

EIGHTH DAY
REGULAR MEETING

June 10, 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 9:33 a.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Legislators Browning, Viloría-Fisher, Losquadro, Eddington, Montano, Alden, Barraga, Kennedy, Nowick, Horsley, Stern, D'Amaro and Cooper.

Statements and Presentations

Public Portion

THE MEETING WAS RECESSED AT 1:00 P.M. AND RECONVENED AT 2:38 P.M.

The Clerk called the roll and the following were found present: Presiding Officer Lindsay, Legislators Romaine, Schneiderman, Browning, Beedenbender, Viloría-Fisher, Losquadro, Eddington, Montano, Alden, Kennedy, Nowick, Horsley, Stern, and D'Amaro.

THE MEETING WAS RECESSED AT 3:24 P.M. AND RECONVENED AT 3:46 P.M.

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

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Home Rule Message No. 15 -2008
Introduced by Presiding Officer Lindsay

LOT 6/10/08

HOME RULE MESSAGE REQUESTING STATE OF NEW YORK TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO RESOLUTION OF DISPUTES BETWEEN A PUBLIC EMPLOYER AND SUFFOLK COUNTY PARK POLICE OFFICERS (SENATE BILL S.4690-B AND ASSEMBLY BILL A.8342-A)

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining

negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was extended to Suffolk County Correction Officers in 2005; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, and correction officers, Park Police Officers face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Park Police Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill S.4690-B and Assembly Bill A.8342-A to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Park Police Officers; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution 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: June 10, 2008

S:\memres\2008\hr-arbitration-park-police-3

Legislator Losquadro made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Home Rule Message No. 16-2008

LOT 6/10/2008

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Browning

**HOME RULE MESSAGE REQUESTING STATE OF NEW YORK
TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO
RESOLUTION OF DISPUTES BETWEEN A PUBLIC
EMPLOYER AND SUFFOLK COUNTY PROBATION OFFICERS
(SENATE BILL S.6044-A AND ASSEMBLY BILL A.9394)**

WHEREAS, Section 209(4)(c) of the New York Civil Service Law provides for mandatory arbitration in the event that an impasse is reached in collective bargaining negotiations between a municipality, such as the County of Suffolk, and employee organizations representing members of any organized fire department, police force, or police department; and

WHEREAS, binding arbitration for firefighters and police was initially adopted in 1974 to provide a fair and timely method for resolving contractual disputes involving police and firefighters and in turn to avoid strikes by employees who provide critical public safety services; and

WHEREAS, binding arbitration for compensatory issues was thereafter extended to State Police and State Correction Officers and deputy sheriffs; and

WHEREAS, binding arbitration was extended to Suffolk County Correction Officers in 2005; and

WHEREAS, Suffolk County Probation Officers, like Correction Officers, are classified as "Peace Officers"; and

WHEREAS, Probation Officers undergo intensive public safety/ rehabilitation training, including the use of firearms; and

WHEREAS, Suffolk County Probation Officers supervise approximately 14,000 felony/misdemeanor offenders in the community; and

WHEREAS, Probation Officers execute felony and misdemeanor arrest warrants, conduct warrantless searches for weapons and narcotics, confiscate contraband and make summary arrests; and

WHEREAS, similar to State Police, local police officers, deputy sheriffs, and correction officers, Probation Officers face inherent dangers on a daily basis while performing analogous public safety services; and

WHEREAS, it is logical to extend the binding arbitration law to include Suffolk County Probation Officers in order to ensure orderly continuous protection of the public during protracted county contract negotiations; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests the State of New York to enact Senate Bill S.6044-A and Assembly Bill A.9394 to amend the Civil Service Law by extending the Binding Arbitration Law provisions to Suffolk County Probation Officers; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution 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: June 10, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Introduced by Presiding Officer Lindsay

Laid on Table 6/10/08

**MOTION NO. 15 – 2008, PROCEDURAL RESOLUTION
 AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
 INITIATIVES (PHASE III)**

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:

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
AmVets Post 18	Alden	\$2,000
Babylon Breast Cancer Coalition	Horsley	\$2,000
Babylon Little League	Horsley	\$1,500
Bellport, Hagerman, East Patchogue Alliance, Inc.	Browning	\$2,000
Cornell Cooperative Extension of Suffolk County	Viloria-Fisher	\$1,000
Developmental Disabilities Institute	Eddington	\$5,000
Elwood Taxpayers Association	Stern	\$1,500
Environmental Centers Setauket/Smithtown Sweetbriar Nature Center	Nowick	\$3,000
Fischer-Hewins VFW Post 6249	Losquadro	\$2,000
Friends of Flax Pond, Inc.	Viloria-Fisher	\$1,000
Friends of Karen	Viloria-Fisher	\$1,000
Gatelot Avenue PTA	Beedenbender	\$2,000
Girl Scouts of Suffolk County	Alden	\$1,000
Guide Dog Foundation for the Blind	Alden	\$1,000
Harborfields Council of Parents and Teachers	Stern	\$3,000
Hiawatha PTA	Beedenbender	\$2,000
Interfaith Nutrition Network (Thee Island Inn)	Losquadro	\$2,000
Island Harvest, Ltd.	Losquadro	\$1,000
Islip American Little League	Alden	\$2,000

<u>Agency</u>	<u>Sponsor</u>	<u>Amount</u>
Italian American War Veterans Post 46	Horsley	\$1,000
Kidz-N-Keyboardz, Inc.	Alden	\$2,000
Kings Park Rangers Baseball Club, Inc.	Nowick	\$1,000
Long Island Pine Barrens Society	Losquadro	\$1,500
Middle Island United Church of Christ	Losquadro	\$1,000
Music Lovers Club	Alden	\$1,000
Nassau-Suffolk Law Services	Eddington	\$5,000
National Association of Puerto Rican/Hispanic Social Workers	Viloria-Fisher	\$1,000
Northport Cow Harbor United Soccer Club, Inc.	Nowick	\$1,000
Northport Youth Center Soccer League	Nowick	\$1,000
Open Arms Care Center, Inc.	Romaine	\$1,500
Peconic Landing at Southold, Inc.	Romaine	\$2,500
Regional Enrichment Agency of Commack and Half Hollow Hills Community and Youth Agency, Inc.	Stern	\$1,500
Sound Symphony, Inc.	Browning	\$1,000
St. Anthony of Padua Roman Catholic Church Outreach	Losquadro	\$2,000
St. Patrick's Family Outreach	Alden	\$1,000
The Guidance Center Services Inc. for Southold Town CTC	Romaine	\$1,000
The Perlman Music Program	Romaine	\$2,000
The Right Start Foundation, Inc.	Eddington	\$1,000
Tri-Community and Youth Agency	Stern	\$1,000
Veterans of Foreign Wars Post 395 Sgt. John W. Cooke	Nowick	\$2,000
Vietnam Veterans of America	Eddington	\$5,000
West Babylon Beautification Society, Inc.	Horsley	\$2,000
Youth Enrichment Services	Alden	\$2,500

and be it further

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

DATED: Adopted June 10, 2008

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

Legislator Losquadro made motion for the following resolution, seconded by Legislator Romaine. The resolution was passed 12-0-5-0-0. Legislators Browning, Horsley, Stern, D'Amaro and Cooper abstained.

Introduced by Legislator Losquadro

Laid on Table 6/10/2008

**MOTION NO. 16 -2008, PROCEDURAL
RESOLUTION DESIGNATING OFFICIAL
NEWSPAPER OF THE COUNTY OF SUFFOLK**

WHEREAS, Procedural Motion No. 14-2008 designated the SMITHTOWN MESSENGER as the official newspaper of the County of Suffolk from May 13, 2008 through October 15, 2008; now, therefore, be it

RESOLVED, that, pursuant to Section 214, Subsection 2 of the County Law of the State of New York, the SOUTH SHORE PRESS, of 158 Montauk Highway, Moriches, New York, 11955, a messenger paper fairly representing the principles of the Republican Party and having a regular and general circulation in the County of Suffolk, be and hereby is designated as one of the official newspapers for the publication of all laws, notices, and other matters required by law to be published for the County of Suffolk for the period of October 16, 2008 through December 31, 2008, the eligibility for which shall be determined by the date that the request for the legal notice is formally and actually forwarded to the newspaper.

DATED: Adopted June 10, 2008

EFFECTIVE PURSUANT TO SECTION 214 OF THE NEW YORK COUNTY LAW

Legislator Alden made motion for the following resolution, seconded by Legislator Barraga. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Introduced by Presiding Officer Lindsay and Legislator Alden

LOT 6/10/2008

**PROCEDURAL MOTION 17-2008, APPROVING PARTIAL
SETTLEMENT OF MTBE LITIGATION (LYONDELL
CHEMICAL CORP)**

WHEREAS, Procedural Motion No. 4-2001, authorized the retention of a law firm to take legal action against oil companies, refineries and other responsible parties to compel the clean up of Methyl Tertiary Butyl Ether ("MTBE") contamination of Suffolk County water supplies or recover reimbursement for damages/costs associated with the MTBE contamination; and

WHEREAS, Weitz and Luxenberg, 180 Maiden Lane, New York, NY, was selected to bring the appropriate legal actions on behalf of the County of Suffolk pursuant to Procedural Motion No. 6-2001; and

WHEREAS, Procedural Motion No. 9-2006 authorized the retention of Baron and Budd, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas, as co-counsel in the MTBE litigation; and

WHEREAS, Weitz and Luxenberg initiated an action on behalf of the County of Suffolk in federal district court against numerous oil companies and refineries claiming damages arising from the contamination of water supplies by MTBE and Tertiary Butyl Alcohol (“TBA”); and

WHEREAS, the County’s case is part of the Multi-District Litigation caption, *In re Methyl Tertiary Butyl Ethel (MTBE) Products Liability Litigation*, Master File No., 1:00-1898, MDL1358 (SAS), M21-88 (S.D.N.Y.); and

WHEREAS, outside counsel recommended and this Legislature authorized by Procedural Motion No. 4-2008 the partial settlement of the County’s MTBE claims against the defendants representing approximately 70% of the total gasoline refining markets of named defendants in this case; and

WHEREAS, outside counsel has now recommended that the County of Suffolk settle its MTBE claim against an additional defendant, Lyondell Chemical Corp.; and

WHEREAS, under this settlement the County of Suffolk will be paid \$1,521.15 from which attorney’s fees and expenses will be paid; now, therefore be it

1st RESOLVED, that a partial settlement of the County’s MTBE claim, *In re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation*, against Lyondell Chemical Corp. as described herein, is approved; and be it further

2nd RESOLVED, that the Presiding Officer of the Suffolk County Legislature and Counsel to the Suffolk County Legislature are hereby authorized to execute such documents as may be necessary to effectuate such settlement.

DATED: Adopted June 10, 2008

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

Legislator Eddington made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 10-2-5-0-0. Legislators Barraga and Kennedy voted no. Legislators Romaine, Losquadro, Montano, Alden and Nowick abstained.

Introduced by Legislator Eddington

Laid on Table 6/10/08

**MOTION NO. 18 –2008, PROCEDURAL RESOLUTION
APPOINTING THE DEPUTY PRESIDING OFFICER OF
THE COUNTY LEGISLATURE**

RESOLVED, that Vivian Viloría-Fisher of the 5th Legislative District, be and hereby is appointed Deputy Presiding Officer of the County Legislature to serve at the pleasure of the County Legislature until a successor is appointed.

DATED: Adopted June 10, 2008

Effective pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER

s:\procedural\pm-dpo

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1447-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 408-2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 789-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County Tax Map Number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; now, therefore be it

1st **RESOLVED**, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and

2nd **RESOLVED**, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 789-2008

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
A	BROOKHAVE	06/07	N/A	200 97580 340.1	12714.75	0	12714.75
A	HUNTINGTON	07/08	N/A	400 119 1105.1	19958.96	16946.16	3012.80
A	HUNTINGTON	06/07	N/A	400 283 1 26	15815.24	12980.34	2834.90

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. 1448-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 5/13/2008

RESOLUTION NO. 409-2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 790-2008)

WHEREAS, the Director of the Real Property Tax Service Agency, under appropriate sections of the Real Property Tax Law, will cause to have investigated and a determination made as to whether those submitted "Correction of Error" items which would amend the assessment and tax rolls shall be recommended for approval (or recommended for denial) to the Suffolk County Legislature; and

WHEREAS, the County Legislature of the County of Suffolk may cancel assessments, grant refunds of taxes in case of correction of errors on the assessment and tax rolls, and pursuant to the provisions of the Real Property Tax Law; and

WHEREAS, the properties represented by the tax item number and/or Suffolk County Tax Map Number and indicated below have been duly investigated by the Real Property Tax Service Agency, and the procedures of the Real Property Tax Law having been fully complied with, together with documentation and amended tax statements placed on file with the County, as submitted by the appropriate Assessor and/or Receiver of Taxes; now, therefore be it

1st **RESOLVED**, that the taxes for the properties represented by the tax item number and/or Suffolk County Tax Map Number, as shown, for the year or year specified be readjusted or refunded in full or part in the amount set opposite each such parcel as herein indicated; and be it further

2nd **RESOLVED**, that the amount of such refund, if tax paid or charge-back, be made to the respective TOWN as provided by law.

RESOLUTION NO.

CONTROL# 790-2008

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BROOKHAVE N	07/08	N/A	204 13 2 25	58376.88	9729.48	48647.40
A	BROOKHAVE N	07/08	N/A	200 805 1 5.1	29912.40	15333.13	14579.27
A	BROOKHAVE N	07/08	N/A	200 805 1 7.8	26026.61	17774.26	8252.35
A	ISLIP	07/08	N/A	500 284 3 21	8710.82	3509.48	5201.34

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro Res. No. 1453-2008

Laid on Table 5/13/2008

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

RESOLUTION

NO.

4

10-2008, TO READJUST, COMPROMISE, AND GRANT
REFUNDS AND CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE #298

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

1st **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

2nd **RESOLVED** that the amount of such adjustment or refund be charged back to the respective town as provided by law.

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0200-788.00-03.00-003.001	2007/08	\$6189.59	\$0.00	\$6189.59

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1444-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 411-2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 285-2008

WHEREAS, Resolution No. 285-2008 has been adopted and certain technical corrections are required for this resolution; now, therefore be it

1st **RESOLVED**, that the second "Whereas" clause of Resolution No. 285-2008 is hereby amended to read as follows:

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 [now, therefore be it]

2nd **RESOLVED**, that the fourth "Whereas" clause of Resolution No. 285-2008 is hereby amended to read as follows:

WHEREAS, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system as the basis for funding capital projects such as this project; and [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]

3rd **RESOLVED**, that the sixth “Whereas” clause of Resolution No. 285-2008 is hereby amended to read as follows:

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 [and]

4th **RESOLVED**, that the second “Resolved” clause of Resolution No. 285-2008 is hereby amended to read as follows:

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. 461-2006; and be it further [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]

5th **RESOLVED**, that the third “Resolved” clause of Resolution No. 285-2008 is hereby amended to read as follows:

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

6th **RESOLVED**, that the fifth “Resolved” clause of Resolution No. 285-2008 is hereby amended to read as follows:

RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
<u>525-CAP-5343.314</u> <u>(Fund 001 Debt Service)</u>	50	Reconstruction of Shinnecock Canal Locks, Phase VI	\$100,000

[Ref-525-CP#5343.]

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1445-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 412-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator (SCTM No. 0100-039.00-02.00-001.000)

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

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

District 0100, Section 039.00, Block 02.00, Lot 001.000, and acquired by tax deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004, in Liber 12331, at Page 144, and otherwise known as and by Town of Babylon, County of Suffolk, State of New York, and bounded and described as follows, to wit: Lots 9 and 10 in Block 33 on a certain map entitled "Map Number 1, Harlem Park" which map was filed in the Office of the Clerk of the County of Suffolk on May 1907 and October 7, 1907; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 13, 2004, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 16, 2004 in Liber 12331 at Page 144.

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, JOAN D. COWARD as Heir, has made application of said above described parcel and JOAN D. COWARD has paid the application fee and \$2,230.13, 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 ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator, 85 Bronx River Road, Apt. 4 B, Yonkers, New York 10704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1446-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 413-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF GERALDINE COWARD BY CARL T. SLATER AS ADMINISTRATOR (SCTM NO. 0100-039.00-02.00-002.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 039.00, Block 02.00, Lot 002.000, and acquired by tax deed on July 10, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 2003, in Liber 12260, at Page 584, and otherwise known as and by Town of Babylon, County of Suffolk and State of New York, and bounded and described as follows, to wit: Lots 11 and 12 in Block 33 on a certain map entitled "Map Number 1, Harlem Park" which

map was filed in the Office of the Clerk of the County of Suffolk on May 1907 and October 7, 1907; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 10, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 11, 2003 in Liber 12260 at Page 584.

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

WHEREAS, JOAN D. COWARD as Heir, has made application of said above described parcel and JOAN D. COWARD has paid the application fee and \$2,605.59, 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 ESTATE OF GERALDINE COWARD by Carl T. Slater as Administrator, 85 Bronx River Road, Apt. 4 B, Yonkers, New York 10704, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1450-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 414-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSEPH PHILIP MARCARIO AND MARIEN RONEA MARCARIO, HIS WIFE (SCTM NO. 0200-453.00-04.00-002.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 453.00, Block 04.00, Lot 002.001, and acquired by tax deed on July 7, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 453.00, Block 04.00, Lot 002.001; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 7, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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

WHEREAS, SODA HOUSING CORP., as Mortgagee, by Brett Limoncelli, Vice President, has made application of said above described parcel and SODA HOUSING CORP., as Mortgagee, by Brett Limoncelli, Vice President, has paid the application fee and will be paying \$66,229.74 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH PHILIP MARCARIO and MARIEN RONEA MARCARIO, his wife, 11 Apple Cross Lane, East Setauket, New York 11733, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1452-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 415-2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ESTATE OF JAMES E. BERDINKA A/K/A JAMES E. BERDINKA, SR., BY CATHY M. RAMSEY AS ADMINISTRATOR (SCTM NO. 1000-122.00-02.00-016.000)

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 Southold, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 1000, Section 122.00, Block 02.00, Lot 016.000, and acquired by tax deed on February 5, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 6, 2003, in Liber 12234, at Page 289, and otherwise known as and by Town of Southold, Suffolk County Tax Map Number: District 1000, Section 122.00, Block 02.00, Lot 016.000; 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 February 5, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 6, 2003 in Liber 12234 at Page 289.

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

WHEREAS, JAMES E. BERDINKA, by Cathy M. Ramsey, as daughter, now known as Administrator of the Estate of James E. Berdinka, has made application of said above described parcel and JAMES E. BERDINKA, by Cathy M. Ramsey, as daughter, now known as Administrator of the Estate of James Berdinka, has paid the application fee and \$23,116.65 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of

Suffolk, additional taxes have accrued in the amount of \$18,707.42, which will be paid at the closing, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to ESTATE OF JAMES E. BERDINKA a/k/a JAMES E. BERDINKA, SR., by Cathy M. Ramsey, as Administrator, 251 Weeks Mills Road, New Sharon, Maine 04955, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Barraga made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 13-3-1-0-0. Legislators Romaine, Montano and Kennedy voted no. Legislator Alden abstained.

Intro. Res. No. 1585-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 416 -2008, A RESOLUTION
AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN
AGREEMENT FOR THE SALE OF THE SUFFOLK HEALTH
PLAN**

WHEREAS, Resolution No. 893-1993 authorized the Suffolk County Department of Health Services to apply for a certificate of authority from the New York State Department of Health which would permit the Department of Health Services to operate a Prepaid Health Services Plan; and

WHEREAS, on March 1, 1995, pursuant to Article 44 of the New York Public Health Law, the New York State Department of Health granted the Suffolk County Department of Health Services such certificate of authority and, in April 1995, the Department, doing business as the Suffolk Health Plan, began to serve as a Prepaid Health Services Medicaid provider arranging for the delivery of healthcare services to persons eligible for Medicaid, and the Plan has expanded to provide other public health programs for low-income families and individuals, such as the provision of Child Health Plus and Family Health Plus products; and

WHEREAS, the Suffolk Health Plan currently serves approximately 15,600 members; with approximately 100 primary care providers in the ten Suffolk County operated Health Centers, as well as the Huntington Hospital owned Dolan Family Health Center, providing primary care services to these members; and with approximately 1,100 specialists providing specialized services to these members; and

WHEREAS, since its inception in 1995, the Suffolk Health Plan's administrative costs have continued to increase to the point that, in light of the Suffolk Health Plan's relatively small membership, the Plan's cost cannot be economically spread out over its membership base; and

WHEREAS, the New York State Department of Health frequently changes the regulatory standards for Article 44 Prepaid Health Service Plans resulting in increasingly stringent and difficult to meet standards which add to the already difficult administrative burden borne by the Suffolk Health Plan; and

WHEREAS, many medical specialist providers are deterred from contracting for the provision of services to the Suffolk Health Plan, inasmuch as the Plan is government-owned and sponsored and therefore requires a complex regulatory procurement procedure for each provider; and

WHEREAS, as a result of these factors, it has become increasingly difficult for the Department of Health Services to efficiently administer the Suffolk Health Plan in a manner consistent with State regulations and, most importantly, in a manner consistent with providing the best overall healthcare options and outcomes to the Suffolk Health Plan membership; and

WHEREAS, for these reasons, as part of the County Executive's proposed 2008 Operating Budget, the County Executive proposed the sale of the Suffolk Health Plan; and

WHEREAS, in furtherance of exploring the potential sale of the Suffolk Health Plan and reporting its findings to the County Executive and the Suffolk County Legislature, the Department of Health Services and the Board of the Suffolk Health Plan instituted a process pursuant to which they reviewed and analyzed indications of interest received from qualified potential purchasers for the purchase of the Suffolk Health Plan; and

WHEREAS, pursuant to this process, the Department of Health Services and the Board of the Suffolk Health Plan retained Shattuck Hammond Partners, an investment banking services consultant with expertise in the area of buying and selling corporate health plans, to act as their agent for the purpose of exploring the potential sale of the Suffolk Health Plan and to advise the County on matters relating to such potential sale; and

WHEREAS, after publication of notice seeking indications of interest regarding the potential sale of the Suffolk Health Plan, the Department of Health Services, with the advice of Shattuck Hammond, instituted a process for reviewing proposals pursuant to which potential purchasers engaged in a two round bidding process; and

WHEREAS, during this process, the Department of Health Services reviewed proposals to determine which potential purchaser would offer the best purchase price to the County, and, more importantly, which purchaser would provide the best service to the Suffolk Health Plan membership, particularly in light of the purchaser's 1) proven service record to Medicaid, Child Health Plus, and Family Health Plus members and 2) the ability to offer a seamless transition to Suffolk Health Plan membership; and

WHEREAS, based on a careful review of the proposals, the Department of Health Services and the Board of the Suffolk Health Plan have recommended that the Suffolk County Legislature approve the sale of the Suffolk Health Plan to Neighborhood Health Providers, LLC for a purchase price of \$6,500,000.00, which, when combined with the excess assets of the Suffolk Health Plan, will result in a sale value of approximately \$17,900,000.00 to the County; and

WHEREAS, in order to avoid any disruption in services to the membership of the Suffolk Health Plan, as a condition of this purchase Neighborhood Health Providers, LLC will agree to enter into a five-year agreement, pursuant to which the Suffolk County Health Centers will continue to serve as the Primary Care Providers for the Suffolk Health Plan and which, in turn, will result in over \$13,000,000.00 in additional revenue over the current budgeted projections to Suffolk County over the life of the agreement; now, therefore be it

1st RESOLVED, the County Executive is hereby authorized and empowered to verify and execute an Asset Purchase Agreement with Neighborhood Health Providers, LLC for the sale of the Suffolk Health Plan at a purchase price of \$6,500,000.00 provided that such execution is conditioned upon Neighborhood Health Providers, LLC entering into an agreement with the County for a five-year period, pursuant to which the Suffolk County Health Centers will continue to serve as the Primary Care Providers for the Suffolk Health Plan; and be it further

2nd RESOLVED, the Department of Health Services is hereby authorized to submit such Asset Purchase Agreement and any necessary accompanying documents to the New York State Department of Health for its approval of the sale transaction; and be it further

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

DATED: June 10, 2008

APPROVED BY:

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 14-3-0-0-0. Legislators Romaine, Montano and Barraga voted no.

Capital Program and Budget Amending Resolution No. 1-2008

Introduced by Presiding Officer Lindsay, Legislators Alden, Beedenbender, D'Amaro, Eddington, Horsley, Nowick and Schneiderman

RESOLUTION NO. 418 - 2008, AMENDING THE PROPOSED 2009-2011 CAPITAL PROGRAM AND THE PROPOSED 2009 CAPITAL BUDGET TO PROVIDE FOR ENVIRONMENTAL PROTECTION, ECONOMIC DEVELOPMENT, AND RESPONSIBLE DEBT MANAGEMENT

WHEREAS, the County Executive has presented a Proposed Capital Budget for 2009 and a Proposed Capital Program for 2009-2011; and

WHEREAS, the Suffolk County Legislature has held two public hearings on the proposed capital budget and program; and

WHEREAS, pursuant to Section C4-19 and C4-20 of the Suffolk County Charter, the Suffolk County Legislature wishes to amend the capital budget and program; and

WHEREAS, the Capital Budget and Program is a planning document through which the County of Suffolk sets priorities and plans for the implementation of projects integral to maintain and strengthen the County's infrastructure; and

WHEREAS, three independent consultants have concluded that the replacement of the deteriorated outfall pipe in the Southwest Sewer District is required and two of the consultants added that the timeframe should be "as soon as possible"; and

WHEREAS, failure to schedule funding for the construction and rehabilitation of the outfall pipe in the Southwest Sewer District could have adverse environmental and economic consequences to Suffolk County; and

WHEREAS, funding should be included to attract federal and state assistance as well as encourage private/public partnering in the construction of sewer infrastructure to revitalize the economy of downtown areas including but not limited to Kings Park, Patchogue and Shirley/Mastic; and

WHEREAS, the County's energy costs have increased by 10% in each year since 2003 and in order to control escalating operating costs it is necessary to include funds in the capital program to promote efficiencies and undertake a buildings assessment and energy optimization initiative to reduce costs in the General Fund; and

WHEREAS, alternative fuels should be explored to reduce costs in the County's sanitation and other high energy consuming facilities; and

WHEREAS, the inclusion of start up funds for a private/public partnership demonstration project to convert fats/oils and grease (FOG) into alternative fuel will reduce our reliance on oil in County facilities; and

WHEREAS, the Budget Review Office in its review of the Proposed 2009-2011 Capital Program has projected that debt service will exceed the 2008 adopted amount by \$9 million in 2009, by another \$9 million in 2010 and \$1 million in 2011 even without the addition of projects proposed in the 2009-2011 Capital Program; and

WHEREAS, due to the current operating budgetary shortfall anticipated in 2009 this Legislature desires to realign priorities and reschedule certain projects to reduce the proposed 2009 capital budget by \$3.4 million in serial bonds thereby reducing associated bonded indebtedness; and

WHEREAS, sufficient funds should be provided for and scheduled for traffic calming, traffic safety improvements and sidewalk construction to address traffic congestion and protect traffic and pedestrian safety; and

WHEREAS, the Budget Review Office has advised the Legislature that financial support for enhancing space at the Stony Brook University Hospital Comprehensive Psychiatric Emergency Program (CPEP) to assure emergency mental health care and reduce police overtime expenditures should be included in our operating budget contract with the hospital; and

WHEREAS, to provide a more efficient office environment and promote energy conservation it is necessary to plan for the first major office space renovation to the 49 year old building occupied by the Board of Elections; and

WHEREAS, as stewards of our parks and historic structures this Legislature wishes to preserve and maintain these resources and thereby afford all County residents the opportunity to enjoy our natural environment and rich Suffolk County history; and

WHEREAS, the Budget Review Office has ranked all capital projects using the capital ranking form adopted in Resolution 461-2006; and

WHEREAS, it is the desire of the Legislature to conform project rankings that promote planning and fiscal accountability while preserving service as a key criteria for capital projects; now, therefore be it

1st RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(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 preliminary planning and budgetary processes, and adoption of policies, procedures and local legislative decisions; and be it further

2nd RESOLVED, that the Adopted/Modified 2008 Capital Budget included in the Proposed 2009-2011 Capital Program is shown for illustrative purposes and is not an amendment to the Adopted 2008 Capital Budget, amendments to which can only be effectuated by duly adopted resolutions of the County Legislature; and be it further

3rd RESOLVED, to correct and properly reflect the Division within the Department of Health Services responsible for Capital Project 4081, Environmental Quality Geographic Information and Database Management System, the “Program” category appearing in Capital Project 4081 is changed from “Health: Public Health” to “Health: Environmental Quality”; and be it further

4th RESOLVED, the Commissioner of the Department of Economic Development and Workforce Housing is directed to prepare a written progress/status report to include input by the Suffolk County Downtown Revitalization Citizens Advisory Panel (DRCAP) for the Suffolk County Downtown Revitalization Program (CP 6412), Rounds III through VII within sixty (60) days of the adoption of this resolution and the Commissioner of Economic Development and Workforce Housing or his/her designee and the Chairman of DRCAP or his/her designee are directed to present the written progress/status report to the September 2008 meeting of the Economic Development, Higher Education and Energy Committee; and be it further

5th RESOLVED, the Commissioner of the Department of Economic Development and Workforce Housing is directed to prepare a written progress/status report with input by the Suffolk County Downtown Revitalization Citizens Advisory Panel (DRCAP) for the Downtown Beautification and Renewal Program (CP 6418), Rounds I and II within sixty (60) days of the adoption of this resolution and the Commissioner of Economic Development and Workforce Housing or his/her designee and the Chairman of DRCAP or his/her designee are directed to present the written progress/status report to the September 2008 meeting of the Economic Development, Higher Education and Energy Committee; and be it further

6th RESOLVED, since the Legislature adopted a new capital project ranking form in Resolution 461-2006, and the Budget Review Office has used this form and has identified rankings shown on Appendix A that differ from the County Executive’s ranking for the same projects, the Legislature desires to conform to the Budget Review Office rankings attached hereto and made a part hereof, which are hereby adopted and are to be included as the rankings for the specific projects identified in Appendix A and included in the Adopted 2009-2011 Capital Program and Budget; and be it further

7th RESOLVED, that the Proposed 2009-2011 Capital Program and Proposed 2009 Capital Budget be and they hereby are amended as follows:

PROJECT NO.: 1125

PROJECT NAME: RENOVATIONS/IMPROVEMENTS TO
COHALAN COURT COMPLEX

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$710,000	\$0	\$0	\$100,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$8,860,000	\$2,700,000 B	\$0	\$0	\$1,000,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$9,570,000	\$2,700,000	\$0	\$100,000	\$1,000,000

PRIORITY RANK: 45

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$710,000	\$0	\$40,000 B	\$60,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$7,960,000	\$2,000,000 B	\$400,000 B	\$0	\$400,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$8,670,000	\$2,000,000	\$440,000	\$60,000	\$400,000
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PRIORITY RANK: 45

NOTE: This portion of the resolution deletes \$700,000 for construction in 2009 to eliminate the addition of a new prisoner elevator, deletes \$200,000 for construction in SY for the replacement of the cooling tower as there are funds in CP 1737 for its replacement and advances \$40,000 for planning from 2011 to 2010 and advances \$400,000 for construction from SY to 2010 for the expansion of the loading dock that can not accommodate tractor trailer trucks. The total cost of the project is reduced by \$900,000. See Budget Review Office report pp. 101-102.

FILENAME: O1125ES9

PROJECT NO.: 1132

PROJECT NAME: EQUIPMENT FOR MED-LEGAL INVESTIGATIONS & FORENSIC SCIENCES

DEPARTMENT: HEALTH SERVICES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$2,209,000	\$168,000 B	\$240,000 G	\$307,500 G	\$317,500G
TOTAL EST. COST	\$2,209,000	\$168,000	\$240,000	\$307,500	\$317,500

PRIORITY RANK: 51

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years

Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$2,259,000	\$218,000 B	\$240,000 G	\$307,500 G	\$317,500G
TOTAL EST. COST	\$2,259,000	\$218,000	\$240,000	\$307,500	\$317,500

PRIORITY RANK: 51

NOTE: This portion of the resolution adds \$50,000 for equipment in 2009 for the replacement of an image computer server that is 6-years old and a replacement DNA computer server that connects to the FBI DNA database that is required by the FBI to be replaced every 3 years. See Budget Review Office report pp. 102-103.

FILENAME: O1132ES9

PROJECT NO.: 1133 PROJECT NAME: RENOVATIONS TO SURROGATE'S COURT
DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$174,000	\$0	\$0	\$50,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,240,000	\$0	\$0	\$2,000,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,414,000	\$0	\$0	\$2,050,000	\$0

PRIORITY RANK: 51

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$324,000	\$0	\$200,000 B	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,090,000	\$0	\$0	\$1,850,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,414,000	\$0	\$200,000	\$1,850,000	\$0

PRIORITY RANK: 59

NOTE: This portion of the resolution advances \$200,000 for planning from 2011 to 2010 for the interior renovations to Surrogate's Court and changes the project's rank from 51 to 59. See Budget Review Office report p. 104.

FILENAME: O1133ES9

PROJECT NO.: 1459 PROJECT NAME: IMPROVEMENTS TO BOARD OF ELECTIONS
 DEPARTMENT: PUBLIC WORKS AND BOARD OF ELECTIONS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$270,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,350,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,620,000	\$0	\$0	\$0	\$0

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$470,000	\$0	\$0	\$200,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,950,000	\$0	\$0	\$300,000 B	\$3,300,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$5,420,000	\$0	\$0	\$500,000	\$3,300,000
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PRIORITY RANK: 59

NOTE: This portion of the resolution adds \$200,000 for planning in 2011 for the renovations to the 49 year old Board of Election's building in Yaphank and adds \$300,000 for construction in 2011 for the building's roof replacement and adds \$3.3 million for construction in SY for the office renovations. See Budget Review Office report pp. 106-107.

FILENAME: O1459MUN9

PROJECT NO.: 1623 PROJECT NAME: ROOF REPLACEMENT ON VARIOUS COUNTY BUILDINGS

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,720,550	\$300,000 B	\$250,000 G	\$250,000 G	\$250,000 G
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$4,720,550	\$300,000	\$250,000	\$250,000	\$250,000

PRIORITY RANK: 54

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0

Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,420,550	\$0	\$250,000 G	\$250,000 G	\$250,000 G
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$4,420,550	\$0	\$250,000	\$250,000	\$250,000

PRIORITY RANK: 47

NOTE: This portion of the resolution deletes \$300,000 for construction in 2009 as there is a sufficient appropriation balance for the buildings scheduled in 2009 and changes the project's rank from 54 to 47. See Budget Review Office report pp.113-114.

FILENAME: O1623MUN9

PROJECT NO.: 1643 PROJECT NAME: IMPROVEMENTS TO COUNTY CENTER C001,
RIVERHEAD
DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$2,540,000	\$50,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$34,680,000	\$2,000,000 B	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$37,220,000	\$2,050,000	\$0	\$0	\$0

PRIORITY RANK: 51

NOTE: This portion of the resolution adds \$2 million for a construction contingency in 2009 for the renovation of the 49 year-old Riverhead County Center office building to prevent "value engineering" that reduces the scope of the renovations and adds \$50,000 for planning in 2009 to conduct a master plan for parking at the Riverhead County Center. See Budget Review Office report pp. 116-117.

FILENAME: O1643MUN9

PROJECT NO.: 1659

PROJECT NAME: ENERGY CONSERVATION & SAFETY
IMPROVEMENTS TO H. LEE DENNSION BUILDING H001,
HAUPPAUGE

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$210,000	\$75,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,960,000	\$0	\$750,000 B	\$200,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,170,000	\$75,000	\$750,000	\$200,000	\$0

PRIORITY RANK: 51

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$210,000	\$75,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,960,000	\$0	\$750,000 B	\$0	\$200,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0

Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,170,000	\$75,000	\$750,000	\$0	\$200,000

PRIORITY RANK: 45

NOTE: This portion of the resolution defers \$200,000 for construction from 2011 to SY as Public Works has not identified specific projects for the funds and changes the project's rank from 51 to 45. See Budget Review Office report pp. 118-119.

FILENAME: O1659MUN9

PROJECT NO.: 1664 PROJECT NAME: ENERGY CONSERVATION AT VARIOUS COUNTY FACILITIES
DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$885,000	\$125,000 B	\$200,000 B	\$30,000 B	\$30,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$7,835,000	\$1,800,000 B	\$1,800,000 B	\$200,000 B	\$200,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$8,720,000	\$ 1,925,000	\$ 2,000,000	\$ 230,000	\$ 230,000

PRIORITY RANK: 68

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years

Planning Design & Supervision	\$1,385,000	\$625,000 B	\$200,000 B	\$30,000 B	\$30,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$7,935,000	\$1,900,000 B	\$1,800,000 B	\$200,000 B	\$200,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$9,320,000	\$ 2,525,000	\$2,000,000	\$230,000	\$230,000

PRIORITY RANK: 68

NOTE: This portion of the resolution adds \$500,000 for planning and \$100,000 for construction in 2009 for a building assessment and optimization energy program for 50 of the County's largest energy consuming facilities. See Budget Review Office report p. 119.

FILENAME: O1664MUN9.doc

PROJECT NO.: 1710 PROJECT NAME: INSTALLATION OF FIRE, SECURITY AND EMERGENCY SYSTEMS AT COUNTY FACILITIES

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$158,500	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,757,000	\$350,000 B	\$300,000 B	\$300,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,915,500	\$350,000	\$300,000	\$300,000	\$0

PRIORITY RANK: 59

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$158,500	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,657,000	\$350,000 B	\$300,000 B	\$200,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,815,500	\$350,000	\$300,000	\$200,000	\$0

PRIORITY RANK: 56

NOTE: This portion of the resolution reduces construction by \$100,000 in 2011 based upon the appropriation balance and scheduled work and changes the project's rank from 59 to 56. See Budget Review Office report pp. 128-129.

FILENAME: 01710MUN9

PROJECT NO.: 1711

PROJECT NAME: PROBATION BUILDING SECURITY

DEPARTMENT: PROBATION

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$20,000	\$16,400 B \$3,600 S		\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$30,000	\$24,600 B	\$0	\$0	\$0

		\$5,400 S			
TOTAL EST. COST	\$50,000	\$50,000	\$0	\$0	\$0

PRIORITY RANK: 51

NOTE: This portion of the resolution adds \$20,000 for construction and \$30,000 for equipment in 2009 to install security equipment in the Coram and Yaphank Probation Department's offices to improve security for employees and the public @ 18% state aid (\$9,000). See Budget Review Office report pp.184-185.

FILENAME: O1711DD9

PROJECT NO.: 1732 PROJECT NAME: REMOVAL OF TOXIC & HAZARDOUS BUILDING MATERIALS AND COMPONENTS AT VARIOUS COUNTY FACILITIES

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
	Planning Design & Supervision	\$417,500	\$25,000 B	\$0	\$25,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$5,000,000	\$200,000 B	\$0	\$200,000 B	\$200,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$5,417,500	\$225,000	\$0	\$225,000	\$225,000

PRIORITY RANK: 61

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$407,500	\$15,000 B	\$0	\$25,000 B	\$25,000 B
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,900,000	\$100,000 B	\$0	\$200,000 B	\$200,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$5,307,500	\$115,000	\$0	\$225,000	\$225,000

PRIORITY RANK: 67

NOTE: This portion of the resolution removes \$10,000 for planning and \$100,000 for construction in 2009 as the BOE office renovations will not take place until SY and changes the project's rank from 61 to 67. See Budget Review Office report pp.134-136.

FILENAME: O1732MAG9

PROJECT NO.: 1755

PROJECT NAME: INFRASTRUCTURE IMPROVEMENTS FOR TRAFFIC AND PUBLIC SAFETY AND PUBLIC HEALTH

DEPARTMENT: VARIOUS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,000,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,000,000	\$0	\$0	\$0	\$0

PRIORITY RANK: 38

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,000,000	\$3,000,000 B	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$3,000,000	\$3,000,000	\$0	\$0	\$0
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PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$3,000,000 for construction in 2009 for infrastructure and safety improvements.

FILENAME: O1755MAG9

PROJECT NO.: 1800 PROJECT NAME: SECURE AUTHENTICATION SYSTEM
DEPARTMENT: INFORMATION TECHNOLOGY

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Discontinued

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$72,000	\$0	\$72,000 B	\$0	\$0

Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$72,000	\$0	\$72,000	\$0	\$0

PRIORITY RANK: 39

NOTE: This portion of the resolution adds \$72,000 for planning in 2010 for County-wide security and authentication system to upgrade and protect the County's computer systems from unauthorized access as requested by the Department of Information Technology. See Budget Review Office report pp. 144-146.

FILENAME: O1800MAG9

PROJECT NO.: 2140 PROJECT NAME: SECURITY NOTIFICATION-COLLEGE WIDE
DEPARTMENT: COMMUNITY COLLEGE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$100,000	\$100,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$1,000,000	\$0	\$500,000 B \$500,000 S	\$0	\$0
TOTAL EST. COST	\$1,100,000	\$100,000	\$1,000,000	\$0	\$0

PRIORITY RANK: 43

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$200,000	\$150,000 B \$50,000 S	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$1,000,000	\$0	\$500,000 B \$500,000 S	\$0	\$0
TOTAL EST. COST	\$1,200,000	\$200,000	\$1,000,000	\$0	\$0

PRIORITY RANK: 57

NOTE: This portion of the resolution adds \$100,000 for planning in 2009 (50% state aid \$50,000) to provide a total of \$200,000 for planning in 2009 to provide sufficient funds to develop a comprehensive three campus security notification plan consisting of a mass notification system for each campus, building communication systems and improvements to the outdoor video surveillance systems and changes the project's rank from 43 to 57. See Budget Review Office report pp. 157-159.

FILENAME: O2140Moss9

PROJECT NO.: 3016

PROJECT NAME: STUDY FOR THE REPLACEMENT OF EXISTING
FIREWORKS BURN PITS

DEPARTMENT: POLICE AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$60,000	\$60,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$60,000	\$60,000	\$0	\$0	\$0

PRIORITY RANK: 45

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0
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PRIORITY RANK: 46

NOTE: This portion of the resolution removes \$60,000 for planning in 2009 as the study can be done in-house and changes the project's rank from 45 to 46. See Budget Review Office report p.178.

FILENAME: O3016MAG9

PROJECT NO.: 3302

PROJECT NAME: TRAFFIC CALMING MEASURES ON CR 19, PATCHOGUE HOLBROOK RD., FROM THE LIE TO CR 16, PORTION ROAD

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years

Planning Design & Supervision	\$150,000	\$100,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$0	\$1,000,000 B	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,150,000	\$100,000	\$1,000,000	\$0	\$0

PRIORITY RANK: 48

NOTE: This portion of the resolution adds \$100,000 for planning in 2009 and \$1 million for construction in 2010 as requested by DPW to implement the recommendations of the study and input from the community to construct traffic calming measures to restrict the road width by constructing a raised median in the "S" curve section of the road and a bulb-out by the elementary school to shorten the cross-walk to provide pedestrian safety. See Budget Review Office report p. 193. FILENAME: O3302DD9

PROJECT NO.: 3503 PROJECT NAME: PALM AFIS (AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM)

DEPARTMENT: POLICE

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$1,022,080	\$0	\$0	\$0	\$931,780 B \$90,300 G
TOTAL EST. COST	\$1,022,080	\$0	\$0	\$0	\$1,022,080

PRIORITY RANK: 46

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$1,022,080	\$0	\$0	\$931,780 B \$90,300 G	\$0
TOTAL EST. COST	\$1,022,080	\$0	\$0	\$1,022,080	\$0

PRIORITY RANK: 46

NOTE: This portion of the resolution advances \$1,022,080 for equipment from SY to 2011 as requested by the Police Department to purchase equipment enabling the police to use latent palm prints recovered at crime scenes to search the data base to identify possible suspects. See Budget Review Office report pp. 206-207. FILENAME: 03503MAG9

PROJECT NO.: 4008

PROJECT NAME: PURCHASE AND INSTALLATION OF GENERATORS FOR FULL POWER SUPPLY AT COUNTY OWNED HEALTH CENTERS

DEPARTMENT: HEALTH SERVICES AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$53,000	\$0	\$0	\$53,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$290,530	\$0	\$0	\$77,619 B	\$212,911B

Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$234,960	\$0	\$0	\$78,661 B	\$156,299B
TOTAL EST. COST	\$578,490	\$0	\$0	\$209,280	\$369,210

PRIORITY RANK: 43

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$53,000	\$0	\$0	\$53,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$290,530	\$0	\$0	\$77,619 B	\$212,911 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$493,437	\$0	\$0	\$78,661 B	\$414,776 B
TOTAL EST. COST	\$836,967	\$0	\$0	\$209,280	\$627,687

PRIORITY RANK: 41

NOTE: This portion of the resolution adds \$258,477 for equipment in SY for the installation of an emergency generator for the North Brookhaven Health Center in Coram and changes the project's rank from 43 to 41. See Budget Review Office report pp. 210-211.

FILENAME: O4008jo9

PROJECT NO.: 4018

PROJECT NAME: STONY BROOK UNIVERSITY HOSPITAL
 COMPREHENSIVE PSYCHIATRIC EMERGENCY PROGRAM
 (CPEP)

DEPARTMENT: HEALTH SERVICES, POLICE, SHERIFF, DSS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,000,000	\$0	\$1,000,000 B	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,000,000	\$0	\$1,000,000	\$0	\$0

PRIORITY RANK: 68

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0

Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: 46

NOTE: This portion of the resolution removes the \$1,000,000 for construction in 2010 as an expenditure of this type is more appropriately funded through the operating budget and changes the project's rank from 68 to 46. See Budget Review Office report pp. 212-213.

FILENAME: O4018jo9

PROJECT NO.: 4041

PROJECT NAME: EQUIPMENT FOR THE JOHN J. FOLEY SKILLED NURSING FACILITY

DEPARTMENT: HEALTH SERVICES

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$425,740	\$0	\$78,100 G	\$0	\$0
TOTAL EST. COST	\$425,740	\$0	\$78,100	\$0	\$0

PRIORITY RANK: 49

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design &					

Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$610,640	\$0	\$218,000 G	\$45,000 G	\$0
TOTAL EST. COST	\$610,640	\$0	\$218,000	\$45,000	\$0

PRIORITY RANK: 49

NOTE: This portion of the resolution adds \$139,900 in 2010 and \$45,000 in 2011 for the on-going and planned replacement of patient care equipment. See Budget Review Office report pp. 213-214.

FILENAME: O4041jo9

PROJECT NO.: 5021

PROJECT NAME: SAFETY IMPROVEMENTS ON CR 46 WILLIAM FLOYD PARKWAY

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$200,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,465,000	\$0	\$0	\$0	\$1,400,000B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,665,000	\$0	\$0	\$0	\$1,400,000

PRIORITY RANK: 45

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$200,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$3,465,000	\$0	\$1,400,000 B	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$3,665,000	\$0	\$1,400,000	\$0	\$0

PRIORITY RANK: 37

NOTE: This portion of the resolution advances \$1,400,000 for construction from SY to 2010 to complete the improvements to CR 46 in a timely manner and changes the project's rank from 45 to 37. See Budget Review Office report pp. 224-225.

FILENAME: O5021DD9

PROJECT NO.: 5128

PROJECT NAME: INTERSECTION IMPROVEMENTS ON CR 19,
PATCHOGUE-HOLBROOK ROAD AT FURROWS ROAD

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$120,000	\$0	\$0	\$0	\$0
Land Acquisition	\$50,000	\$0	\$0	\$0	\$0
Construction	\$700,000	\$0	\$0	\$700,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$870,000	\$0	\$0	\$700,000	\$0

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$120,000	\$0	\$0	\$0	\$0
Land Acquisition	\$100,000	\$50,000 B	\$0	\$0	\$0
Construction	\$700,000	\$0	\$0	\$700,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$920,000	\$50,000	\$0	\$700,000	\$0
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PRIORITY RANK: 58

NOTE: This portion of the resolution adds \$50,000 for land acquisition in 2009 to provide sufficient right-of-way for the construction of intersection improvements in 2011 and changes the project's rank from 53 to 58. See Budget Review Office report pp. 239-240.

FILENAME: O5128DD9

PROJECT NO.: 5175 PROJECT NAME: SAFETY IMPROVEMENTS AND CORRIDOR
STUDY ON CR 99, WOODSIDE AVENUE

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design &					

Supervision	\$100,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$300,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$100,000	\$100,000 B	\$0	\$0	\$0
TOTAL EST. COST	\$500,000	\$100,000	\$0	\$0	\$0

PRIORITY RANK: 53

NOTE: This portion of the resolution adds \$100,000 for equipment in 2009 for the installation of traffic turn signals at three intersections on Woodside Avenue.

FILENAME: O5175Mag9

PROJECT NO.: 5190 PROJECT NAME: DRAINAGE IMPROVEMENTS ON CR 52,
SANDY HOLLOW ROAD
DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$200,000	\$200,000 B	\$0	\$0	\$0
Land Acquisition	\$470,000	\$0	\$0	\$0	\$450,000 B
Construction	\$950,000	\$0	\$0	\$0	\$950,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,620,000	\$200,000	\$0	\$0	\$1,400,000

PRIORITY RANK: 45

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$200,000	\$200,000 B	\$0	\$0	\$0
Land Acquisition	\$470,000	\$0	\$0	\$450,000 B	\$0
Construction	\$950,000	\$0	\$0	\$0	\$950,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,620,000	\$200,000	\$0	\$450,000	\$950,000

PRIORITY RANK: 52

NOTE: This portion of the resolution advances \$450,000 for land acquisition from SY to 2011 to provide sufficient right of way funding to advance the project for construction of drainage improvements and changes the project's rank from 45 to 52. See Budget Review Office report pp. 244-245.

FILENAME: O5190DD9

PROJECT NO.: 5408

PROJECT NAME: CR 58, OLD COUNTRY ROAD, INSTALLATION OF SIDEWALKS FROM LIE TO CR 73, ROANOKE AVENUE

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$48,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$450,000	\$0	\$90,000 B \$360,000 F	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$498,000	\$0	\$450,000	\$0	\$0
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PRIORITY RANK: 47

NOTE: This portion of the resolution adds \$450,000 for construction in 2010 for installation of sidewalks and curbs, of which \$360,000 is LSSTC (federal) aid. See Budget Review Office report pp. 258-259.

FILENAME: O5408DD9

PROJECT NO.: 5497 PROJECT NAME: CONSTRUCTION OF SIDEWALKS ON VARIOUS COUNTY ROADS

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$1,350,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,855,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$4,205,000	\$0	\$0	\$0	\$0

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design &					

Supervision	\$1,650,000	\$0	\$150,000 B	\$150,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,555,000	\$0	\$850,000 B	\$850,000 B	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$6,205,000	\$0	\$1,000,000	\$1,000,000	\$0

PRIORITY RANK: 51

NOTE: This portion of the resolution adds \$150,000 for planning and \$850,000 for construction in 2010 and in 2011 for pedestrian safety improvements along County roads and changes the project's rank from 53 to 51. See Budget Review Office report pp. 259-260.

FILENAME: O5497DD9

PROJECT NO.: 5516 PROJECT NAME: COUNTY SHARE FOR THE RECONSTRUCTION OF CR 80, MONTAUK HWY., SHIRLEY MASTIC, TOWN OF BROOKHAVEN

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$2,800,000	\$0	\$0	\$0	\$0
Land Acquisition	\$5,000,000	\$0	\$0	\$0	\$0
Construction	\$20,155,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$27,955,000	\$0	\$0	\$0	\$0

PRIORITY RANK: 62

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$2,800,000	\$0	\$0	\$0	\$0
Land Acquisition	\$5,000,000	\$0	\$0	\$0	\$0
Construction	\$23,155,000	\$0	\$3,000,000 X	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$30,955,000	\$0	\$3,000,000	\$0	\$0

PRIORITY RANK: 53

NOTE: This portion of the resolution adds \$3,000,000 for construction in 2010 to install sewer lines during the reconstruction of the environmentally sensitive portion of Montauk Highway in Shirley to provide for the future elimination of cesspools to protect the fresh-water of the Forge River from the leaching of pollutants. The project's rank is changed from 62 to 53. FILENAME: O55161r9.doc

PROJECT NO.: 5526

PROJECT NAME: RECONSTRUCTION OF CR 48, MIDDLE ROAD
FROM HORTON AVENUE TO MAIN STREET

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$700,000	\$0	\$0	\$0	\$100,000 B
Land Acquisition	\$320,000	\$0	\$0	\$0	\$0
Construction	\$6,500,000	\$0	\$0	\$0	\$6,500,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$7,520,000	\$0	\$0	\$0	\$6,600,000

PRIORITY RANK: 53

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$700,000	\$0	\$0	\$0	\$100,000 B
Land Acquisition	\$640,000	\$0	\$0	\$320,000 B	\$0
Construction	\$6,500,000	\$0	\$0	\$0	\$6,500,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$7,840,000	\$0	\$0	\$320,000	\$6,600,000
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PRIORITY RANK: 55

NOTE: This portion of the resolution adds \$320,000 for land acquisition in 2011 and changes the project's rank from 53 to 55. See Budget Review Office report pp. 267-268.

FILENAME: O5526DD9

PROJECT NO.: 5534 PROJECT NAME: IMPROVEMENTS TO CR 80, MONTAUK HIGHWAY, BETWEEN NYS 112 AND CR 101, TOWN OF BROOKHAVEN

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design &					

Supervision	\$700,000	\$0	\$0	\$0	\$0
Land Acquisition	\$1,950,000	\$0	\$0	\$0	\$0
Construction	\$6,725,000	\$0	\$500,000 B	\$0	\$0
Site Improvements	\$30,000	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$9,405,000	\$0	\$500,000	\$0	\$0

PRIORITY RANK: 45

NOTE: This portion of the resolution adds \$500,000 for construction in 2010 to include installation of sewer infrastructure during reconstruction of Montauk Highway in the vicinity of the intersection of South Country Road in East Patchogue.

FILENAME: O5534Mag9

PROJECT NO.: 7165 PROJECT NAME: RENOVATIONS TO LONG ISLAND MARITIME MUSEUM
DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$107,500	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,175,000	\$100,000 B	\$100,000 B	\$100,000 B	\$100,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,282,500	\$100,000	\$100,000	\$100,000	\$100,000

PRIORITY RANK: 38

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$107,500	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,238,085	\$100,000 B	\$163,085 B	\$100,000 B	\$100,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$1,345,585	\$100,000	\$163,085	\$100,000	\$100,000

PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$63,085 for construction in 2010 for the County match, 10% of the project cost, to construct a working boathouse and shop over the marine railway on the grounds of the Long Island Maritime Museum in West Sayville in anticipation of securing a grant from the Transportation Enhancement Program to provide 80% of the project cost in the amount of \$504,680 and an additional 10% of the project cost (\$63,085) to be provided by the Long Island Maritime Museum.

FILENAME: O7165Moss9.doc

PROJECT NO.: 7166 PROJECT NAME: IMPROVEMENTS TO COUNTY GOLF COURSES
 DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$275,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$8,397,000	\$500,000 B	\$275,000 B	\$1,200,000 B	\$300,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$8,672,000	\$500,000	\$275,000	\$1,200,000	\$300,000

PRIORITY RANK: 38

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$275,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$9,397,000	\$500,000 B	\$275,000 B	\$1,200,000 B	\$1,300,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$9,672,000	\$500,000	\$275,000	\$1,200,000	\$1,300,000
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PRIORITY RANK: 38

NOTE: This portion of the resolution adds \$1,000,000 for construction in SY to replace the obsolete golf cart barn at Timber Point Golf Course with a larger new facility that provides expanded indoor storage to accommodate a needed increase in the golf cart fleet to meet demand. The additional golf carts will increase County revenue.

FILENAME: O7166Moss9

PROJECT NO.: 7177 PROJECT NAME: SUFFOLK COUNTY MULTI-FACETED LAND PRESERVATION PROGRAM
DEPARTMENT: ENVIRONMENT AND ENERGY; ECONOMIC DEVELOPMENT AND WORKFORCE HOUSING

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$166,123,583	\$13,333,000 B	\$13,333,000 B	\$13,333,000 B	\$13,333,000B
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$166,123,583	\$13,333,000	\$13,333,000	\$13,333,000	\$13,333,000

PRIORITY RANK: 48

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$157,290,583	\$4,500,000 B	\$13,333,000 B	\$13,333,000 B	\$13,333,000B
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$157,290,583	\$4,500,000	\$13,333,000	\$13,333,000	\$13,333,000

PRIORITY RANK: 55

NOTE: This portion of the resolution recognizes the County's commitment to the preservation of open space through the new ¼ cent sales tax program and mitigates escalating debt service costs of \$100 million in 2009 by reducing serial bonds by \$8.833 million in 2009 and changes the project's rank from 48 to 55.

FILENAME: 07177Mag9

PROJECT NO.: 7430

PROJECT NAME: IMPROVEMENTS TO NORMANDY MANOR AT
SUFFOLK COUNTY VANDERBILT MUSEUM

DEPARTMENT: VANDERBILT MUSEUM AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$360,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$360,000	\$0	\$0	\$0	\$0

PRIORITY RANK: 35

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$810,000	\$450,000 B	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$810,000	\$450,000	\$0	\$0	\$0
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PRIORITY RANK: 35

NOTE: This portion of the resolution adds \$450,000 in 2009 for construction to stabilize the structure by eliminating water intrusion to include roof repairs, replacement and installation of gutters and leaders, window repair and/or replacement. See Budget Review Office report p. 365.
 FILENAME: O7430Moss9

PROJECT NO.: 7433 PROJECT NAME: RESTORATION OF DRIVEWAYS, GUTTERS AND CATCH BASINS AT SUFFOLK COUNTY VANDERBILT MUSEUM
 DEPARTMENT: VANDERBILT MUSEUM AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$0	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years

Planning Design & Supervision	\$130,000	\$100,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,360,000	\$0	\$1,000,000 B	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,490,000	\$100,000	\$1,000,000	\$0	\$0

PRIORITY RANK: 59

NOTE: This portion of the resolution adds \$100,000 for planning in 2009 and \$1,000,000 for construction in 2010 to expand the scope of the project to reconstruct and restore the structural integrity of the bridge to the Mansion. See Budget Review Office report p. 367.

FILENAME: O7433Moss9

PROJECT NO.: 7507 PROJECT NAME: RENOVATIONS TO HISTORIC BLYDENBURGH PARK
DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$270,000	\$0	\$0	\$150,000 B	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,480,000	\$0	\$0	\$500,000 B	\$1,000,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,750,000	\$0	\$0	\$650,000	\$1,000,000

PRIORITY RANK: 38

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$270,000	\$0	\$150,000 B	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$2,480,000	\$0	\$1,000,000 B	\$0	\$500,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$2,750,000	\$0	\$1,150,000	\$0	\$500,000

PRIORITY RANK: 38

NOTE: This portion of the resolution advances \$150,000 for planning and \$500,000 for construction from 2011 to 2010 and advances \$500,000 for construction from SY to 2010 to provide sufficient funds to stabilize the Mill's exterior and foundation that is currently held up with temporary shoring.

FILENAME: O7507Moss9

PROJECT NO.: 7510

PROJECT NAME: HISTORIC RESTORATION AND
PRESERVATION FUND

DEPARTMENT: PARKS AND PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$976,500	\$250,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$13,329,700	\$795,000 B	\$900,000 B	\$900,000 B	\$1,095,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$14,306,200	\$1,045,000	\$900,000	\$900,000	\$1,095,000

PRIORITY RANK: 40

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$976,500	\$250,000 B	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$13,629,700	\$795,000 B	\$1,200,000 B	\$900,000 B	\$1,095,000 B
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$14,606,200	\$1,045,000	\$1,200,000	\$900,000	\$1,095,000
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PRIORITY RANK: 40

NOTE: This portion of the resolution adds \$300,000 for construction in 2010 to complete the interior restorations to the historic Third House in Montauk.

FILENAME: 07510Moss9

PROJECT NO.: 8108 PROJECT NAME: OUTFALL AT SEWER DISTRICT #3,
SOUTHWEST

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$8,152,052	\$0	\$2,000,000 X	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$400,000	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$8,552,052	\$0	\$2,000,000	\$0	\$0

PRIORITY RANK: 72

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design &					

Supervision	\$8,152,052	\$0	\$2,000,000 X	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$150,400,000	\$0	\$50,000,000 X	\$50,000,000 X	\$50,000,000X
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$158,552,052	\$0	\$52,000,000	\$50,000,000	\$50,000,000

PRIORITY RANK: 72

NOTE: This portion of the resolution adds \$50 million for construction in 2010, 2011 and SY for the eventual replacement of the outfall pipe at the Southwest Sewer Treatment plant. See Budget Review Office report pp. 387-389.

FILENAME: O8108MAG9

PROJECT NO.: 8144 PROJECT NAME: IMPROVEMENTS TO SEWER DISTRICT #6
KINGS PARK

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$2,660,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$14,522,858	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$155,000	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$17,337,858	\$0	\$0	\$0	\$0

PRIORITY RANK: 61

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$2,660,000	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$24,522,858	\$0	\$5,000,000 B \$5,000,000 O	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$155,000	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$27,337,858	\$0	\$10,000,000	\$0	\$0

PRIORITY RANK: 61

NOTE: This portion of the resolution adds \$10,000,000 for construction (\$5 million serial bonds and \$5 million matching funds) in 2010 for expansion of the sewer district in Kings Park to protect the environment and for economic development. See Budget Review Office report pp. 396-398.

FILENAME: O8144MAG9

PROJECT NO.: 8186

PROJECT NAME: FATS/OILS & GREASE TO FUEL (FOG)
 DEMONSTRATION PROJECT

DEPARTMENT: PUBLIC WORKS

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
	Planning Design & Supervision	\$0	\$0	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0
TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
	Planning Design & Supervision	\$100,000	\$0	\$50,000 O \$50,000 A	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$0	\$0	\$0	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$0	\$0	\$0	\$0	\$0

TOTAL EST. COST	\$100,000	\$0	\$100,000	\$0	\$0
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PRIORITY RANK: 77

NOTE: This portion of the resolution adds \$100,000 for planning in 2010 of which \$50,000 is matching funds (other) and \$50,000 is ASRF to investigate the feasibility of using sludge from the County's various sewer districts for processing into an alternative fuel source.

FILENAME: O8186MUN9.doc

Summary Note: The sum of the actions of this resolution amends the Proposed 2009-2011 Capital Program and Proposed 2009 Capital Budget by decreasing the funds scheduled in 2009 by \$3,353,000; increasing 2010 by \$69,814,985; increasing 2011 by \$52,147,080 and increasing subsequent years by \$50,786,397.

The impact of these changes on countywide General Fund property taxes is through the change in serial bonds (B). The actions implicit in this resolution increase serial bonds by \$9,814,865 over the 3-year capital program, which includes a decrease of B-money of \$3,412,000 in 2009. The \$876,697 increase in serial bonds in SY is not considered in our calculations of the property tax impact for two reasons: (1) it is not clear how far into the future this borrowing will be needed and (2) the intent of funding in SY is included mainly as a representation of the county's long-term planning needs.

Year	Serial Bonds (B)	State Aid (S)	Federal Aid (F)	Transfer from the General Fund	Sewer Bonds (X)	ASRF (A)	Other (O)
2009	(\$3,412,000)	\$59,000	\$0	\$0	\$0	\$0	\$0
2010	\$11,215,085	\$0	\$360,000	\$139,900	\$53,000,000	\$50,000	\$5,050,000
2011	\$2,011,780	\$0	\$0	\$135,300	\$50,000,000	\$0	\$0
2009-2011	\$9,814,865	\$59,000	\$360,000	\$275,200	\$103,000,000	\$50,000	\$5,050,000
SY	\$876,697	\$0	\$0	(\$90,300)	\$50,000,000	\$0	\$0
Total	\$10,691,562	\$59,000	\$360,000	\$184,900	\$153,000,000	\$50,000	\$5,050,000

The property tax impact of this resolution results from the increase in debt service costs associated with decreasing serial bonds (B) by \$3,412,000 in 2009, increasing serial bonds by \$11,215,085 in 2010 and increasing serial bonds in 2011 by \$2,011,780 for a net increase of \$9,814,865. Based on three 20-year bonds, the estimated property tax impact on the average homeowner would be just over \$1.90 per year or about \$24 over the life of the bonds.

DATED: June 10, 2008

APPROVED BY:

County Executive of Suffolk County

Date: June 25, 2008

****LINE ITEM VETOED AS SET FORTH ABOVE AND IN ACCOMPANYING VETO MESSAGE****

THE FOLLOWING PROJECT NUMBERS 5534, 5516, 8144 FROM RESOLUTION NO. 418-2008 HAVE BEEN POCKET APPROVED.

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JUNE 25, 2008

THE FOLLOWING PROJECT NUMBERS 1125, 1132, 1133, 1623, 1643, 1659, 1710, 1711, 1732, 1800, 2140, 3302, 3503, 5021, 5128, 5175, 7165, 7177, 7510, 8186 FROM RESOLUTION NO. 418-2008 HAVE BEEN APPROVED BY THE COUNTY EXECUTIVE ON JUNE 25, 2008.

THE FOLLOWING PROJECT NUMBERS 1459, 1664, 1755, 3016, 4008, 4018, 4041, 5190, 5408, 5497, 5526, 7166, 7430, 7433, 7507, 8108, FROM RESOLUTION NO. 418-2008 HAVE BEEN VETOED BY THE COUNTY EXECUTIVE ON JUNE 25, 2008. **VETO OVERRIDE ADOPTED ON JULY 1, 2008**

Legislator Kennedy made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 13-4-0-0-0. Presiding Officer Lindsay and Legislators Beedenbender, Eddington and Barraga voted no.

Intro. Res. No. 1094-2008 Laid on Table 2/5/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 419 -2008, ADOPTING LOCAL LAW NO. 22 -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC., (SCTM NOS. 0800-185.00-01.00-029.000; 032.000; and 050.003)

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on February 5,2008, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMACEUTICAL, INC., (SCTM NOS. 0800-185.00-01.00-029.000; 032.000; and 050.003);**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 22 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE BACTOLAC PHARMECEUTICAL, INC., (SCTM NOS. 0800-185.00-01.00-029.000; 032.000; and 050.003)

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law No.15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Bactolac Pharmaceutical, Inc., located at premises described as (SCTM Nos. 0800-185.00-01.00-029.000; 032.000; and 050.003).

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Bactolac Pharmaceutical, Inc., a manufacturer of nutraceutical products located at 7 Oser Avenue, 35 Engineers Road and 611 Old Willets Path, Hauppauge, New York 11788, meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Development Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Development Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law No. 14-2003 and Local Law No. 15-2003, as adopted, shall be amended to include (SCTM No.'s 0800-185.00-01.00-029.000; 032.000; and 050.003).

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of

Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. Severability.

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

Section 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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 on non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 26, 2008

After a public hearing duly held on June 24, 2008
Filed with the Secretary of State on July 18, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 15-2-0-0-0. Legislators Alden and Barraga voted no.

Intro. Res. No. 1371-2008

Laid on Table 4//29/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 420-2008, APPROPRIATING FUNDS IN CONNECTION WITH MEDIAN IMPROVEMENTS ON VARIOUS COUNTY ROADS (CP 5001)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Median Improvements on CR 19, Patchogue-Holbrook Road, from the Vicinity of the Long Island Expressway to the Vicinity of Waverly Avenue; and

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

WHEREAS, the professional engineering services associated with the planning, design and construction of this project have been performed by the staff of the Department of Public Works; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$450,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 1240-2001 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 Median Improvements on Various County Roads, pursuant to Section C8-2 (X) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of \$450,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5001.314 (Fund 001-Debt Service)	50	Median Improvements on Various County Roads	\$450,000

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 13-4-0-0-0. Legislators Romaine, Montano, Alden and Barraga voted no.

Intro.Res. No. 1371A-2008

BOND RESOLUTION NO. 421-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$450,000 BONDS TO FINANCE THE COST OF MEDIAN IMPROVEMENTS ON CR 19, PATCHOGUE-HOLBROOK ROAD, FROM THE VICINITY OF THE LONG ISLAND EXPRESSWAY TO THE VICINITY OF WAVERLY AVENUE (CP 5001.314)

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 \$450,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of median improvements on CR 19, Patchogue-Holbrook Road, from the vicinity of the Long Island Expressway to the vicinity of Waverly Avenue, 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 \$450,000. The plan of financing includes the issuance of \$450,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator D'Amato. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1380-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 422-2008, REQUESTING
LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR AN
AUDIT OF THE PUBLIC ADMINISTRATOR'S OFFICE**

WHEREAS, the Office of the Public Administrator requested an RFP for a performance audit of the Suffolk County Office of the Public Administrator for the years ended December 31, 2006, 2007 and 2008; and

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

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to eight (8) potential contractors and received only one response from Capraro, Centofranchi, Tidona, Ench & Co., P.C.; and

WHEREAS, an independent evaluation committee reviewed the proposal from Capraro, Centofranchi, Tidona, Ench & Co., P.C. and found their quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and has

recommended that the Office of the Public Administrator enter into a contractual agreement with the provider; and

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

1st RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Office of the Public Administrator enter into a contractual agreement with Capraro, Centofranchi, Tidona, Ench & Co., P.C. for a performance audit of the Suffolk County Office of the Public Administrator for the years ended December 31, 2006, 2007 and 2008; and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with Capraro, Centofranchi, Tidona, Ench & Co., P.C.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 13-3-0-1-0. Legislators Romaine, Montano and Alden voted no. Legislator Barraga was not present.

Intro. Res. No. 1401A-2008

BOND RESOLUTION NO. 423-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,475,000 BONDS TO FINANCE THE COST OF PAYMENT OF A SETTLEMENT IN A GENERAL LIABILITY CASE

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 \$1,475,000 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 a settlement in a general liability case in the matter of DeLuca v. Blanco and County of Suffolk (Index No. 99-00040), 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 \$1,475,000. The plan of financing includes the issuance of \$1,475,000 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. 33 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 16-1-0-0-0. Legislator Montano voted no.

Intro. Res. No. 1441-2008
Introduced by Legislator Beedenbender

Laid on Table 5/13/2008

**RESOLUTION NO. 424-2008, AMENDING THE 2008
OPERATING BUDGET AND TRANSFERRING FUNDS FOR
THE SELDEN/CENTEREACH LITTLE LEAGUE**

WHEREAS, the 2008 Operating Budget does not include sufficient funds for the Selden/Centereach Little League; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$10,000 to the Selden/Centereach Little League; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal

year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

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

APPROPRIATIONS:

FROM:

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

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	GHR1	4980	Selden/Centereach Little League	+\$10,000

and be it further

2nd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Selden/Centereach Little League.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 16-0-0-1-0. Legislator Cooper was not present.

Intro. Res. No. 1442-2008
Introduced by Legislator Losquadro

Laid on Table 5/13/2008

RESOLUTION NO. 425-2008, AMENDING THE 2008 OPERATING BUDGET TO PROMOTE THE ROCKY POINT

**DOWNTOWN REVITALIZATION AND BEAUTIFICATION
COMMITTEE'S FAMILY SUMMER CONCERT SERIES**

WHEREAS, it is the desire of the Suffolk County Legislature to assist in the revitalization and beautification of the downtown Rocky Point area; and

WHEREAS, attracting visitors to family summer concerts in Rocky Point are anticipated to increase commerce in this area of the County; and

WHEREAS, a budget amendment is required to provide funds to help support the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JCB1	4980	Friends of the North Shore Public Library	-\$15,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Rocky Point Downtown Revitalization and Beautification Committee	+\$15,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Rocky Point Downtown Revitalization and Beautification Committee; and be it further

3rd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Rocky Point Downtown Revitalization and Beautification Committee's family summer concert series.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator Montano. The resolution was passed 16-0-0-1-0. Legislator Cooper was not present.

Intro. Res. No. 1454-2008
Introduced by Legislator Stern

Laid on Table 5/13/2008

RESOLUTION NO. 426-2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS FOR THE CONTRACTED AGENCY SOAR FOUNDATION, INC.

WHEREAS, the 2008 Operating Budget does not include sufficient funds for the SOAR Foundation, Inc.; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$5,000 to the contracted agency SOAR Foundation, Inc.; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	JCY1	4980	Hills Foundation for Enhancement and Enrichment for Children	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EXE	8050	XXXX	4980	SOAR Foundation, Inc.	+\$5,000

and be it further

2nd **RESOLVED**, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the SOAR Foundation, Inc.; and it be further

3rd **RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the SOAR Foundation, Inc.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 16-0-0-1-0. Legislator Cooper was not present.

Intro. Res. No. 1455-2008
Introduced by Presiding Officer Lindsay

Laid on Table 5/13/2008

RESOLUTION NO. 427-2008, AMENDING THE 2008 OPERATING BUDGET AND TRANSFERRING FUNDS TO NORTH AMITYVILLE COMMUNITY ECONOMIC COUNCIL (NACEC)

WHEREAS, the 2008 Operating Budget does not include sufficient funds for the North Amityville Community Economic Council in the Youth Bureau; and

WHEREAS, it is the desire of the Suffolk County Legislature to amend the 2008 Operating Budget and transfer \$16,000 to the contracted agency North Amityville Community Economic Council; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the

size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	AMJ1	4980	North Amityville Community Economic Council	-\$16,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	EXE	7320	XXXX	4980	North Amityville Community Economic Council	+\$16,000

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign a new activity (pseudo) code for the North Amityville Community Economic Council; and it be further

3rd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the North Amityville Community Economic Council.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 16-0-0-1-0. Legislator Cooper was not present.

Intro. Res. No. 1456-2008
Introduced by Legislator Kennedy

Laid on Table 5/13/2008

**RESOLUTION NO. 428-2008, AMENDING THE 2008
OPERATING BUDGET TO FUND THE LAKE GROVE
BEAUTIFICATION AND HISTORICAL SOCIETY**

WHEREAS, Lake Grove was settled in the early 1700s and is one of Suffolk County's oldest communities; and

WHEREAS, The Lake Grove Beautification and Historical Society has promoted programs and projects to foster a true sense of the Village of Lake Grove for the residents of Suffolk County as well as visitors to the area; and

WHEREAS, it is the desire of the Suffolk County Legislature to assist in funding the Lake Grove Beautification and Historical Society in their efforts; and

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

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

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	JCA1	4980	Lake Grove Chamber of Commerce	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	ECD	6410	XXXX	4980	Lake Grove Beautification and Historical Society	+\$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the Lake Grove Beautification and Historical Society; and be it further

3rd RESOLVED, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Lake Grove Beautification and Historical Society.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 16-0-0-1-0. Legislator Cooper was not present.

Intro. Res. No. 1411-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 429 -2008, ADOPTING LOCAL LAW NO. 23 -2008, A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SCTM NO. 0800-181.00-03.00-001.013)

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on April 29, 2008, a proposed local law entitled, "**A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SCTM NO. 0800-181.00-03.00-001.013)**;" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 23 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING THE SUFFOLK COUNTY EMPIRE ZONE BOUNDARIES TO INCLUDE MINI GRAPHICS, INC., (SCTM NO. 0800-181.00-03.00-001.013).

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

Section 1. Legislative Intent.

This Legislature finds and determines that pursuant to Local Law No. 14-2003, this Legislature authorized the designation of an Empire Zone; that Local Law No. 15-2003 established Empire Zone boundaries; and that a new local law is required to submit to New York State a request to revise the zone boundaries to include Mini Graphics, Inc., located at premises described as Suffolk County Tax Map No. 0800-181.00-03.00-001.013.

This Legislature also finds and determines that New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries that will create fifty (50) or more jobs.

This Legislature further finds and determines that Mini Graphics, Inc., a printer of pharmaceutical inserts located at 140 Commerce Drive, Hauppauge, New York 11788 meets the criteria of Section 957(d) of the NEW YORK GENERAL MUNICIPAL LAW for a Regionally Significant Project and has requested consideration for such designation by the Suffolk County Empire Zone - Zone Administrative Board.

Therefore, the purpose of this law is to authorize the submission of an application to New York State to amend the boundaries of the Suffolk County Empire Zone, to include the above location.

Section 2. Application.

The Suffolk County Empire Zone - Zone Administrative Board, is hereby authorized, empowered and directed in accordance with Section 3 of this Law to submit an application to the New York State Department of Economic Development to augment the boundaries of the existing Empire Zone and to execute such documents as are necessary and desirable to effectuate the purposes of this Law.

Section 3. Request for Consideration.

A.) The Commissioner of the New York State Department of Economic Development is hereby requested to revise the boundaries of the Empire Zone in accordance with this Law.

B.) The Clerk of the Suffolk County Legislature is hereby authorized, empowered and directed to file a certified copy of this local law with said Commissioner upon its adoption.

Section 4. Designation of Revised Empire Zone Boundaries.

The boundary of the Empire Zone, designated in Local Law No. 14-2003 and Local Law No. 15-2003, as adopted, shall be amended to include SCTM No. 0800-181.00-03.00-001.013.

Section 5. Real Property Tax Exemption.

A.) The property included in the revised boundaries as described and designated by this Law is hereby granted an exemption from the taxes and special ad valorem levies by the County of Suffolk and the exemption shall be granted for the period and to the extent provided for in Section 485-e of the New York Real Property Tax Law. This exemption shall be for a term of (10) years, notwithstanding that the designation of the Empire Zone may expire prior to the end of such ten (10) year term.

B.) The exemption granted pursuant to this Law shall only take effect as to the revised Empire Zone designation in the event that the revised designation is approved by New York State and placed on the tax rolls. In the event the revised Empire Zone designation is not approved, the

exemption granted pursuant to Local Law No. 14-2003, as adopted, shall continue pursuant to the terms of that Law.

Section 6. Applicability.

This Law shall apply to all actions and taxable status dates occurring on or after the effective date except as otherwise provided for herein.

Section 7. Severability.

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

Section 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (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 on non-applicability or non-significance in accordance with this law.

Section 9. Effective Date.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 26, 2008

After a public hearing duly held on June 24, 2008
Filed with the Secretary of State on July 18, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 14-0-0-3-0. Legislators Schneiderman, Barraga and Cooper were not present.

Intro. Res. No. 1477-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 430-2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION/REHABILITATION OF WATER POLLUTION CONTROL PLANTS – COLLEGE WIDE (CP 2109)

WHEREAS, the President of Suffolk County Community College and the Board of Trustees have requested funds for the implementation of the Comprehensive Master Plan – Phase IIA estimated at \$33,940,000; and

WHEREAS, the New York State Legislature and the Governor have included funding in the New York State Budget to cover the State’s share estimated at \$16,970,000; and

WHEREAS, the construction phase for the Renovation/Rehabilitation of the Ammerman Campus Water Pollution Control Plant was publicly bid on April 17, 2008; and

WHEREAS, the lowest bid exceeded the project budget and additional construction funds are needed to complete this project; and

WHEREAS, this Renovation/Rehabilitation of the Ammerman Campus Water Pollution Control Plant is necessary in order to ensure compliance with all applicable Federal, State and County environmental regulations; and

WHEREAS, there exists excess State Aid in Capital Project 2301 Installation of RPZ Valves that can be reallocated/reauthorized to this project; 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, Resolution No. 471-1994, as revised by Resolution No. 461-2006, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by Resolution of even date herewith, has authorized the issuance of \$187,500 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being a funding agency, hereby finds and determines in accordance with the State Environmental Quality Review Act (SEQRA) that the adoption of this law is a Type II action, pursuant to Title 6 NYCRR Part 617.5(c)(1,2) and (27), since it constitutes a local legislative decision in connection with the maintenance, repair, replacement, rehabilitation, reconstruction of a structure or facility, in kind, on the same site,

including upgrading buildings to meet building codes. As a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

3rd **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 2109
Project Title: Renovation/Rehabilitation of Water Pollution Control Plants – College Wide

	<u>Total Est'd. Cost</u>	<u>2008 Capital Budget & Program</u>	<u>2008 Capital Budget & Program</u>
3. Construction	\$1,759,000	-0- -0-	\$187,500B \$187,500S
6. TOTAL	\$1,875,000	-0-	\$375,000

and be it further

4th **RESOLVED**, that the proceeds of \$187,500 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	JC	Amount
525-CAP-2109.313	Renovation/Rehabilitation of Water Pollution Control Plants – College Wide	30	\$187,500

and be it further

5th **RESOLVED**, that State Aid be and it hereby is appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	JC	Amount
525-CAP-2109.313	Renovation/Rehabilitation of Water Pollution Control Plants – College Wide	30	\$187,500

6th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State Aid in connection with this project.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 14-1-0-2-0. Legislator Barraga voted no. Legislators Schneiderman and Cooper were not present.

Intro. Res. No. 1477A -2008

BOND RESOLUTION NO. 431-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$187,500 BONDS TO FINANCE A PART OF THE COST OF RENOVATION/REHABILITATION OF WATER POLLUTION CONTROL PLANTS AT SUFFOLK COMMUNITY COLLEGE-COLLEGE WIDE (CP 2109.313)

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 \$187,500 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of renovation/rehabilitation of water pollution control plants at Suffolk Community College-College wide, 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 \$1,875,000. The plan of financing includes (a) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1189-1998 (\$25,000 for planning and \$225,000 for construction), (b) the expenditure of \$250,000 State Aid funds heretofore appropriated, (c) the issuance of \$125,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 879-1999, (d) the expenditure of \$125,000 State Aid funds heretofore appropriated, (e) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1149-2000, (f) the expenditure of \$150,000 State Aid funds heretofore appropriated, (g) the issuance of \$225,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 780-2001, (h) the expenditure of \$225,000 State Aid funds heretofore appropriated, (i) the issuance of the \$187,500 bonds or bond anticipation notes authorized pursuant to this resolution, (j) the expenditure of an additional \$187,500 State Aid funds to be appropriated, and (k) the levy and collection of taxes

on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years, computed from June 15, 1999, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1189-1998.

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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 14-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Cooper was not present.

Intro. Res. No. 1478-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 432-2008, AMENDING PRIOR CAPITAL AUTHORIZED APPROPRIATIONS FOR INSTALLATION OF RPZ VALVES (CP 2301.310)

WHEREAS, Bond authorizing Resolution No. 1205-1998 and appropriating Resolution No. 1206-1998 approved funding in connection with the Installation of RPZ Valves; and

WHEREAS, the construction costs associated with the Installation of RPZ Valves have been reduced by scheduling RPZ installations as a part of existing building renovation projects; and

WHEREAS, additional construction funds are needed to complete the renovations of the wastewater treatment facility at the Ammerman Campus (CP 2109.313); and

WHEREAS, it is necessary to amend Resolution No. 1206-1998 by reducing \$375,000 (\$187,500 serial bonds and \$187,500 state aid) from construction; now, therefore be it

1st **RESOLVED**, that the 5th Whereas clause of Resolution No. 1206-1998 is hereby amended as follows:

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$61,500 [\$249,000] in Suffolk County Serial Bonds; and

2nd **RESOLVED**, that the 2nd Resolved clause of Resolution No. 1206-1998 is hereby amended as follows:

Project No.: 2301
Project Title: Installation of RPZ Valves College Wide

	<u>Total Est'd Cost</u>	<u>Current 1998 Capital Budget & Program</u>	<u>Revised 1998 Capital Budget & Program</u>
1. Planning	\$-0-	\$37,500B \$37,500S	\$ -0- \$ -0-
3. Construction	[750,000] <u>375,000</u>	-0- -0-	[249,000B] <u>\$61,500B</u> [249,000S] <u>\$61,500S</u>
6. TOTAL	[\$750,000] <u>\$375,000</u>	\$75,000	[\$498,000] <u>\$123,000</u>

and be it further

3rd **RESOLVED**, that the 3rd Resolved clause of Resolution No. 1206-1998 is hereby amended by reducing the appropriation by \$187,500 as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-CAP-21065 Ref-525-2301.310	Construction for the Installation of RPZ Valves, College Wide	30	[\$249,000] <u>\$61,500</u>

and be it further

4th **RESOLVED**, that the 4th Resolved clause of Resolution No. 1206-1998 is hereby amended by reducing the appropriation by \$187,500 as follows:

<u>Project No.</u>	Project Title	JC	Amount
525-CAP-CAP-21065 Ref-525-2301.310	Construction for the Installation of RPZ Valves, College Wide	30	[\$249,000] <u>\$61,500</u>

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 13-2-0-2-0. Legislators Alden and Barraga voted no. Legislators Montano and Cooper were not present.

Intro. Res. No. 1478A-2008

BOND RESOLUTION NO. 433-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, ADOPTED JUNE 10, 2008 AMENDING BOND RESOLUTION NO. 1205-1998 (CP 2301)

WHEREAS, Bond Resolution No. 1205-1998 and Appropriating Resolution No. 1206-1998 approved funding connection with the installation of RPZ Valves; and

WHEREAS, the construction costs associated with the installation of RPZ Valves have been reduced by scheduling RPZ installations as a part of existing building renovation projects; now, therefore

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

Section A. The bond resolution heretofore duly adopted on December 15,
1998 by the County of Suffolk, New York (herein called the
"County") entitled:

Bond Resolution No. 1205-1998

A resolution authorizing the issuance of \$249,000 serial bonds of the County of
Suffolk, New York, to pay a part of the cost of the construction for the installation
of RPZ valves, College wide, Suffolk County Community College is hereby
amended by inserting a new Section 2 which shall replace the original Section 2
appearing in the resolution as adopted on December 15, 1998. The new Section
2 shall read as follows:

"Section 2. It is hereby determined that the maximum estimated cost of such
class of objects or purposes is \$123,000, and the plan for the financing thereof is as follows:

(a) by the issuance of the \$61,500 serial bonds of said County, hereby
authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and

(b) by the expenditure of the \$61,500 in State Aid monies heretofore
appropriated therefor by the County Legislature."

Section B. This amendment of the bond resolution that was adopted on
December 15, 1998 shall in no way affect the validity of the liabilities incurred, obligations
issued, or action taken pursuant to said bond resolution, and all such liabilities incurred,
obligations issued, or action taken shall be deemed to have been incurred, issued or taken
pursuant to said bond resolution, as so amended

Section C. This resolution shall take effect immediately.

* * *

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

AYES:

NOES:

The resolution was declared adopted.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1405-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 434-2008, AUTHORIZING THE INCLUSION
OF NEW PARCELS INTO EXISTING AGRICULTURAL
DISTRICTS IN THE COUNTY OF SUFFOLK**

WHEREAS, the New York State Agriculture and Markets Law, Article 25-AA, allows the annual inclusion of land which is predominantly viable agricultural land in existing certified agricultural districts; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board has met and made recommendations relative to these parcels; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Board has voted to allow the attached parcels to join existing certified Agricultural Districts; and

WHEREAS, the Department of Planning staff has evaluated the use of the proposed parcels and has determined that the parcels are predominantly viable agricultural land; and

WHEREAS, three hundred sixty three (363) parcels totaling nine thousand fifty four and nine tenths (9,054.9) acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold have requested inclusion in existing Agricultural Districts (Exhibit "A"); now, therefore be it

1st **RESOLVED**, that this Legislature hereby finds that it is in the best interest of the people of Suffolk County to include the new parcels into existing Agricultural Districts as recommended by the Suffolk County Agricultural and Farmland Protection Board; and be it further

2nd **RESOLVED**, that the petition for the inclusion of new parcels of viable agricultural land in certified Agricultural Districts is hereby approved and adopted, and referred to the Commissioner of the New York State Department of Agriculture and Markets for review of the petition as required by Section 303-b. (4) of the New York Agricultural and Markets Law, Article 25AA; and be it further

3rd **RESOLVED**, that the Clerk of the Suffolk County Legislature is hereby directed to submit said petition including this resolution, the report of the Suffolk County Agricultural and Farmland Protection Board and the Tax Map Identification Numbers and tax maps for each parcel of land to be included in the Agricultural Districts to the New York State Commissioner of Agriculture and Markets; and be it further

4th **RESOLVED**, 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 pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Tax Map Number	Name	Acres
0200 46000 0200 007000	Edda Dosiak	17.5
0200 46100 0200 004000	Edda Dosiak	1.0
0200 46100 0200 010002	Edda Dosiak	5.0
0200 46100 0200 011000	Edda Dosiak	1.0
0200 50700 0300 011000	Rassk Associates Inc	11.0
0200 50700 0400 005000	Edda Dosiak	4.6
0200 50700 0400 006000	Edda Dosiak	3.6
0200 50800 0100 002000	Edda Dosiak	32.1
0200 50800 0200 001000	Edda Dosiak	3.8
0200 55800 0200 002000	Edda Dosiak	9.0
0200 55800 0200 032000	Edda Dosiak	4.8
0200 55800 0200 033000	Edda Dosiak	1.5
0200 57800 0300 001001	S.N. Rodgers	28.0
0200 59100 0300 013000	Charles & Lori Spitzner	2.3
0200 66500 0100 001002	Suffolk County Honor Farm	2.2
0200 66500 0100 001003	Suffolk County Honor Farm	5.0
0200 66500 0100 001004	Suffolk County Honor Farm	164.5
0200 75700 0100 006000	Ender & Theresa Kaya	7.8
0200 79600 0500 001000	Craig & Carol Kawasaki	2.3
0200 79600 0500 002000	Craig & Carol Kawasaki	5.8
0200 84900 0300 008000	H. Ronald Bush	1.3
0200 84900 0300 010003	H. Ronald Bush	1.2
0200 94600 0200 010001	Fingerhut & Schwartz	1.0
0200 94600 0200 010002	Fingerhut & Schwartz	1.0
0200 94600 0200 010003	Fingerhut & Schwartz	1.0
0200 94600 0200 010004	Fingerhut & Schwartz	0.9
0200 94600 0200 011001	Fingerhut & Schwartz	0.9
0200 94600 0200 011002	Fingerhut & Schwartz	0.9
0200 94600 0200 011003	Fingerhut & Schwartz	1.0
0200 94600 0200 011004	Fingerhut & Schwartz	0.9
0400 10700 0300 002000	Tilden Realty LLC	2.1
0400 10700 0300 006001	Tilden Realty LLC	9.7
0400 10700 0300 006010	Tilden Realty LLC	1.3
0500 35700 0300 033000	Bernard Loughlin	10.3
0600 00700 0100 004001	Wells	9.0
0600 00700 0100 004002	Wells	2.0
0600 00700 0100 031000	LI House Wines	2.0
0600 00800 0200 012004	Reeve	13.1
0600 00800 0200 012005	Reeve	10.7
0600 00800 0200 013004	Luce	22.2
0600 00800 0300 010000	McCombe	20.0
0600 00800 0700 001000	Hallock	0.9
0600 00800 0700 003001	Hallock	3.6
0600 00800 0700 005000	Hallock	7.9
0600 00900 0100 006006	Caracciolo	10.6
0600 00900 0100 011004	Big E	3.1
0600 00900 0100 011005	Big E	19.3

Tax Map Number	Name	Acres
0600 00900 0100 011006	Big E	63.1
0600 00900 0100 011007	Big E	52.4
0600 00900 0200 005006	Caracciolo, Jr.	24.3
0600 00900 0200 005007	Caracciolo, Jr.	0.9
0600 00900 0200 005008	Caracciolo, Jr.	1.5
0600 00900 0200 005009	Caracciolo, Jr.	1.8
0600 00900 0200 005010	Caracciolo, Jr.	2.0
0600 00900 0200 007003	Sydowski	15.0
0600 00900 0200 008000	Ireland	17.9
0600 00900 0200 009000	Ireland	23.3
0600 00900 0200 010002	Wines	2.5
0600 00900 0200 011000	Van De Wetering	33.9
0600 01700 0100 007004	Schmitt	24.4
0600 01700 0300 003000	Kapsalis	36.0
0600 01700 0400 003001	Yours Farm Assoc LLP	69.4
0600 01700 0500 001000	Schmitt	29.0
0600 01700 0500 002001	Schmitt	56.7
0600 01700 0500 004005	DeLea	109.3
0600 01700 0500 004006	Pisacano	2.5
0600 01700 0500 004007	Pisacano	7.5
0600 01800 0100 006006	Pratt Farm II LLC	21.0
0600 01800 0100 006007	Pratt Farm III LLC	35.0
0600 01800 0100 006008	Pratt Farm IV LLC	15.0
0600 01800 0100 006011	Pratt Farm III LLC	2.4
0600 01800 0100 006012	Pratt Farm IV LLC	7.0
0600 01800 0100 007002	Stars in the Forest WR	61.9
0600 01800 0100 007004	Stars in the Forest WR	0.7
0600 01800 0100 007005	PLT	6.7
0600 01800 0100 007006	PLT	20.3
0600 01800 0100 007007	Gallucio Est. Vineyard	2.1
0600 01800 0100 007008	Gallucio Est. Vineyard	1.8
0600 01800 0100 008001	Reeve	3.9
0600 01800 0100 008002	Reeve	8.4
0600 01800 0100 010001	Justin Purchasing Corp.	41.0
0600 01800 0200 009002	DeLalio Sod Farms	160.3
0600 02000 0100 002003	Young	66.7
0600 02000 0100 002005	Young	2.7
0600 02000 0100 002006	Young	2.6
0600 02000 0200 002000	Schmitt	37.1
0600 02000 0300 003000	Wells	27.1
0600 02000 0300 006002	Wells	2.1
0600 02000 0300 006003	Wells	50.9
0600 02000 0300 007002	Wells	33.4
0600 02000 0300 009002	LI House Wines	5.5
0600 02000 0300 009003	LI House Wines	1.4
0600 02000 0300 009004	LI House Wines	52.8
0600 02100 0200 018002	Young	59.5

Tax Map Number	Name	Acres
0600 02100 0300 002000	Krudop	0.9
0600 02100 0300 003000	Krudop	0.9
0600 02200 0100 003002	Cichanowicz	40.5
0600 02200 0200 015000	Northwind Farm c/o Richard O'Deh	16.2
0600 02200 0300 004000	Caracciolo	19.5
0600 02200 0300 008000	Innamorato	12.5
0600 02200 0500 001000	Caracciolo, Jr.	0.9
0600 02300 0100 005002	Half Hollow Nursery Inc	159.3
0600 02300 0100 006000	Half Hollow Nursery Realty	63.5
0600 02300 0100 013000	Half Hollow Nursery Ctr Corp	12.1
0600 02300 0100 014000	Half Hollow Nursery Ctr Corp	12.3
0600 03900 0100 020000	Lewin	7.6
0600 03900 0400 006001	Lewin, Wells, Scanlon	2.0
0600 03900 0400 006002	Lewin, Wells, Scanlon	9.1
0600 03900 0400 007002	Baiting Hollow Farms LLC	16.8
0600 04000 0200 010000	Wulforst	51.5
0600 04100 0100 010004	Friar's Head Farm	0.5
0600 04100 0200 005001	Talmage	5.1
0600 04100 0200 005005	Friars Head Farm	51.1
0600 04100 0200 005006	Friars Head Farm	80.6
0600 04100 0200 007000	Cornell (NY State Veg Research Farm)	50.6
0600 04100 0200 008001	Cornell U.	18.3
0600 04100 0200 010007	Zilnicki	70.6
0600 04200 0100 003000	Zilnicki	59.1
0600 04200 0100 017000	Zilnicki & ors	17.1
0600 04200 0100 020000	Zilnicki & ors	24.8
0600 04200 0100 022000	Schmitt	30.0
0600 04200 0100 024000	Zilnicki	47.8
0600 04200 0100 028008	Zilnicki	2.0
0600 04200 0100 028009	Zilnicki	34.6
0600 04200 0200 001001	Schneider Vineyards LLC	4.4
0600 04200 0200 001002	Schneider Vineyards LLC	17.0
0600 04200 0200 002002	Schmitt	14.1
0600 04200 0200 002003	Schmitt	10.0
0600 04200 0200 003001	Anderson	20.1
0600 04300 0100 001001	Kozak	19.6
0600 04300 0200 003010	Hartmann & ors	35.6
0600 04300 0300 001000	Papish	5.7
0600 04400 0200 008003	DeLalio Sod Farms	97.4
0600 04400 0200 012001	Hartmann	4.0
0600 04400 0200 012002	Hartmann	60.6
0600 04400 0300 002001	Barnet Holdings	1.1
0600 04400 0300 002002	Barnet Holdings	26.8
0600 04400 0300 003001	Hartmann	29.2
0600 04500 0100 003001	Hartmann	19.5
0600 04500 0100 004004	Wells	53.0
0600 04500 0100 013001	Lingerfelt	5.5

Tax Map Number	Name	Acres
0600 04500 0100 013002	McBurnie	13.0
0600 04500 0100 013003	Haarmann	5.5
0600 04500 0200 002003	Wells	20.1
0600 04600 0100 037002	Zaweski & Zilniki	2.0
0600 04600 0100 037003	Zaweski & Zilniki	3.9
0600 04600 0100 037004	Zaweski & Zilniki	28.8
0600 04600 0200 044000	Massoud	1.1
0600 04600 0100 040004	Springer	2.1
0600 04600 0300 018001	Winton Realty LLC	133.1
0600 04800 0100 001003	Zaleski	57.5
0600 04800 0100 001004	Zaleski	5.0
0600 04800 0100 001005	Zaleski	5.0
0600 04800 0100 001006	Zaleski	5.0
0600 04800 0100 003009	Zaweski	26.4
0600 04800 0100 003010	Zaweski	1.8
0600 04800 0200 004000	Half Hollow Nursery Realty	15.9
0600 04800 0300 006000	Caracciolo Jr.	20.2
0600 04800 0300 009003	Zaweski	1.8
0600 04800 0300 009005	Manor Lanes Vineyards	10.5
0600 04800 0300 010000	Zaweski & Albin	11.5
0600 04800 0300 011000	Zaweski & Albin	10.7
0600 04800 0300 014001	Gajeski	9.5
0600 04800 0300 015000	Half Hollow Nursery Ctr Corp	21.0
0600 04800 0300 019000	Half Hollow Nursery Ctr Corp	18.2
0600 04800 0300 022000	Schmitt	6.8
0600 04800 0300 026000	Half Hollow Nursery Ctr Corp	16.6
0600 04800 0400 005000	Half Hollow Nursery Ctr Corp	1.3
0600 04800 0600 001000	Half Hollow Nursery Ctr Corp	0.5
0600 05700 0200 003000	Condzella	1.0
0600 05700 0200 005000	Condzella	5.2
0600 05700 0200 006001	Condzella	3.1
0600 05800 0100 002002	Davis	64.2
0600 05800 0100 004000	Lewin	33.7
0600 05800 0100 005000	Lewin	25.6
0600 05800 0200 012002	Andrews	24.8
0600 05800 0200 013001	Logan & Staufer	6.0
0600 05800 0500 001000	Howard Lewin	1.4
0600 05900 0100 001001	Howard Lewin	1.1
0600 05900 0100 001002	Howard Lewin	95.0
0600 05900 0100 003002	Green Hollow Inc	6.0
0600 05900 0100 003003	Green Hollow Inc	100.6
0600 05900 0200 003006	Lewin	112.5
0600 05900 0200 006002	Lewin	122.6
0600 06000 0100 001000	Lewin	218.3
0600 06000 0100 005002	Lewin	97.1
0600 06000 0100 009001	Lewin	7.4
0600 06000 0100 009002	Lewin	48.6

Tax Map Number	Name	Acres
0600 06100 0100 007002	Martin	5.5
0600 06100 0200 007001	Rottkamp	21.3
0600 06100 0200 007002	Rottkamp	30.0
0600 06100 0200 007003	Martin	5.2
0600 06100 0200 008001	Rottkamp	11.3
0600 06100 0200 009000	RoselleBuilding Co., Inc.	58.3
0600 06100 0200 010000	RoselleBuilding Co., Inc.	36.0
0600 06100 0200 017002	Wulforst	187.5
0600 06200 0100 012003	Jarzombek	3.1
0600 06200 0100 012004	Jarzombek	1.9
0600 06200 0200 002000	Warner	40.0
0600 06200 0200 003001	Jarzombek	2.0
0600 06200 0200 003002	Jarzombek	36.9
0600 06200 0200 004005	Reeves Ave. Storage Co LLC	3.2
0600 06200 0200 004006	Osborne Ave Tree Nursery Co. LLC	62.2
0600 06200 0200 005001	Osborne Ave Tree Nursery Co. LLC	25.4
0600 06200 0200 005002	Warner	32.9
0600 06300 0100 001000	Warner	23.3
0600 06300 0100 002003	Zilniki	23.5
0600 06300 0100 003000	Zilniki	19.1
0600 06300 0100 004000	42 Sound Ave Inc.	22.1
0600 06300 0100 008001	Raynor & ors	2.5
0600 06300 0100 008002	Raynor & ors	50.0
0600 06300 0100 009002	Anderson	22.9
0600 06300 0100 013000	Zilnicki	30.0
0600 06300 0200 002000	Tuccio	26.2
0600 06300 0200 003000	Muma	10.2
0600 06300 0200 005002	Muma	19.1
0600 06300 0200 007000	Zilniki & Raynor	113.9
0600 06300 0300 002002	Grodski	2.8
0600 06300 0300 003000	Zilniki	73.7
0600 06300 0300 005004	Zilniki	164.7
0600 06400 0100 006079	NF Development LLC	87.1
0600 06400 0100 006080	NF Development LLC	13.2
0600 06400 0100 007001	Anderson	66.8
0600 06400 0100 057000	Anderson	25.6
0600 06400 0200 001001	Papish	55.5
0600 06500 0100 009002	Hodun	81.9
0600 06500 0500 002001	DeLalio Sod Farms	61.5
0600 06500 0500 010000	Cichanowicz	15.9
0600 06500 0500 014001	Cichanowicz	42.3
0600 06500 0600 003001	Warner	18.7
0600 06500 0600 009001	Bellmark LLC	1.2
0600 06500 0600 009002	Bellmark LLC	1.2
0600 06600 0100 001001	McKay	18.1
0600 06600 0200 002004	Schaffner	35.6
0600 06600 0200 002005	Schaffner	27.7

Tax Map Number	Name	Acres
0600 06600 0200 002006	Schaffner	5.8
0600 06600 0200 002007	Schaffner	12.5
0600 06600 0200 017000	Gassert	16.7
0600 06600 0400 001003	Schaffner	29.8
0600 06700 0200 026003	Gammon	3.0
0600 06700 0200 029001	Reeve	17.9
0600 06700 0300 001007	Janlewicz	8.7
0600 06700 0300 001008	Janlewicz	36.8
0600 06700 0300 029009	Massoud	33.6
0600 06700 0300 029010	Massoud	3.5
0600 06700 0300 029011	Massoud	3.6
0600 06700 0400 033003	Massoud	30.2
0600 06800 0100 012002	Losquadro	55.2
0600 06800 0100 016001	Winton Realty LLC	33.2
0600 06800 0100 016002	Winton Realty LLC	20.5
0600 06800 0100 018002	Walter Gabrielsen Jr.	3.2
0600 06800 0100 020000	Walter Gabrielsen Jr.	9.2
0600 06800 0100 022000	Nixon	32.4
0600 06800 0100 024004	Nixon	125.0
0600 06800 0100 029002	Nixon	22.1
0600 06800 0200 020003	Gammon	1.1
0600 06800 0200 020004	Gammon	9.8
0600 06900 0200 016004	Sieminski	20.7
0600 06900 0200 018000	Sieminski	11.1
0600 06900 0200 023000	Jason Cellar LLC	19.7
0600 06900 0200 024000	Zaweski	2.1
0600 06900 0300 054000	Korpi	22.3
0600 06900 0300 056000	Zaweski	24.5
0600 06900 0300 057000	Zaweski	24.0
0600 06900 0300 058000	Half Hollow Nursery Realty	27.2
0600 07100 0100 002000	Schmitt	41.2
0600 07500 0100 001001	Condzella	0.1
0600 07500 0100 002000	Condzella	5.6
0600 07600 0100 018001	Howard Lewin	1.0
0600 07600 0100 018002	Howard Lewin	1.0
0600 07600 0200 011001	Howard Lewin	1.4
0600 07600 0200 011002	Howard Lewin	1.4
0600 07700 0100 004000	Lewin	97.6
0600 07700 0400 001000	Howard Lewin	1.1
0600 07800 0100 001000	Lewin, Yakaboski	169.4
0600 07900 0100 003000	Edwards	63.2
0600 07900 0100 012002	Sujecki	5.0
0600 07900 0100 012003	Sujecki	0.6
0600 07900 0100 012004	Sujecki	0.6
0600 07900 0100 012005	Sujecki	1.0
0600 07900 0100 012007	Sujecki	1.1
0600 07900 0100 012008	Sujecki	26.4

Tax Map Number	Name	Acres
0600 07900 0100 016000	Farr	2.3
0600 08000 0100 003002	Farr	34.0
0600 08000 0100 003003	Farr	20.0
0600 08000 0300 010000	Osborne Ave Tree Nursery Co. LLC	14.4
0600 08100 0200 001000	Zilniki	13.4
0600 08100 0200 005000	Park	6.2
0600 08200 0100 011003	Tuccio	110.2
0600 08400 0100 004001	McBurnie	9.7
0600 08500 0300 014000	Verderber	0.5
0600 08500 0300 067000	Verderber	19.8
0600 08500 0300 072004	Klein	54.7
0600 08500 0300 073002	406 Main Rd. LLC	26.2
0600 08800 0100 009002	Millar	35.4
0600 08800 0100 010000	Millar	28.8
0600 08800 0100 015001	Verderber	76.5
0600 09400 0100 005000	Sieminski	21.7
0600 09400 0100 006000	Sieminski	9.6
0600 09700 0300 001000	Howard Lewin	1.4
0600 09800 0100 005000	Meyer	49.8
0600 09800 0100 014000	North Shore Farms, Inc.	13.0
0600 09800 0100 020000	Green Meadows LLC	4.1
0600 09800 0100 021001	Green Meadows LLC	8.5
0600 09900 0100 004000	PF&E Associates Inc	22.0
0600 09900 0100 005000	Zeh	30.4
0600 09900 0100 017000	Zeh	10.6
0600 09900 0200 004046	Dowd	2.1
0600 10000 0200 019003	Hodun	6.3
0600 10000 0200 019010	Binder	5.1
0600 10000 0200 019011	Binder	5.1
0600 10000 0200 025007	Rottkamp	32.9
0600 10000 0300 010008	Funfgeld	4.4
0600 10000 0300 010009	Funfgeld	14.1
0600 10000 0300 010011	Funfgeld	8.6
0600 10000 0300 010012	Funfgeld	2.7
0600 10000 0300 010013	Funfgeld	8.6
0600 11600 0100 003001	Korus & ors	29.1
0600 11600 0100 007002	Green Meadows LLC	108.8
0600 11600 0200 001001	Green Meadows LLC	24.8
0600 11600 0200 002000	Marro & Petrocelli	25.5
0600 11600 0200 003000	Marro & Petrocelli	25.5
0600 11700 0100 003000	Zeh	41.7
0600 11700 0100 005001	Gibbs & Miloski	10.5
0600 11700 0100 005002	Gibbs & Miloski	1.7
0600 11700 0100 005003	Gibbs & Miloski	28.8
0600 11700 0100 006000	Ambrosini	24.1
0600 11700 0100 008002	DeLalio Sod Farms	52.0
0600 13600 0100 004000	Dibernardi	14.9

Tax Map Number	Name	Acres
0600 13700 0100 032000	DeLalio Sod Farms	52.0
0600 14400 0100 027006	Spindler	12.4
0600 14600 0100 027009	Martino	9.2
0900 11600 0300 002000	Harry S. Ludlow	2.7
0908 00200 0100 008000	Christian Wolffer	1.6
0908 00200 0200 001000	Sag Pond Properties LLC	12.4
0908 00200 0200 002000	Wolffer Estate Stables LLC	1.1
0908 00200 0200 003000	Sag Pond Properties LLC	1.0
0908 00200 0200 006000	Wolffer Estate Vineyards LLC	16.9
0908 00200 0200 007000	Wolffer Estate Vineyards LLC	2.8
0908 00200 0200 008000	Wolffer Estate Vineyards LLC	0.9
0908 00200 0200 013000	Wolffer Estate Holding LLC	0.6
0908 00200 0200 014000	Wolffer Estate Holding LLC	19.6
0908 00200 0200 021000	Wolffer Farms LLC	2.2
0908 00200 0200 022000	Wolffer Estate Stables LLC	22.3
0908 00200 0200 023000	Wolffer Estate Stables LLC	2.9
0908 00200 0200 024000	Wolffer Estate Stables LLC	2.0
0908 00200 0200 027000	Wolffer Estate Stables LLC	3.9
0908 00200 0200 028000	Wolffer Estate Stables LLC	3.2
0908 00200 0200 029000	Sag Pond Properties LLC	13.2
0908 00200 0200 030000	Wolffer Estate Vineyards LLC	1.1
0908 00200 0200 031000	Christian Wolffer	27.4
0908 00200 0300 004000	NL Housing LLC	1.3
1000 03100 0100 005009	Patricia Sepenoski	7.9
1000 03100 0100 005010	Patricia Sepenoski	2.1
1000 03100 0600 028006	SCPDR	8.2
1000 03800 0100 001013	SCPDR	27.5
1000 05600 0300 009000	Ira & Kathy Haspel	4.5
1000 13300 0100 003003	Howard Pickerell	247.0
1000 13300 0100 003007	Bill Pell	28.0
1000 13300 0100 026000	Aeros Cultured Oyster Co.	30.0
1000 13300 0100 028002	Aeros Cultured Oyster Co.	37.0
1000 14000 0100 023001	LI Oyser LLC	0.8
	Total Acreage	9,054.9

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1440-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 435-2008, ACCEPTING A
DONATION OF REAL PROPERTY FOR OPEN SPACE**

PURPOSES - A SCDHS BOARD OF REVIEW TRANSFER OF DEVELOPMENT RIGHTS (FILE NO. C02-05-0059)

WHEREAS, a variance is being required from the Suffolk County Department of Health Services Board of Review in connection with an application as described in a Report of Findings and Recommendations regarding the applicant, James Danowski, File No. C02-05-0059; and

WHEREAS, the Board of Review, under Section 760-607 (A)(1) and (B)(1) of the SUFFOLK COUNTY SANITARY CODE, granted the request for a variance on February 21, 2006 (Schedule "A"), subject to the applicant obtaining, and transferring to the County of Suffolk development rights or credits for the excess density required and a transfer of property with covenants to the County of Suffolk to sterilize the transferred property so as to protect surface and groundwater quality by establishing limits on population density; and

WHEREAS, the Board of Review specifically imposed as a condition of its variance approval that the owner place a covenant upon the receiving parcel(s), known as S.C.T.M. No. District 0200, Section 182.00 Block 06.00 Lot 009.004, more particularly described on Schedule "B" attached hereto and made a part hereof, and on the transfer parcel(s) known as S.C.T.M. No. District 0200 Section 189.00 Block 04.00 Lot 018.000, more particularly described on Schedule "C" attached hereto and made a part hereof and whereby the parcel(s) described in Schedule "C" shall be sterilized by the property owner and transferred to the County of Suffolk for open space purposes in exchange for the transfer of its Development Density Rights to the property described in Schedule "B"; and

WHEREAS, the Suffolk County Department of Planning has recommended this proposed transfer in a Memorandum to the County Department of Health Services, Division of Environmental Quality, dated February 7, 2006, as provided in Schedule "D"; now, therefore be it

1st **RESOLVED**, that the County of Suffolk hereby accepts the donation and transfer of the property described in Schedule "C", subject to it being sterilized by the owner for open space purposes to protect the aquifer and water supply, which property shall be kept in its natural state in perpetuity, except for property maintenance activities as may be appropriate, to effectuate the declaration of covenants and restrictions imposed by the applicant, without impairing the essential nature and open character of the premises and subject to the use of the open space area for passive recreational purposes; and be it further

2nd **RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy is hereby authorized, empowered, and directed, pursuant to Section C42-2(3)(d) of the Suffolk County Charter, to execute such documents as are necessary to acquire said parcel(s) as described in Schedule "C"; and be it further

3rd **RESOLVED**, that the Assessor of the Town of Brookhaven, 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 pursuant to Section 406(1) of the NEW YORK REAL PROPERTY TAX LAW; and be it further

4th **RESOLVED**, that the Suffolk County Division of Real Property Acquisition and Management in the Department of Environment and Energy shall transfer jurisdiction of said land as described in Schedule "C", to the Suffolk County Department of Parks, Recreation, and Conservation for passive recreational purposes in the Miller Place–Yaphank Road Nature Preserve (BR17); and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes an unlisted action which will not have a significant effect on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) which sets forth thresholds for determining significant effect on the environment;
2. The property will be open space under the jurisdiction of the Suffolk County Department of Parks, Recreation, and Conservation; and;
3. The site will only be used for passive recreational purposes,

and be it further

6th **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, the initiating unit of said project, and with CEQ: and be it further

7th **RESOLVED**, that in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the CEQ is hereby directed to prepare and circulate a SEQRA notice of determination of non-significance in accordance with this Resolution.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1462-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 436-2008 AUTHORIZING ACQUISITION
OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING**

**WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE
MANTEEN PROPERTY – CARLLS RIVER WATERSHED
ADDITION – TOWN OF BABYLON - (SCTM NOS. 0100-083.00-
01.00-156.000 & 0100-083.00-01.00-157.000)**

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

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

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

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and 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. 1081-2007, 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 Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports; respectively; and

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of One Hundred Fifty Thousand Dollars (\$150,000.00), 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:

SUFFOLK COUNTY

REPUTED OWNER

<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0100 Section 083.00 Block 01.00 Lot 156.000	8,000 s.f.	Sabir and Yvonee Manteen 128 North 24 th Street Wheatley Heights, NY 11798
No. 2	District 0100 Section 083.00 Block 01.00 Lot 157.000	8,000 s.f.	Same as above

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of One Hundred Fifty Thousand Dollars (\$150,000.00), subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$150,000.00, subject to a final survey, from previously appropriated funds in MY-LAW-GDHI, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing

the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA determination of non-significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

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

Intro. Res. No. 1463-2008

Laid on Table 5/13/2008

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

RESOLUTION NO. 437 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE ROVERSE ESTATE PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION – TOWN OF BROOKHAVEN – (SCTM NO. 0200-213.00-02.00-011.000)

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

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

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

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

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

WHEREAS, on November 20, 2007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1081-2007, 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 Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports; respectively; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Ten Thousand Dollars (\$10,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200	0.09±	Estate of Eugene Roverse
	Section 213.00		Sole Heirs
	Block 02.00		Eugene Roverse
	Lot 011.000		Robert Roverse
			Charlie Gambino
			Linda Kazmier
			Christopher Gambino
			Robert Gambino
			3208 Cunningham Drive
			Alexandria, VA 22309

and be it further

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

3rd RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$10,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

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

Intro. Res. No. 1464-2008

Laid on Table 5/13/2008

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

RESOLUTION NO. 438-2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY OPEN SPACE PRESERVATION PROGRAM – FOR THE KLEIN PROPERTY – MILLER PLACE/YAPHANK ROAD NP ADDITION – TOWN OF BROOKHAVEN (SCTM NO. 0200-188.00-05.00-010.000)

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

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

WHEREAS, any of these proposed acquisitions shall be consummated in accordance with and subject to the provisions of Resolution No. 762-1986 establishing and

outlining the role of the Board of Trustees of the Department of Parks, Recreation and Conservation in connection with such Open Space acquisitions; and

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below for acquisition under the Suffolk County Open Space Preservation Program for a total purchase price of Eighteen Thousand Dollars (\$18,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title report and insurance, and tax adjustments:

SUFFOLK COUNTY		REPUTED OWNER	
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0200	0.137±	Anthony Klein
	Section 188.00		P.O. Box 323
	Block 05.00		Miller Place, NY 11764
	Lot 010.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Open Space Preservation Program, for a purchase price of Eighteen Thousand Dollars (\$18,000.00), 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 \$18,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7144.213, Suffolk County Open Space Preservation Program, for this acquisition; and be it further

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

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

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1465-2008

Laid on Table 5/13/2008

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

RESOLUTION NO. 439-2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE CASAGA BUILDERS, INC. AS CONTRACT VENDEE OF THE STRUM STREET, CORP. PROPERTY – LAKE RONKONKOMA ADDITION – TOWN OF SMITHTOWN – (SCTM NO. 0800-171.00-04.00-043.000)

WHEREAS, Article XII of the SUFFOLK COUNTY CHARTER established the Old Suffolk County Drinking Water Protection Program, as amended and effective as of November 30, 2000, the first priority of which being the acquisition of qualified lands to be

funded by revenues generated by the quarter percent (1/4%) sales and compensating use tax; and

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

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

WHEREAS, Resolution No. 1331-2006, authorized planning steps for the acquisition of the subject property; and

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Two Hundred Eighty Thousand Seven Hundred Twenty Eight Dollars (\$280,728.00±), at Eighteen Dollars (\$18.00) per square foot for 15,596± square feet, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0800 Section 171.00 Block 0400 Lot 043.000	15,596± s.f.	Casaga Builders, Inc. as Contract Vendee of Strum Street, Corp. Anthony Caldara, President 142 Roosevelt Blvd. Hauppauge, NY 11788

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Hundred Eighty Thousand Seven Hundred Twenty Eight Dollars (\$280,728.00±), 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 \$280,728.00±, subject to a final survey, from previously appropriated funds in MY-176-LAW-GEH2 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

7th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

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

8th **RESOLVED**, in accordance with Section 279-5(C)(4) of the SUFFOLK COUNTY CODE, the Suffolk County Council on Environmental Quality is hereby directed to prepare and circulate any appropriate notices or determinations in accordance with this resolution.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1466-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 440-2008 AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE MANTEEN PROPERTY – CARLLS RIVER WATERSHED – TOWN OF BABYLON – (SCTM NO. 0100-083.00-02.00-004.000)

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

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

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

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

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and 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. 1081-2007, 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 Resolutions Nos. 621-2004 and 877-2005 – Master Lists I and II Reports; respectively; and

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

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

<u>PARCEL:</u>	SUFFOLK COUNTY		<u>ACRES:</u>	REPUTED OWNER
	<u>TAX MAP NUMBER:</u>			<u>AND ADDRESS:</u>
No. 1	District	0100	4,000 s.f.	Sabir Malik Manteen
	Section	083.00		138 North 24 th Street
	Block	02.00		Wheatley Heights, NY 11798
	Lot	004.000		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of 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 MY-176-LAW-GDH1, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and, be it further

4th RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of

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

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

6th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA Determination of Non-Significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1467-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 441-2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] FOR THE AUDIRSCH PROPERTY – CARLLS RIVER WATERSHED –

TOWN OF BABYLON - (SCTM NOS. 0100-083.00-01.00-074.000 & 0100-083.00-01.00-075.000)

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

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

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

WHEREAS, Resolution No. 877-2005 and Resolution No. 435-2007 authorized planning steps for the acquisition of the subject property; and

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

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Ninety Five Thousand Dollars (\$95,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
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No. 1	District	0100	0.18±	Robert Audirsch
	Section	083.00		P.O. Box 20531
	Block	01.00		55 Tulip Building 4
	Lot	074.000		Floral Park, NY 11001
No. 2	District	0100		
	Section	083.00		
	Block	01.00		
	Lot	075.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Ninety Five Thousand Dollars (\$95,000.00), 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 \$95,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDH1 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

6th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II Action pursuant to 6 NYCRR Sections 617.5(c)(20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing

the acquisition of property for passive park purposes which will mainly result in a beneficial impact and for which SEQRA determination of non-significance has already been issued in Suffolk County Resolution No. 1083-2007.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1468-2008

Laid on Table 5/13/2008

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

**RESOLUTION NO. 442 -2008, APPROVING PLANNING
STEPS FOR THE ACQUISITION OF FARMLAND
DEVELOPMENT RIGHTS – APRIL 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:

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

APPENDIX A

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 01	District 0200 Section 589.00 Block 03.00 Lot 008.002	10.4	Luanne Gregor 185 Dayton Ave. Manorville, NY 11949
No. 02	District 0900	23.8	VW Enterprises, LLC

	Section	050.00		240 West End Ave.
	Block	01.00		New York, NY 10023
	Lot	005.000		
No. 03	District	0908	7.6	82 Sagaponack Main LP
	Section	001.00		P.O. Box 810
	Block	04.00		Bridgehampton, NY 11932
	Lot	011.000		
No. 04	District	1000	approx. 3.0	Wickhams Fruit Farm
	Section	102.00		P.O. Box 928
	Block	06.00		Cutchogue, NY 11935
	Lot	020.002 p/o		
No. 05	District	1000	6.0	Jonathan Wickham
	Section	103.00		Attn: Wickhams Fruit Farm
	Block	11.00		P.O. Box 928
	Lot	022.000		Cutchogue, NY 11935

TOTAL ACRES

50.8

Legislator Beedenbender made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1469-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on Request of the County Executive

RESOLUTION NO. 443–2008, TO REAPPOINT MEMBER OF COUNTY PLANNING COMMISSION (ROBERT A. BRAUN, ESQ.)

WHEREAS, Section 14-2 of the SUFFOLK COUNTY CHARTER provides for the appointment of fifteen (15) members of the Suffolk County Planning Commission, one member from each of the ten (10) towns in Suffolk County, one member from an incorporated village of under 5,000 population, one member from an incorporated village of over 5,000 population, and three members from the County at large; and

WHEREAS, the term of the Suffolk County Planning Commission member representing the Town of Smithtown expired on December 31, 2007; and

WHEREAS, the County Executive of Suffolk has reappointed **Robert A. Braun**, currently residing at 14 Rutherford Street, St. James, New York 11780, as a member of the County Planning Commission; now, therefore be it

1st **RESOLVED**, that **Robert A. Braun**, currently residing at 14 Rutherford Street, St. James, New York 11780 is hereby reappointed as a member of the Suffolk County Planning Commission to represent the Town of Smithtown for a term of office expiring December 31, 2011.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Alden made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No. 1443-2008

Laid on Table 5/13/2008

Introduced by Legislators Alden, Nowick and D'Amaro

RESOLUTION NO. 444 -2008, AUTHORIZING ESTEE LAUDER BREAST CANCER AWARENESS PROGRAM AT H. LEE DENNISON EXECUTIVE OFFICE BUILDING AND COHALAN COURT COMPLEX

WHEREAS, the Estee Lauder Companies Breast Cancer Awareness Program and The Breast Cancer Research Foundation (Foundation) were established in 1993 to help find a cure for this dreadful disease; and

WHEREAS, the Foundation's campaign has made the "pink ribbon" a universal symbol of the fight to eradicate breast cancer and a potent reminder to all women of the importance of early detection in saving lives; and

WHEREAS, to renew the public's support for its 2008 Breast Cancer Awareness Program, the Foundation wishes to initiate a "Victory Landmark Illumination Project" for breast cancer awareness on the night of Wednesday, October 1, 2008 at 7:00 p.m. by illuminating landmark buildings in as many major cities as possible throughout the USA and all around the world to create a visible hazy pink glow that will galvanize the national commitment to end this dreaded disease; and

WHEREAS, Suffolk County wishes to show its enthusiasm and pledge its allegiance to this cause by participating in the illumination project, just as it did on October 2, 2000, pursuant to Resolution No. 659-2000, on October 1, 2001, pursuant to Resolution No. 641-2001, on October 1, 2002, pursuant to Resolution No. 885-2002, on October 1, 2003, pursuant to Resolution No. 574-2003, on October 1, 2004, pursuant to Resolution No. 493-2004, on September 30, 2005, pursuant to Resolution No. 159-2005, on September 29, 2006,

pursuant to Resolution No. 831-2006, and on October 1, 2007, pursuant to Resolution No. 839-2007; now, therefore be it

1st RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to illuminate the north side of the H. Lee Dennison Executive Office Building facing Veterans Memorial Highway and the Cohalan Court Complex at the south east corner of Carleton Avenue, Central Islip at 7:00 p.m., with a pink glow, on the night of Wednesday, October 1, 2008 in support of The Breast Cancer Research Foundation's illumination project; and be it further

2nd RESOLVED, that the presence of employees or representatives of the Estee Lauder Companies Breast Cancer Awareness Program and the Breast Cancer Research Foundation and representatives of breast cancer advocacy groups or organizations, in connection with such celebration, shall be permitted at the two (2) sites.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Vloria-Fisher made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 14-2-0-1-0. Legislators Eddington and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1379B-2008

BOND RESOLUTION NO. 445-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS TO FINANCE A PART OF THE COST OF THE RESTORATION OF FACADES AT THE SUFFOLK COUNTY VANDERBILT MUSEUM (CP 7441.110 and .310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,100,000 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 restoration of facades at the Suffolk County Vanderbilt Museum, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,737,000. The plan of financing includes (a) the issuance of \$150,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 1225-1999, as amended by Bond Resolution No. 1185-2000, (b) the issuance of \$10,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1185-2000, (c) the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1381-2004, (d) the issuance of \$577,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1483-2006, (e) the issuance of \$700,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1375-2007, (f) the issuance of \$1,100,000 bonds or bond anticipation notes authorized (\$100,000 for planning and \$1,000,000 for construction) pursuant to this resolution and (g) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years, computed from June 15, 2001, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 1225-1999.

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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 12-5-0-0-0. Presiding Officer Lindsay and Legislators Browning, Beedenbender, Viloría-Fisher and Eddington voted no.

Intro. Res. No. 1437-2008
Introduced by Legislators Stern, Losquadro and Romaine

Laid on Table 4/29/2008

**RESOLUTION NO. 446 -2008, ADOPTING LOCAL LAW
NO. 24 -2008, A LOCAL LAW ESTABLISHING CRIME
PREVENTION REQUIREMENTS FOR SCRAP METAL**

**PROCESSORS, VEHICLE DISMANTLERS, JUNK DEALERS,
AND CORE BUYERS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on April 29, 2008 a proposed local law entitled “**A LOCAL LAW ESTABLISHING CRIME PREVENTION REQUIREMENTS FOR SCRAP METAL PROCESSORS, VEHICLE DISMANTLERS, JUNK DEALERS, AND CORE BUYERS;**” 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. 24 -2008, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW ESTABLISHING CRIME PREVENTION
REQUIREMENTS FOR SCRAP METAL PROCESSORS,
VEHICLE DISMANTLERS, JUNK DEALERS AND CORE
BUYERS**

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

Section 1. Legislative Intent.

This Legislature finds and determines that the increase in market value of scrap metal potentially induces the theft of ferrous and non-ferrous metal, end of life vehicles and catalytic converters.

Therefore, the purpose of this law is to require additional record-keeping requirements for scrap metal processors, auto dismantlers, junk dealers, core buyers, and entities operating as such, and to establish significant penalties for the violation of the provisions enacted hereunder.

Section 2. Definitions.

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

CORE BUYER: A person, association, partnership, corporation of an itinerant nature or other entity which is engaged in the business of purchasing and/or acquiring catalytic converters, automobile radiators, batteries and other small component motor vehicle parts for resale as such.

END OF LIFE VEHICLE: Any motor vehicle sold, given, or otherwise disposed of as junk or salvage.

GOVERNMENT ISSUED PHOTO IDENTIFICATION: A valid federal, state or local government issued identification card bearing a current photograph of the card's holder. Examples include: driver's license, passport, military identification or resident alien card.

JUNK DEALER: Any person, association, partnership, corporation or other entity engaged in the business of purchasing or selling old metal and or core motor vehicle parts such as catalytic converters, radiators, batteries and such.

LAW ENFORCEMENT OFFICER: The Commissioner of the Suffolk County Police Department, his or her designee, the chief of any town or village police department within the County of Suffolk, his or her designee, or any officer of such police department.

PURCHASER: A scrap metal processor, vehicle dismantler, junk dealer, core buyer and/or a person, association, partnership, corporation or other entity who purchases or contracts to purchase ferrous and non-ferrous scrap metal, end of life vehicles and catalytic converters, including any such person or entity who does not maintain a fixed place of business in the County of Suffolk, but enters into the County of Suffolk to purchase scrap metal.

SCRAP METAL: Ferrous and non-ferrous metal including but not limited to copper, aluminum, bronze, brass, tin and metals commonly purchased for reprocessing, and material which is or may have been a vehicle or vehicle part purchased for processing into a form other than a vehicle or vehicle part.

SCRAP METAL PROCESSOR: A person, association, partnership, corporation or other entity engaged primarily in the purchase, processing and shipment of ferrous and/or non-ferrous scrap, the end product of which is the production of raw material for remelting purposes for steel mills, foundries, smelters, refiners, and similar users, or who purchases material which is or may have been a vehicle or vehicle part for processing into a form other than a vehicle or vehicle part, but who, except as otherwise provided by regulation of the Commissioner of Motor Vehicles, does not sell any such material as a motor vehicle, a trailer or a major component part thereof.

SELLER: A person, association, partnership, corporation or other entity who sells or contracts to sell scrap metal, end of life vehicles and catalytic converters.

VEHICLE DISMANTLER: A person, association, partnership, corporation or other entity which is engaged in the business of purchasing and/or acquiring motor vehicles or trailers for the purpose of dismantling the same for parts or reselling such vehicles as scrap.

Section 3. Crime Prevention Requirements.

- A.) All purchasers of ferrous and non-ferrous scrap metal, end of life vehicles and catalytic converters shall create a record for each such purchase which shall include a copy of the seller's government issued photographic identification, provided however, that such seller is a natural person; the date of purchase; the name of the seller; the residence or business address of the seller and the type, quantity and consideration paid for the items so purchased.
- B.) When ferrous and non-ferrous scrap metal is purchased the record shall detail the type, and quantity of the scrap metal so purchased as described by industry standard, as defined by Institute of Scrap Recycling Industries (ISRI).
- C.) When an end of life vehicle is purchased, the record shall detail the year, make, model, color and VIN number of the vehicle so purchased.
- D.) When a catalytic converter is purchased, the record shall detail the quantity by piece count and the type shall be described as "Catalytic Converter".

Section 4. Article Transaction Receipt Requirements.

- A.) No alterations or erasures are to be made to any record or receipt of sale.
- B.) All records of transactions shall be kept in an electronically searchable database.
- C.) Records and receipt shall be stored in receipt number order in good and legible condition in a secure volume subdivided by year and month for no less than three (3) years as measured from the date of the receipt. Each volume of article transaction receipts shall be kept at the business establishment of the scrap processor. Such records shall be archived electronically in lieu of other formats.

Section 5. Inspection of Records and Books.

- A.) All records and books described herein shall, at all reasonable times, be open for inspection by a law enforcement officer.
- B.) A law enforcement officer may request, and a purchaser shall satisfy such request within seventy two (72) hours of receiving such request, information as to copies of all purchase receipts and/or a comparable document detailing purchase information for one specific seller(s) for a time frame of no more than ninety (90) days.
- C.) Should a law enforcement officer request information for one specific seller for a time frame greater than ninety (90) days, then the purchaser shall have an additional 72 hours to comply with the request.

Section 6. Order to Hold Property.

- A.) Upon a showing that probable cause exists that a crime relating to the theft of ferrous or non-ferrous scrap metal, end of life vehicle, or catalytic converters has occurred, the District Attorney may seek and obtain a judicial order for service upon a purchaser ordering said purchaser to hold such for purposes of an investigation.
- B.) Such request for an Order to Hold shall specify with particularity the ferrous or non-ferrous scrap metal, end of life vehicle or catalytic converters subject to such Order to Hold. In the event such order is issued, said purchaser shall not sell or remove from the business establishment the purchased item(s) which is the subject of the order. The order shall remain in effect for a period not to exceed five (5) days from the date of issuance of the order.

Section 7. Report to the County Executive and Legislature.

- A.) The Police Department shall prepare and file annually a status report with the County Executive, the Presiding Officer and all Legislators of the County Legislature.

- B.) The report, which shall be made available to the public, shall include a list of all entities (Purchasers) that fall under the regulation of this local law along with a status report of which entities the Department has confirmed are in compliance and which are not. It will include records and a description as to the implementation and enforcement of this local law detailing how often the Purchasers have been visited, records of investigations, arrests, convictions and fines levied against Purchasers for violations of this local law.

Section 8. Penalties for Offenses.

- A.) Any Purchaser who violates any provision of this law shall be guilty of a Class A misdemeanor. Each such violation shall be deemed a separate offense. A Purchaser shall not be liable for any violation of this law by a seller, his agent or purported agent of a seller.

If such violation is committed by a natural person, such violation shall be punishable by a fine of one thousand dollars (\$1,000) per offense and/or a term of imprisonment as fixed by a court of competent jurisdiction.

If such violation is committed by a corporation, such violation shall be punishable by a fine of five thousand dollars (\$5,000) per offense. A conviction of a corporation for a subsequent violation of this law within two (2) years of an earlier conviction shall be a felony punishable by a fine of ten thousand dollars (\$10,000) per offense.

- B.) Any Seller who violates any provision of this law shall be guilty of a Class A misdemeanor. Each such violation shall be deemed a separate offense. A seller shall not be liable for any violation of this law by a purchaser.

If such violation is committed by a natural person, such violation shall be punishable by a fine of one thousand dollars (\$1,000) per offense and/or a term of imprisonment as fixed by a court of competent jurisdiction.

If such violation is committed by a corporation, such violation shall be punishable by a fine of five thousand dollars (\$5,000) per offense. A conviction of a corporation for a subsequent violation of this law within two (2) years of an earlier conviction shall be a felony punishable by a fine of ten thousand dollars (\$10,000) per offense.

Section 9. Injunctive Relief.

The County Attorney or the District Attorney may commence an action in a court of competent jurisdiction to enjoin any violation of this law or any rule or regulation promulgated hereunder.

Section 10. Applicability.

This law shall apply to the sale or purchase of any ferrous or non-ferrous scrap metal, end of life vehicle, or catalytic converter on or after the effective date. The requirement

of Section 4(B) of this law regarding the maintenance of records of transactions in an electronically searchable database shall apply one year after the effective date of this law.

Section 11. 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 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 12. SEQRA Determination.

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

Section 13. Effective Date.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 10, 2008

After a public hearing duly held on June 24, 2008
Filed with the Secretary of State on August 1, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 15-2-0-0-0. Legislators Vilorio-Fisher and Montano voted no.

Intro. Res. No. 1461-2008

Laid on Table 5/13/2008

Introduced by Legislators Losquadro, Schneiderman, Nowick and Stern

**RESOLUTION NO. 447 -2008, ESTABLISHING COUNTY
POLICY TO CONFIRM LEGAL STATUS OF PERSONS
ENTERING THE PROBATION SYSTEM**

WHEREAS, according to a recent report by the Suffolk County Probation Department, over 950 persons currently in the probation system in Suffolk County had questionable status in terms of legal documentation; and

WHEREAS, a more in-depth survey subsequently determined that between 200-225 of those supervised by Probation are criminal aliens, which means that they are illegal aliens with a criminal conviction; and

WHEREAS, it was determined that at least 36 of those criminal aliens were sex offenders; and

WHEREAS, it is imperative that the Probation Department determine the legal status of all persons entering the probation system; now, therefore be it

1st RESOLVED, that the Suffolk County Probation Department is hereby authorized, empowered, and directed to take all steps necessary and practicable to determine the legal status of all persons entering the probation system; and be it further

2nd RESOLVED, that the Director of the Suffolk County Department of Probation shall develop policies and procedures to be followed in order to effectuate the terms this resolution; and be it further

3rd RESOLVED, that the Suffolk County Department of Probation shall seek the cooperation of the Suffolk County Sheriff's Office, through the Immigration and Customs Enforcement (ICE) agents located at the Suffolk County Correctional Facility, to obtain the legal status of an individual prior to their entering the probation system; and be it further

4th RESOLVED, that upon the determination by Probation that a person entering the probation system is an illegal or undocumented alien, Probation shall so advise ICE representatives; and be it further

5th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 10, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JUNE 26, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 13-3-0-1-0. Legislators Romaine, Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1372B-2008

BOND RESOLUTION NO. 448-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS TO FINANCE THE COST OF STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014.347)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of strengthening and improving County roads, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

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

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1374B-2008

BOND RESOLUTION NO. 450-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$300,000 BONDS TO FINANCE THE COST OF A COUNTY-WIDE HIGHWAY CAPACITY STUDY IN RELATION TO PROPOSED HIGHWAY PROJECTS THAT MAY BE UNDERTAKEN IN THE FUTURE (CP 5502.110)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$300,000 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 a County-wide highway capacity study in relation to proposed highway projects that may be undertaken in the future, 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 \$300,000. The plan of financing includes the issuance of \$300,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

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

DATED: June 10, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JUNE 25, 2008.

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 13-3-0-1-0. Legislators Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1392B-2008

BOND RESOLUTION NO. 451-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$500,000 BONDS TO FINANCE THE COST OF RECONSTRUCTION AND IMPROVEMENTS AT THE BOMARC RECORDS STORAGE FACILITY (CP 1705.113, .313 and .511)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of reconstruction and improvements at the Bomarc Records Storage Facility, 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 \$500,000. The plan of financing includes the issuance of \$500,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$20,000 for planning, \$80,000 for construction and \$400,000 for equipment) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Beedenbender. The resolution was passed 13-3-0-1-0. Legislators Romaine, Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1393B-2008

BOND RESOLUTION NO. 452-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,240,000 BONDS TO FINANCE A PART OF THE COST OF RENOVATIONS TO SURROGATES COURT (CP 1133.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,240,000 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 renovations to Surrogates Court, 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 \$1,364,000. The plan of financing includes (a) the issuance of \$124,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1442-2006, (b) the issuance of \$1,240,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2.

(a) 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, computed from November 1, 2007, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1442-2006.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 1442-2006 is hereby amended and restated to be 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 13-3-0-1-0. Legislators Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1396B-2008

BOND RESOLUTION NO. 453-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$400,000 BONDS TO FINANCE THE COST OF REPLACEMENT OF MAJOR BUILDING OPERATIONS EQUIPMENT (CP 1737.325)

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 \$400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of replacement of major building operations 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 \$400,000. The plan of financing includes the issuance of \$400,000 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. 13 of the Law, is ten (10) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in

substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1398B-2008

BOND RESOLUTION NO. 454-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$300,000 BONDS TO FINANCE A PART OF THE COST THE RIVERHEAD COUNTY CENTER POWER PLANT UPGRADE (CP 1715.314)

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 \$300,000 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 Riverhead County Center power plant upgrade, 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 \$2,310,000. The plan of financing includes (a) the issuance of \$180,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 435-2005 (for planning), (b) the issuance of \$1,830,000 bonds or bond heretofore authorized pursuant to Bond Resolution No. 521-2007 (\$30,000 for planning and \$1,800,000 for construction), (c) the issuance of \$300,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years, computed from November 1, 2005, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 435-2005.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
 - (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,
- and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 14-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1412B -2008

BOND RESOLUTION NO. 455-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF PLANNING FOR SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301.124)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning for safety improvements at various intersections, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1416-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 456 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE RENOVATION TO PUBLIC WORKS BUILDING, YAPHANK (CP 5194)

WHEREAS, the Commissioner of Public Works has requested funds to renovate Public Works building (CO-10) in Yaphank; and

WHEREAS, the Department of Public Works has undergone a realignment of staff within the Highway Maintenance, Highway Design, and Print Shop divisions; and

WHEREAS, these staff changes necessitate renovations to existing space within the Public Works Building with an associated cost of \$295,000; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the costs of said renovations under Capital Program 5194 and, pursuant to Suffolk County Charter Section C4-13, an offsetting authorization must be provided from another Capital Project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$295,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

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

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

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

Project No.: 5371
Project Title: Reconstruction of Culverts

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	<u>\$3,885,000</u>	<u>\$510,000B</u>	<u>\$215,000B</u>
TOTAL	\$4,150,000	\$510,000	\$215,000

Project No.: 5194
Project Title: Renovation To Public Works Building, Yaphank

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	<u>\$1,170,000</u>	<u>0</u>	<u>\$295,000B</u>

TOTAL \$1,235,000 0 \$295,000

and be it further

5th **RESOLVED**, that the proceeds of \$295,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5194.312 (Fund 001-Debt Service)	20	Renovation To Public Works Building, Yaphank	\$295,000

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1416A-2008

BOND RESOLUTION NO. 457-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$295,000 BONDS TO FINANCE A PART OF THE COST OF RENOVATION OF THE PUBLIC WORKS BUILDING, YAPHANK (CP 5194.312)

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 \$295,000 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 of renovation of the Public Works building, Yaphank, 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 \$1,235,000. The plan of financing includes (a) the issuance of \$25,000

bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1313-1996, (b) the issuance of \$40,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1278-1999, (c) the issuance of \$875,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 597-2000, (d) the issuance of \$295,000 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 bonds are authorized to be issued, within the limitations of 11.00 a. 12 (a) (1) of the Law, is or is hereby limited to twenty (20) years, computed from August 4, 1998, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1313-1996.

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

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

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

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

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

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

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

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 15-0-0-2-0. Legislators Montano and Cooper were not present.

Intro. Res. No 1418-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 458 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH FUEL MANAGEMENT/ PREVENTIVE MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM (CP 1616)

WHEREAS, the Commissioner of Public Works has requested funds to bring County fuel facilities into regulatory compliance; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover this cost under Capital Program 1616 and, pursuant to Suffolk County Charter Section C 4-13, an offsetting authorization must be provided from another Capital Project; and

WHEREAS, there is a cost of \$310,000 associated with achieving said compliance; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$310,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of 47 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 5515

Project Title: Reconstruction of CR 46, William Floyd Parkway

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
2. Land Acquisition			
	<u>\$770,000</u>	<u>\$750,000B</u>	<u>\$465,000B</u>
TOTAL	\$10,520,000	\$770,000	\$465,000

Project No.: 1706

Project Title: Replacement/Cleanup of Fossil Fuel, Toxic and Hazardous Material Storage Tanks

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget& Program</u>	<u>Revised 2008 Capital Budget& Program</u>
3. Construction	<u>\$1,475,000</u>	<u>\$25,000B</u>	<u>0</u>
TOTAL	\$1,500,000	\$25,000	0

Project No.: 1616

Project Title: Fuel Management/Preventive Maintenance and Parts Inventory Control System

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget& Program</u>	<u>Revised 2008 Capital Budget& Program</u>
3. Construction	<u>\$160,000</u>	<u>0</u>	<u>\$160,000B</u>
TOTAL	\$160,000	0	\$160,000

5. Furniture and Equipment	<u>\$1,625,000</u>	<u>0</u>	<u>\$150,000B</u>
TOTAL	\$1,625,000	0	\$150,000

and be it further

5th **RESOLVED**, that the proceeds of \$310,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1616.310 (Fund 016-Debt Service)	20	Fuel Management/Preventive Maintenance and Parts Inventory Control System	\$160,000
525-CAP-1616.511 (Fund 016-Debt Service)	20	Fuel Management/ Preventive Maintenance and Parts Inventory Control System	\$150,000

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 12-3-0-2-0. Legislators Romaine, Alden and Barraga voted no. Legislators Montano and Cooper were not present.

Intro. Res. No. 1418A-2008

BOND RESOLUTION NO. 459-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$310,000 BONDS TO FINANCE THE COST OF IMPROVEMENTS AND EQUIPMENT FOR THE FUEL MANAGEMENT/PREVENTIVE MAINTENANCE AND PARTS INVENTORY CONTROL SYSTEM (CP 1616.310 and .511)

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 \$310,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of improvements and equipment for the fuel management/preventive maintenance and parts inventory control system, 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 \$310,000. The plan of financing includes the issuance of \$310,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$160,000 for construction and \$150,000 for equipment) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 11 and 32 of the Law is, or is hereby limited to, 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1419-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 460 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH BUILDING SAFETY IMPROVEMENTS (CP 1603)

WHEREAS, the Commissioner of Public Works has requested funds for various safety improvements to County buildings; 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, has established a priority ranking system as the basis for funding Capital Projects such as this project; and

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

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1)(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 53 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 1603
Project Title: Building Safety Improvements

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
1. Planning, Design, and Supervision	\$450,000	\$200,000B	\$50,000B
3. Construction	<u>\$2,650,000</u>	<u>0</u>	<u>\$150,000B</u>
TOTAL	\$3,100,000	\$200,000	\$200,000

and be it further

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1603.110 (Fund 001-Debt Service)	20	Building Safety Improvements	\$50,000
525-CAP-1603.310 (Fund 001-Debt Service)	20	Building Safety Improvements	\$150,000

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 12-4-0-1-0. Legislators Romaine, Alden, Barraga and Kennedy voted no. Legislator Montano was not present.

Intro. Res. No. 1419A-2008

BOND RESOLUTION NO. 461-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF BUILDING SAFETY IMPROVEMENTS AT COUNTY BUILDINGS (CP 1603.110 and .310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of building safety improvements at County buildings, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes the issuance of \$200,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$50,000 for planning and \$150,000 for construction) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (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: June 10, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 14-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1474-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 462 -2008, APPROPRIATING FUNDS IN CONNECTION WITH ENERGY CONSERVATION AND SAFETY IMPROVEMENTS TO H. LEE DENNISON BUILDING (CP 1659)

WHEREAS, the Commissioner of Public Works has requested funds for the continued modernization of the H. Lee Dennison Building (C-0140); 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 has established a priority ranking system as the basis for funding Capital Projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,060,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, pursuant to the State Environmental Quality Review Act (SEQRA), Environmental Conservation Law Article 8, Resolution No. 1134-2000 classified the action contemplated by this as Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th RESOLVED, that the proceeds of \$1,060,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1659.114 (Fund 001-Debt Service)	20	Energy Conservation and Safety Improvements to H. Lee Dennison Building	\$60,000
525-CAP-1659.318	20	Energy Conservation and Safety	\$1,000,000

(Fund 001-Debt Service)

Improvements to H. Lee Dennison
Building

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 14-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1474A-2008

BOND RESOLUTION NO. 463-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,060,000 BONDS TO FINANCE THE COST OF ENERGY CONSERVATION AND SAFETY IMPROVEMENTS TO THE H. LEE DENNISON BUILDING (CP 1659.114 and .318)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,060,000 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 energy conservation and safety improvements to the H. Lee Dennison 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 \$1,060,000. The plan of financing includes the issuance of \$1,060,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$60,000 for planning and \$1,000,000 for construction) and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Browning made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 14-2-0-1-0. Legislators Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1475-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 464-2008, APPROPRIATING FUNDS IN CONNECTION WITH THE ELEVATOR CONTROLS AND SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760)

WHEREAS, the Commissioner of Public Works has requested funds for Elevator Controls and Safety Upgrading at Various County Facilities; and

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

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

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

1st RESOLVED, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 996-1997 classified the action contemplated by this as a Type II action; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-one (51) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th **RESOLVED**, that the proceeds of \$200,000 in Suffolk County Serial Bonds be and hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1760.314 (Fund 001-Debt Service)	20	Elevator Controls & Safety Upgrading at Various County Facilities	\$200,000

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Browning made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 14-3-0-0-0. Legislators Losquadro, Alden, and Barraga voted no.

Intro. Res. No. 1475A-2008

BOND RESOLUTION NO. 465-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$200,000 BONDS TO FINANCE THE COST OF ELEVATOR CONTROLS AND SAFETY UPGRADING AT VARIOUS COUNTY FACILITIES (CP 1760.314)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of elevator controls and safety upgrading at various County facilities, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000. The plan of financing includes the issuance of \$200,000

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

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 15-2-0-0-0. Legislators Vilorio-Fisher and Montano voted no.

Intro. Res. No. 1479-2008
Introduced by Legislator Cooper

Laid on Table 5/13/2008

RESOLUTION NO. 466 -2008, ESTABLISHING AN E-VERIFY PILOT PROGRAM IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, federal law requires businesses to verify that their employees are legally eligible to be employed in the United States, however, this law (known popularly as the “Simpson-Mazzoli” law) has never been effectively enforced and many employers continue to ignore its requirements; and

WHEREAS, employers who fail to comply with applicable federal, state and local laws gain an unfair financial advantage over employers who play by the rules and who necessarily incur additional costs when they properly hire employees; and

WHEREAS, the County of Suffolk adopted Local Law No. 52-2006 to require companies doing business with the County to certify their compliance with federal law with respect to the lawful hiring of employees; and

WHEREAS, the United States Department of Homeland Security and the Social Security Administration have established an electronic system called “E-Verify” to assist employers in verifying the employment eligibility of all their newly hired employees; and

WHEREAS, under this system employers can check form I-9 information to ensure that an employees name, Social Security number, date of birth and citizenship status match government records; and

WHEREAS, employers can use E-Verify at no charge; and

WHEREAS, this Legislature believes it would be prudent to institute a pilot program to determine if E-Verify can be utilized effectively to ensure a level playing field for businesses seeking to do business with the County of Suffolk; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered and directed to establish an E-Verify Pilot Program; and be it further

2nd **RESOLVED**, that as part of the pilot program, the Department shall incorporate into all its public works/construction contracts, a requirement that the contractor and/or licensee shall utilize the E-Verify Program, or any successor program, to verify that all of its new hires working on the subject public works construction contract are authorized to work in the United States; and be it further

3rd **RESOLVED**, that the Department shall also include in its public works/construction contracts, provisions requiring its contractors to maintain records or documents that establish their compliance with the contract’s E-Verify requirements and allow the County of Suffolk to periodically review such records or documents upon request; and be it further

4th **RESOLVED**, that the Department of Public Works shall implement the Pilot Program described herein within ninety (90) days of the effective date of this resolution; and be it further

5th **RESOLVED**, that this E-Verify Pilot Program shall continue for eighteen (18) months; and be it further

6th **RESOLVED**, that at the end of the eighteen (18) month Pilot Program, the Department of Public Works shall provide a written report to the County Executive and all members of the Suffolk County Legislature, describing the results of the Pilot Program and making recommendations as to whether such program should be continued and/or expanded; and be it further

7th **RESOLVED**, that the Department of Law is hereby authorized, empowered and directed to assist the Department of Public Works in implementing the above described Pilot Program; 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Intro. Res. No. 1235-2008

Laid on Table 3/18/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 467 -2008, APPROVAL OF AUCTION
RULES FOR THE DISPOSITION OF SURPLUS PROPERTY
ACQUIRED UNDER THE SUFFOLK COUNTY TAX ACT**

WHEREAS, the disposition of property acquired through the Suffolk County Tax Act is regulated pursuant to Article A14 of the Administrative Code, Laws of Suffolk County, Part II (herein the "Code"); and

WHEREAS, §14-30(L) and §712-6 of Code pertain to the formulation and adoption of auction rules and procedures; and

WHEREAS, §712-6 requires the approval by the Suffolk County Legislature of auction rules and regulations formulated by the Department of Environment and Energy, Division of Real Property Acquisition and Management; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, has previously filed a copy of the proposed rules for the auction of surplus County real estate with the County Executive and the Clerk of the Legislature and a copy of said proposed rules is annexed as Exhibit "A"; now, therefore be it

1st RESOLVED, that the auction rules annexed as Exhibit "A" are approved for use immediately on filing of this approved resolution with the Clerk of the Legislature.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Exhibit "A"

Auction Terms and Conditions - Definitions

Affiliate: A Business Entity in which the Purchaser has, directly or indirectly, a voting, controlling or ownership interest of twenty percent (20%) or more, or which has such an interest in Purchaser.

Assignment: The transfer or conveyance of a right or contract from one person or Business Entity to another.

Business Entity: A legal being, other than an individual, natural person, e.g., a corporation, limited liability company, partnership, joint venture or syndication. A Business Entity must be duly formed in accordance with all applicable provisions of law and have the legal capacity, among other things, to be sued and to own property in the State of New York.

County: The County of Suffolk.

Deed: An instrument in writing, duly executed and delivered, that conveys title to real property.

Default: A failure by the Purchaser to comply with any provision of the Terms and Conditions.

Director: The Director of the Division of Real Property Acquisition and Management.

Immediate Family: A spouse, issue, including adopted children, sibling or parent.

Lien: A claim or encumbrance of property, e.g., for the payment of a debt.

Memorandum of Sale: The contract between the County and the Purchaser for the purchase of the Property, which incorporates, by reference, the Terms and Conditions of Sale and any special terms and conditions.

Principal: Any individual or Business Entity who participates at the auction through a duly authorized agent.

Property: The particular parcel of County-owned real property and any improvements thereon, sold at public auction to the Purchaser.

Purchase Price: The highest bid made and accepted for the Property at the auction.

Purchaser: The successful bidder(s) at the auction sale and, where the Purchaser is a Business Entity, then each partner or any director(s), officer(s), or shareholder(s) having a total of twenty percent (20%) or more of the Purchaser's voting stock, ownership interest or control.

Third party bidder: An individual who bids solely as a duly authorized agent of another individual or Business Entity.

Third party bidding: Bidding on behalf of a Purchaser/Principal through a duly authorized agent.

Title Closing: The transfer of title to or ownership of the Property to the Purchaser; the date upon which such transfer is made.

Upset Price: The amount at which bidding starts on the Property.

AUCTION TERMS AND CONDITIONS

The public auction of surplus land by the County of Suffolk will be conducted by the Division of Real Property Acquisition and Management pursuant to auction terms and conditions approved by the Suffolk County Legislature. This document contains the terms and conditions which might pertain to such auctions. It may be supplemented by the subsequent approval by the Suffolk County legislature of additional or different terms and conditions.

Each separate auction will be governed by those particular terms and conditions included herein that are determined by the Director of the Division of Real Property Acquisition and Management to be applicable to said auction. The terms and conditions that pertain to an auction will be published in the Auction Brochure published for that auction.

1. **AUCTION INVENTORY** - Properties that will be auctioned by the County include parcels forfeited by the prior owners as a result of failure to pay taxes. The County's rights thereto are pursuant to Article 11 of the Real Property Tax Law of the State of New York, and all known rights of redemption under said provisions of law are believed to have been extinguished by the tax sale proceedings, and/or as a result of forfeiture. Auction parcels may also include parcels acquired by condemnation, but no longer needed as part of the public project. The County reserves the right, in its sole discretion, to withdraw from the auction at any time, any of the properties listed in the Auction Brochure or in any other listing of surplus real property available for auction.
 2. **OFFICIAL IDENTIFICATION** - For purposes of the auction, each parcel is identified by a section, block and lot number as shown on the Suffolk County Tax Map. No other identification is guaranteed. Descriptions in the auction materials pertaining to any auctioned property, such as the size, exact location, street requirements and information as to existing structures, are approximate only. Purchasers should verify all information relative to each property.
 3. **NOTIFICATION OF AUCTION** - The Notice of Auction will be published in the official newspapers as required by the Suffolk County Code. In addition to said publication, not less than one month prior to each auction, an Auction Brochure which includes both a list of the properties expected to be offered by auction and a document entitled "Terms and Conditions of Sale - October 2008 Auction" will be published on the internet at www.co.suffolk.ny.us. Copies of the Auction Brochure will be available at the Division of Real Property Acquisition and Management Offices and at the Riverhead County Center, the Offices of the Suffolk County Legislature, each Town Hall and various County offices.
 4. **TERMS AND CONDITIONS OF SALE** - The "Terms and Conditions of Sale - October 2008 Auction" document will specify the rules applicable to the auction for which it is prepared and dated. Failure of the purchaser to comply with the published auction rules, terms and conditions shall constitute a default and may result in cancellation of a sale and forfeiture of both the down payment and the auction fee.
- * Internet address will be relocated to Dept. of Environment and Energy, Div. of Real Property Acquisition and Management.
5. **AUCTION RULES** - In addition to those rules and conditions that are set forth in the "Terms and Conditions of Sale - October 2008 Auction", all sales of surplus County property will be subject to the following:

- a) Approval of the deed and proposed conveyance by the Suffolk County Legislature, which approval may precede the sale or follow it;

- b) Any state of facts an accurate survey or personal inspection of the premises would disclose;
 - c) Applicable zoning/land use/building/health and environmental regulations;
 - d) Easements, covenants, conditions and rights-of-way of record existing at the time of the levy of the tax, the non-payment of which resulted in the tax sale;
 - e) For the immediate tax year, pro rata real estate taxes; and
 - f) For assessment purposes, the purchaser shall be deemed to be the owner prior to the next taxable status date following the closing;
 - g) The rights, if any, of tenants and persons in possession, and;
 - h) Outstanding water and sewer assessments and other unpaid liens or charges (including, but not limited to, demolition charges, interest and penalties, condominium fees) whether they have been billed or not as of the date of the auction, all as specified in the Auction Brochure;
 - i) Any covenants, easements or conditions imposed by the County Planning or any other Department and listed in the Auction Brochure, or by the Legislature as part of its approval of the sale.
 - j) Purchaser's signing a Certification as part of the bid finalization that he or she has read and understood the Terms and Conditions as set forth in the pertinent Auction Brochure;
 - k) Such additional contract terms and conditions as may be set forth in the Auction Brochure or Memorandum of Sale.
6. **NO WARRANTIES** - All real property in the auction, including any building thereon, is sold "**AS IS**" and without any representation or warranty whatsoever as to the physical condition or as to title.
7. **REFUNDS** - In the event that a sale is cancelled or the bid is rejected by the Suffolk County Legislature, the down payment and other monies paid when the Memorandum of Sale was executed will be refunded without interest.
8. **AUCTION PROCEDURES** - As determined by the Director to be appropriate or necessary, the following rules or conditions shall be included in the "Terms and Conditions of Sale - October 2008 Auction":
- a) County **general auctions** are Public Auctions at which a person must be present to participate as a bidder. Third party bidding may be accepted provided the bidder identifies the purchaser/principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein. **No absentee bids** are accepted.
 - b) The County may conduct **special auctions**, that is, auctions limited to certain properties, based on their type or condition, for example, brownfield sites; or their potential use, for example, affordable housing sites and commercial properties; or based on any other special circumstance relating to the properties to be auctioned. At special auctions, sealed bids from bidders who are not physically present and third party bidding may be accepted provided the bidder identifies the purchaser/ principal for whom he or she is acting as an agent and provided the purchaser/principal pre-registers pursuant to paragraph 11 herein.
 - c) **Pre-registration** shall be required prior to any auction. Prior to the auction, each registered bidder will be assigned a bidding number that must be displayed in order to bid.
 - d) **The auction may be divided into Sessions.** The auctioneer will accept bids in increments, as described below, until such time as no further bids are entered. Thereupon the parcel is declared, "Sold" to the highest bidder. All successful bids in one Session must be finalized (see the next subsection regarding finalization) before commencement of the next Session, or the underlying sales will be deemed cancelled.
 - e) Directly after the sale of a parcel, the **purchaser or third party bidder, in purchaser's absence, must finalize** the sale by signing the Terms and Conditions of Sale, or Memorandum of Sale, as applicable, and depositing the down payment and the auction fee with the auction cashier. Delay in finalizing the sale may be cause for cancellation. *If a purchaser fails to finalize the purchase of any parcel, he, she or it shall*

not be permitted to bid on any further parcels and the Director may immediately cancel all other sales that took place at the same auction to the same purchaser. In the event of cancellation due to failure to finalize a purchase, the subject parcel(s) may be returned to the auction block or withdrawn from the auction.

9. **PRE-AUCTION INFORMATION** - Collecting and verifying any information in regard to auctioned parcels, including, for example, address, location, zoning and land use restrictions, building or health code requirements, taxes or assessed value is the responsibility of the buyer. Much of this information may be obtained from the Town or Village in which the property is located. The County is not responsible to provide real property information, other than the Suffolk County Tax Map number. Purchaser's misunderstanding or failure to verify property information is not grounds for rescinding or canceling an auction sale. **THE COUNTY MAKES NO WARRANTY EXPRESSED OR IMPLIED IN CONNECTION WITH ANY AUCTION SALE.**
10. **INSPECTION OF PROPERTY** - The Auction Brochure will indicate whether the property may be inspected and how arrangements for inspection can be made. Inspection or entry onto the property may be prohibited by the County due to safety or any other reason. Where inspection is permitted, persons intending to participate at the auction should inspect and investigate the property in which they are interested prior to the auction sale. Inspection of commercial and industrial properties must not interfere with businesses operating thereon. Parcels that are improved by occupied homes may only be inspected on the dates and at the times set by the County in its publications, or on the dates and at the times confirmed in writing by the Division of Real Property Acquisition and Management. Entering onto any auction parcel at any other time will be grounds for disqualification from the auction and may amount to a trespass subject to prosecution.
11. **REGISTRATION OF BIDDERS** - All bidders, except third party bidders, shall be required to register prior to all auctions. In the event of third party bidding, the purchaser/principal shall be required to register prior to the auction. Such registration will be a condition of participation in said auction and shall consist of the execution of a registration form designated for use by the Director and may further require providing an official photographic identification, address, social security number or tax identification number, disclosure statement or other personal or financial documentation that would verify the identity and financial ability of the person or business entity to participate in the auction. As designated by the Director, pre-registration may require filing a bond, deposit or other evidence (as may be required) of financial ability to complete the terms and conditions of the sale at the estimated fair market value.

When third party bidding is permitted, individuals acting on behalf of others, not in attendance at the auction, must produce a "Power of Attorney" or other appropriate authorizing documentation, duly executed and notarized. Incorporated entities (Inc., Corp., LLC.) are required to provide a corporate resolution prior to the auction authorizing the entity's participation in said auction and a corporate resolution authorizing the purchase of real property prior to the transfer of title.
12. **FORM OF BIDDING** - Each bidder is responsible to signal his or her bid to the auctioneer. Bids may be signaled either by raising the paddle bearing the unique number issued to him or her for purposes of bidding at the auction or, in auctions not requiring individual bidder paddles, by securing a floor usher to signal the desired bid.
13. **MEMORANDUM OF SALE** - The purchaser's offer and agreement to purchase will be formalized in a "Terms and Conditions of Sale" or "Memorandum of Sale", referred to hereafter jointly as the "Memorandum of Sale", as may be utilized at the particular auction. Purchaser or third party bidder in purchaser's absence, is obligated to execute the Memorandum of Sale and pay the down payment and auction fee before the end of the auction session at which the property was sold. As a material condition of the Memorandum of Sale:
 - a. Purchaser waives any claim to special, consequential or punitive damages, attorney's fees, reimbursement for any expenses incurred in reliance on completion of the sale, improvements of property, or for license fees already paid should the sale subsequently not be approved or closing not occur; and

b. Purchaser acknowledges that no property interest, either real or personal, is acquired by purchaser and any and all claims for specific performance and/or any right to file a Notice of Pendency against any property offered for bidding and/or sale should the sale subsequently not be approved or closing not occur are hereby waived.

14. **DOWNPAYMENT** - Following acceptance of the winning bid, and prior to the start of the next auction Session, the purchaser or third party bidder in purchaser's absence shall deposit a down payment in the amount of twenty percent (20%) of the sale price, or as otherwise specified. **ONLY cash, certified checks, bank checks, money orders or traveler's checks are acceptable for the down payment.** If the purchaser fails to produce the acceptable payment, as described, the parcel may be resold at the same auction or withdrawn from the auction, in the sole discretion of the County. Additionally, closing costs which consist of the following will be paid with the down payment on the day of the auction for each parcel: (a) New York State Transfer Tax (\$2.00 for each \$500.00 of the purchase/bid price); (b) Filing Fee for the Real Property Transfer Report (\$25.00); (c) Filing Fee for combined Gains Transfer Tax Affidavit (\$5.00); (d) all fees required by the Suffolk County Clerk for recording of the deed (\$28.00 to record a, one page deed; \$3.00 for each additional page); and (e) a \$20.00 surcharge. Closing costs may be subjected to an increase if said fees increase prior to closing.
15. **RESTRICTIVE COVENANT ON RESIDENTIALLY-IMPROVED PARCELS** - A parcel offered at auction which is improved by a residential structure, may be offered subject to a restrictive covenant that will be noted in the Auction Brochure and included in the deed conveying the parcel. The covenant requires the owner of the parcel, or [purchaser] his or her natural children and/or natural parents to occupy said premises. Said restriction requiring owner occupancy shall 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. [for a period of at least five (5) years subsequent to the date of conveyance. The obligations assumed under the covenant cannot be assigned. Violation of the covenant will result in automatic reversion of the parcel's title to the County by operation of law and without further process.] It is the responsibility of the purchaser to note which parcels are sold subject to the said restrictive covenant.
16. **PURCHASER IDENTIFICATION** - Prior to closing, the purchaser shall provide information necessary to complete forms and documents required for recording the deed in the Suffolk County Clerk's Office, including, among others as may be requested, the NYS Department of Taxation and Finance TP-584 form.
17. **FORMER OWNER BIDDING RESTRICTED** - The former owner of the property, or his agent, shall not be permitted to bid on the property or purchase same at the public auction, unless his or her bid amount exceeds the total of tax arrears, penalties and interest or surcharges that would have been due as of the day of the auction, without regard to limits on the time to redeem. If the former owner or his agent is the successful bidder at auction all liens existing prior to the foreclosure will be reinstated and added to the auction price.
18. **ASSIGNMENT RESTRICTED** - A Memorandum of Sale executed at the auction cannot be assigned unless the Director agrees thereto in writing. Assignments shall only be approved upon good cause shown. In the event that an assignment is approved, a fee of no less than \$300 can be charged.
19. **DISPUTE RESOLUTION FINAL** - The decision of the Director regarding any dispute related to the auction or the conveyance of auctioned property is final. The Director reserves the right to reject any bid for failure to comply with auction procedures, or for any other reason related to the conduct of the auction, or to cancel an approved sale if the County elects not to proceed or if the purchaser fails to complete his or her obligations in timely fashion.

20. **BROKERS** - The County of Suffolk will not pay any broker's commissions or fees. If a broker or attorney acting in the capacity of a broker is authorized to bid as the designee or agent of the actual purchaser, it is the sole responsibility of the purchaser to pay any brokerage fees or commissions earned thereby.
21. **PARTICIPATION BY SUFFOLK COUNTY EMPLOYEES PROHIBITED** - County employees and/or their immediate families, whether or not residing with the employees, are not permitted to participate as a purchaser or bidder at a County auction. Purchasers will be required to furnish an affidavit at the closing to the effect that the Purchasers are not employees or immediate family members of any Suffolk County Employee.
22. **SALE SUBJECT TO APPROVAL BY LEGISLATURE** - The Suffolk County Code requires that the disposition of surplus property must be approved by the County Legislature. A list of proposed auction sales will be presented to the Legislature for review and approval. All offers to sell are conditioned on approval from the County Legislature which in its sole discretion, can decline to approve.
23. **SALE SUBJECT TO CANCELLATION BY COUNTY** - At the County's discretion, sales remain subject to cancellation even after legislative approval, but prior to the title closing in the event that insurable title cannot be conveyed, or for other good cause as determined to exist by the Director. In the event that a sale is cancelled due to the purchaser's violation of any of the conditions set forth herein, any monies paid by or on behalf of the purchaser to the County shall be forfeited by purchaser and shall be retained by the County.
24. **RISK OF LOSS** - Damage by fire or other casualty loss that occurs between the sale and the title closing, the repair of which exceeds 10% of the purchase price as determined by the Director in his or her sole discretion, [and that that reduces the value of the auctioned premises more than 10%,] may permit the purchaser to cancel the sale. If the damage is less than 10% of the purchase price, [value of the auctioned premises] the Division of Real Property Acquisition and Management may cancel the sale, or may reduce the purchase price, after verifying the amount and value of damage by an appraisal by up to 10% in order to induce the purchaser to close.
25. **TITLE CLOSINGS** - Closings can be scheduled only after the legislative resolution approving the sale is filed with the County Clerk. The County will use its best efforts to close within six months of this approval. Closing dates for the sale of properties purchased at auction will be determined by the Director. Notice of a closing date will be sent to the purchaser, at least ten (10) calendar days in advance. The County reserves the right, in its sole discretion, to extend the time for closing or to compel the completion of the sale by an action for specific performance. If an adjournment is requested by the purchaser, then the Director may declare the adjourned date, or any subsequent adjourned date to be the final law date set for closing of title. On purchaser's failure to accept delivery of the deed on the final law date the sale may be cancelled and all monies paid to date may be retained by the County. In such event, purchaser will have no further rights or any claim regarding the sale or the parcel.
26. **METHOD OF PAYMENT** - Except for the auction fee (see below) **cash, certified checks, bank checks, money orders or traveler's checks are the only forms of payment acceptable** for amounts due at auction or closing. At the discretion of the Director, such certified or bank checks, money orders or traveler's checks, if payable to the order of the Purchaser, may be endorsed over to the Division of Real Property Acquisition and Management. The balance of the purchase price together with the pro rata share of taxes for a parcel sold at auction shall be due and payable at the time of the closing of title.
27. **AUCTION FEES** - In addition to the amount of the accepted winning bid, the purchaser of each parcel must pay an auction administrative fee (generally 1%, or up to 3% of the sales price), but not less than \$25, if auction fees are required for the subject auction. The auction fee is separate and apart from the purchase price and must be paid by separate check or cash. Payment of the auction fee may be made by any of the methods mentioned in the immediately prior section or by personal check. There will be a \$25 fee imposed as an additional closing cost for checks that are not collectible after one presentation to the bank. Auction fees

offset the costs of advertising, printing and other expenses of this auction and may be increased or decreased as appropriate to the auction, but may not exceed 3% of the winning bid without approval of the legislature.

Additionally in accordance with Local Law No. 40-2007, a local law to offset the cost of maintaining surplus County Property, there shall be imposed on the purchase of all surplus County property sold at public auction a surcharge for each parcel purchased, in addition to any other fees and/or surcharges imposed, which surcharge shall be collected at closing and in accordance with the Auction Terms and Conditions promulgated by the County Division of Real Property Acquisition and Management, and which surcharge shall be deposited with the Suffolk County Sheriff for the sole purpose of funding the Sheriff's Labor Assistance Program (SLAP) or any successor program thereto. This surcharge shall be collected according to the following schedule:

- A) a .5% surcharge on winning bids between \$0 and \$50,000;
- B) a .75% surcharge on winning bids between \$50,001 and \$100,000; and
- C) a 1% surcharge on winning bids between \$100,001 and \$250,000, said surcharge to be applied only to the first \$250,000 for winning bids exceeding that amount.

- 28. DEFAULT BY THE PURCHASER** - If, due to failure on the part of the purchaser, title does not close on any auctioned parcel, the down payment and auction fee are subject to forfeiture as liquidated damages for the County's auction costs, overhead expenses and loss of the transaction. *In the event of a default on one parcel, the Defaulting Purchaser may not be permitted to close on any other parcels for which he or she is the successful bidder.* If the purchaser fails to pay the balance of the purchase price as herein required, the deposit and auction fee shall be forfeited.
- 29. UPSET PRICE** - Bidding will begin at the upset price as specified in the Auction Brochure.
- 30. BIDDING INCREMENTS** - During the auction, the auctioneer will announce the minimum increments required to advance bidding. A bid will not be accepted unless it meets or exceeds the increment then in effect. The Director may modify the Bidding Increments at any time without notice. Generally, increments will increase as a multiple of each \$20,000 that the sale price increases.

Typical increments are as follows:

<i>Bid Amount (Range)</i>	<i>Minimum Increment of Subsequent Bid</i>
\$ 5,000 to \$ 25,000	\$ 500
\$25,000 to \$ 50,000	\$1,000
\$50,000 to \$100,000	\$2,000

- 31. OCCUPANCY PRIOR TO CLOSING** - After the close of the Auction, the purchaser of any parcel may contact the Division of Real Property Acquisition and Management to attempt to arrange for a license agreement that would permit inspection or use and occupancy of the auctioned parcel prior to closing. A license agreement may be approved at the discretion of the Director, on such terms as the Director may deem reasonable. No entry onto the auctioned property is permitted without a license agreement.

32. **PERSONAL PROPERTY** - No personal property is included in the sale of any of the parcels auctioned by Suffolk County, except as may remain on the premises after the closing. The disposition of any personal property, located on any parcel following the closing shall be the responsibility of the purchaser.
33. **DEED FORMAT** - The Auction Brochure will set forth the type of deed approved by the legislature for conveyance of each parcel to the winning bidder. One of three types of deeds may be employed:
- a) Bargain and Sale Deed without Covenants, or with Covenants against Grantor's Acts;
 - b) Quitclaim Deed;
 - c) Directed Deed (from the Treasurer to the Purchaser.)

34. **QUITCLAIM DEED** - A quitclaim deed issued to convey a parcel sold at auction may contain the following provisions:

"Nothing contained in any description herein is intended to convey more than the assessed owner owned at the time of the levy of the tax, the non-payment of which resulted in the tax sale. There is no representation as to the extent of the acreage conveyed herein";

"Excepting and reserving all the right, title and interest of the County of Suffolk in and to any portion or interest of the lands herein conveyed, which interest was heretofore acquired other than pursuant to the provisions of the Real Property Tax Law of the State of New York".

35. **OTHER DEED/CLOSING CONDITIONS** - If an auctioned parcel is contiguous with other real property owned by the Purchaser, the County may require as a condition of closing that Purchaser request the Town Assessor in writing to combine the two parcels; Purchaser shall not convey either parcel(s) without also conveying the adjoining parcel to the same grantee, unless approved by the local planning board. These restrictions shall run with the land.

36. **CLOSING COSTS** - The Purchaser is responsible to pay all closing costs, unless specific provision was otherwise made in advance and approved by the County Legislature. All closings will take place at the Division of Real Property Acquisition and Management, or the Department of Law, unless otherwise agreed to in writing no less than one week in advance of the closing. If the Purchaser demands a closing in Suffolk County other than at County offices, an attendance fee will be charged at the rate of \$250 Base Fee for the first two hours, excluding travel time, plus \$150 for every hour, or fraction thereof, thereafter. For closings in Nassau County, the Base Fee will be \$350; in New York City or the boroughs thereof, the Base Fee is \$450.

37. **TITLE INSURANCE** - All objections to title (including survey objections) must be submitted to the Director within 45 days after the date the sale is approved by the County Legislature or the objections are deemed to be waived. In the instance of a Bargain and Sale Deed without Covenants, against Grantor's Acts, or a Bargain and Sale Deed with Covenants against Grantor's Acts, the County may , but is not obligated to, deliver such title as a title company licensed in the State of New York and approved to do business with the County will insure. The County may pre-qualify certain parcels for title insurance. Where it is noted in the brochure that certain parcels have already been examined by a named title company; the Purchaser may chose to use that title company or a different qualifying company.

38. **TITLE OBJECTIONS** - If the purchaser's title company refuses to insure without objections, the County may select a different, equally-qualified title company. Purchaser agrees to accept insurance from the alternative insurer, provided no additional cost results thereby, over and above the cost of insurance from the first company. If the purchaser's title company will not insure title without exceptions, if title is not insurable, or if the Director chooses not to pursue insurance from an alternative title insurer, the Director

may cancel the transaction and return the down payment and auction fee. In such event, the parties will have no further rights one against the other.

39. **FORM OF COMMUNICATION** - In connection with a "limited auction", that is, an auction among persons owning property adjacent to the parcel to be sold pursuant to §A14-30(H), the County will send an "Initial Inquiry Response" to solicit the interest of each such owner in participating in an auction. The form is sent to the owner at the address listed with the County Treasurer by certified mail, return receipt requested. All subsequent communications or notices may be sent by regular mail. For publicly advertised auctions, all communications with prospective participants or with purchasers will be sent by regular mail to the address that they provide.
40. **NO WARRANTY OF VACANCY** - The County makes no warranty that the premises will be delivered vacant. If an auctioned property becomes occupied following the sale, then following closing and recording of the deed, an eviction, if necessary, will be the responsibility of the Purchaser. The County expects not to install a licensee, other than the prospective purchaser, in any auctioned premises after the auction. However, it will do so in order to safeguard the premises or for other property management reasons.
41. **PERMISSION TO REMOVE SIGN** - The purchaser on each auction parcel may remove the auction sign after signing the Memorandum of Sale and tendering the down payment.
42. **INELIGIBILITY TO PURCHASE** No bidder, or purchaser/principal in the event of third party bidding, including, without limitation, any business entity or subsidiary, parent or affiliate thereof, or any trustee(s), director(s), officer(s) or shareholder(s) with voting interests or owning a total of twenty percent (20%) or more of any of the foregoing, who or which is or has been in default in or on any contract, obligation or agreement of any kind or nature whatsoever entered into with the County, or any of its agencies, within a period of five (5) years prior to the date of the auction sale, will be accepted as an eligible bidder for any property. Such obligations include, among other things, the obligation to pay in full all Suffolk County property taxes and charges when due. If the purchaser owns, alone or with others, any other property for which outstanding and delinquent taxes are owed to Suffolk County, those delinquent taxes must be paid in full prior to closing on any parcels purchased at auction.

The County reserves the right to deny access to the auction, cancel a sale or exercise its right of reversion herein, if an investigation reveals to the Director's satisfaction that the registration form is not adequately, properly and/or truthfully completed; if the identification supplied is not sufficient, if the purchaser or bidder is deemed to be financially unqualified; if the purchaser or bidder has been found guilty of any housing code or building code violation which violation resulted in death or personal injury or has been found guilty of any crime or violation under any Federal, State, County, including but not limited to Articles 7 and 12 of the Suffolk County Sanitary Code, Local Law or permit involving the treatment, handling, storage and/or disposal of any toxic and/or hazardous substance, material or waste; or has been found guilty of any predatory and/ or discriminatory lending practices involving, but not limited to, violations of the Racketeer Influenced and Corrupt Organization Act, the Equal Credit Opportunity Act, the Federal Fair Housing Act, the Real Estate Settlement Procedures Act, the Federal Truth in Lending Act, the N.Y. General Business Law or the Suffolk County Human Rights Law or if the taking of title and/or occupancy by purchaser will result in a violation of any Federal, State, County or Local Law.

43. **FINAL SALE** – Except as provided in paragraph 44 hereinafter, all sales shall be final, absolute and without recourse once title has closed and the deed has been recorded. In no event, shall Suffolk County be or become liable for any defects in title for any cause whatsoever; no claim, demand or suit of any nature shall exist against Suffolk County in favor of the purchaser, its heirs, success or assigns, arising from this sale.
44. **MATERIAL MISREPRESENTATION** – If any material misrepresentation, omission or false statement relating to any representation required herein is discovered after the title closing, the County may avail itself of all remedies available to it at law, it being acknowledged that these representations are being relied upon by the County and are material to this transaction. If such misrepresentation, omission or false

statement occurs, the purchaser understands that he/she/it may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser and others for cancellation of the transaction. This clause shall survive the title closing. The verified registration statement is a sworn statement and the making of a false representation or intentional omission in it may be punishable as a crime.

45. CERTIFICATION OF NON-AGENCY – The purchaser shall be required to certify that he/she is not representing the former owner(s) of the property and has no intent to defraud Suffolk County of the unpaid taxes, assessment, penalties and charges, which have been levied against the property. The purchaser agrees that neither he/she nor his/her assigns shall convey the property to the former owner(s) against whom Suffolk County foreclosed. If such conveyance occurs, the purchaser understands that he/she may be charged with fraud, and/or intent to defraud. In addition, in such event, the County reserves the right to pursue the purchaser, the former owner and others for cancellation of the transaction, and/or any deficiency between the purchase price at auction and such sums as may be owed to Suffolk County as related to the property.

46. JURISDICTION – Bidder and/or purchaser at this auction agrees that the sole forum for any dispute or cause of action arising out of this auction shall be the Supreme Court of the State of New York, County of Suffolk and related Appellate Courts.

Legislator Browning made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 15-0-1-1-0. Legislator Alden abstained. Legislator Montano was not present.

Intro. Res. No. 1298-2008
Introduced by Legislator Browning

Laid on Table 3/18/2008

RESOLUTION NO. 468 -2008, ESTABLISHING OWNER OCCUPANCY REQUIREMENTS FOR NORTH BELLPORT PROPERTIES

WHEREAS, efforts are now underway to revitalize North Bellport, with members of the community strongly involved in a visioning process for this area; and

WHEREAS, the proliferation of substandard rental housing operated by real estate speculators is one of the key obstacles to revitalization in North Bellport; and

WHEREAS, the County of Suffolk has taken ownership of many parcels in North Bellport through tax foreclosures; and

WHEREAS, many of these tax foreclosed properties are likely to be offered at the next County land auction; and

WHEREAS, the County of Suffolk wishes to promote the revitalization of North Bellport by discouraging speculation and encouraging owner occupancy of these properties; and

WHEREAS, pursuant to Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, habitable parcels sold at auction are subject to a restrictive covenant

requiring the bidder, or his or her parents or children, to occupy said premises for a period of at least five (5) years; and

WHEREAS, an owner occupancy requirement should be extended to all North Bellport parcels, which are zoned residential at the next County auction; now, therefore be it

1st RESOLVED, that pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER; the Department of Environment and Energy, acting through its Division of Real Property Acquisition and Management, shall make the auction sale of all non-habitable improved parcels and vacant parcels zoned for residential use, located in the community of North Bellport, subject to a restrictive covenant requiring upon the construction of a residential dwelling upon the parcel, that the owner of the parcel, or his or her natural children or natural parents, occupy the premises; and be it further

2nd RESOLVED, that said restriction will run for a period of ten (10) years subsequent to the issuance of a Certificate of Occupancy for the subject parcel; and be it further

3rd RESOLVED, that for the purposes of this resolution, North Bellport shall be defined by following boundaries: on the north, by the intersection of County Road 101 and Station Road (Medford); on the east, by Beaverdam Creek County Preservation Area; on the south, by the Head-of-the-Neck Road (Bellport); and on the west, by Sills Road\Mud Creek County Preservation Area (East Patchogue); and be it further

4th RESOLVED, that the sale of habitable parcels in North Bellport shall continue to be governed by Section A42-4 of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and be it further

5th RESOLVED, that this resolution shall be in effect and shall apply only to the first Suffolk County real estate auction conducted after the effective date of this resolution; and be it further

6th RESOLVED, that the Division of Real Property Acquisition and Management is hereby authorized and directed to amend its auction rules to reflect the terms of this resolution; and be it further

7th RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 13-3-0-1-0. Legislators Romaine, Alden and Barraga voted no. Legislator Montano was not present.

Intro. Res. No. 1322B-2008

BOND RESOLUTION NO. 469-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$350,000 BONDS TO FINANCE THE COST OF PLANNING FOR THE RECONSTRUCTION OF CR 11, PULASKI ROAD, FROM WOODBURY ROAD TO DEPOT ROAD, IN THE TOWN OF HUNTINGTON (CP 5168.113), AND RESCINDING BOND RESOLUTION NO. 605-2006

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.

(a) The County of Suffolk, New York (herein called the “County”), is hereby authorized to issue bonds in the principal amount of \$350,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the “Law”), the Suffolk County Charter and other applicable laws, to finance the cost of planning for the reconstruction of CR 11, Pulaski Road, from Woodbury Road to Depot Road, in the Town of Huntington, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$350,000. The plan of financing includes the issuance of \$350,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

(b) This bond resolution is being adopted pursuant to a technical correction to Resolution No. 606-2006 which changed the appropriation from Capital Project No. 5168.111 to Capital Project No. 5168.113. Bond Resolution No. 605-2006 is hereby rescinded and replaced by this bond resolution.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

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

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 14-0-2-1-0. Legislators Romaine and Kennedy abstained. Legislator Montano was not present.

Intro. Res. No. 1470-2008
Introduced by Legislator Lindsay

Laid on Table 5/13/2008

RESOLUTION NO. 470 -2008, APPOINTING MEMBER TO SUFFOLK COUNTY OFF-TRACK BETTING CORPORATION BOARD OF DIRECTORS (EDDIE S. WYNN)

WHEREAS, members of the Suffolk County Regional Off-Track Betting Corporation Board of Directors serve at the pleasure of the County Legislature; and

WHEREAS, Patrick E. Byrne has tendered his resignation from the Board of Directors effective May 6, 2008; now, therefore be it

1st RESOLVED, that Eddie S. Wynn of Amityville, New York, is hereby appointed as a member of the Suffolk County Regional Off-Track Betting Corporation Board of Directors, to replace Patrick E. Byrne and to serve at the pleasure of the Suffolk County Legislature pursuant to Section 502(1) of the NEW YORK RACING, PARIMUTUEL, WAGERING, AND BREEDING LAW.

DATED: June 10, 2008

Effective Pursuant to Section 2-15(A) of the SUFFOLK COUNTY CHARTER

Legislator Kennedy made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Intro. Res. No. 1472-2008
Introduced by Legislator Kennedy

Laid on Table 5/13/2008

RESOLUTION NO. 471 -2008, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO FRED C. SMITH, III AND ANN M. SMITH

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 Nesconset, Town of Smithtown, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0800, Section 140.00, Block 01.00, Lot 018.000, and acquired by tax deed on March 29, 2006, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on March 30, 2006, in Liber 12442, at Page 992, and otherwise known as and by Town of Smithtown, County of Suffolk and State of New York, known and designated as Lot No. 36 on a certain map entitled "Map of King Arthur Estates situated at Nesconset" and filed in the Office of the Clerk of the County of Suffolk on October 23, 1969 as Map No. 5379.

and

WHEREAS, Fred C. Smith, III and Ann M. Smith were the former owner(s) of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Kennedy has determined that said non-payment of taxes on their part was not an intentional act but was due to circumstances beyond their control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$440,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$80,978.59 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

1st **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Fred C. Smith, III and Ann M. Smith
19 Chivalry Lane
Nesconset, NY 11767

upon receipt of the above-described monies, to convey the interest of the County of Suffolk in the above-described real estate.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 12, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 16-0-0-1-0. Legislator Montano was not present.

Intro. Res. No. 1473-2008
Introduced by Legislator Schneiderman

Laid on Table 5/13/2008

RESOLUTION NO. 472-2008, AUTHORIZING THE RECONVEYANCE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 215, NEW YORK STATE COUNTY LAW TO CAROL HAAS, AS SURVIVING TENANT BY THE ENTIRETY

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 Remsenburg, Town of Southampton, County of Suffolk, State of New York, described on the Tax Map of the Suffolk County Real Property Service Agency as District 0900, Section 368.00, Block 04.00, Lot 050.000, and acquired by tax deed on February 19, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on February 27, 2003, in Liber 12237, at Page 537, and otherwise known as and by Town of Southampton, County of Suffolk and State of New York, known and designated as Lot No. 13 on a certain map entitled, "Map of Remsenburg Farms", filed in the Office of the Clerk of the County of Suffolk on January 7, 1972, as Map No. 5657.

and

WHEREAS, Carol Haas was the former owner of said real property; and

WHEREAS, the time for redemption of this real property under Local Law No. 16-1976 has expired; and

WHEREAS, an investigation by the office of Legislator Schneiderman has determined that said non-payment of taxes on her part was not an intentional act but was due to circumstances beyond her control, more fully described in the documents attached hereto; and

WHEREAS, it would be in the best interest of the County of Suffolk to return said parcel to the tax rolls; and

WHEREAS, the above described parcel has been appraised by the County Department of Environment and Energy, Division of Real Property Acquisition and Management, at \$900,000.00; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, or his or her deputy, will receive and deposit the sum of \$98,255.97 together with any and all other charges that may be due and owing to the County of Suffolk as of the actual date of closing, as full payment of all amounts due and owing to the County of Suffolk; now, therefore, be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized to execute, acknowledge, and deliver a quitclaim deed to:

Carol Haas, as Surviving Tenant by the Entirety
23 Bridle Path
Remsenburg, NY 11960

upon receipt of the above-described moneys, to convey the interest of the County of Suffolk in the above-described real estate.

DATED: June 10, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 23, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-0-0.

RESOLUTION NO. 334 –2008, AUTHORIZING A REQUEST FOR PROPOSALS TO IDENTIFY MANAGEMENT CONSULTANT FOR JOHN J. FOLEY SKILLED NURSING FACILITY

WHEREAS, the John J. Foley Skilled Nursing Facility provides a wide range of services to hundreds of Suffolk County residents, including long-term care, short-term rehabilitation and adult day care; and

WHEREAS, the County's General Fund subsidizes the Foley Facility's operations, with the County transferring in excess of \$10 million to Foley in each of the past several years; and

WHEREAS, as a result of the Foley Facility's operating deficit, the County Executive has proposed that the County sell the Foley Facility to a private operator; and

WHEREAS, before the Foley Facility is offered for sale, this Legislature believes that a good faith effort should be made to improve the management of the Facility; and

WHEREAS, effective, new management could increase efficiencies, reduce costs, improve collection of receivables and identify grants and other revenues that would reduce the amount that the County of Suffolk must transfer to the Foley Facility; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Health Service is hereby authorized, empowered and directed to prepare and issue a Request for Proposals (RFP) to secure new management consulting services for the John J. Foley Skilled Nursing Facility; and be it further

2nd **RESOLVED**, that the RFP issued by the Department of Health Services shall seek to identify a consultant or consultants capable of providing management at Foley that will increase efficiencies, reduce costs, improve collection of receivables and identify grants and other revenues and identify employee contractual modifications that will increase productivity and reduce operating expenses; and be it further

3rd **RESOLVED**, that the Department of Health Services shall issue this RFP within ninety (90) days of the effective date of this resolution; and be it further

4th **RESOLVED**, that the RFP committee, shall consist of the Commissioner of the Department of Health Services or his or her designee, a designee of the Presiding Officer of the Suffolk County Legislature and a designee of the County Executive; and be it further

5th **RESOLVED**, that this RFP committee shall review all responses and make findings and recommendations; and be it further

6th **RESOLVED**, that the Department of Health Services shall present the findings and recommendations of the RFP committee to this Legislature for further action within one hundred eighty (180) days of the effective date of this resolution; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 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: May 13, 2008

****VETOED BY THE COUNTY EXECUTIVE ON MAY 29, 2008****

****VETO OVERRIDE ADOPTED ON JUNE 10, 2008****

**ADJOURNED 7:34PM
TIM LAUBE, CLERK OF THE LEGISLATURE**