution, the Department shall file said form with the Clerk of the Suffolk County Legislature as backup with any subsequent resolution authorizing the acquisition of the subject parcel; and be it further

2nd **RESOLVED**, that the Clerk of the County Legislature shall distribute copies of the Suffolk County Open Space Rating System Forms to all County Legislators as backup to land acquisition resolutions; 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1278-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 238 -2008, RESCINDING RESOLUTION NO. 1292-2005 AND AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE

WETZEL PROPERTY – MASTIC/SHIRLEY CONSERVATION AREA PHASE I - TOWN OF BROOKHAVEN – (SCTM NO. 0200-982.10-06.00-005.000)

WHEREAS, Resolution No. 1292-2005 authorized the acquisition of the Wetzel property consisting of .60± acres from the reputed owner John T. Wetzel as executor for the estate of Mary R. Wetzel, for a total purchase price of $35,000.00, the funding for which was to be provided under the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund; and

WHEREAS, Section C36-1 (A)(9) of the SUFFOLK COUNTY CHARTER requires that the funds in the Suffolk County Save Open Space (SOS), Farmland Preservation and Hamlet Parks Fund be issued, appropriated and expended by the County Comptroller, County Executive and County Legislature, via duly enacted resolutions and administrative actions, no later than December 21, 2007, and same cannot take place until after January 1, 2008; and

WHEREAS, Resolution No. 1292-2005 also inadvertently identified the reputed owner incorrectly; and

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

WHEREAS, Resolution No. 83-2008 appropriated $8,833,000.00 for acquisitions under the Suffolk County Multifaceted Land Preservation Program; and

WHEREAS, Resolution No. 625-2004 authorized planning steps for acquisition of the subject property; and

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

WHEREAS, on November 20, 20007, 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/or 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 rescinds Resolution No. 1292-2005 and 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 Thirty Five Thousand Dollars ($35,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include

but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	.60+	John T. Wetzel 4635 Pequash Avenue Cutchogue, NY 11935
	Section 982.10			
	Block	06.00		
	Lot	005.000		
				Patricia McFadden 92 Hollins Lane East Islip, NY 11730
				Mary Phelan 1019 SE 7th Court Deerfield Beach, FL 33410
				Jeanne Wetzel 2B Goose Neck Lane Riverhead, NY 11901
				Joseph Wetzel 86 Winkle Point Drive Northport, NY 11768
				Andrew Wetzel 65 Magnolia Drive Mastic, NY 11951
				all as heirs of Mary R. Wetzel; and Charles Wetzel (deceased), heir to Mary R. Wetzel, by
				Matt Wetzel 1907 Kristy Court Longmont, CO 80501
				Andrew Wetzel 112 Meadowbrook Circle Daphene, AL 36526
				Guy Wetzel Box 3244 APO, AE 09226 all as heirs to Charles Wetzel

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Thirty Five Thousand Dollars ($35,000.00), 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 $35,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land 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 Section 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 been issued in Suffolk County Resolution No. 1083-2007.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-0-1-2-0. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1289-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 239 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 833-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 833-2007 is hereby amended to read as follows:

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

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 833-2007 is hereby amended as follows:

WHEREAS, <u>Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection</u> [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 833-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 833-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Two Million Six Hundred Twenty Five Thousand Dollars ($2,625,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0300	.93+	Donald T. Foley
	Section	014.00		P.O. Box 778
	Block	02.00		Montauk, NY 11954
	Lot	002.001		
No. 2	District	0300	1.1+	Donald T. Foley &
	Section	014.00		Anna Foley
	Block	02.00		1 Bradley Avenue
	Lot	002.002		Staten Island, NY 10314
No. 3	District	0300	1.1+	Donald T. Foley
	Section	014.00		P.O. Box 778
	Block	02.00		Montauk, NY 11954
	Lot	002.003		

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 833-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Two Million Six Hundred Twenty Five Thousand Dollars ($2,625,000.00), subject to a final survey; and be it further

6th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 833-2007 is hereby amended to read as follows:

5th RESOLVED, that the $2,625,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

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

*subject to a final survey

and be it further

7th **RESOLVED**, that the seventh "Resolved" clause in Resolution No. 833-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,625,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 13-2-1-2-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1290-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 240 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 836-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 836-2007 is hereby amended to read as follows:

RESOLUTION NO. 836 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – ENVIRONMENTAL PROTECTION [OPEN SPACE COMPONENT] - FOR THE ESTATE OF ANGELO GIAMBALVO PROPERTY – BEAVERDAM CREEK WATERSHED - TOWN OF BROOKHAVEN – (SCTM NOS. 0200-961.00-02.00-032.000, 035.000, 037.000, 039.000, 041.000 & 045.000)

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 836-2007 is hereby amended as follows:

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 836-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 836-2007 is hereby amended to read as follows:

> **1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Four Hundred Twenty Five Thousand Five Hundred Dollars ($425,500.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	1.03+	Estate of Angelo Giambalvo
	Section	961.00		Rose Giambalvo, Executrix
	Block	02.00		133 Clemens Road
	Lot	032.000		Mineola, NY 11501
No. 2	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	035.000		
No. 3	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	037.000		
No. 4	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	039.000		
No. 5	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	041.000		
No. 6	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	045.000		

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 836-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Four Hundred Twenty Five Thousand Five Hundred Dollars ($425,500.00), subject to a final survey; and be it further

6th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 836-2007 is hereby amended to read as follows:

5th RESOLVED, that the $425,500.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$425,500.00*

*subject to a final survey

and be it further

7th **RESOLVED**, that the seventh "Resolved" clause in Resolution No. 836-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $425,500.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 13-2-1-2-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1291-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 241 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 917-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 917-2007 is hereby amended to read as follows:

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

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 917-2007 is hereby amended as follows:

WHEREAS, <u>Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection</u> [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and

compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 917-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 917-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Two Hundred Forty One Thousand Two Hundred Six Dollars ($241,206.00+), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. 1	District	0200	8.9223+	Ebrahim Melamed 5219 Newcastle Avenue-Apt. 301 Encino, CA 91316
	Section	461.00		
	Block	02.00		
	Lot	007.000		
				Kurosh Melamed Same as above
				Daryosh Melamed Same as above

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 917-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's

purchase price of Two Hundred Forty One Thousand Two Hundred Six Dollars ($241,206.00+), subject to a final survey; and be it further

6th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 917-2007 is hereby amended to read as follows:

5th RESOLVED, that the $241,206.00+ from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New ¼ Drinking Water Protection Program	$241,206.00+*

*subject to a final survey

and be it further

7th **RESOLVED**, that the seventh "Resolved" clause in Resolution No. 917-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $241,206.00+, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1292-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 242 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 921-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 921-2007 is hereby amended to read as follows:

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

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 921-2007 is hereby amended as follows:

WHEREAS, <u>Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection</u> [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 921-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 921-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Five Hundred Five Thousand Dollars ($505,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	1.16+	Rose Giambalvo
	Section	961.00		133 Clemens Road
	Block	02.00		Mineola, NY 11501
	Lot	031.000		
No. 2	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	033.000		
No. 3	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	034.000		
No. 4	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	036.000		
No. 5	District	0200		
	Section	961.00		
	Block	02.00		
	Lot	038.000		
No. 6	District	0200		

Section	961.00
Block	02.00
Lot	043.000

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 921-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Five Hundred Five Thousand Dollars ($505,000.00), subject to a final survey; and be it further

6th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 921-2007 is hereby amended to read as follows:

5th RESOLVED, that the $505,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$505,000.00*

*subject to a final survey

and be it further

7th **RESOLVED**, that the seventh "Resolved" clause in Resolution No. 921-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $505,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

[ ] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1--0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1293-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 243 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1134-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 1134-2007 is hereby amended to read as follows:

RESOLUTION NO. 1134 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – <u>ENVIRONMENTAL PROTECTION</u> [OPEN SPACE COMPONENT] – FOR THE SEBESTA PROPERTY – HALLOCK ACRES COUNTY WETLANDS ADDITION (TOWN OF SMITHTOWN – SCTM NO. 0800-106.00-02.00-011.007)

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 1134-2007 is hereby amended as follows:

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 1134-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 1134-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Two Hundred Forty Five Thousand Dollars ($245,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

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

No. 1	District 0800 Section 106.00 Block 02.00 Lot 011.007		0.37+	Catherine Sebesta 160 Lou Avenue Kings Park, NY 11754

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 1134-2007 is hereby amended to read as follows:

> **2nd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Two Hundred Forty Five Thousand Dollars ($245,000.00), subject to a final survey; and be it further

6th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 1134-2007 is hereby amended to read as follows:

> **5th RESOLVED**, that the $245,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$245,000.00*

*subject to a final survey

and be it further

7th **RESOLVED**, that the seventh "Resolved" clause in Resolution No. 1134-2007 is hereby amended to read as follows:

> **7th RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $245,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1294-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 244 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1137-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st **RESOLVED**, that the title of Resolution No. 1137-2007 is hereby amended to read as follows:

RESOLUTION NO. 1137 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – <u>ENVIRONMENTAL PROTECTION</u> [OPEN SPACE COMPONENT] – FOR THE ANYTHING YOU WANT LLC PROPERTY – SOUTHAVEN COUNTY PARK ADDITION (TOWN OF BROOKHAVEN - SCTM NOS. 0200-707.00-02.00-001.000 & 0200-707.00-02.00-005.000)

and be it further

2nd **RESOLVED**, that the first "Whereas" clause in Resolution No. 1137-2007 is hereby amended as follows:

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd **RESOLVED**, that the second "Whereas" clause in Resolution No. 1137-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th **RESOLVED**, that the first "Resolved" clause in Resolution No. 1137-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Eighty Six Thousand Dollars ($86,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	0.41+	Anything You Want LLC
	Section	707.00		45 Ashton Road
	Block	02.00		Middle Island, NY 11953
	Lot	001.000		
No. 2	District	0200	0.46+	
	Section	707.00		
	Block	02.00		
	Lot	005.000		

and be it further

5th **RESOLVED**, that the second "Resolved" clause in Resolution No. 1137-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Eighty Six Thousand Dollars ($86,000.00), subject to a final survey; and be it further

6th RESOLVED, that the fifth "Resolved" clause in Resolution No. 1137-2007 is hereby amended to read as follows:

5th RESOLVED, that the $86,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$86,000.00*

*subject to a final survey

and be it further

7th RESOLVED, that the seventh "Resolved" clause in Resolution No. 1137-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $86,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1-0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1295-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 245 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1246-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, certain properties authorized under the previous drinking water protection program (open space component) that expired on November 30, 2007 have not closed and should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said properties under the Program; now, therefore be it

1st RESOLVED, that the title of Resolution No. 1246-2007 is hereby amended to read as follows:

RESOLUTION NO. 1246 -2007, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM – <u>ENVIRONMENTAL PROTECTION</u> [OPEN SPACE COMPONENT] – FOR THE PAPELL PROPERTY – FORGE RIVER WATERSHED TOWN OF BROOKHAVEN – (SCTM NO. 0200-787.00-08.00-012.000)

and be it further

2nd RESOLVED, that the first "Whereas" clause in Resolution No. 1246-2007 is hereby amended as follows:

WHEREAS, <u>Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, now authorizes the use of 31.10 percent of sales and tax proceeds generated each year for Specific Environmental Protection</u> [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(A)(1) authorized the use of 13.55 percent of sales and compensating tax proceeds generated each year for open space acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

3rd RESOLVED, that the second "Whereas" clause in Resolution No. 1246-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, from 31.10 [13.55] percent of the sales and compensating tax proceeds, for the acquisition of such land; and

and be it further

4th RESOLVED, that the first "Resolved" clause in Resolution No. 1246-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program Specific Environmental Protection [Open Space component], effective as of December 1, 2007 [0], for a total purchase price of Eighty Five Thousand Dollars ($85,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

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

and be it further

5th RESOLVED, that the second "Resolved" clause in Resolution No. 1246-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Eighty Five Thousand Dollars ($85,000.00), subject to a final survey; and be it further

6th RESOLVED, that the fifth "Resolved" clause in Resolution No. 1246-2007 is hereby amended to read as follows:

5th RESOLVED, that the $85,000.00 from the Fund 477, New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space

component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8709.210	New Drinking Water Protection Program	$85,000.00*

*subject to a final survey

and be it further

7th RESOLVED, that the seventh "Resolved" clause in Resolution No. 1246-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $85,000.00, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Open Space component], Section C12-2(A)(1)(g) of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-2-0-1-0. Legislators Alden and Barraga voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1296-2008 Laid on Table 3/18/2008
Introduced by Legislator Stern

RESOLUTION NO. 246 -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (JILL ESTATES PROPERTY) TOWN OF HUNTINGTON (SCTM NOs. 0400-249.00-04.00-019.000 and 0400-263.00-04.00-072.000)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of land for use as hamlet greens,

hamlet parks, pocket parks, active parkland, active recreation, historic and/or cultural parks in accordance with specific criteria set forth therein; and

WHEREAS, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

WHEREAS, the Town of Huntington has committed to participate in the acquisition of the subject property; and

WHEREAS, adequate funding is provided for, pursuant to Section C12-2(A)(1)(i) of the SUFFOLK COUNTY CHARTER, from 31.10% of the sales and compensating use tax proceeds, for the acquisition of such land for use as a hamlet green or hamlet park; now, therefore be it

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 21.2 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as a hamlet green or hamlet park; and be it further

2nd **RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

3rd **RESOLVED**, that the Commissioner of the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to have surveys and maps prepared for the subject parcel(s); and be it further

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

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

6th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management within the County Department of Environment and Energy, or his or her deputy, is hereby further authorized, empowered, and directed, pursuant to Section 42-2(C) of the SUFFOLK COUNTY CHARTER, to utilize such valid appraisals for the subject parcel(s) as may be made available to the County by any pertinent municipality, either voluntarily or upon request by the County of Suffolk; and be it further

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

8th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the

NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

PARCEL:	**SUFFOLK COUNTY TAX MAP NUMBER:**		**ACRES:**	**REPUTED OWNER AND ADDRESS:**
No. **1**	District	0400	8.5	D & S Realty Development LP
	Section	249.00		130 Post Avenue
	Block	04.00		Westbury, NY 11590
	Lot	019.000		
No. **2**	District	0400	12.7	D & S Realty Development LP
	Section	263.00		130 Post Avenue
	Block	04.00		Westbury, NY 11590
	Lot	072.000		
TOTAL ACREAGE			±21.2	

EXHIBIT "A"

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 14-2-1-1--0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1303-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 247 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 830-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, the farmland development rights for certain properties authorized under the previous drinking water protection program (farmland development rights) that expired on November 30, 2007 have not been purchased and authority to purchase them should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said development rights under the Program; now, therefore be it

1st **RESOLVED**, that the first "Whereas" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHATER, now authorizes the use of 31.10 percent of sales and compensating tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

2nd **RESOLVED**, that the second "Whereas" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **WHEREAS**, adequate funding is provided for the acquisition of farmland development rights, pursuant to Section C12-2(A)(1)[(C)] of the SUFFOLK COUNTY CHARTER, from 31.10 [7.35] percent of the sales and compensating tax proceeds[, for the acquisition of farmland development rights]; and

and be it further

3rd **RESOLVED**, that the first "Resolved" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], effective as of December 1, 2007[0], for a total purchase price of One Million Two Hundred Ninety One Thousand Eighty Dollars ($1,291,080.00±), at Fifty Eight Thousand Dollars ($58,000.00) per acre for 22.26± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

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

and be it further

4th **RESOLVED**, that the second "Resolved" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **2nd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights to the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of One Million Two Hundred Ninety One Thousand Eighty Dollars ($1,291,080.00+), at Fifty Eight Thousand Dollars ($58,000.00) per acre for 22.26+ acres, subject to a final survey; and be it further

and be it further

5th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **5th RESOLVED**, that the $1,291,080.00+ from the Fund 477, New Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program-Specific Environmental Protection [Farmland]	$1,291,080.00+*

*subject to a final survey

and be it further

6th **RESOLVED**, that the seventh Resolved" clause in Resolution No. 830-2007 is hereby amended to read as follows:

> **7th RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,291,080.00+, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK

COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1--0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1304-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 248 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 999-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, the farmland development rights for certain properties authorized under the previous drinking water protection program (farmland development rights) that expired on November 30, 2007 have not been purchased and authority to purchase them should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said development rights under the Program; now, therefore be it

1st **RESOLVED**, that the first "Whereas" clause in Resolution No. 999-2007 is hereby amended to read as follows:

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHATER, now authorizes the use of 31.10 percent of sales and compensating tax proceeds generated each year for Specific

Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

2nd **RESOLVED**, that the second "Whereas" clause in Resolution No. 999-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for the acquisition of farmland development rights, pursuant to Section C12-2(A)(1)[(C)] of the SUFFOLK COUNTY CHARTER, from 31.10 [7.35] percent of the sales and compensating tax proceeds[, for the acquisition of farmland development rights]; and

and be it further

3rd **RESOLVED**, that the first "Resolved" clause in Resolution No. 999-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], effective as of December 1, 2007[0], for a total purchase price of One Million Six Hundred Thousand Dollars ($1,600,000.00+), at Eighty Thousand Dollars ($80,000.00) per acre for 20.0+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling One Million One Hundred Twenty Thousand Dollars ($1,120,000.00+), for a seventy percent (70%) undivided interest; and the Town's share, totaling Four Hundred Eighty Thousand Dollars ($480,000.00+), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments, for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	20.0+	North Shore Homefinders, Ltd.
	Section	495.00		a New York Corporation
	Block	05.00		63 Culross Drive
	Lot	006.001 p/o		Rocky Point, NY 11778

and be it further

4th **RESOLVED**, that the second "Resolved" clause in Resolution No. 999-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and

directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights to the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of One Million Six Hundred Thousand Dollars ($1,600,000.00+), at $80,000.00 per acre for 20.0+ acres, of which the County contribution will be One Million One Hundred Twenty Thousand Dollars ($1,120,000.00+) subject to a final survey; and be it further

5th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 999-2007 is hereby amended to read as follows:

5th RESOLVED, that the $1,120,000.00+ from the Fund 477, New Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program-Specific Environmental Protection [Farmland]	$1,120,000.00+*

*subject to a final survey

and be it further

6th **RESOLVED**, that the seventh Resolved" clause in Resolution No. 999-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,120,000.00+, subject to payment by the Town of its share of the purchase and subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8708.210, the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1--0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1305-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 249 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1140-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, the farmland development rights for certain properties authorized under the previous drinking water protection program (farmland development rights) that expired on November 30, 2007 have not been purchased and authority to purchase them should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said development rights under the Program; now, therefore be it

1st **RESOLVED**, that the first "Whereas" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

WHEREAS, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHATER, now authorizes the use of 31.10 percent of sales and compensating tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

2nd **RESOLVED**, that the second "Whereas" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

WHEREAS, adequate funding is provided for the acquisition of farmland development rights, pursuant to Section C12-2(A)(1)[(C)] of the SUFFOLK COUNTY

CHARTER, from 31.10 [7.35] percent of the sales and compensating tax proceeds[, for the acquisition of farmland development rights]; and

and be it further

3rd **RESOLVED**, that the first "Resolved" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], effective as of December 1, 2007[0], for a total purchase price of Two Million One Hundred Forty Seven Thousand Two Hundred Dollars ($2,147,200.00+), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 24.4+ acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	24.4+	Walter R. Zaweski
	Section	048.00		1796 Main Road
	Block	01.00		P.O. Box 371
	Lot	003.009		Jamesport, NY 11947-0371

and be it further

4th **RESOLVED**, that the second "Resolved" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights to the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Two Million One Hundred Forty Seven Thousand Two Hundred Dollars ($2,147,200.00+), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 24.4+ acres, subject to a final survey; and be it further

5th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

5th RESOLVED, that the $2,147,200.00+ from the Fund 477, New Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program-Specific Environmental Protection	$2,147,200.00+*

*subject to a final survey

6th RESOLVED, that the seventh Resolved" clause in Resolution No. 1140-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,147,200.00+, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 14-2-1-1--0. Deputy Presiding Officer Mystal and Legislator Barraga voted no. Legislator Alden abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1306-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 250 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 1253-2007

WHEREAS, Resolution No. 770-2007, Adopting Local Law No. 24-2007, A Charter Law Extending and Accelerating the ¼% Drinking Water Protection Program for Environmental Protection, authorized a new drinking water protection program effective December 1, 2007 ("Program"); and

WHEREAS, the farmland development rights for certain properties authorized under the previous drinking water protection program (farmland development rights) that expired on November 30, 2007 have not been purchased and authority to purchase them should be re-authorized under the new drinking water protection program that began on December 1, 2007; and

WHEREAS, sufficient anticipated sales tax revenues exist to cover the cost of purchasing said development rights under the Program; now, therefore be it

1st **RESOLVED**, that the first "Whereas" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

> **WHEREAS**, Local Law No. 24-2007, "A Charter Law Extending and Accelerating the Suffolk County Drinking Water Protection Program for Environmental Protection," at Section C12-2(A)(1) of the SUFFOLK COUNTY CHATER, now authorizes the use of 31.10 percent of sales and compensating tax proceeds generated each year for Specific Environmental Protection [Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plan for Sewers, Environmental Protection and County Taxpayers," Section C12-2(C) authorized the use of 7.35 percent of sales and compensating tax proceeds generated each year for farmland development rights acquisitions], as determined by duly enacted Resolutions of the County of Suffolk; and

and be it further

2nd **RESOLVED**, that the second "Whereas" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

> **WHEREAS**, adequate funding is provided for the acquisition of farmland development rights, pursuant to Section C12-2(A)(1)[(C)] of the SUFFOLK COUNTY CHARTER, from 31.10 [7.35] percent of the sales and compensating tax proceeds[, for the acquisition of farmland development rights]; and

3rd **RESOLVED**, that the first "Resolved" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

> **1st RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], effective as of December 1, 2007[0], for a total purchase price of Three Million Eighty Thousand Dollars ($3,080,000.00+), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 35.0+ acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk's share, totaling Two Million One Hundred Fifty Six Thousand Dollars ($2,156,000.00+), for a seventy percent (70%) undivided interest; and the Town's share, totaling Nine Hundred Twenty Four Thousand Dollars ($924,000.00+), for a thirty percent (30%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which

shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments, for inclusion in the Suffolk County Farmland Development Rights Program:

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

and be it further

4th **RESOLVED**, that the second "Resolved" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the farmland development rights to the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for the County's purchase price of Three Million Eighty Thousand Dollars ($3,080,000.00+), at Eighty Eight Thousand Dollars ($88,000.00) per acre for 35.0+ acres, subject to a final survey, of which the County contribution will be Two Million One Hundred Fifty Six Thousand Dollars ($2,156,000.00+), subject to a final survey; and be it further

5th **RESOLVED**, that the fifth "Resolved" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

5th RESOLVED, that the $2,156,000.00+ from the Fund 477, New Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], fund balance be and hereby is appropriated as follows:

Project No.	Project Title	Amount
525-CAP-8708.210	New Drinking Water Protection Program-Specific Environmental Protection	$2,156,000.00+*

*subject to a final survey

and be it further

6th **RESOLVED**, that the seventh Resolved" clause in Resolution No. 1253-2007 is hereby amended to read as follows:

7th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $2,156,000.00+, subject to a final survey, from the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection [Farmland component], Section C12-2(A)(1)(f)[(C)] of the SUFFOLK COUNTY CHARTER, effective as of December 1, 2007[0], for this acquisition; and be it further

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1237-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 251 –2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF EAST HAMPTON FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0300-162.00-02.00-002.000)

WHEREAS, the County of Suffolk is the fee owner of the following described parcel; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 162.00, Block 02.00, Lot 002.000, and acquired by tax deed on October 3, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2000 in Liber 12076, CP 292 and otherwise known as and by Town of East Hampton, known and designated as District 0300, Section 162.00, Block 02.00 Lot 002.000.

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

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

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

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

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

1st **RESOLVED**, the subject parcels shall be conveyed to the Town of East Hampton, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PMSA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

and be it further

2nd **RESOLVED**, the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing; and be it further

3rd **RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and/or contamination on said properties. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor; and be it further

4th **RESOLVED**, that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof; and be it further

5th **RESOLVED**, the conveyance of the parcel described to the Town of East Hampton for the purposes described herein shall be for the sum of One Dollar, and, upon

payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs; and be it further

6th **RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described properties upon the above-described terms and conditions; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1238-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 252 - 2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

WHEREAS, the County of Suffolk is the fee owner of certain parcels which are particularly described in Exhibit "A" attached hereto; and

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

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

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

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

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

1st **RESOLVED**, the subject parcels shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PMSA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

and be it further

2nd **RESOLVED**, the grantee will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcels for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcels with said parcels being used thereafter for other than affordable housing; and be it further

3rd **RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said properties. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor; and be it further

4th **RESOLVED,** that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only for such period as they shall have title to or an interest in or possession of the property or part thereof; and be it further

5th **RESOLVED**, the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all

applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs; and be it further

6th **RESOLVED**, that Christopher E. Kent, Director of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described properties upon the above-described terms and conditions; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Viloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2-0. Legislators D'Amaro and Cooper were not present.

Intro. Res. No. 1239-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 253–2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES (SCTM NO. 0200-787.00-03.00-046.004)

WHEREAS, the County of Suffolk is the fee owner of the following described parcel:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 787.00, Block 03.00, Lot 046.004, and acquired by tax deed on April 21, 1982, from Jean H. Tuthill, the County Treasurer of Suffolk County, New York, and recorded on April 21, 1982, in Liber 9171, CP 219 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 52 & 53 Block No. 13, as shown on

a certain map entitled “Map of Lakeview Park, Plate A”, and filed in the Suffolk County Clerk’s Office on March 29, 1911 as Map No. 653; and

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

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

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

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

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

1st **RESOLVED**, the subject parcel shall be conveyed to the Town of Brookhaven, Suffolk County, New York for affordable housing use, together with the following restrictive covenants that will run with the land so conveyed and, additionally, if any one or more of the following occurs, the subject premises shall revert to the grantor as herein provided and as provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the grantee, at any time uses or attempts to use said subject premises for other than affordable housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;

2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;

3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;

4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;

5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;

6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;

7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee

a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and

b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and

c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and

d. the affordable housing unit or units meet local building and zoning codes;

8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or

9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

and be it further

2nd **RESOLVED**, the grantee will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for affordable housing with all right title and interest reverting to the County of Suffolk in the event that the grantee at any time, uses or attempts to use said subject parcel for other than affordable housing or attempts to sell, transfer or otherwise dispose of or does, in fact, sell transfer or otherwise dispose of said subject parcel with said parcel being used thereafter for other than affordable housing; and be it further

3rd **RESOLVED**, that neither grantee nor any subsequent grantee shall bill or charge back to grantor any cost incurred or projected to be incurred for the cleaning up, removal and disposal of any debris, waste and /or contamination on said property. In the event that such charge back or bill is rendered to the grantor the transfer shall be void ab initio and the realty shall revert to the grantor; and be it further

4th **RESOLVED**, that it is intended and agreed that the agreements and covenants contained in the deed evidencing transfer of subject premises shall be covenants running with the land and that they shall be, in any event , and without regard to technical classification of designation, legal or otherwise, and except only by law, binding for the benefit and in favor of, and enforceable by, the grantor, it being further understood that such agreements and covenants shall be binding only upon the grantee, if it be a municipality or any assignee of the grantee, undertaking the construction, reconstruction or rehabilitation of affordable housing, only

for such period as they shall have title to or an interest in or possession of the property or part thereof; and be it further

5th RESOLVED, the conveyance of the parcel described to the Town of Brookhaven for the purposes described herein shall be for the sum of One Dollar, and, upon payment of such sum, all subsequent grantees of such subject premises shall comply with all applicable state, federal, and local regulations pertaining to the price, income eligibility and marketing standards for affordable housing programs; and be it further

6th RESOLVED, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or his designee, be and hereby is authorized to execute and acknowledge a quitclaim deed to transfer the interest of Suffolk County in the above-described property upon the above-described terms and conditions; and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this resolution is a Type II Action, constituting a Legislative decision in connection with routine or continuing agency administration and management, not including new programs or a major re-ordering of priorities (NYCRR Section 617.5(c)(20) and (27)). As a Type II Action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Eddington made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-2-0. Legislators Romaine and D'Amaro were not present.

Intro. Res. No. 1271-2008 Laid on Table 3/18/2008
Introduced by Legislators Eddington, Romaine, Losquadro, Horsley and Stern

RESOLUTION NO. 254 –2008, ESTABLISHING AN APPLICATION FEE WAIVER POLICY FOR CIVIL SERVICE EXAMINATIONS FOR VOLUNTEER FIREFIGHTERS AND EMT PERSONNEL

WHEREAS, the County of Suffolk has historically made a special effort to recognize the contributions volunteer firefighters and Emergency Medical Technicians (EMTs) have made to our community and nation; and

WHEREAS, Section 50(5)(b) of New York State Civil Service Law allows Counties to waive civil service application fees for specific classes of positions, types of examinations and/or candidates; and

WHEREAS, it is in the best interest of the County to waive civil service examination fees for volunteer firefighters and EMTs; now, therefore be it

1st **RESOLVED**, that the County of Suffolk hereby establishes an application fee waiver policy for eligible candidates who are volunteer firefighters and EMTs and residents of Suffolk County; and be it further

2nd **RESOLVED**, that such fees shall be waived for candidates who submit a valid volunteer firefighter or EMT identification card or a letter from the chief of the fire department or ambulance company which the candidate is affiliated with, affirming that said candidate is a volunteer in his or her organization; and be it further

3rd **RESOLVED**, that the candidates must also submit proof of his or her residence in Suffolk County to obtain the fee waiver; and be it further

4th **RESOLVED**, that every Suffolk County Civil Service Examination announcement with an application fee shall have information printed on the announcement informing potential applicants of the fee waiver policy; and be it further

5th **RESOLVED**, that, pursuant to Section C6-2 of the Suffolk County Charter, the Personnel Officer, as Director of the Department of Human Resources, Personnel and Civil Service, is hereby authorized, empowered and directed to issue such regulations as he deems necessary to implement this Resolution; 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 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 15-2-0-1-0. Legislators Beedenbender and Montano voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1301-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer Lindsay and Legislators Losquadro, Browning

RESOLUTION NO. 255 –2008 AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN IN CONNECTION WITH NEW POSITION TITLES IN THE DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES (DIRECTOR OF CLASSIFICATION, DIRECTOR OF EXAMINATIONS, EMPLOYEE HEALTH PLAN ADMINISTRATOR, PERSONNEL SERVICES ADMINISTRATOR AND RISK MANAGEMENT COORDINATOR)

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

WHEREAS, on the basis of this review they have determined that the new titles of Director of Classification, Director of Examinations, Employee Health Plan Administrator, Personnel Services Administrator and Risk Management Coordinator be created; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the Department of Civil Service/Human Resources Budget to cover the cost; now, therefore be it

1st **RESOLVED**, that the Suffolk County Classification and Salary Plan and the Department of Civil Service/Human Resources Operating Budget be and they are hereby amended as follows:

ADDITIONS TO CLASSIFICATION AND SALARY PLAN

Spec No.	JC	Position Title	Grade	BU
0407	C	Director of Classification	34	02
0409	C	Director of Examinations	31	02
0943	C	Employee Health Plan Administrator	30	02
0960	C	Personnel Services Administrator	30	02
0955	C	Risk Management Coordinator	29	02

DELETIONS FROM CLASSIFICATION AND SALARY PLAN

0405	C	Chief of Classification	32	02
0406	C	Chief of Examinations	30	02
0942	C	Employee Medical Health Plan Coordinator	29	02
9348	C	Director of Employee Services	28	02

AMENDMENTS TO OPERATING BUDGET

ADDITIONS

Position No.	Spec No.	JC	Position Title	Grade	BU
01-1430-0100-0005	0943	C	Employee Health Plan Administrator	30	02
01-1430-0100-0012	0960	C	Personnel Services Administrator	30	02
01-1430-0301-0401	0409	C	Director of Examinations	31	02
01-1430-0303-0641	0407	C	Director of Classification	34	02
38-1316-0100-0001	0955	C	Risk Management Coordinator	29	02

DELETIONS

Position No.	Spec No.	JC	Position Title	Grade	BU
01-1430-0100-0004	0942	C	Employee Medical Health Plan Coord.	29	02
01-1430-0100-0011	9348	C	Director of Employee Services	28	02
01-1430-0301-0400	0406	C	Chief of Examinations	30	02
01-1430-0303-0640	0405	C	Chief of Classification	32	02
01-1430-0303-0698	0402	C	Personnel Analyst	19	02
38-1316-0100-0005	0354	C	Principal Contracts Examiner	28	02

and be it further

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

DATED: April 29, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 14, 2008

Legislator Viloria-Fisher made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 17-0-0-1-0. Legislators D'Amaro was not present.

Intro. Res. No. 1253-2008 Laid on Table 3/18/2008
Introduced by Legislator Viloria-Fisher

RESOLUTION NO. 256 –2008, REAPPOINT GRETCHEN OLDRIN-MONES AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 2)

WHEREAS, the term of office of Gretchen Oldrin-Mones as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

1st **RESOLVED**, that **Gretchen Oldrin-Mones** residing in Stony Brook, NY, be and she hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 2, for a term of office to expire December 28, 2011, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED: April 29, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

Legislator Kennedy made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Beedenbender and D'Amaro were not present.

Intro. Res. No. 1260-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 257 -2008, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE CARE CENTER FOR ITS ANNUAL WALKATHON FUNDRAISER

WHEREAS, The Care Center is a 501(c)(3) private, nonprofit organization having its principal place of business at 1930 Veterans Memorial Highway, Suite 15, Islandia, New York; and

WHEREAS, The Care Center would like to hold its Annual Walkathon Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the Annual Walkathon Fundraiser is scheduled to be held on Saturday, May 17, 2008; and

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

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by The Care Center; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the use of Blydenburgh County Park by The Care Center for the purpose of hosting a fundraiser on Saturday, May 17, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from The Care Center and the payment of One Hundred Twenty Five Dollars ($125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4 (A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Blydenburgh County Park by The Care Center.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Barraga made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Beedenbender and D'Amaro were not present.

Intro. Res. No. 1261-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 258 - 2008, AUTHORIZING USE OF GARDINER COUNTY PARK BY ALMOST HOME ANIMAL RESCUE AND ADOPTION FOR ITS DOG WALKATHON FUNDRAISER

WHEREAS, the Almost Home Animal Rescue and Adoption would like to hold its Dog Walkathon Fundraiser at Gardiner County Park in the Town of Islip; and

WHEREAS, the Dog Walkathon Fundraiser, is scheduled to be held on May 10, 2008; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by Almost Home Animal Rescue and Adoption; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the use of Gardiner County Park by the Almost Home Animal Rescue and Adoption for the purpose of hosting a fundraiser on Saturday, May 10, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from Almost Home Animal Rescue & Adoption and the payment of the One Hundred and Twenty-Five Dollars ($125.00) event, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Gardiner County Park by Almost Home Animal Rescue and Adoption.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 6, 2008

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

Intro. Res. No. 1177-2008 Laid on Table 3/4/2008
Introduced by Legislators Stern and Nowick

RESOLUTION NO. 259 -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 4, 2008, a proposed local law entitled, "**A LOCAL LAW TO MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS**;" now, therefore be it

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

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

A LOCAL LAW TO MAINTAIN THE INTEGRITY OF DRUG AND ALCOHOL SCREENING TESTS

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 drug and alcohol testing is now a common practice in the American workplace.

This Legislature further finds that drug and alcohol testing can deter the use of illegal drugs and enhance worker productivity but such testing is particularly useful and justified when the interests of public safety are at stake. For example, the federal Omnibus Transportation Employee Testing Act of 1991 requires drug and alcohol testing of safety sensitive transportation employees in aviation, trucking, railroads and mass transportation. At the local level, certain employees are required to undergo drug and alcohol testing including bus drivers who drive our children to and from school.

This Legislature also determines that many products that can be used to defraud or defeat drug screening tests are now widely available and easily obtained. These “masking products” generally fall into one of four categories: 1) dilution substances that are added to a urine specimen at the time it is collected or are ingested before an individual submits the specimen 2) cleansing substances that detoxify or cleanse urine and are ingested before an individual submits a urine specimen 3) adulterants that destroy or alter the chemical makeup of drugs and are added to a urine specimen at the time it is provided, 4) synthetic or drug free urine that is substituted in place of an individual’s specimen.

This Legislature further finds and determines that the United States General Accounting Office issued a report that found that the wide number or products available to dilute, cleanse, adulterate or substitute urine specimens could compromise the integrity of drug and alcohol testing programs.

This Legislature further finds that a number of states have enacted legislation that prohibit the manufacture, marketing, distribution and use of drug masking products but the State of New York has not addressed this issue to date.

Therefore, the purpose of this local law is to protect the health, safety, and welfare of Suffolk County residents by prohibiting the sale and use of drug masking products in Suffolk County.

Section 2. Definitions.

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

"ADULTERANT" – any substance or chemical that is intended, for the purpose of defrauding a lawfully administered drug or alcohol screening test, to be consumed by a person, introduced into the body of a person or added to a sample of bodily fluid.

"BODILY FLUID" – blood, urine, saliva or other bodily fluid.

"DRUG OR ALCOHOL SCREENING TEST" - an analysis of a sample of bodily fluid collected from a person for the purpose of detecting the presence of alcohol or drugs in the bodily fluid of the person.

"PERSON" – any natural person, individual, corporation, unincorporated association, proprietorship, firm, joint venture or other entity or business organization of any kind.

Section 3. Prohibitions.

A.) It shall be unlawful in the County of Suffolk for any person to manufacture, advertise, sell, distribute or purchase human urine, synthetic urine or any adulterant which is intend to defeat or defraud a lawfully administered drug or alcohol screening test.

B.) It shall be unlawful in the County of Suffolk for any person to attempt to defeat or defraud a lawfully administered drug or alcohol screening test by the substitution or spiking of a urine sample or other bodily fluid sample.

C.) It shall be unlawful in the County of Suffolk for any person to adulterate a urine sample or other bodily fluid sample with the intent to defeat or defraud a lawfully administered drug or alcohol screening test.

Section 4. Penalties.

Any person who violates the provisions of this law shall be guilty of an unclassified misdemeanor, punishable by a fine of up to one thousand dollars ($1000) and/or one year in prison.

Section 5. Applicability.

This law shall apply to actions occurring on or after this law's effective date.

Section 6. 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 7. 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 8. Effective Date.

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 20, 2008

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

Intro. Res. No. 1284-2008 Laid on Table 3/18/2008
Introduced by Legislators Stern, Eddington, Browning, Horsley, Losquadro and Nowick

RESOLUTION NO. 260 –2008, DESIGNATING MAY AS "YOUTH TRAFFIC SAFETY MONTH" IN SUFFOLK COUNTY

WHEREAS, motor vehicle crashes are the leading cause of death among American teenagers, killing between 5,000 and 6,000 teenagers every year; and

WHEREAS, no other hazard comes close to claiming as many teenage lives; and

WHEREAS, teenage drivers account for 12.6% of all drivers involved in fatal accidents; and

WHEREAS, the rate of fatal crashes among those 16 to 19 year olds is four times that of older drivers; risk is highest at age 16, when the fatal crash rate is 40% higher than for 18 year olds and 30% higher than for 19 year olds; and

WHEREAS, 56% of teen drivers said they make and answer cell phone calls and 13% said they send and respond to text messages while driving; and

WHEREAS, statistics show 17% of teens say speeding is fun; 55% exceed the speed limit by more than 10 mph; and 25% of self-identified "aggressive" teen drivers report speeding by more than 20 mph over the posted speed limit; and

WHEREAS, peer pressure is also a factor in fatal crashes among teen drivers; 44% of teens say they drive more safely without friends in the car; 67% of teens say they have felt unsafe when someone else was driving with only 45% saying they would definitely speak up if someone was driving in a way that scared them; and

WHEREAS, parents need to talk to their teenagers about being a "smart driver", discussing the risks and responsibilities of driving, and keeping the lines of communication open before, during and after the licensing process to ensure they learn successful, safe driving skills; and

WHEREAS, the County of Suffolk wishes to promote safe driving techniques throughout the County; now, therefore be it

1st **RESOLVED**, that beginning in 2008 and continuing every year thereafter, the month of May shall be designated as **"Youth Traffic Safety Month"** in Suffolk County in order to educate the youth throughout the County, as well as their parents, about safe driving skills; 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 1231-2008 Laid on Table 3/4/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Horsley, Browning

RESOLUTION NO. 261 -2008, ADOPTING LOCAL LAW NO. 12 -2008, A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES AND ILLICIT CONNECTIONS TO SUFFOLK COUNTY'S MUNICIPAL SEPARATE STORM SEWER SYSTEM

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 4, 2008, a proposed local law entitled, **"A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES AND ILLICIT CONNECTIONS TO SUFFOLK COUNTY'S MUNICIPAL SEPARATE STORM SEWER SYSTEM";** and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted as follows:

LOCAL LAW NO. 12 -2008, SUFFOLK COUNTY, NEW YORK
A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES AND ILLICIT CONNECTIONS TO SUFFOLK COUNTY'S MUNICIPAL SEPARATE STORM SEWER SYSTEM

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

MUNICIPAL SEPARATE STORM SEWER SYSTEM

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

Section 1. Legislative Intent

This Legislature hereby finds that the Suffolk County owns and operates a Municipal Separate Storm Sewer System ("Municipal System").

This Legislature further finds that the County is required to implement a local law to enforce local programs to detect and eliminate illicit discharges and illicit connections to the Municipal System and reduce the discharge of pollutants into the Municipal System pursuant to

33 U.S.C. §1342, the rules and regulations promulgated thereunder and the New York Environmental Conservation Law Article 17, Title 8.

This Legislature further finds it necessary to provide for the health, safety, and general welfare of the citizens of Suffolk County by protecting against illicit discharges and illicit connections to the Municipal System that result in: a) an increase of a pollutant of concern, b) a violation of a Total Maximum Daily Load Allocation, c) a violation of a Federal or State water quality standard, or d) a violation of the State Pollutant Discharge Elimination System General Permit No. GP-02-02, as amended, for Stormwater Discharges from Municipal Separate Storm Sewer Systems, issued by the New York State Department of Environmental Conservation to Suffolk County pursuant to New York State Environmental Conservation Law Article 17, Title 8.

This Legislature further finds that the above General Permit No. GP-02-02, as amended, also requires the County to implement a local law to detect and prohibit illicit discharges to the Municipal System and to implement appropriate enforcement procedures and actions.

This Legislature further finds it necessary to establish a mechanism to recoup the cost of detecting and eliminating illicit discharges and illicit connections to the Municipal System and the cost of damages to the Municipal System caused by non-stormwater discharges.

Therefore the purpose of this law is to create a local law for controlling illicit discharges and illicit connections into the Municipal System, to protect the health and safety of the citizens of Suffolk County, and to establish an enforcement program to accomplish these goals.

Section 2. Definitions.

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

A.) Commissioner: means the Commissioner of the Suffolk County Department of Public Works, or his designee.

B.) Dye Testing: means a test to determine whether a connection to the Municipal System exists.

C.) Illicit Connection: means any drain or conveyance, whether on the surface or subsurface, direct or indirect, which allows an illicit discharge to the Municipal System.

D.) Illicit Discharge: means any direct or indirect non-stormwater discharge to the Municipal System, except as exempted in Section 4 of this law.

E.) Illicit Discharge Detection and Elimination Enforcement Officer: means an employee of Suffolk County empowered to administer and enforce the illicit discharge detection and elimination component of the Stormwater Management Program.

F.) Municipal Separate Storm Sewer System ("Municipal System"): means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, retention basins, outfall structures or storm drains):

1.) owned or operated by Suffolk County;

2.) designed or used for collecting or conveying stormwater;

3.) which is not a combined sewer; and

4.) which is not part of a Publicly Owned Treatment Works, as defined by 40 CFR 122.2.

G.) Pollutant of Concern: means a substance on the most current list prepared by the Commissioner of the Suffolk County Department of Public Works, on file with the Office of the Clerk of the County Legislature, which specifies the primary pollutants causing pollution of water bodies listed pursuant to Section 303(d) of the Clean Water Act (33 U.S.C. §1313(d)).

H.) Responsible Discharger: means any individual, corporation, association, partnership, other entity recognized by law causing or permitting to be caused a violation of this law.

I.) Stormwater: means rainwater, surface runoff, snowmelt and drainage.

J.) Stormwater Management Officer: means an employee of Suffolk County designated to provide overall management and oversight of the Stormwater Management Program.

K.) Total Maximum Daily Load Allocation: means the maximum amount of a pollutant allowed to be released under section 303(d) of the Clean Water Act and regulations promulgated thereunder.

L.) Water Quality Standard: Such measure of purity or quality for any waters in relation to their reasonable and necessary use as may be established by:

1.) the New York State Department of Environmental Conservation pursuant to New York Environmental Conservation Law §17-0301 and 6 NYCRR Parts 700-706;

2.) the New York State Department of Health, pursuant to the Public Health Law; or

3.) the United States Environmental Protection Agency, pursuant to the Clean Water Act.

Section 3. Prohibitions.

A.) It shall be unlawful to cause, or engage in any activity that reasonably may be expected to cause, an illicit discharge into the Municipal System.

B.) It shall be unlawful to make, or permit to make, any illicit connections to the Municipal System.

Section 4. Illicit Discharge Remediation Requirements.

A.) In the event of any illicit discharge, the responsible discharger shall immediately notify the appropriate emergency response agencies and the Commissioner, and take all necessary steps to investigate, contain, eliminate and abate or remediate such release as required by any Federal, State or Local Law.

B.) The responsible discharger shall, as soon as reasonably practicable after an illicit discharge, notify the Commissioner in writing of such discharge. Such notification shall contain information required by the rules and regulations promulgated hereunder.

C.) The owner or operator of a commercial or industrial establishment at which the illicit discharge occurs shall retain on-site, a written record of the discharge and those actions taken to prevent recurrence of the illicit discharge. Such records shall be retained for a period of three years as measured from the date of the illicit discharge.

D.) The remediation requirements set forth in this section shall not be construed to constitute compliance with other applicable laws, rules or regulations.

Section 5. Exemptions.

A.) The following discharges shall be exempt from the prohibitions of this law unless such discharges have been previously determined to be substantial contributors of pollutants by the Suffolk County Department of Health Services or the New York State Department of Environmental Conservation:

1.) water line flushing or other potable water sources;

2.) landscape irrigation or lawn watering;

3.) existing diverted stream flows;

4.) rising ground water;

5) uncontaminated ground water infiltration to storm drains;

6.) pumped ground water;

7.) uncontaminated water from foundation or footing drains, crawl spaces or basement sump pumps;

8.) air conditioning condensate;

9.) water from individual residential car washings;

10.) dechlorinated swimming pool discharges;

11.) residential street washwater; and

12.) discharges from fire fighting activities.

C.) The Commissioner may, in writing, approve an exemption which authorizes a discharge necessary to protect life or property from imminent harm or damage provided, however, that such approval shall not be construed to constitute compliance with other applicable laws, rules and regulations, and further provided that such approval shall contain such conditions as deemed appropriate in the Commissioner's sole discretion.

D.) The Commissioner may, in writing, approve an exemption which authorizes a Dye Testing discharge provided, however, that such approval shall not be construed to constitute compliance with other applicable laws, rules and regulations, and further provided that such approval shall contain such conditions as deemed appropriate in the Commissioner's sole discretion.

E.) The prohibitions in this law shall not apply to any discharge permitted under a National Pollutant Discharge Elimination System Permit issued pursuant to 33 U.S.C. §1342, a State Pollutant Discharge Elimination System Permit issued pursuant to New York Environmental Conservation Law Article 17, Title 8, and any waiver or waste discharge order issued to the discharger under the authority of an authorized governmental agency, provided, however, that the discharger is in full compliance with such permit, waiver or order.

F.) The exemptions set forth in this section shall not be construed to constitute compliance with other applicable laws, rules or regulations.

Section 6. Rules and Regulations.

A.) The Commissioner, in consultation with the Suffolk County Department of Health Services and the Suffolk County Department of Environment and Energy, shall promulgate such rules and regulations as deemed necessary and appropriate for the implementation and enforcement of any provision of this law. Such rules shall govern the conduct of adjudicatory proceedings and appeals, and the Commissioner is hereby authorized and empowered to consult with the County Attorney to draft such rules providing for due process procedural mechanisms.

B.) The Suffolk County Department of Health Services and the Suffolk County Department of Environment and Energy are hereby authorized, empowered and directed to provide such resources to the Commissioner as may be needed to implement this law.

C.) The Commissioner is hereby authorized, empowered and directed to appoint one or more Stormwater Management Officers and Illicit Discharge and Detection Elimination Enforcement Officers, from the ranks of personnel of the Department of Public Works, the Suffolk County Department of Health Services or the Suffolk County Department of Environment and Energy, and, upon consultation with said Department management, may refer one or more functions necessary for the implementation of this law to those Departments.

Section 7. Penalties for Offense.

A.) A willful violation of the provisions of Section 3 of this law shall be deemed a misdemeanor.

B.) Any violation of any provision this law shall be subject to a civil penalty, in an amount not less than $250.00 nor more than $1,000.00.

C.) Each day of continued violation not corrected to the Commissioner's satisfaction in compliance with this law shall constitute a separate additional violation.

Section 8. Enforcement.

The County Attorney or the Suffolk County District Attorney, may commence legal proceedings to restrain, prevent and enjoin a violation of this law or any rule or regulation promulgated hereunder, to seek civil penalties, equitable remedies, damages, criminal fines and sanctions, and such other and further relief as may be deemed appropriate.

Section 9. Applicability

This law shall apply to all illicit discharges and illicit connections occurring on or after the effective date of this law.

Section 10. 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 11. SEQRA Determination.

This Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 279 of the Suffolk County Code, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5(c)(20) and (27), in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

Section 12. Effective Date.

This law shall become effective ninety (90) days subsequent to filing with the New York State Secretary of State.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 20, 2008

After a public hearing duly held on May 15, 2008
Filed with the Secretary of State on June 2, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Montano and D'Amaro were not present.

Intro Res. No. 1265-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Losquadro

RESOLUTION NO. 262-2008, AUTHORIZING THE PURCHASE AND INSTALLATION OF DIESEL ENGINE EMISSIONS COMPONENT UPGRADES ON SUFFOLK TRANSIT BUSES AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects which include the purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses; and

WHEREAS, the County has applied for and has received and/or anticipates receiving grants for federal funds already allocated to Suffolk County for mass transportation projects; and

WHEREAS, said grant applications have been authorized by Suffolk County Legislative Resolution Nos. 480-2007, 674-2007 and 880-2007; and

WHEREAS, the grant agreements for Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grant; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining10% local share of project costs; and

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

WHEREAS, it is estimated that the total cost of the purchase and installation of diesel engine emissions component upgrades on Suffolk Transit buses $1,195,000 with the Federal and State shares amounting to 90% of the total cost; and

WHEREAS, sufficient funds have not been included within the 2008 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of $119,500 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore be it

1st **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5648
Project Title: Equipment for Public Transit Vehicles

	Total Est'd. Cost	2008 Capital Budget & Program	2008 Capital Budget & Program
5. Furniture and Equipment	$6,685,000	-0-	$119,500B
		-0-	$119,500S
		-0-	$956,000F
6. TOTAL	$6,685,000	-0-	$1,195,000

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 Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th **RESOLVED**, that the Purchasing Division is authorized to receive bids for the purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses pursuant to applicable Federal and State regulations; and be it further

5th **RESOLVED**, that the proceeds of $119,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5648.518 (Fund 001-Debt Service)	Purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses	$119,500

and be it further

6th **RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5648.518	Purchase and installation of diesel	$119,500

engine emission component
upgrades on Suffolk Transit buses

and be it further

7th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

Project No.	Project Title	Amount
525-CAP-5648.518	Purchase and installation of diesel engine emission component upgrades on Suffolk Transit buses	$956,000

and be it further

8th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 16-0-0-2-0. Legislators Montano and D'Amaro were not present.

Intro. Res. No. 1265A-2008

BOND RESOLUTION NO. 263 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $119,500 BONDS TO FINANCE THE COUNTY'S SHARE OF THE COST OF THE PURCHASE AND INSTALLATION OF DIESEL ENGINE EMISSIONS COMPONENT UPGRADES ON SUFFOLK TRANSIT BUSES (CP 5648.518)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $119,500 pursuant to the Local

Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the County's share of the cost of the purchase and installation of diesel engine emissions component upgrades on Suffolk transit buses, 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 $1,195,000. The plan of financing includes (a) the expenditure of $956,000 in Federal Aid, (b) the expenditure of $119,500 in State Aid, (c) the issuance of $119,500 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 12-5-0-1-0. Legislators Romaine, Montano, Alden, Barraga and Kennedy voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1266-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer,on request of County Executive

RESOLUTION NO. 264 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT (CP 5047)

WHEREAS, the Commissioner of Public Works has requested funds for purchase in connection with Purchase of Highway Maintenance Equipment; 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, Resolution No. 321-2003 requires that no vehicle shall be purchased or leased unless "explicit approval for the acquisition of such vehicles, via lease or purchase, has been granted via duly enacted Resolution of the Suffolk County Legislature"; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,650,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that the purchase of this equipment is hereby approved, pursuant to Section 186-2(B)(6) of the SUFFOLK COUNTY CODE, and in accordance with the County vehicle standard, for use by the Department of Public Works; 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 (25) (C) (2), (11), (20), (21,) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; and the Legislature has no further responsibilities under SEQRA; and be it further

3rd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty five (35) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

5th **RESOLVED**, that the proceeds of $1,650,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP 5047.526 (Fund 016-Debt Service)	50	Purchase of Highway Maintenance Equipment	$1,650,000

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 12-5-0-1-0. Legislators Romaine, Montano, Alden, Barraga and Kennedy voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1266A-2008

BOND RESOLUTION NO. 265 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,650,000 BONDS TO FINANCE THE COST OF THE PURCHASE OF HIGHWAY MAINTENANCE EQUIPMENT (CP 5047.526)

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 $1,650,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of highway maintenance equipment, 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 $1,650,000. The plan of financing includes the issuance of $1,650,000 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. 28 of the Law, is fifteen (15) years.

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

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

budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1269-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 267 -2008, AMENDING THE 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 STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY (CP 8240.319)

WHEREAS, Local Law No. 35-1999, "A Charter Law Adopting Common Sense Tax Stabilization Plans for Sewers, Environmental Protection and County Taxpayers," as amended by Local Law No. 24-2007, authorized the use of 11.25 percent of sales, and compensating use tax proceeds generated each year through November of 2007 for the purpose of Water Quality Protection, as determined by duly enacted Resolutions of the County of Suffolk; and

WHEREAS, there are funds remaining within the reserved fund balance of Fund 477, which have accrued through November of 2007 and are required to be appropriated for the purpose of Water Quality Protection; and

WHEREAS, the Commissioner of Public Works has requested funds for the improvements at multiple County roads; 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, there are 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 this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, has found and determined that the project proposed pursuant to this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

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 sufficient funds exist within Fund 477 Water Quality Reserve Fund Balance component to cover the cost of said transfer; and be it further

4th **RESOLVED**, that the Adopted 2008 Operating Budget be and hereby is amended and that the following appropriations be and hereby are appropriated as follows:

EXPENDITURES:

Agency	Fund	Organization	Object	Description	Amount
IFT	477	E525	9600	Transfer to Capital Fund	$700,000

and be it further

5th **RESOLVED**, that interfund revenues be and hereby are transferred and accepted in the Capital Fund as follows:

REVENUES:

Agency	Fund	Rev. Source	Org.	Description	Amount
IFTI	525	R477	E525	Transfer from Water Quality Protection	$700,000
(Ref. 525-CAP-IFTR-R477)					

and be it further

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

Project No.: 8240
Project Title: Storm Water Remediation at various County Roads

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction $700,000W	$700,000	$0	
TOTAL	$700,000	$0	$700,000

and be it further

7th **RESOLVED**, that these interfund proceeds in the amount of $700,000 be and hereby is appropriated as follows:

Project No.	***JC***	***Project Title***	***Amount***
525-CAP-8240.319	50	Storm Water Remediation to Brown Creek @ CR 85, Montauk Hwy	$700,000

and be it further

8th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized, empowered and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers to finance this capital project.
DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Horsley made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1276-2008 Laid on Table 3/18/2008
Introduced by Legislator Horsley

RESOLUTION NO. 268 -2008, REQUESTING DEPARTMENT OF PUBLIC WORKS TO UPDATE EXCESS STRENGTH SURCHARGES

WHEREAS, pursuant to Chapter 424 of the SUFFOLK COUNTY CODE, the Department of Public Works is authorized to impose a surcharge for the discharge of any sewage or waste into the County's sewer system which, although approved for acceptance into the system has characteristics that exceed the maximum values and strengths found in normal sewage and waste; and

WHEREAS, the costs associated with treating extra strength discharges are above and beyond the normal cost of operation of each County sewer district, and these costs should be borne by those who discharge these wastes; and

WHEREAS, the Department of Public Works has been working on an "Operation and Maintenance Cost Recovery Plan" which would update surcharges imposed on these discharges; and

WHEREAS, it would be in the best interests of the residents of Suffolk County for the Legislature to review such increased surcharges prior to them being enacted; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered and directed, pursuant to § C8-2 (W) of the SUFFOLK COUNTY CHARTER to present to the Suffolk County Legislature's Public Works and Transportation Committee the findings of the "Operation and Maintenance Cost Recovery Plan"

as it pertains to any increase in surcharges for the discharge of sewage or waste which have characteristics that exceed the values and strengths found in normal sewage or waste, prior to said surcharges being finalized and adopted by the Commissioner; and be it further

2nd **RESOLVED**, that the findings of the "Operation and Maintenance Cost Recovery Plan" shall be presented to the Legislature's Public Works and Transportation Committee for the Committee's review and recommendations no later than 90 days following the effective date of this Resolution; 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: April 29, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED MAY 14, 2008

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

Intro Res. No. 1279-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 269 -2008, AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO EMPLOY A MAXIMUM OF FOUR TEMPORARY WORKERS TO PERFORM VECTOR CONTROL FUNCTIONS ON FISHERS ISLAND

WHEREAS, Local Law No. 33-1979 as amended requires that any persons entering County service shall have his or her residence within Suffolk County; and

WHEREAS, Section A6-1, C(4) under Exemptions, permits employment of nonresidents for periods of less than one year provided that employment is authorized by resolution; and

WHEREAS, the Department of Public Works employs on a seasonal basis (May through September) personnel to perform Vector Control functions on Fishers Island; and

WHEREAS, the Department of Public Works has had recruiting problems filling these positions with residents of Suffolk County; and

WHEREAS, not filling these positions could leave the residents of Fishers Island without Vector Control protection, now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized to hire on a temporary basis, up to four employees to perform Vector Control functions on Fishers Island; and be it further

2nd RESOLVED, that the Department shall first attempt to fill these positions with Suffolk County residents and then if failing to do so, be permitted to hire nonresidents; and be it further

3rd RESOLVED, That this Legislation, 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 (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 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 in accordance with this law.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

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

Intro. Res. No. 1285-2008 Laid on Table 3/18/2008
Introduced by Legislator Cooper

RESOLUTION NO. 270 -2008, AUTHORIZING TRANSFER OF FOUR (4) SURPLUS COUNTY COMPUTERS, FOUR (4) SURPLUS COUNTY MONITORS, FOUR (4) SURPLUS COUNTY KEYBOARDS AND FOUR (4) SURPLUS COUNTY MICE TO TRI-CYA OF HUNTINGTON

WHEREAS, the Suffolk County Board of Elections has submitted to the Purchasing Department a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, the Tri-CYA of Huntington has requested the donation of these computer systems and hardware from the County; and

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

1st **RESOLVED**, that the Suffolk County Board of Elections is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

TO:
Tri-CYA of Huntington
5 Lowndes Avenue
Huntington Station, NY 11746

Contact: Debbie Rimler
Telephone: 631-673-3303

DESCRIPTION:

COMPUTER SERIAL NO:
108511
108517
108512
1008520

MONITOR:
4 – Monitor EV700

KEYBOARD

4 – Gateway

MICE:
4 – Gateway

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 organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

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

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

Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 16-1-0-1-0. Legislator Barraga voted no. Legislator D'Amaro was not present.

Intro. Res. No. 1287-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Stern, Cooper

RESOLUTION NO. 271 -2008, APPROPRIATING FUNDS IN CONNECTION WITH DREDGING OF COUNTY WATERS (CP 5200)

WHEREAS, the Commissioner of Public Works has requested funds for site improvements in connection with Dredging of Centerport Harbor; 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, since the project site to be dredged shall exceed $100,000, Local Law No. 23-1994 as amended (the 5-25-5 Law) does not apply; 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 ("SEQRA"), will have been performed at the time the work commences on 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 the New York State Department of Environmental Conservation ("DEC") is the lead agency for this project 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 dredging of Centerport Harbor, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5200.440 (Fund 001-Debt Service)	50	Dredging of Centerport Harbor	$150,000

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Intro. Res. No. 1501-2008 Laid on Table 6/10/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 493 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 271-2008

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 271-2008; 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. 271-2008

In the 3rd RESOLVED paragraph change the Section

FROM:	TO:
Section C8-2 (X)	Section C8-2 (F)

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-1-0-2-0. Legislator Barraga voted no. Legislators Eddington and D'Amaro were not present.

Intro. Res. No. 1287A-2008

BOND RESOLUTION NO. 272 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $150,000 BONDS TO FINANCE THE COST OF THE DREDGING OF CENTERPORT HARBOR (CP 5200.440)

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 the cost of the dredging of Centerport Harbor, 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 $150,000. The plan of financing includes the issuance of $150,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 (c) 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

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

Intro. Res. No. 1288-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Montano

RESOLUTION NO. 273 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 17, CARLETON AVENUE EARLY IMPLEMENTATION PROJECT, TOWN OF ISLIP (CP 5097)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the Reconstruction of CR 17, Carleton Avenue Early Implementation Project; 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, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

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

1st RESOLVED, Resolution No. 1196 of 2007 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; 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 Reconstruction of CR 17, Carleton Avenue Early Implementation Project, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

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

Project No.	J.C.	Project Title	Amount
525-CAP- 5097.315 (Fund 001-Debt Service)	50	Reconstruction of CR 17, Carleton Avenue Early Implementation Project	$1,000,000

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1288A-2008

BOND RESOLUTION NO. 274 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,000,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 17, CARLETON AVENUE/WHEELER ROAD, TOWN OF ISLIP (CP 5097.315)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 17, Carleton Avenue/Wheeler Road, Town of Islip, 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 $2,450,000. The plan of financing includes (a) the issuance

of $550,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1197-97, (b) the issuance of $700,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1162-2003, (c) the issuance of $50,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 915-2005, (d) the issuance of $150,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 557-2007, (e) the issuance of $1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from December 15, 1999, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1197-1997.

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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Montano made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1297-2008 Laid on Table 3/18/2008
Introduced by Legislator Montano

RESOLUTION NO. 275 -2008, AUTHORIZING TRANSFER OF SURPLUS COUNTY COMPUTERS, MONITORS, KEYBOARDS AND MICE TO CENTRAL ISLIP CIVIC COUNCIL

WHEREAS, the Suffolk County Board of Elections has submitted to the Purchasing Department a list of surplus computer systems and hardware which have been declared surplus; and

WHEREAS, this equipment has been taken out of service because of obsolescent technology; and

WHEREAS, the Central Islip Civic Council has requested the donation of these computer systems and hardware from the County; and

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

1st **RESOLVED**, that the Suffolk County Board of Elections is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following organization, for use within its facilities for nominal consideration:

TO:
Central Islip Civic Council
68 Wheeler Road
Central Islip, NY 11722

Contact: Nancy Manfredonia
Telephone: 631-348-0669

COMPUTER SERIAL NO:
1008931
1008930
1008901
1008934
1008926

MONITOR:
5 – Monitor EV700

KEYBOARD
5 – Gateway

MICE:
5 – Gateway

DESCRIPTION:

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 organization for nominal consideration, pursuant to Section 8-4(C)(2)(a) of the SUFFOLK COUNTY CHARTER; and be it further

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1032-2008 Laid on Table 1/2/2008
Introduced by Legislators Browning and Mystal

RESOLUTION NO. 276 -2008, ADOPTING LOCAL LAW NO. 9 -2008, A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

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 IN RELATION TO DISPOSITION OF AUCTION PROPERTIES**"; now, therefore be it

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

LOCAL LAW NO. 9 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW IN RELATION TO DISPOSITION OF AUCTION PROPERTIES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk disposes of many properties acquired through the provisions of the SUFFOLK COUNTY TAX ACT by public auction.

This Legislature further determines that Local Law No. 13-1990 imposed a requirement that the auction of parcels with structures be limited to those persons who agreed to occupy the premises for a period of at least 5 years. This requirement was intended to discourage speculators, encourage home ownership, and to strengthen neighborhoods throughout Suffolk County.

This Legislature also finds that it is necessary to extend the owner occupancy requirement for auctioned properties from 5 to 10 years in order to better achieve the stated goals of Local Law No. 13-1990.

Therefore, the purpose of this law is to restrict the auction of County parcels with structures to individuals who agree to a restrictive covenant in their deeds which require the parcel's owner to reside at the premises, said restriction to run with the land for a 10 year period following the transfer of the deed from the County.

Section 2. Amendments.

Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

A42-4. Disposition of property acquired through Suffolk County Tax Act.

*** * * ***

G. Public auction. All parcels approved for disposition, except those that may be sold as provided in Subsection H or as provided under § A36-2A of the Suffolk County Administrative Code, shall be offered for sale to the highest bidder at public auction pursuant to regulations established for such auctions by the Commissioner. All parcels approved for disposition, which have structures affixed thereto capable of physical occupancy by individuals, shall only be offered for sale to the highest bidder at a public auction who is willing to agree, in writing, to a restrictive covenant in such deed as may convey title to such individual requiring the owner of the parcel, [said bidder] or his or her natural children or natural parents, to occupy said premises, [for a period of at least five years subsequent to the taking of title pursuant to regulations established for auction by the Commissioner.] said restriction to run with the land for a period of ten (10) years subsequent to the transfer of title from the County of Suffolk. The owner of the parcel shall provide to the County written notice of any subsequent transfer of the parcel within said ten (10) year period. The Commissioner shall reserve to the County a right of reverter should this restriction be violated. In those instances in which a former property owner has affirmatively waived, in writing, his, her or its right of redemption of property under Subsections A and B of this section, then the Commissioner, or his or her designee, shall take such measures as shall be necessary and appropriate to expedite the offering for sale of such parcels to the highest bidder at public action in accordance with the provisions of this article at the earliest possible date.

(1) The Director of the Division of Real Property Acquisition and Management in the Department shall take such measures as shall be necessary and appropriate to ensure that the transfer of title for sale of such parcels shall take place within two years after the signing of the contract of sale for such parcels.

(2) If the transfer of title for sale of such parcels shall not take place within two years after the signing of the contract of sale, then the Director of the Division of Real Property Acquisition and Management in the Department shall provide a written report to the County Legislature and appear before the Ways and Means Committee and the Parks and Recreation Committee of the County Legislature, or any successor committees thereto, in order to continue the transfer process.

(3) The Director of the Division of Real Property Acquisition and Management in the Department shall lower the upset price for the public auction of such County-owned real estate parcels approved for such disposition as many times as shall be necessary and appropriate to effectuate the sale of such parcel at the third public auction if such parcel has been unsuccessfully listed at public auction two prior times.

*** * * ***

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 20, 2008

After a public hearing duly held on May 15, 2008
Filed with the Secretary of State on June 2, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1230-2008 Laid on Table 3/4/2008
Introduced by Presiding Officer Lindsay

RESOLUTION NO. 277 –2008, ADOPTING LOCAL LAW NO. 11 -2008, A CHARTER LAW TO FORMALIZE THE VACANCY PROCEDURE RELATING TO BOARDS, COMMISSIONS, AND AGENCIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 4, 2008 a proposed local law entitled, "**A CHARTER LAW TO FORMALIZE THE VACANCY PROCEDURE RELATING TO BOARDS, COMMISSIONS AND AGENCIES**"; now, therefore be it

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

LOCAL LAW NO. 11 -2008, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO FORMALIZE THE VACANCY PROCEDURE RELATING TO BOARDS, COMMISSIONS AND AGENCIES

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that under the SUFFOLK COUNTY CHARTER, any appointed member of any board or commission who is absent from four consecutive regular meetings of such board or commission shall be deemed to have vacated his office.

This Legislature also finds and determines that no formal procedure is now in place to insure that the Legislature is notified when a vacancy occurs due to absences or for other reasons, and, therefore new members are not being appointed in a timely fashion. As a result some boards and commission are experiencing difficulty attaining a quorum to conduct business.

This Legislature finds that a formal procedure to notify the Clerk of the Legislature when board and commission vacancies occur will assist in keeping a full complement on the boards and commissions so that they may conduct their business.

Therefore, the purpose of this law is to formalize the notification process when a vacancy occurs on a board, commission, or agency due to four consecutive unexcused absences, or for any other reason.

Section 2. Amendment.

Section 23-3 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§ C23-3. Unexcused absences by appointed members of boards and commissions; [filling] notification of vacancies.

A. Any appointed member of any board or commission who shall be absent from four consecutive regular meetings of such board or commission, unless excused by resolution thereof, shall be deemed to have vacated his office. Vacancies occurring in such office otherwise than by the expiration of the term shall be filled for the unexpired balance of the term.

B. Any appointee to any board or commission who vacates his or her position with the intention of no longer serving on the board or commission, shall notify, in writing, the chairperson of the board or commission of his or her resignation.

C. When a vacancy occurs for any reason on a board, commission, or agency, whose appointments are made by the Suffolk County Legislature or whose appointments are subject to legislative approval, including the Suffolk County Water Authority, the Suffolk County Industrial Development Agency, and the Suffolk Regional Off-Track Betting Corporation, the Chairperson of the board, commission, or agency shall notify the Clerk of the Suffolk County Legislature of said vacancy, in writing, within ten (10) days of such vacancy occurring.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 20, 2008

After a public hearing duly held on May 15, 2008
Filed with the Secretary of State on June 2, 2008

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

Intro. Res. No. 1236-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer on request of the County Executive

RESOLUTION NO. 278 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
MICHAEL J. O'DONNELL AND HOLLY R. O'DONNELL, HIS WIFE
(SCTM NO. 0800-087.00-05.00-058.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Smithtown, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0800 Section 087.00 Block 05.00 Lot 058.000 and acquired by Tax Deed on June 30, 1995 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 6, 1995 in Liber 11731 at Page 976 and described as follows,

Town of Smithtown, P/O Lot # 66 Map of 12th House & Home Co., filed in the County Clerk's Office of Suffolk County on May 17, 1900 as Map # 572 ; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Michael J. O'Donnell and Holly R. O'Donnell, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $2,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $1,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $2,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that Director Christopher E. Kent and/or his designee, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Michael J. O'Donnell and Holly R. O'Donnell, at 48 Hillside Avenue, St. James, New York 11780.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1241-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 279 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW (CENTRAL ISLIP FIRE DISTRICT) (SCTM NO. 0500-120.00-05.00-021.000)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 120.00, Block 05.00 Lot 021.000 and acquired by Tax Deed on April 12, 1991 from General L. Rains, the Deputy County Treasurer of Suffolk County, New York, and recorded on April 19, 1991 in Liber 11250 at Page 8 and otherwise known as and by Town of Islip, known and designated as Lots 19 & 20, Block 17, as shown on a certain map entitled "Amended Map of Auburndale, Brightsides", and filed in the Suffolk County Clerk's Office on August 22, 1916 as Map No. 8; and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the CENTRAL ISLIP FIRE DISTRICT has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st **RESOLVED**, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on

the terms and conditions provided herein to said CENTRAL ISLIP FIRE DISTRICT for the sum of $7,432.39 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED**, that the CENTRAL ISLIP FIRE DISTRICT will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the CENTRAL ISLIP FIRE DISTRICT, at any time, uses or attempts to use said subject parcel for other than parking purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for parking purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1243-2008 Laid on Table 3/18/2008

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

RESOLUTION NO. 280 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-h OF THE GENERAL MUNICIPAL LAW - TOWN OF BROOKHAVEN (SCTM NOS. 0200-787.00-01.00-034.000 and 0200-787.00-01.00-035.000)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 787.00, Block 01.00, Lot 034.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501614 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 14 inclusive and East Part of 15 to 17 excluding Sunrise Highway, Block No. 14 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291.

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 787.00, Block 01.00, Lot 035.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108, Certificate No. 501613 and otherwise known as and by Town of Brookhaven, known and designated as Lots No. 1 to 21 inclusive, Block No. 12 Plate B addition C as shown on a certain map entitled "Map of Lakeview Park at Moriches", and filed in the Suffolk County Clerk's Office on January 8, 1912 as Map No. 291.

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel described in Exhibit "A" annexed hereto; and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st **RESOLVED**, that Christopher E. Kent Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of $11,609.00 plus the pro rata share of the current tax adjustment due at closing; and be it further

2nd **RESOLVED**, that the Town of Brookhaven will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Open Space purposes; with all

right title and interest reverting to the County of Suffolk in the event that the Town of Brookhaven, at any time, uses or attempts to use said subject parcel for other than Open Space purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Open Space purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1277-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 281 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW - TOWN OF ISLIP - (SCTM NO. 0500-321.00-02.00-002.000 et al)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcels that are surplus to the needs of the County of Suffolk; and (see attached Exhibit “A”):

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Islip has requested that the County of Suffolk convey these parcels to it (see annexed resolution - Exhibit "B"); and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of these parcels; and

1st RESOLVED, that Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, or his Deputy, hereby is authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the properties as described in Exhibit “A” annexed hereto and on the terms and conditions as hereinafter described to said Town of Islip for the sum of $31,011.93; and be it further

2nd RESOLVED, that the Town of Islip will be restricted in its use of the subject parcels and will use said parcels solely and exclusively for municipal purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Islip, at any time, uses or attempts to use said subject parcels for other than municipal purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcels without said parcels being used thereafter for municipal purposes; and be it further

3rd RESOLVED, that said quitclaim deed issued by Christopher E. Kent, Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th RESOLVED, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption of the law is a Type II action constituting a legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priority. See 6 N.Y.C.R.R. Section 617.13(d)(15) and (21). As a Type II action, the Legislature has no further responsibilities under SEQRA 6 N.Y.C.R.R. Section 617.5(a)(1).

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 13, 2008

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

Intro. Res. No. 1299-2008 Laid on Table 3/18/2008
Introduced by Legislator Lindsay

RESOLUTION NO. 282 -2008, AUTHORIZING THE TRANSFER OF PROPERTY 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, located on the southwest corner of Broadway and Patchogue-Holbrook Road, Holbrook, Tax Map No. 0500-089.00-04.00-003.000; and

WHEREAS, this parcel is adjacent to a large Islip Town park and should be held by the County of Suffolk for park purposes; and

WHEREAS, as a result thereof the jurisdiction of said parcel 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, Section 406 of New York Real Property Law provides that municipal real property held for 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, is authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, Montauk Highway, West Sayville, New York, the interest of Suffolk County in the above described property 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 properly 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 shall be 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 Islip 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: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Viloria-Fisher. The resolution was passed 15-1-1-1-0. Legislator Alden voted no. Legislator Romaine abstained. Legislator D'Amaro was not present.

Intro. Res. No. 1307-2008 Laid on Table 3/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Horsley, Losquadro, Barraga, Beedenbender, Nowick, Lindsay

RESOLUTION NO. 283 –2008, A RESPONSIBLE PLAN FOR COST SAVINGS TO MITIGATE AN ANTICIPATED 2009 SHORTFALL

1st **WHEREAS**, the local economy has been slowing and in response to national and regional trends, is projected to slowdown throughout the balance of 2008 and into 2009; and

2nd **WHEREAS**, such slowdown has resulted in the reduction of Suffolk County's sales tax and real estate related revenues, including the projected reductions in the receipt of property taxes; and

3rd **WHEREAS**, there has been a significant increase in property tax delinquencies for which Suffolk County holds all sub-local municipal units harmless; and

4th **WHEREAS**, agreement has been reached between the Suffolk County Executive's Budget Office and the Legislative Office of Budget Review that there exists a

projected 2009 budgetary shortfall based on a cost-to-continue budget in the range of $130 million to $156 million; and

5th **WHEREAS**, it is in the best interest of the residents of Suffolk County that both the County Executive and County Legislature work together to adopt a unified, coordinated, comprehensive, and appropriate financial plan to mitigate the projected 2009 budgetary shortfall; and

6th **WHEREAS**, in light of the downgrading of bond insurance companies and to avoid increased borrowing costs, it is critical to maintain Suffolk County's superior bond rating; and

7th **WHEREAS**, members of the Suffolk County Legislature have been working cooperatively with the County Executive to explore options, several which are noted in the following whereas clauses; and

8th **WHEREAS**, a carefully crafted, narrowly targeted, accepted retirement incentive plan to encourage specific County employees to retire early will generate employee cost savings in the County operating budget, the full benefit of which will accrue during 2009; and

9th **WHEREAS**, there is a critical need to reduce costs by imposing a wage freeze effective June 30, 2009 through December 31, 2009 for all employees who are excluded from collective bargaining units; and

10th **WHEREAS**, the Suffolk County Comptroller is submitting a resolution for legislative review and approval which would give the County the ability to implement a General Obligation Debt Reduction Program; and

11th **WHEREAS**, it is prudent to adopt a dual approach to explore and compare all budget mitigating options by pursuing Requests for Proposals (RFP) and/or Expressions of Interest (EI) to sell the revenue from delinquent real property taxes and Requests for Proposals (RFP) for Tobacco Securitization, which is projected to provide $50,000,000 in revenue during the period 2008-2009; and

12th **WHEREAS**, after thorough legal and financial analysis and review, only the more fiscally and socially prudent option set forth in the immediately preceding WHEREAS clause will be pursued; and

13th **WHEREAS**, adopting and instituting a Consumer Affairs Item Pricing Waiver Fee provides the County with a new reoccurring revenue that can generate $500,000 annually without the need to increase resources and benefits consumers by encouraging large volume retailers to accurately post unit item prices; and

14th **WHEREAS**, Suffolk County has not increased departmental fees for several years and it is prudent that fees in the Office of Consumer Affairs, and the Departments of Probation, Health Services and Civil Service, be increased to better reflect administrative and operational costs; and

15th **WHEREAS**, it is intended to reduce 2009 appropriations for contracted agencies by two percent (2%) for a savings of $2,000,000 and strikes certain 2008 fees for services by

10% for a savings of $1,000,000; and this resolution strikes 2008 appropriations for vehicles, equipment, and supplies for a savings of $2,000,000; and

16th **WHEREAS**, taking decisive action now to avoid a projected shortfall will mitigate the need for service reductions, possible staff reductions, or tax increases in 2009; now, therefore be it

SUFFOLK COUNTY TARGETED EARLY RETIREMENT INCENTIVE PROGRAM

1st **RESOLVED**, that the County Executive be and is hereby authorized to execute an agreement with the Suffolk County Association of Municipal Employees ("AME") Bargaining Units No. 2 and No. 6 to establish a Suffolk County Targeted Early Retirement Incentive Program upon the following substantially similar terms and conditions:

1. All Suffolk County Employees, exclusive of the Suffolk County Community College employees, who are members of AME, are paid from budgetary account-110-Permanent Salaries, whose salaries are less than fifty (50%) percent federal or state funded, and whose position of employment does not generate significant county revenue as determined in the County Executive's sole discretion, and who meets the requirements of paragraph number 2 of this RESOLVED clause, are eligible to partake in a Suffolk County Early Retirement Incentive Program.

2. In order to qualify for participation under this program, an employee defined as eligible in paragraph number 1 of this RESOLVED clause must have reached the age of at least fifty-five (55) years and have attained at least ten (10) years of service in County employment by July 31, 2008.

3. (a) The formula for payment of an eligible employee under this program shall be as follows:

   i. $1,000 for each year for years 1 through 10;
   ii. $1,250 for each year for years 11 through 15: and
   iii. $1,500 for each year for years 16 or more years.

   (b) No incentive payment shall exceed fifty percent (50%) of the annual salary or a maximum of forty-five thousand dollars ($45,000) per eligible employee, whichever is less.

4. The period during which the eligible employee may elect to accept the early retirement incentive under this program will commence upon the effective date of this resolution and end on June 30, 2008. An employee who elects to participate in this program shall be taken off the County payroll no later than July 31, 2008;

and be it further

2nd **RESOLVED**, that the County Executive shall not authorize the hiring of the cost equivalent of more than twenty percent (20%) of the positions vacated pursuant to the Suffolk County Early Retirement Incentive Program; and be it further

3rd **RESOLVED**, that no more than 10% of any one County Department's fulltime employees may participate in this targeted early retirement incentive program without prior approval of the County Executive; and be it further

4th **RESOLVED**, that in the event more than 10% of any one County Department's eligible employees wish to participate in this Suffolk County Targeted Early Retirement Incentive Program, the date of hire shall be used to determine eligibility so that the most senior employees to participate without exceeding the 10% department limitation; and be it further

APPROPRIATION REDUCTIONS

5th **RESOLVED**, that appropriations for specific vehicles, equipment, supplies, fees for services, are hereby stricken from the 2008 Adopted Budget as set forth in more detail in Attachment "A" attached hereto and made a part hereof; and be it further

SUFFOLK COUNTY TOBACCO ASSET SECURITIZATION CORPORATION & SALE OF REAL PROPERTY TAX ASSET REVENUE

6th **RESOLVED**, that the County Comptroller, upon County's creation of a not-for-profit corporation known as the "Suffolk Tobacco Asset Securitization Corporation" ("STASC") pursuant to the New York Not-For-Profit Corporation Law, is hereby authorized, empowered and directed to provide such information as allowed by law to STASC as STASC may request regarding outstanding General Obligation debt of the County which will mature over the next ten years for purposes of allowing the analysis of the periods of remaining useful life (PPU); and be it further

7th **RESOLVED**, the County Department of Taxation and Finance is hereby authorized, empowered and directed to provide such information as allowed by law which may be requested regarding the payment and collection of delinquent real property taxes; and be it further

8th **RESOLVED**, that the County Executive will issue Requests for Proposals (RFP) and/or Expressions of Interest (EI) to sell the revenue from delinquent real property taxes; and be it further

9th **RESOLVED**, that after thorough legal and financial analysis and review, only the more fiscally and socially prudent option of tobacco securitization or tax lien sales as determined by resolution approved by the legislature shall be pursued; and be it further

EXEMPT WAGE FREEZE

10th **RESOLVED**, that the 1st RESOLVED Clause of Resolution No. 1173-2005 hereby be amended to read as follows:

***

> f) All employees assigned a grade in the official Suffolk County Classification and Salary Plan shall be entitled to advance one step effective and payable July 1 each successive year, commencing July 1,

2006[.], except that there shall be a suspension of the July 1, 2009 step advancement.

and be it further

DEPARTMENTAL FEES

11th. **RESOLVED**, that the Director of Consumer Affairs is directed to conduct a comprehensive review of all departmental fees, to develop a plan to phase in a $25 annual increase in licensing fees; and to institute a Consumer Affairs Item Pricing Waiver Fee, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

12th. **RESOLVED**, that the Commissioner of Health Services is directed to conduct a comprehensive review of all administrative fees and to develop a plan to increase such fees as allowed under state law, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

13th **RESOLVED**, that the Commissioner of Public Works is directed to conduct a comprehensive review of all administrative fees and to develop a plan to increase such fees as allowed under state law, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

14th **RESOLVED**, that the County Personnel Director is directed to conduct a comprehensive review of all administrative fees and to develop a plan to increase such fees as allowed under state law, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution; and be it further

15th **RESOLVED**, that the Director of Probation is directed to conduct a comprehensive review of all probationer administrative fees and to develop a plan to increase such fees as allowed under state law, and to provide a written plan to the Suffolk County Legislature no later than thirty (30) days after passage of this resolution and that such plan should consider a proposal to increase probation fees by 25% over the current fee structure of $30 to $50 per month in administrative fees and $100 for pre-sentence investigation, with the intent of increasing associated revenue by 25% over 2008 adopted revenue of $1.5 million to provide $375,000 in additional reoccurring revenue, and to seek approval for 50% reimbursement for GPS ($80,000) and SCRAM ($90,000); and be it further

PAY-AS-YOU-GO-FUNDING

16th **RESOLVED**, that effectively immediately, the pay-as-you-go funding policy for capital projects is hereby suspended through December 31, 2009; and be it further

17th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: April 30, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1439-2008 Laid on Table 4/29/2008
Introduced by Legislator Browning

RESOLUTION NO. 284 –2008, DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONDUCT A PRUDENCY EVALUATION AND TO PREPARE WORK PLANS FOR THE INSTALLATION OF SEWER PIPES IN THE SHIRLEY/MASTIC BUSINESS DISTRICT

WHEREAS, funds have been appropriated to reconstruct Montauk Highway, east of the William Floyd Parkway in Shirley; and

WHEREAS, this portion of Montauk Highway is a densely developed commercial area that is important to the local economy; and

WHEREAS, providing for the future installation of sewers along this environmentally sensitive portion of Montauk Highway would eliminate the use of cesspools and protect the fresh-water of the Forge River from the leaching of pollutants; and

WHEREAS, it would be prudent to plan for the possibility of construction of sewer infrastructure while the roadway is under reconstruction; and

WHEREAS, the Department of Public Works has the requisite resources to conduct a prudency evaluation regarding the appurtenant sewer infrastructure, and the size of a sewage treatment plant needed to best serve the needs of the Shirley/Mastic business district; and

WHEREAS, a prudency evaluation should include the actual and acceptable costs of said appurtenances and sewage treatment plant, and the actual and acceptable cost of usage to the residents and business in the Shirley/Mastic business district; and

WHEREAS, a prudency evaluation will help determine the best allocation of resources that could bring sewer infrastructure to the Shirley/Mastic business district; now, therefore be it

1st RESOLVED, that the Department of Public Works is hereby authorized, empowered and directed to conduct a prudency evaluation regarding the appurtenant sewer

infrastructure, and the size of a sewage treatment plant needed to best serve the needs of the Shirley/Mastic business district; and be it further

2nd RESOLVED, that such prudency evaluation shall include the actual and acceptable costs of said appurtenances and sewage treatment plant, and the actual and acceptable cost of usage to the residents and business in the Shirley/Mastic business district; and be it further

3rd RESOLVED, that the Department of Public Works is hereby further authorized, empowered and directed to timely file all work plans that could facilitate the installation of sewer infrastructure and documentation, or amended plans and documentation, as the case may be, which may practicably secure funding, as available, for construction of sewer infrastructure in connection with reconstruction of CR 80 Montauk Highway, Shirley/Mastic (CP 5516); and be it further

4th 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) (11) (20) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution allows for the extension of sewer distribution facilities in a project for which SEQRA review was previously completed and, therefore, the resolution constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

See Clerk's files for copy of the additional back up accompanying this resolution.

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

Intro. Res. No. 1431-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 285 -2008, AMENDING THE 2007 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF SHINNECOCK CANAL LOCKS, PHASE VI, TOWN OF SOUTHAMPTON (CP 5343)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with the reconstruction of Shinnecock Canal Locks, Phase VI; and

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been and will be performed by the staff of the Department of Public works; and

WHEREAS, sufficient funds are not included in the 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. 571-1998 and reaffirmed by Resolution No. 209-2000, 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 $100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 391 of 1993 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998 and reaffirmed by Resolution No. 209-2000; and be it further

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

4th RESOLVED, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 5550
Project Title: Improvements to CR 80, Montauk Highway, Town of Southampton

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design & Supervision	$250,000	$100,000	$ 0
TOTAL	$275,000	$100,000	$ 0

Project No.: 5343
Project Title: Reconstruction of Shinnecock Canal Locks, Town of Southampton

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$3,170,000	$ 0	$100,000
TOTAL	$3,170,000	$ 0	$100,000

and be it further

5th RESOLVED, that the proceeds of $100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
Ref-525-CP# 5343.	50	Reconstruction of Shinnecock Canal Locks, Phase VI	$100,000

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: May 9, 2008

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

Intro. Res. No. 1431A-2008

BOND RESOLUTION NO. 286 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $100,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE SHINNECOCK CANAL LOCKS, TOWN OF SOUTHAMPTON (CP 5343.314)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the Shinnecock Canal locks, 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 $720,000. The plan of financing includes (a) the issuance of $70,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1326-2005, (b) the issuance of $350,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 673-2007, (c) the issuance of $200,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 909-2007, (d) the issuance of $100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

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

Intro. Res No. 1432-2008 Laid on Table 4/29/2008
Introduced by County Executive on the request of the County Clerk

RESOLUTION NO. 287 -2008, AUTHORIZING THE COUNTY CLERK TO FILE AN APPLICATION FOR ADDITIONAL STATE MORTGAGE TAX REIMBURSEMENT

WHEREAS, Section 262 of the NEW YORK TAX LAW allows the County Clerk to receive all necessary expenses, as approved and allowed by the New York State Tax Commission, by retention from mortgage proceeds actually collected; and

WHEREAS, the Suffolk County Clerk's Office has sought and retrieved mortgage tax reimbursement in the amount of $1,687,047.00 for 2007-2008; and

WHEREAS, the Suffolk County Clerk's Office collected $222,750,569.00 in mortgage tax in 2007 compared to $266,201,380.00 collected in 2006; and

WHEREAS, the Suffolk County Clerk is now entitled to retain annually from the mortgage tax collected which monies could be utilized to offset budgetary shortfalls or tax increases in the County operating budget; and

WHEREAS, the Suffolk County Clerk, has determined that her Office is eligible to retain $1,462,413.00 of mortgage tax collected to offset expenses in her office, now, therefore be it

RESOLVED, that the Suffolk County Clerk is hereby authorized, empowered, and directed, pursuant to Section 18-2 of the SUFFOLK COUNTY CHARTER, to file an application with the New York State Commissioner of Taxation and Finance, for additional funding in the amount of $1,462,413.00 that the County of Suffolk may be entitled to as a result of actual collection of the New York State mortgage tax proceeds by the Suffolk County Clerk's Office, as set forth in Exhibit "A" attached hereto and made part hereof.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 9, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 17-0-0-1-0. Legislator D'Amaro was not present.

Intro. Res. No. 1433-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Schneiderman

RESOLUTION NO. 288 -2008, AUTHORIZING USE OF PROPERTY AT GABRESKI AIRPORT BY EAST END LITTLE LEAGUE

WHEREAS, the East End Little League is a not-for-profit organization serving over 600 youth residing from Eastport to East Quogue; and

WHEREAS, as a result of an increase in enrollment, along with the recent loss in the use of some of the local school ball fields due to school construction the East End Little League has requested use of Gabreski Airport property to create ball fields to fill this years void; and

WHEREAS, the East End Little League has submitted to Gabreski Airport a request to utilize property for the purposes of this hosting Little League games beginning immediately through July 2008; and

WHEREAS, both the Department of Economic Development and Workforce Housing and the Airport Conservation and Assessment Panel (ACAP) have reviewed this application and recommend the Legislature approve this request with a fee of $10.00 per week; now, therefore be it

1st **RESOLVED**, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between the East End Little League and the County of Suffolk, in substantial accordance with the agreement annexed; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to volume 6 of New York Code of Rules and Regulations ("NYCRR") S617.5 (c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment.

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 6, 2008

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

Intro. Res. No. 1434-2008 Laid on Table 4/29/2008
Introduced by Legislator Alden

RESOLUTION NO. 289 -2008, ADOPTING LOCAL LAW NO. 13 -2008, A CHARTER LAW TO STREAMLINE THE PROCESS BY WHICH RESOLUTIONS AND LOCAL LAWS ARE INTRODUCED

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 29, 2008 a proposed local law entitled, "**A CHARTER LAW TO STREAMLINE THE PROCESS BY WHICH RESOLUTIONS AND LOCAL LAWS ARE INTRODUCED** "; now, therefore be it

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

LOCAL LAW NO. 13 -2008, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO STREAMLINE THE PROCESS BY WHICH RESOLUTIONS AND LOCAL LAWS ARE INTRODUCED

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the amount of paper used by the Suffolk County Legislature in order to introduce resolutions has increased dramatically in the past several years, with each Legislator often receiving hundreds of sheets of paper when the packet of new resolutions is laid on the table.

This Legislature also finds and determines that the Rules of the County Legislature require that any proposed local law or resolution that is filed with the Clerk of the Legislature must be accompanied by an electronic version of said resolution or local law.

This Legislature further finds and determines that the electronic version of proposed local laws and resolutions are necessary for internal documentation and tracking, but these electronic documents can easily be printed out when necessary.

This Legislature finds that the Clerk of the Legislature is developing a comprehensive bill tracking system that will allow easy access to every proposed bill that is before the Legislature.

This Legislature determines that the County of Suffolk has taken great strides to reduce the amount of unnecessary paperwork, including the passage of the Paperwork Reduction and Regulatory Reform measure (Local Law No. 14-1994), and such efforts should continue to be implemented with the development of new technology.

This Legislature also finds that the first step in reducing the amount of unnecessary paperwork is to define a written local law or resolution as including an electronic version of such a document.

Therefore, the purpose of this law is to allow for the introduction of proposed local laws and resolutions in an electronic format.

Section 2. Amendment.

Section C2-11 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

ARTICLE II, The County Legislature

*** * * ***

§ C2-11. Introduction of local laws and resolutions.

A. A proposed local law or resolution may be introduced only by a member of the County Legislature. The presiding officer of the County Legislature shall, on request of the County Executive, introduce a proposed local law or resolution. Such proposed local law or resolution shall bear the legend "Introduced by ....., on request of the County Executive."

B. Any proposed local law or resolution shall not be introduced unless first reduced to writing, which for the purposes of this Section shall be deemed to include an electronic version of said proposed local law or resolution.

C. For the purposes of complying with §C2-12(A) of the SUFFOLK COUNTY CHARTER, the electronic transmission of all proposed local laws and resolutions to each Legislator's electronic mail inbox at a regular meeting of the County Legislature shall be deemed to constitute laying such local laws and resolutions on the table.

Section 3. Applicability.

This law shall apply to the introduction of local laws and resolutions 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 thirty (30) days after its filing in the Office of the Secretary of State.

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

DATED: April 29, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 20, 2008

After a public hearing duly held on May 15, 2008
Filed with the Secretary of State on June 2, 2008

MEETING ADJOURNED 7:45PM
TIM LAUBE, CLERK OF THE LEGISLATURE