

WHEREAS, section 8021 of the New York Civil Practice Law and Rules allows a county clerk who renders a service other than in his capacity as clerk of the supreme or a county court, or other than in an action pending in a court of which he is clerk, to collect recording fees, payable in advance; and

WHEREAS, subparagraph (a) of paragraph four of subdivision (a) of section eight thousand twenty-one of the civil practice law and rules currently provides for a recording fee to be paid to the county clerk in the sum of five dollars, and, in addition thereto, three dollars for each side of each page or portion of a page, and fifty cents for each additional town, city, block or other indices for mortgages and mortgage related instruments to be indexed; and

WHEREAS, a modified recording fee paid to the county clerk will serve as a critical source of revenue to fund important county programs and aid to balance the County's budget; now, therefore, be it

1st RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, hereby requests the State of New York to adopt New York State Assembly Bill No. A11694-B and Senate Bill No. S8635-A, *Authorizes The County Of Suffolk To Increase The Fee Imposed By The County Clerk For Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument*, and joins with the County Executive in declaring that the facts recited in the above WHEREAS clauses establish the necessity for the amendments of subparagraph (a) paragraph four of subdivision (a) of section eight thousand twenty-one of the civil practice law and rules which will authorize the Clerk of Suffolk County to collect in advance a fee of twenty dollars on documents presented for recording and increasing the per page fee to five dollars; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to the Governor of the State of New York; to the Majority Leader of the New York State Senate; to the Speaker of the New York State Assembly; 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 24, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-0-0-0-0.

Home Rule Message No. 21 -2008

LOT 6/24/2008

Introduced by Presiding Officer on request of the County Executive

HOME RULE MESSAGE REQUESTING NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL MUNICIPAL LAW, THE VEHICLE AND TRAFFIC LAW, THE STATE FINANCE LAW AND THE CRIMINAL PROCEDURE LAW, IN RELATION TO ESTABLISHING A TRAFFIC AND PARKING VIOLATIONS AGENCY IN THE COUNTY OF SUFFOLK (ASSEMBLY BILL A.9593-A AND SENATE BILL S.4174-A)

WHEREAS, the growing number of traffic and parking infractions in Suffolk County has led to a backlog of such cases in the County's district courts; and

WHEREAS, the strain on the district courts due to such a tremendous number of cases often means that many of these traffic and parking summonses go unanswered and unpaid; and

WHEREAS, villages, cities and towns throughout the State are authorized to establish a separate traffic violations bureau to assist in the disposition of infractions related to traffic and parking violations, and such a traffic violations agency has been established in Nassau County; and

WHEREAS, establishing a traffic violations agency in Suffolk County will ease the burden on the district courts and speed the disposition of traffic and parking violations; and

WHEREAS, there is legislation pending in the New York State Legislature that would permit the County of Suffolk to establish, by local law, a traffic and parking violations bureau to assist the district court in the disposition of traffic and parking infractions; now, therefore, be it

1st **RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill No. A.9593-A and Senate Bill No. S.4174-A for the purpose of establishing a traffic and parking violations agency in Suffolk County; and be it further

2nd **RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. 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 24, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 16-0-0-0-1. Legislator D’Amaro was recused.

Introduced by Presiding Officer Lindsay

LOT 6/24/2008

**PROCEDURAL MOTION NO. 19-2008, PROCEDURAL
RESOLUTON AUTHORIZING RATE SCHEDULE
AMENDMENT IN CONNECTION WITH ENFORCEMENT OF
LIPA SETTLEMENT AGREEMENT AGAINST LIPA
OVERCHARGE OF SUFFOLK RATEPAYERS**

WHEREAS, Procedural Motion No. 8-2002, authorized the retention of Reilly, Like & Tenety, 179 Little East Neck Road, North Babylon, NY 11702, to represent the County of Suffolk to seek full recovery of any and all overpayments by Suffolk County consumers of the

LIPA Bill Credit Rate Differential for the period from on or about July 1, 1998 to the date on which such overpayments terminated; and

WHEREAS, under the terms of the original agreement with Reilly, Like & Tenety, dated September 4, 2002, Irving Like, Esq. was to be paid an hourly rate not to exceed \$200 per hour; and

WHEREAS, the firm of Reilly, Like & Tenety had requested that Mr. Like's hourly rate be increased to bring it in line with the prevailing hourly rates in the New York area; now, therefore be it

1st RESOLVED, that the hourly rate for Irving Like, Esq. be increased to \$325 an hour for his services in connection with the action against the LIPA Overcharge of Suffolk Ratepayers; and be it further

2nd RESOLVED, this increased hourly rate shall be effective retroactively to March 1, 2008; and be it further

3rd RESOLVED, that the Presiding Officer is hereby authorized and empowered to execute the necessary agreements to carry out the terms of this Procedural Motion.

DATED: Adopted June 24, 2008

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

s:\procedural motions\rate-schedule-amendment-like

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 17-0-0-0-0.

Introduced by Presiding Officer Lindsay

Laid on Table

**MOTION NO. 20 – 2008, PROCEDURAL RESOLUTION
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
INITIATIVES (PHASE IV)**

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>
Bellport Youth Football League, Inc.	Browning	\$1,000

Central Bellport Civic Association		Browning		\$2,000
Developmental Disabilities Institute		Nowick		\$3,000
East Hampton Chamber of Commerce		Schneiderman		\$2,000
Elwood Council of Parents and Teachers		Stern		\$3,000
James V. Kavanaugh Knights of Columbus Council 5293		Browning		\$5,000
Kiwanis Foundation of Lindenhurst		Horsley		\$1,000
Knights of Columbus, Council 794		Horsley		\$1,000
LI Citizens for Community Values		Horsley		\$1,000
Lindenhurst Youth Services Board, Inc.		Horsley		\$2,000
North Lindenhurst Civic Association		Horsley		\$1,500
Northport Historical Society		Nowick		\$1,000
Pilot Club International		Horsley		\$1,500
Right Start Foundation		Horsley		\$2,000
Save A Pet		Viloria-Fisher		\$1,000
South Country Community Land Trust, Inc.		Browning		\$1,200
St. Frances Cabrini RCC Seniors		Losquadro		\$1,500
Training Orchestra, Inc. D/B/A Gemini Youth Orchestras		Stern		\$1,500
West Babylon Conference League		Horsley		\$1,500
West Babylon Little League		Horsley		\$1,500

and be it further

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

DATED: Adopted June 24, 2008

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

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

Intro. Res. No. 1539-2008 **Laid on Table 6/10/2008**
 Introduced by Presiding Officer, on request of the County Executive, and Legislator Romaine

RESOLUTION NO. 473 –2008, FILLING VACANCY IN THE 15th LEGISLATIVE DISTRICT

WHEREAS, Legislator Elie Mystal has tendered his resignation from the Suffolk County Legislature effective May 7, 2008; and

WHEREAS, as a result of said resignation, a vacancy has occurred in the Office of County Legislator for the 15th Legislative District of the Suffolk County Legislature; now, therefore be it

1st **RESOLVED**, that, pursuant to Section 2-6 of the SUFFOLK COUNTY CHARTER, the Suffolk County Legislature hereby declares that a Special Election shall be held on the 29th day of July 2008, in accordance with all pertinent NEW YORK ELECTION LAW requirements, for the purpose of filling the vacancy in the 15th Legislative District, as currently constituted under Section 2-3 of the SUFFOLK COUNTY CHARTER, for the balance of the unexpired term; and be it further

2nd **RESOLVED**, that the Special Election shall be held for the 15th Legislative District as described and defined for the term currently to be filled, as currently constituted under Section 2-3 of the SUFFOLK COUNTY CHARTER; and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Ben Zwirn
Deputy County Executive of Suffolk County

Date: June 24, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No.1485-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 474-2008, APPORTIONING MORTGAGE
TAX BY: COUNTY TREASURER**

1st **RESOLVED**, that the joint reports of the Recording Officer and the County Treasurer as filed with this Legislature on May 9, 2008 relative to the distribution of mortgage taxes for the six month period ending March 31, 2008, be accepted and that the amounts specified therein be fixed and determined as the amounts due the Towns and Villages respectively; and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

**OFFICE OF THE COUNTY LEGISLATURE
Riverhead, New York**

TO THE TREASURER OF SUFFOLK COUNTY:

Pursuant to the authority conferred by Section 261 of the New York State Tax Law and a resolution adopted this day relative to the distribution of mortgage taxes to the several tax districts of this County for the six-month period ending March 31, 2008, the County Legislature of this County this day assembled hereby directs you to pay the Supervisors of the several Towns and to the Treasurers of the several Villages, as herein after specified, such sums as are listed in the schedule following:

To the Supervisors of the Towns of:

Babylon	\$3,689,276.84
Brookhaven	8,929,781.83
East Hampton	2,277,976.54
Huntington	5,241,112.48
Islip	6,733,762.23
Riverhead	1,047,625.76
Shelter Island	257,403.54
Smithtown	2,746,932.78
Southampton	4,571,216.80
Southold	849,151.45
Total Towns:	<u>\$36,344,240.25</u>

To the Treasurers of the Villages of:

Amityville	\$118,037.72
Babylon	149,261.28
Lindenhurst	239,575.04
Belle Terre	24,866.40
Bellport	40,300.72

Lake Grove	137,860.85
Old Field	36,994.73
Patchogue	95,568.91
Poquott	18,149.61
Port Jefferson	233,925.19
Shoreham	9,908.45
East Hampton	271,019.32
Sag Harbor	28,924.26
Asharoken	21,885.89
Huntington Bay	34,752.18
Lloyd Harbor	115,416.85
Northport	89,948.43
Brightwaters	47,418.07
Islandia	103,983.09
Ocean Beach	33,255.95
Saltaire	37,436.42
Dering Harbor	4,939.93
Head of the Harbor	35,989.75
Nissequogue	43,640.39
Village of the Branch	31,354.21
North Haven	73,556.53
Quogue	180,039.18
Sagaponack	173,337.55
Sag Harbor	61,933.85
Southampton	510,625.77
Westhampton Beach	161,011.86
Westhampton Dunes	30,638.47
Greenport	19,225.87
Total Villages:	<u>\$3,214,782.72</u>
Grand Total:	<u><u>\$39,559,022.97</u></u>

Presiding Officer, County Legislature

Clerk, County Legislature

Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro Res. No. 1486-2008

Laid on Table 6/10/2008

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

RESOLUTION NO. 475 -2008, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND
 CHARGEBACKS ON CORRECTION OR
 ERRORS/COUNTY TREASURER BY: COUNTY
 LEGISLATURE #299

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>
0500-173.00-01.00-023.002	2007/08	\$18,045.00	0	\$18,045.00
0500-217.00-01.00-007.001	2007/08	\$15,999.00	0	\$15,999.00

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1553-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 476 -2008, TO READJUST,
 COMPROMISE, AND GRANT REFUNDS AND CHARGE-**

**BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY:
COUNTY LEGISLATURE (CONTROL #791-2008)**

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# 791-2008

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
A	BROOKHAVEN	07/08	N/A	203 19 1 6	41730.25	31039.88	10690.37
A	HUNTINGTON	07/08	N/A	400 146 2 50	10747.10	6038.16	4708.94
A	HUNTINGTON	07/08	N/A	400 177 2	48417.60	42139.88	6277.72
C	RIVERHEAD	07/08	N/A	51.17	8226.20	5150.60	3075.60
A	SMITHTOWN	07/08	N/A	600 99 1 10	4504.29	843.23	3661.06
				800 117 4 28			

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1564-2008
Introduced by the Presiding Officer

Laid on Table 6/10/2008

RESOLUTION NO. 477 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE REVIEW OF DGEIS COMMENTS AND PREPARATION OF A FGEIS ON THE PROPOSED SHELLFISH AQUACULTURE LEASE PROGRAM IN THE PECONIC BAY AND GARDINERS BAY

WHEREAS, on March 23, 2007 in Resolution No. 241-2007, the County of Suffolk, as SEQRA lead Agency, adopted a Positive Declaration requiring the preparation of a Draft Generic Environmental Impact Statement (DGEIS) on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay, Towns of Southampton, East Hampton, Riverhead, Southold and Shelter Island; and

WHEREAS, on May 3, 2007 the Suffolk County Aquaculture Lease Program Advisory Committee and the Council on Environmental Quality held a Scoping Hearing

concerning DGEIS on the Suffolk County Shellfish Aquaculture Lease Program at which time written and oral comments from the public and various agencies were received; and

WHEREAS, at its June 20, 2007 meeting the Suffolk County Council on Environmental Quality reviewed a Draft Scope for the DGEIS on the Suffolk County Shellfish Aquaculture Lease Program together with the comments received and the response to the comments and recommendations that it be adopted by the Legislature; and

WHEREAS, in Resolution No. 780-2007 the County of Suffolk adopted the Final Scope for the DGEIS; and

WHEREAS, at its March 19, 2008 meeting the Suffolk County Council on Environmental Quality approved as satisfactory the DGEIS together with the Notice of Completion and the Notice of Public Hearing for the DGEIS and the documents were sent out to the Legislators, County Executive, involved agencies and interested parties; and

WHEREAS, on March 26, 2008 a Notice of Completion of the DGEIS and Notice of Public Hearing were published in the N.Y.S.D.E.C. Environmental Notice Bulletin (ENB); and

WHEREAS, on April 17, 2008 the CEQ held a Public Hearing on the Aquaculture Lease Program DGEIS at the Riverhead Town Hall, 200 Howell Street, Riverhead; and

WHEREAS, a presentation was given at the May 21, 2008 CEQ meeting by Dr. DeWitt Davies, Chief Environmental Analyst with the Suffolk County Planning Department regarding the DGEIS comments received and the need for the preparation of a FGEIS; and

WHEREAS, the CEQ reviewed all of the meeting and public hearing transcripts, written comments and oral presentations received on the Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay at their May 21, 2008 meeting; and

WHEREAS that in the judgment of the CEQ, based on review of the written comments as well as the oral comments presented and received, a quorum of the Council at their May 21, 2008 meeting recommended to the Suffolk County Legislature and the County Executive, pursuant to Chapter 279 of the Suffolk County Code, that a Final Generic Environmental Impact Statement be prepared on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay; now, therefore be it

1st **RESOLVED**, that the Suffolk County Legislature, as SEQRA Lead Agency, direct that a Final Generic Environmental Impact Statement be prepared on the Suffolk County Shellfish Aquaculture Lease Program in the Peconic Bay and Gardiners Bay; and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1572-2008
Introduced by the Presiding Officer

Laid on Table 6/10/2008

RESOLUTION NO. 478 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE SOUTH BAY STREET PROPERTY, INCORPORATED VILLAGE OF LINDENHURST, TOWN OF BABYLON

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

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

WHEREAS, at its May 21, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated May 22, 2008 of said recommendations; and

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

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

1st RESOLVED, that this Legislature hereby determines that the Proposed Acquisition of Land for Open Space Preservation Purposes Known as the South Bay Street Property, Incorporated Village of Lindenhurst, Town of Babylon constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617, and Chapter 279 of the Suffolk County

Code, which project will not have significant adverse impacts on the environment for the following reasons:

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

and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1573-2008
Introduced by the Presiding Officer

Laid on Table 6/10/2008

RESOLUTION NO. 479 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED BERGEN POINT OUTFALL, PLANNING AND RESPONSE PLAN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Bergen Point Outfall, Planning and Response Plan", pursuant to Section 6 of Local Law No. 22-1985 which project involves planning steps necessary to further evaluate the rehabilitation alternatives of the pre-stressed concrete cylinder pipe that extends from the Bergen Point Treatment Plant to the barrier beach as well as the evaluation of the permitting and environmental processes, developing a schedule with cost estimates for various alternatives and developing a response plan. The response plan would involve purchasing a number of sections of pipe to be stored at the Bergen Point site in the event that problems arise in the future; and

WHEREAS, at its May 21, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(21) and (25) and Chapter 279 of the Suffolk County Code, since it involves conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such actions; as well as the purchase of equipment for emergency use; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated May 22, 2008 of said recommendations; and

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

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

1st **RESOLVED**, that this Legislature hereby determines that the Proposed Bergen Point Outfall Planning and Response Plan constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(21) and (25) and Chapter 279 of the Suffolk County Code, which projects involves conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such actions; as well as the purchase of equipment for emergency use; and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

RESOLUTION NO. 480 -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE WIC NUTRITION PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 100% Federal grant funds to the Suffolk County Department of Health Services, Division of Patient Care Services for the WIC Nutrition Program grant in the amount of \$2,983,561 for the period 10/01/07-09/30/08; and

WHEREAS, this grant funding provides supplemental food and nutrition education to eligible pregnant and post partum women, infants and children; and

WHEREAS, a portion of this funding is already included in the 2008 Suffolk County Operating Budget and \$8,750 needs to be appropriated to fully utilize the grant award; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$8,750 in grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4482 W.I.C. Nutrition	\$8,750

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Patient Care Services
WIC Nutrition Program
001-HSV-4130

<u>Supplies, Materials & Other</u>	<u>\$ 8,750</u>
3500-Other: Unclassified	\$ 4,550
3680-Repairs: Special Equipment	\$ 700
3770-Advertising	\$ 3,500

and be it further

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

3rd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1509-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 481 -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM

WHEREAS, the New York State Department of Health Services has awarded 100% Federal grant funds to the Suffolk County Department of Health Services, Division of Patient Care Services for the Childhood Lead Poisoning Prevention grant in the amount of \$284,341 for the period 04/01/08-03/31/09; and

WHEREAS, this grant funding provides screening for the early detection of childhood lead poisoning, particularly in high risk populations, and to provide education to the general public and to private physicians; and

WHEREAS, a portion of this funding is already included in the 2008 Suffolk County Operating Budget and \$42,952 needs to be appropriated; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$42,952 in grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4401 Public Health	\$42,952

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Patient Care Services
Childhood Lead Poisoning Prevention Program
001-HSV-4117

<u>Personel Services</u>	<u>\$23,469</u>
1120-Overtime Salaries	\$ 3,715

1130-Temporary Salaries	\$19,754
<u>Equipment</u>	<u>\$18,115</u>
2080-Medical, Dental & Lab Equipment	\$18,115
<u>Supplies, Materials & Other</u>	<u>\$ 1,368</u>
3040-Printing	\$ 1,368

and be it further

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

3rd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1510-2008
6/10/2008

Laid on Table

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 482-2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH FOR A COST OF LIVING ADJUSTMENT (COLA) TO VARIOUS CONTRACT AGENCIES

WHEREAS, the 2007-2008 New York State Enacted Budget includes a 2.3% Cost of Living Adjustment (COLA), effective April 1, 2007 through March 30,2008; and

WHEREAS, the New York State Office of Mental Health has awarded additional 100% State aid for the provision of services to the seriously and persistently mentally ill; and

WHEREAS, the \$237,574 in additional 100% State Aid funding is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$237,574 in additional State Aid as follows:

REVENUES:

<u>AMOUNT</u>	
001-3493 State Aid: Community Support Services	\$237,574

ORGANIZATIONS:

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

<u>XORG</u>	<u>OBJECT NAME</u>	<u>2008 Adopted Budget</u>	<u>Increase/ Decrease</u>	<u>2008 Modified Budget</u>
ADK2	CLUBHOUSE DROP IN	22,089	508	22,597
AGP1	FAMILY SERVICE LEAGUE	78,655	1,779	80,434
AGZ1	FAMILY SVC. LEAGUE CAPT	32,166	734	32,900
AHH1	FAMILY SVC. LG PARENT TO PARENT	87,505	2,045	89,550
AHH2	FSL COORD CHILD SERV INIT	34,430	792	35,222
AHM1	FEDERATION OF ORGANIZATIONS	450,005	13,154	463,159
AHN1	FEDERATION MULTI CULTURAL CONF	8,223	189	8,412
AHO1	FEDERATION HOMELESS MENTAL ILL	359,989	4,557	364,546
AIN1	HANDS ACROSS LI ADVOCACY PROG	190,276	4,377	194,653
ALG3	MENTAL HEALTH ASSOC CHILD/YTH	36,815	847	37,662
ALG4	MENTAL HEALTH ASSOC ANTISTIGMA	5,259	121	5,380
ALG5	MENTAL HEALTH ASSOC SUFFOLK	23,700	548	24,248
ANL2	PEDERSON KRAG SUPP CASE MGT.	313,772	7,219	320,991
APK1	SAYVILLE PROJ SUPP. CASE MGT.	313,772	7,219	320,991
APK2	SAYVILLE PROJ DROP IN	44,177	1,016	45,193
AQA2	SKILLS UNLIMITED	320,995	9,429	330,424
ASR1	SUNY SAYVILLE PSYCHOSOCIAL	291,710	6,709	298,419
CAB1	FECS CSS	29,812	686	30,498
CAD1	FAM SV LG THER REC.	76,038	1,749	77,787
DDD1	MENTAL HEALTH ASSOC CSS	79,019	1,817	80,836
GBD1	FEDERATION REPRESENT PAYEE	121,566	2,796	124,362
GBE2	FECS PSYCHOSOCIAL	88,357	2,032	90,389
GBF1	MENTAL HEALTH ASSOC ADVOCACY	84,147	1,935	86,082
GBF2	MENTAL HEALTH ASSOC ELEC EMPOWERMENT	31,555	726	32,281
GBG1	FEDERATION ADVOCACY	172,660	3,971	176,631
GBG2	FEDERATION RESPITE CARE	32,176	740	32,916
GBG3	FEDERATION DROP IN	110,444	2,540	112,984
GBQ1	ADELANTE DROP IN	64,242	1,018	65,260
GCY1	FEDERATION RESPITE HOUSING	38,030	875	38,905
GGF1	PEDERSON KRAG MICA TFIP	443,502	10,201	453,703
GGG1	PEDERSON KRAG FAM RESPITE	234,366	5,647	240,013

GGH1	PEDERSON KRAG C&Y TRAINING	11,178	257	11,435
GGQ1	ADELANTE SPECIAL EMPLOYMENT	51,400	1,183	52,583
GGR1	FREE	154,200	3,547	157,747
GJP1	FEDERATION OF ORGANIZATIONS	693,503	15,950	709,453
GKQ1	FEGS TRANSITION MGT	459,579	10,571	470,150
GKU1	PEDERSON KRAG CLINIC (AOT)	14,326	329	14,655
GKX1	FEGS DSS PROJECT	41,214	948	42,162
GNR1	FEDERATION OF ORG CASE MGT.	705,987	16,241	722,228
GNS1	CLUBHOUSE OF SUFFOLK CASE MGT	313,772	7,218	320,990
GNT1	ADELANTE PSYCHOSOCIAL CLUB	50,083	1,152	51,235
GPA1	FEDERATION PEER BRIDGER PRG.	168,294	3,871	172,165
GPB1	PHOENIX HOUSE RESIDENTIAL PROG	107,472	2,472	109,944
GPC1	HALI PEER ADVOCACY	170,876	3,821	174,697
GPD1	FEGS PRE-ARREST FORENSIC	45,452	1,045	46,497
GPE1	FEDERATION PREARREST FORENSIC	110,559	2,543	113,102
GPF1	HALI PRE-ARREST FORENSIC PROG	110,559	2,543	113,102
GPJ1	FAMILY SERVICE LEAGUE CASE MGT	267,680	2,455	270,135
GPM1	PEDERSON KRAG SPOA	154,723	3,522	158,245
GST1	PEDERSON KRAG SCHOOL SUPPORT	460,258	10,592	470,850
GSV1	FED OR ORG- SINGLE POINT OF ENTRY	402,323	7,699	410,022
GTL1	FED OF ORG CLIENT SVC. DOLLAR PRG	55,672	1,280	56,952
GUR1	FED ORG TRANSPORTATION CSS	280,606	6,454	287,060
GUS1	PEDERSON KRAG CM TRAINING	10,748	248	10,996
GUT1	FAMILY SVC LEAGUE CASE MGT	549,102	12,631	561,733
GUU1	PEDERSON KRAG C&F EMRCY CARE	250,735	5,640	256,375
GZB1	FEGS FAMILY SUPPORT	113,205	2,495	115,700
GZD1	SUFFOLK COMMUN. COUNCIL SPA	15,219	350	15,569
GZI1	FED OF ORG ADULT HOME PEER SRV	198,600	4,560	203,160
HAL1	HALI TRNG CONF RESOURCE CTR	26,296	605	26,901
HAL2	HALI PSYCHOSOC DROP IN CTR	66,266	1,524	67,790
HEV1	FAM SERV LEAGUE ADULT HOME	74,475	1,710	76,185
HEW1	CLUBHOUSE ADULT HOME CASEMGT	74,475	1,710	76,185
HYP1	SAYVILLE PROJ ADULT HOME CM	49,650	1,140	50,790
PKP1	PEDERSON KRAG DROP IN	66,270	1,292	67,562

and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with the above listed providers; and be it further

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

5th **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1511-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 483 -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH

WHEREAS, the New York State Office of Mental Health has awarded additional 100% State Aid in the amount of \$1,126,529 for Personalized Recovery Oriented System (PROS) providers for 2008; and

WHEREAS, the PROS is a recovery-orientated program for individuals with severe and persistent mental illness; and

WHEREAS, the goals for individuals in the program are: to improve functioning, reduce in-patient utilization, reduce emergency services, increase employment, and secure preferred housing; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$1,126,529 in additional 100% State Aid as follows:

REVENUES:

<u>AMOUNT</u>	
001-3493 Community Support Services	\$1,126,529

ORGANIZATIONS:

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

2008		2008
Adopted	Increase/	Modified

<u>XORG</u>	<u>OBJECT NAME</u>	<u>Budget</u>	<u>Decrease</u>	
<u>Budget</u>				
JAO1	CLUBHOUSE PROS RONKONKOMA	82,500	52,383	134,883
JAP1	CLUBHOUSE PROS RIVERHEAD	32,500	25,949	58,449
JAQ1	FEGS PROS COPAIGUE	40,104	343,515	383,619
JAR1	FSL PROS HUNTINGTON	17,500	138,404	155,904
JAS1	FSL PROS HAUPPAUGE	23,000	145,494	168,494
JAT1	FEDERATION PROS BABYLON	25,000	19,961	44,961
JAU1	FEDERATION PROS PATCHOGUE	27,500	21,957	49,457
JAV1	HALI PROS CENTRAL ISLIP	55,000	209,117	264,117
JAW1	MARYHAVEN PROS RIVERHEAD	18,521	38,579	57,100
JAX1	MARYHAVEN PROS YAPHANK	11,667	60,085	71,752
JAY1	PEDERSON KRAG PROS CORAM	27,708	57,719	85,427
JAZ1	PEDERSON KRAG PROS SMITHTOWN	6,417	13,366	19,783

and be it further

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1552-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 484 -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF

HEALTH SERVICES FOR THE BEACH ACT SANITARY SURVEY PROJECT

WHEREAS, the New York State Department of Health Services has awarded 100% Federal grant funds to the Department of Health Services, Division of Environmental Quality for the Beach Act Sanitary Survey Project in the amount of \$20,972 for the period 10/01/07-09/30/08; and

WHEREAS, this grant funding will be used to conduct extensive sanitary survey site assessments at three (3) Suffolk County bathing beaches to identify pollution sources; and

WHEREAS, these grant funds were not included in the 2008 Suffolk County Operating Budget; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$20,972 in Federal grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-4910 Water Pollution Control	\$20,972

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Environmental Quality
Beach Act Sanitary Survey Project
001-HSV-4409

<u>Equipment</u>	<u>\$5,972</u>
2020-Office Machines	\$5,972
<u>Fees for Services</u>	<u>\$15,000</u>
4560-Fees for Services, non-employees	\$15,000

and be it further

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

3rd RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1560-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 485-2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO THE DEPARTMENT OF HEALTH SERVICES, JOHN J. FOLEY SKILLED NURSING FACILITY FOR THE COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM

WHEREAS, the Dormitory Authority of the State of New York has awarded 100% State grant funds to the Department of Health Services, John J. Foley Skilled Nursing Facility for the Community Enhancement Facilities Assistance Program in the amount of \$2,366,000 for the period 07/01/08-09/30/09; and

WHEREAS, this grant funding will provide three enhancement projects for the John J. Foley Skilled Nursing Facility (JJFSNF); and

WHEREAS, project number one (1) will provide funds for an Electronic Medical Records (EMR) system, security cameras, and new mattresses; and

WHEREAS, project number two (2) will provide funds to renovate the fifth floor of the building into a Short-term Rehabilitation Unit; and

WHEREAS, project number three (3) will provide funds for safety enhancements to the existing infrastructure, which includes perimeter fencing, improved sidewalks, and safe outdoor fifth floor patios; and

WHEREAS, the acceptance of this grant award requires that the Department provide an in-kind contribution of \$26,675 for furnishings and building construction; and

WHEREAS, the in-kind contribution is already included in the 2008 Suffolk County Operating Budget within the Department of Health, fund 632, unit 4530 as follows: \$5,700 for furnishings in object 2010, and \$20,975 for construction in object 3650; and

WHEREAS, the \$2,366,000 in additional 100% State Aid funding is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$2,366,000 in grant funds as follows:

<u>REVENUES:</u>	<u>AMOUNT</u>
001-3597 John J. Foley Renovation Projects	\$2,366,000

APPROPRIATIONS:

Department of Health Services (HSV)
John J. Foley Skilled Nursing Facility
Acquisition of Machinery and Equipment
632-HSV-4531

\$1,150,000

<u>Equipment</u>	<u>\$446,000</u>
2020-Office Machines	\$371,000
2070-Cameras & Photographic Equipment	\$25,000
2080-Medical, Dental & Laboratory Equipment	\$50,000
<u>Supplies, Materials & Other Expenses</u>	<u>\$4,000</u>
3160-Computer Software	\$2,000
3500-Other: Unclassified	\$2,000
<u>Contractual Expenses</u>	<u>\$700,000</u>
4560-Fees for Services: Non-employees	\$700,000

Department of Health Services (HSV)
John J. Foley Skilled Nursing Facility
Refurbishing of Sub-Acute Short-Term Rehabilitation Unit
632-HSV-4532

\$850,000

<u>Equipment</u>	<u>\$450,000</u>
2010-Furniture & Furnishings	\$50,000
2500-Other Equipment, not otherwise specified	\$400,000
<u>Supplies, Materials & Other Expenses</u>	<u>\$400,000</u>
3650-Repairs: Buildings	\$400,000

Department of Health Services (HSV)
John J. Foley Skilled Nursing Facility
Safety Enhancements to Existing Infrastructure
632-HSV-4533

\$366,000

<u>Equipment</u>	<u>\$220,975</u>
2060-Garage, Shop & Building Equipment	\$215,375
2500-Other Equipment	\$5,600
<u>Supplies, Materials & Other Expenses</u>	<u>\$145,025</u>
3650-Repairs: Buildings	\$145,025

and be it further

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

3rd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1578-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 486 -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL FEDERAL AND STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES TO VARIOUS CONTRACT AGENCIES FOR A COST OF LIVING ADJUSTMENT (COLA)

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) has announced the inclusion of a 3.2 percent cost of living adjustment (COLA) in the 2008-2009 Enacted Budget effective April 1, 2008; and

WHEREAS, the 3.2 percent COLA has been applied, effective April 1, 2008, to the base eligible State Aid on certain chemical dependence treatment and prevention programs and compulsive gambling treatment and prevention programs pursuant to Articles 25, 26 and 41 of the Mental Hygiene Law; and

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

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$233,297 in additional Federal and State Aid as follows:

REVENUES:

TOTAL

001-HSV 4491 Federal Aid: Alcoholism	\$99,913
001-HSV 3486 State Aid: Narcotics Addiction Control	\$126,563

ORGANIZATIONS:

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

<u>XORG</u>	<u>OBJECT NAME</u>	2008 Mod Adopted <u>Budget</u>	Increase/ <u>Decrease</u>	2008 Modified <u>Budget</u>
AAA2	ACCESS-TOWN OF ISLIP	\$185,161	\$3,364	\$188,525
ABN1	BOCES II	\$1,178,741	\$27,301	\$1,206,042
ABZ1	BRENTWOOD UFSD#12	\$182,494	\$4,011	\$186,505
ACN4	CATHOLIC CHARITIES TALBOT HOUSE	\$1,499,160	\$33,525	\$1,532,685
AET2	CTH CHARITY CHEM DEPENDENCY CLINIC	\$507,922	\$4,241	\$512,163
AFM2	DRUG ABUSE PREVENTION COUNCIL	\$5,051	\$119	\$5,170
AGW1	FAMILY SERVICE LEAGUE	\$469,667	\$4,106	\$473,773
AIJ1	HAMPTON COUNCIL OF CHURCHES IN	\$456,196	\$6,770	\$462,966
AIS2	HUGS INC	\$62,498	\$375	\$62,873
AJF1	ISLIP ACCESSO CLINIC	\$433,295	\$7,381	\$440,676
AJR1	J MATHER MEMORIAL HOSPITAL	\$175,248	\$2,058	\$177,306
AKT1	ST CHRISTOPHER OTTILE	\$965,809	\$22,908	\$988,717
ANL7	PEDERSON-KRAG CLINIC INC	\$986,223	\$7,668	\$993,891
ANL9	PEDERSON-KRAG COMPULSIVE GAMBLING	\$112,855	\$2,592	\$115,447
AOH1	RIVERHEAD COMMUNITY AWARENESS	\$166,425	\$3,849	\$170,274
AQX2	SOUTHMPTN ALTERNATIVES/EAST EN	\$853,046	\$16,884	\$869,930
ATC1	TOWN OF BABYLON NARC GUID CNC	\$421,073	\$7,964	\$429,037
AUG1	TOWN OF HUNTINGTON/STARSHINE	\$644,185	\$12,200	\$656,385
AUT1	TOWN OF ISLIP/ACCESS	\$399,691	\$6,494	\$406,185
AVH1	TOWN OF SMITHTOWN/HORIZONS	\$720,257	\$14,123	\$734,380
AYU1	YMCA OF L I INC	\$1,149,205	\$22,537	\$1,171,742
GGX1	THREE VILLAGE CSD	\$51,866	\$1,126	\$52,992
GNC1	PROJECT OUTREACH (CMS)	\$405,135	\$8,966	\$414,101
HKC1	THE LONG ISLAND HOME/SOUTH OAKS	\$176,193	\$4,229	\$180,422
HZQ1	BROOKHAVEN MEMORIAL HOSPITAL	\$158,149	\$3,722	\$161,871
JBA1	HOPE FOR YOUTH	\$199,300	\$4,784	\$204,084

and be it further

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1548-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 487 -2008, AUTHORIZING THE PURCHASE OF PARATRANSIT VANS ON BEHALF OF THE DISABLED AMERICAN VETERANS TRANSPORTATION NETWORK AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AND STATE AID AND OTHER FUNDS (CP 5658)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Resolution No. 484-2007 authorized the County, as grantee, to file a Federal grant application on behalf of the Disabled American Veterans Transportation Network (DAV) located in the Northport VA Medical Center for federal funds earmarked for the DAV for the purchase of paratransit vans and related equipment; and

WHEREAS, Grant No. NY-04-0014 was subsequently awarded by the FTA; and

WHEREAS, the grant agreements for Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the DAV will provide the remaining 10% local share of project costs; and

WHEREAS, the total cost of this purchase is estimated to be up to \$66,625 and there is no County share involved in this project; and

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

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations (“NYCRR”) Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the Purchasing Division is authorized to acquire paratransit vans and related equipment, pre and post delivery Buy America audits and inspection during manufacture on behalf of the DAV subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

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

Project No. 5658
Project Title: Purchase of Public Transit Vehicles

		<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
5.	Furniture & Equipment	\$89,081,706	512,500B 4,100,000F 512,500S <u>00</u>	512,500B 4,100,000F 512,500S <u>6,663O</u>
6.	TOTAL	\$89,081,706	\$5,125,000	\$5,131,663

and be it further

5th **RESOLVED**, that the private (DAV) funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.542	Purchase of paratransit vans and related equipment for the DAV	\$6,663

and be it further

6th **RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.542	Purchase of paratransit vans and related equipment for the DAV	\$6,662

and be it further

7th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.542	Purchase of paratransit vans and related equipment for the DAV	\$53,300

and be it further

8th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept private, State and Federal Aid in connection with this project; and be it further

9th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute a Transfer of Title Agreement with the Disabled American Veterans to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof in connection with the Federal grant.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro Res. No. 1549-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 488 -2008, AUTHORIZING THE PURCHASE OF PARATRANSIT VANS ON BEHALF OF THE TOWN OF BROOKHAVEN AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND

APPROPRIATING FEDERAL AND STATE AID AND OTHER FUNDS (CP 5658)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Resolution No. 862-2007 authorized the County, as grantee, to file a Federal grant application on behalf of the Town of Brookhaven for federal funds earmarked for the Town for the purchase of paratransit vans and related equipment; and

WHEREAS, Grant No. NY-03-0464 was subsequently awarded by the FTA; and

WHEREAS, the grant agreements for Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the Town of Brookhaven will provide the remaining 10% local share of project costs; and

WHEREAS, the total cost of this purchase is estimated to be up to \$151,840 and there is no County share involved in this project; and

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

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5658
Project Title: Purchase of Public Transit Vehicles

	Current 2008 Capital Budget &	Revised 2008 Capital Budget &
Total Est'd		

	<u>Cost</u>	<u>Program</u>	<u>Program</u>
5. Furniture & Equipment	\$89,090,227	512,500B 4,100,000F 512,500S <u>00</u>	512,500B 4,100,000F 512,500S <u>15,184O</u>
6. TOTAL	\$89,090,227	5,125,000	5,140,184

and be it further

3rd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th **RESOLVED**, that the Purchasing Division is authorized to acquire paratransit vans and related equipment, pre and post delivery Buy America audits and inspection during manufacture on behalf of the Town of Brookhaven subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

5th **RESOLVED**, that Town of Brookhaven funds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.540	Purchase of paratransit vans and related equipment for the Town of Brookhaven	\$15,184

and be it further

6th **RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.540	Purchase of paratransit vans and related equipment for the Town of Brookhaven	\$15,184

and be it further

7th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.540	Purchase of paratransit vans and related equipment for the Town of Brookhaven	\$121,472

and be it further

8th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept Town, State and Federal Aid in connection with this project; and be it further

9th **RESOLVED**, that the Designee of the County Executive of Suffolk County is hereby authorized to execute a Transfer of Title Agreement with the Town of Brookhaven to assign all responsibility for the use and maintenance of the vehicles, together with any reporting requirements thereof in connection with the Federal grant.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1484-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 489 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT VICTOR FLORES (SCTM NO. 0200-467.00-02.00-026.000

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 467.00, Block 02.00, Lot 026.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, County of Suffolk, State of New York, known and designated as and by Lot Number 65 in Block 13 on a certain map entitled, "Map of Ronkonkoma Park, which was filed in the Office of the Clerk of the County of Suffolk on May 14, 1908 as and by Map Number 357; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, VICTOR FLORES has made application of said above described parcel and VICTOR FLORES has paid the application fee and \$509.24, 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 VICTOR FLORES, 12 Spruce Street, Centereach, New York 11720, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1488-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 490 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES WOODLY, JR. and MARVA WOODLY, his wife (SCTM NO. 0200-453.00-03.00-023.000)

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

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

District 0200, Section 453.00, Block 03.00, Lot 023.000, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, Lot 74, Map of Gordon Heights, Section 9, Filed October 4, 1945 Map No. 1450; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725.

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, CHARLES WOODLY, JR. has made application of said above described parcel and CHARLES WOODLY, JR. has paid the application fee and \$3,100.00, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; and

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to CHARLES WOODLY, JR. and MARVA WOODLY, his wife, 217 Swezey Lane, Middle Island, New York 11953, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Vloria-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

RESOLUTION NO. 491 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHUN LUEN KWOK and LI HSIU CHIN KWOK, his wife (SCTM NO. 0400-143.00-02.00-112.000)

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 Huntington, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0400, Section 143.00, Block 02.00, Lot 112.000, and acquired by tax deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008, in Liber 12547, at Page 966, and otherwise known as and by Town of Huntington, Suffolk County Tax Map Number: District 0400, Section 143.00, Block 02.00, Lot 112.000; 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 April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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, CHUN LUEN KWOK has made application of said above described parcel and CHUN LUEN KWOK has paid the application fee and \$10,065.06, 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 CHUN LUEN KWOK and LI HSIU CHIN KWOK, his wife, 13 5th Avenue, Huntington Station, New York 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1495-2008
Introduced by Legislator Horsley

Laid on Table 6/10/2008

**RESOLUTION NO. 492 -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO THE 2008 ADOPTED
OPERATING BUDGET FOR THE BABYLON CITIZENS
COUNCIL ON THE ARTS**

WHEREAS, the 2008 Operating Budget when adopted contained technical errors to certain contract agencies; and

WHEREAS, the Adopted 2008 Operating Budget included \$10,000 for the Babylon Arts Council and the correct name of this contract agency is the Babylon Citizens Council on the Arts; and

WHEREAS, these two entities are one in the same and legally known as the Babylon Citizens Council on the Arts; and

WHEREAS, the intent of this Legislature is to provide the Babylon Citizens Council on the Arts with a total of \$30,000 through the Department of Economic Development & Workforce Housing; and

WHEREAS, the Babylon Citizens Council on the Arts serves the residents of Suffolk County by promoting artistic, cultural, and educational programs on the arts; and

WHEREAS, these programs on the arts attract visitors to downtown areas in Suffolk County as well as parks thereby stimulating the local economy; and

WHEREAS, the County Legislature desires to make technical corrections to the 2008 Adopted Operating Budget to assist in funding the Babylon Citizens Council on the Arts for programs that are offered to the public; now, therefore be it

1st RESOLVED, that the Clerk of the Legislature shall make the following technical corrections to the 2008 Adopted Operating Budget;

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	PKS	7110	GTN1	4980	Babylon Arts Council	-\$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	ECD	6410	JBX1	4980	Babylon Citizens Council on the Arts	+\$10,000

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Babylon Citizens Council on the Arts.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1501-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 493 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 271-2008

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 271-2008; and

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

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

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

Resolution No. 271-2008

In the 3rd RESOLVED paragraph change the Section

FROM:

TO:

Section C8-2 (X)

Section C8-2 (F)

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1514-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 494 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT MATTHEW PRADEEP FRANCIS, An unmarried man (SCTM NO. 0200-825.00-01.00-026.003)

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 825.00, Block 01.00, Lot 026.003, and acquired by tax deed on October 18, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 281, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 825.00, Block 01.00, Lot 026.003; and

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

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

WHEREAS, MATTHEW PRADEEP FRANCIS has made application of said above described parcel and MATTHEW PRADEEP FRANCIS has paid the application fee and \$737.69, as payment of taxes, penalties, interest, recording fees, and any other charges due the

County of Suffolk, pursuant to Local Law, by applicant, through November 30, 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 MATTHEW PRADEEP FRANCIS, An unmarried man, 80 Adelhaide Lane, East Islip, New York 11730, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County
Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1515-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 495 -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 VIVIAN ROHRBACK a/k/a VIVIAN ROHRBACH a/k/a VIVIAN A. ROHRBACH a/k/a VIVIAN AGNES ROHRBACH, by Robert Rohrbach, as Administrator (SCTM NO. 0200-981.00-04.00-011.000)

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

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

District 0200, Section 981.00, Block 04.00, Lot 011.000, and acquired by tax deed on July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 981.00, Block 04.00, Lot 011.000; 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 July 17, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007 in Liber 12515 at Page 222.

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

WHEREAS, ROBERT ROHRBACH as Administrator of the Estate of Vivian Rohrback a/k/a Vivian Rohrback a/k/a Vivian A. Rohrback a/k/a Vivian Agnes Rohrback, has made application of said above described parcel and ROBERT ROHRBACH as Administrator of the Estate of Vivian Rohrback a/k/a Vivian Rohrback a/k/a Vivian A. Rohrback a/k/a Vivian Agnes Rohrback has paid the application fee and \$37,669.26, 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 VIVIAN ROHRBACK a/k/a VIVIAN ROHRBACH a/k/a VIVIAN A. ROHRBACH a/k/a VIVIAN AGNES ROHRBACH, by Robert Rohrback, as Administrator, c/o Jonathan David Brown, Esq. 737 Roanoke Avenue, Riverhead, New York 11901, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1369-2008

Laid on Table 4/29/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 496 -2008, REQUESTING LEGISLATIVE APPROVAL OF A CONTRACT AWARD FOR CENTRALIZED APPOINTMENT SCHEDULING SERVICES FOR THE DEPARTMENT OF HEALTH SERVICES

WHEREAS, in 2003, the Department of Health Services recognized that the appointment scheduling system for Health Center appointments was inefficient and incapable of handling the volume of appointments for the County's Health Center network; and

WHEREAS, the appointments at that time were handled by the Hospitals' staff who had other Intake duties and were not dedicated exclusively to responding to telephone calls for scheduling appointments; and

WHEREAS, the County's Telecommunications Unit had advised that adequate trunk lines could not be installed in the various Health Centers to accommodate the volume of calls; and

WHEREAS, after careful review, the determination had been made at that time to issue a Request for Proposals (RFP) for this service which had been previously handled ineffectually by the Hospitals' staff; and

WHEREAS, the RFP was issued, and a contract executed in 2003 with the successful bidder, Medfone, Inc., located in Wantagh, NY; and

WHEREAS, Medfone, Inc. has provided centralized appointment scheduling services in an efficient and professional manner since that time, with a staff of approximately 22 bi-lingual appointment specialists, with English/Spanish specialists available at all times during the scheduling hours of Monday to Friday, 8 AM to 6 PM, and numerous other languages are available as required; and

WHEREAS, the volume of calls for the year 2007 totaled 328,585, which included 138,273 Appointments; 173,459 Confirmation Out calls; and 16,853 Confirmation In calls; and

WHEREAS, the number of patient visits for the year 2007 totaled 259,521, with 55,854 unduplicated patients; and

WHEREAS, it was determined that it would be cost-effective to continue to contract with a professional appointment scheduling company, as the Health Centers, either through the Hospitals or through the County, cannot provide this service at a lower cost to the taxpayer and are not equipped to provide this specialized service and do not have the bi-lingual staff nor the telephone trunk lines to provide this service at a lower cost than the apparent awardee of the RFP process; and

WHEREAS, in 2007 the Department of Health Services requested an RFP for "Centralized Appointment Scheduling Services", due to the contract termination date of December 31, 2007 with Medfone, Inc.; and

WHEREAS, in compliance with County policies and procedures, the Purchasing Division of the Department of Public Works advertised for these services, and mailed the RFP to three (3) potential vendors; and

WHEREAS, no potential bidders capable of providing a medically-based appointment scheduling system was located within Suffolk County; and

WHEREAS, an independent evaluation committee reviewed the sole proposal, which was submitted by Medfone, Inc., and found the quality of work and experience satisfactory, and the cost proposal submission reasonable and within industry standards, and recommended that the Department of Health Services enter into a contractual agreement with Medfone, Inc.; and

WHEREAS, due to the protracted RFP process, a RFP waiver was approved and a contract extension was executed through March 31, 2008; and

WHEREAS, legislative approval was not received at the March 2008 Legislative meeting to award this contract and execute a new agreement; and

WHEREAS, in accordance with the express intent of the Legislature to extend the current Agreement to provide the Legislative Budget Review Office the opportunity to conduct a cost-benefit analysis of this service, a RFP waiver was submitted to authorize the extension of the current Agreement through June 30, 2008; and

WHEREAS, this specific service was budgeted in the 2008 Adopted Budget, and sufficient funds were adopted in the 2008 Suffolk County Operating Budget to cover the cost of the contract for this specific service and no County employees would be affected by the execution of a contract for this service; and

WHEREAS, Local Law No. 3-1996 requires that the County Legislature 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; now, therefore be it

1st **RESOLVED**, that upon receiving a two-thirds (2/3) vote of the County Legislature as required by Local Law No. 3-1996, the award letter may be issued by the Purchasing Division of the Department of Public Works, as recommended by the Evaluation Committee; and be it further

2nd **RESOLVED**, that the Department of Health Services is authorized to enter into a contractual agreement with Medfone, Inc. to provide a centralized appointment scheduling service for the Health Centers, and the County Executive be and hereby is authorized to execute a contract with Medfone, Inc.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Capital Program and Capital Budget Amending Resolution No. 5-2008
 Introduced by Legislators Losquadro, Montano, Schneiderman and Romaine

RESOLUTION NO. 497-2008, AMENDING THE PROPOSED 2009-2011 CAPITAL PROGRAM AND THE PROPOSED 2009 CAPITAL BUDGET (CP 2118)

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 program and budget; and

WHEREAS, pursuant to Sections C4-19 and C4-20 of the Suffolk County Charter, the Suffolk County Legislature wishes to amend the proposed capital program and budget; now therefore, be it

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

PROJECT NO.: 2118 PROJECT NAME: RENOVATION TO SAGTIKOS BUILDING – GRANT CAMPUS
 DEPARTMENT: COMMUNITY COLLEGE

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

VETOED

TOTAL EST. COST	\$0	\$0	\$0	\$0	\$0
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PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program And Budget		Adopted Capital Program		Subsequent Years
	TOTAL	2009	2010	2011	
Planning Design & Supervision	\$400,000	\$0	\$0	\$0	\$200,000B \$200,000S
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$4,800,000	\$0	\$0	\$0	\$2,400,000B \$2,400,000S
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$900,000	\$0	\$0	\$0	\$450,000B \$450,000S
TOTAL EST. COST	\$6,100,000	\$0	\$0	\$ 0	\$6,100,000

VETOED

PRIORITY RANK: 53

NOTE: This resolution restores this project to the Capital Program by including \$6,100,000 in SY to renovate and reprogram the space vacated by the library once the Learning Resource Center on the Grant Campus (CP 2159) is completed; \$400,000 for planning, \$4,800,000 for construction and \$900,000 for furniture. This project is eligible for 50% state aid (\$3.05 million). The property tax impact associated with the increase in serial bonds in SY is not calculated since (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. See Budget Review Office report p. 151.

DATED: June 24, 2008

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: July 7, 2008

****VETO OVERRIDE ADOPTED ON JULY 11, 2008****

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 14-2-1-0-0. Legislators Beedenbender and Barraga voted no. Legislator Kennedy abstained.

Capital Program and Capital Budget Amending Resolution No. 6-2008
Introduced by Legislators Losquadro, Montano, Schneiderman and Romaine

RESOLUTION NO. 498-2008, AMENDING THE
PROPOSED 2009-2011 CAPITAL PROGRAM AND THE
PROPOSED 2009 CAPITAL BUDGET (CP 2120)

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 program and budget; and

WHEREAS, pursuant to Sections C4-19 and C4-20 of the Suffolk County Charter, the Suffolk County Legislature wishes to amend the proposed capital program and budget; now therefore, be it

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

PROJECT NO.: 2120 PROJECT NAME: GYMNASIUM HEALTH FITNESS CENTER,
EASTERN CAMPUS
DEPARTMENT: COMMUNITY COLLEGE

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

VETOED

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	\$1,000,000		\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$14,750,000	\$0	\$0	\$0	\$7,375,000B \$7,375,000S
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$2,000,000	\$0	\$0	\$0	\$1,000,000B \$1,000,000S
TOTAL EST. COST	\$17,750,000	\$0	\$0	\$0	\$17,750,000

PRIORITY RANK: 38

NOTE: This resolution restores this project to the Capital Program by including a total of \$17,750,000 in SY to provide a gymnasium for the Eastern Campus; \$1,000,000 for planning, \$14,750,000 for construction and \$2,000,000 for furniture. This project is eligible for 50% state aid (\$8,875,000). The property tax impact associated with the increase in serial bonds in SY is not calculated since (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. See Budget Review Office report p. 153.

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

VETO

PRIORITY RANK: Not Included

COST ELEMENTS	Adopted Capital Program and Budget		Proposed Capital Program		Subsequent Years
	TOTAL	2008	2009	2010	
Planning Design & Supervision	\$1,600,000	\$0	\$0	\$0	\$800,000B \$800,000S
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$25,000,000	\$0	0	\$0	\$12,500,000B \$12,500,000S
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$5,800,000	\$0	\$0	\$0	\$2,900,000B \$2,900,000S
TOTAL EST. COST	\$32,400,000	\$0	\$0	\$0	\$32,400,000

PRIORITY RANK: 41

NOTE: This resolution restores this project to the Capital Program by including a total of \$32,400,000 in SY to construct a new library with integrated state of the art information technology, classrooms, faculty offices, student/faculty workspace, and to house the campus' fine arts department on the Grant Campus; \$1,600,000 for planning, \$25,000,000 for construction and \$5,800,000 for furniture and equipment. This project is eligible for 50% state aid (\$16.2 million). The property tax impact associated with the increase in serial bonds in SY is not calculated since (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. See Budget Review Office report p. 161.

DATED: June 24, 2008

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: July 7, 2008

****VETO OVERRIDE ADOPTED ON JULY 11, 2008****

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 17-0-0-0-0.

Capital Program and Capital Budget Amending Resolution No. 10-2008
 Introduced by Legislators Losquadro, Montano, Romaine, and Schneiderman

RESOLUTION NO. 500-2008, AMENDING THE PROPOSED 2009-2011 CAPITAL PROGRAM AND THE PROPOSED 2009 CAPITAL BUDGET (CP 2181)

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 program and budget; and

WHEREAS, pursuant to Sections C4-19 and C4-20 of the Suffolk County Charter, the Suffolk County Legislature wishes to amend the proposed capital program and budget; now therefore, be it

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

PROJECT NO.: 2181 PROJECT NAME: PARTIAL RENOVATION TO PECONIC BUILDING
 DEPARTMENT: COMMUNITY COLLEGE

COST ELEMENTS	Adopted Capital Program and Budget		Adopted Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$90,000	\$0	\$45,000 B \$45,000 S	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0

Construction	\$1,210,000	\$0	\$605,000 B \$605,000 S	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$100,000	\$0	\$50,000 B \$50,000 S	\$0	\$0
TOTAL EST. COST	\$1,400,000	\$0	\$1,400,000	\$0	\$0

PRIORITY RANK: 50

COST ELEMENTS	Proposed Capital Program and Budget		Proposed Capital Program		
	TOTAL	2009	2010	2011	Subsequent Years
Planning Design & Supervision	\$90,000	\$0	\$45,000 B \$45,000 S	\$0	\$0
Land Acquisition	\$0	\$0	\$0	\$0	\$0
Construction	\$1,050,000	\$0	\$525,000 B \$525,000 S	\$0	\$0
Site Improvements	\$0	\$0	\$0	\$0	\$0
Furniture & Equip.	\$260,000	\$0	\$130,000 B \$130,000 S	\$0	\$0
TOTAL EST. COST	\$1,400,000	\$0	\$1,400,000	\$0	\$0

PRIORITY RANK: 42

NOTE: This resolution reschedules \$160,000 in 2010 from construction to furniture and equipment for the renovation of the Peconic Building on the Eastern Campus as requested by the College and changes the project's rank from 50 to 42. See Budget Review Office report p 166.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. Legislator Alden voted no. Deputy Presiding Officer Vilorio-Fisher and Legislators Romaine and Montano abstained. The resolution was passed 13-1-3-0-0.

Intro. Res. No. 1586-2008 Laid on Table 6/10/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 501 -2008, A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AND EXECUTE AN AGREEMENT TO PROVIDE ADMINISTRATIVE SUPPORT TO THE SUFFOLK COUNTY TOBACCO ASSET SECURITIZATION CORPORATION

WHEREAS, the County of Suffolk is entitled to receive payments under the Master Settlement Agreement entered into on November 23, 1998 among the attorneys general of forty-six states and six other United States jurisdictions and the four largest United States tobacco manufacturers (hereinafter the "MSA") and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, County of New York, dated December 23, 1998 (hereinafter, as the same may be amended or modified, the "Decree") in the class action entitled State of New York et al. v. Philip Morris Incorporated, et.al. (Index Number 400361/97); and

WHEREAS, in order to secure to present generations a portion of the benefits intended to be conferred by the MSA and the Decree, and thereby provide certain financial benefits to the County and to further certain other County purposes, it is necessary or desirable for the County to sell its rights, title and interest in and to all or part of the monies to become payable to the County under the MSA and the Decree (the "Tobacco Asset") in order to facilitate the securitization of the Tobacco Asset; and

WHEREAS, that in order to provide the financing structure for such securitization and other present and future County purposes, while protecting the County's existing credit ratings, it is necessary or desirable for the County to sell such rights, title and interest to a local development corporation that has been heretofore created by the County pursuant to the New York Not-For-Profit Corporation Law (the "Suffolk Tobacco Asset Securitization Corporation" or "STASC"), with the powers to acquire such rights, title and interest, to issue bonds, notes and other evidence of indebtedness and incur other obligations; and

WHEREAS, the County of Suffolk is prepared to provide administrative services to STASC as are necessary to support its purpose, as stated above; and

WHEREAS, such administrative services include providing clerical, bookkeeping, mailings and contract administration; preparation and filing of such franchise, withholding, income or other tax returns of STASC; providing for use of computer, photocopy, and telecommunications equipment; providing of offices for business purposes, such as meetings

and storage of files; and providing other such services related to the operation of STASC; now therefore be it

1st **RESOLVED**, the County Executive is hereby authorized and empowered to enter into an Administrative Services Agreement with STASC, the form and substance of which is substantially similar to the agreement annexed hereto: and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator D’Amaro. Legislator Alden abstained. The resolution was passed 16-1-0-0.

Intro. Res. No. 1516-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 502 -2008, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A LICENSE AGREEMENT WITH DEER PARK ENTERPRISE TO PROVIDE ACCESS TO THE TANGER OUTLET CENTER AT THE ARCHES IN DEER PARK, NEW YORK TO PROVIDE BUS SERVICE

WHEREAS, Deer Park enterprises, LLC (the “Developer”) is developing the Tanger Outlet Center at the Arches, in Deer Park New York; and

WHEREAS, the County operates and maintains public bus transportation within Suffolk County, consisting of bus routes and ADA paratransit services (“Bus Service”); and

WHEREAS, the County and the Developer are desirous of promoting access to and from the Tanger Outlet Center at the Arches by public transportation, including having the County provide Bus Service to the Tanger Outlet Center at the Arches, by among other things, rerouting existing bus routes to traverse, stop and terminate at certain designated areas within the Tanger Outlet Center at the Arches; and

WHEREAS, the Developer is amenable to providing a license to the County to access the Tanger Outlet Center at the Arches to provide Bus Service and in connection therewith, to provide a passenger shelter within the Tanger Outlet Center at the Arches; now, therefore be it

1st RESOLVED, that the County Executive is hereby authorized and directed to execute an agreement, in substantial conformance with the form attached; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator Montano. Legislators Alden, Barraga and Kennedy voted no. The resolution was passed 14-3-0-0-0.

Intro. Res. No. 1517-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 503 -2008, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A LICENSE AGREEMENT WITH DEER PARK ENTERPRISE TO ACCOMODATE OVERFLOW PARKING FROM THE TANGER OUTLET CENTER AT THE ARCHES IN DEER PARK, NEW YORK

WHEREAS, Deer Park enterprises, LLC (the "Developer") is developing the Tanger Outlet Center at the Arches, in Deer Park New York; and

WHEREAS the County operates and maintains parking facilities at the nearby Long Island Railroad Station in Deer Park; and

WHEREAS, the County and the Developer are desirous of promoting access to and from the Tanger Outlet Center at the Arches by public transportation; and

WHEREAS, the Developer intends to implement shuttle bus service to and from the Tanger Outlet Center at the Arches and the Railroad Station in Deer Park in order to facilitate shopper access; and

WHEREAS, the County is amenable to providing a license to the Developer to operate the Shuttle Bus Service over the Drives of the Deer Park Railroad Station and to permit parking, loading and unloading of shoppers in areas designated by the County at the Deer Park Railroad Station; and

WHEREAS, the County is further amenable to permit overflow parking from the Tanger Outlet Center at the Arches in certain designated areas of the Deer Park Railroad Station upon certain terms and conditions; now, therefore be it

1st RESOLVED, that the County Executive is hereby authorized and directed to execute an agreement, in substantial conformance with the form attached; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1476-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer Lindsay and Legislator Schneiderman

**RESOLUTION NO. 504 -2008, ADOPTING LOCAL LAW
NO. 28 -2008, A LOCAL LAW TO AMEND THE
QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 13, 2008, a proposed local law entitled, "**A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS;**" now, therefore be it

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

LOCAL LAW NO. 28 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO AMEND THE QUALIFICATIONS FOR ELECTRICIANS AND PLUMBERS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County currently requires applicants for plumbers and electricians licenses to demonstrate at least five (5) years experience in the trade within the past ten (10) years.

This Legislature also finds that Suffolk County is the only licensing jurisdiction in the immediate area with a five (5) year experience requirement; neighboring municipalities require seven (7) years experience to obtain an occupational license of an electrician and plumber.

This Legislature hereby finds and determines that increasing the years of experience an applicant must demonstrate before being licensed as an electrician or plumber will insure that a higher quality of contractor is working in Suffolk County.

This Legislature determines that it is prudent to bring Suffolk's licensing requirements into conformity with neighboring jurisdictions.

Therefore, the purpose of this law is to increase the experience required by an applicant for an occupational license as an electrician or plumber from five (5) years to seven (7) years.

Section 2. Amendments.

Chapter 275 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 275. Electricians and Plumbers.

* * * *

§ 275-3. Application procedure; qualifications; examinations.

* * * *

B. Qualifications of applicant.

* * * *

(2) All applicants shall demonstrate at least [~~five~~] seven years' experience, within the past 10 years, in the trade for which the

license is being sought before said applicant may take the examination for the trade for which he has applied for a license.

* * * *

E. Electrical Inspectors shall demonstrate a minimum of ~~five~~ seven years' experience within the past 10 years in the electrical field and certification from the International Association of Electrical Inspectors.

* * * *

Section 3. Applicability.

This law shall apply to all applications for licenses and certificates of competency under Chapter 275 of the Suffolk County Code on or after the effective date of this law. Certificates of competency and licenses issued prior to the effective date of this law shall not be affected by the terms of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

This law shall take effect on the one hundred twentieth (120th) day immediately subsequent to filing in the Office of the Secretary of State.

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 23, 2008

After a public hearing duly held on August 8, 2008
Filed with the Secretary of State on August 14, 2008

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

Intro. Res. No. 1520-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 505-2008, APPROVING THE REAPPOINTMENT OF LEONARD BORGER AS A MEMBER OF THE SUFFOLK COUNTY HOME APPLIANCE REPAIR LICENSING BOARD

WHEREAS, the term of office of Leonard Borger, expired on May 13, 2006; now, therefore be it

RESOLVED, that the reappointment of Leonard Borger of 29 Dovecote Lane, Commack, New York 11725 as a member of the Suffolk County Home Appliance Repair Licensing Board, for a term of office expiring May 13, 2009, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 345 Section 345-27.A.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1521-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 506-2008, APPROVING
THE REAPPOINTMENT OF WILLIAM GARTHE AS A MEMBER
OF THE SUFFOLK COUNTY HOME IMPROVEMENT
CONTRACTORS LICENSING BOARD**

WHEREAS, the term of office of William Garthe, expired on December 31, 2006;
now, therefore be it

RESOLVED, that the reappointment of William Garthe of 7 Neil Drive, Lake
Grove, New York 11755 as a member of the Suffolk County Home Improvement Contractors
Licensing Board, for a term of office expiring December 31, 2009, is hereby approved; said
reappointment having been made by the County Executive pursuant to the provisions of Suffolk
County Code Chapter 345 Section 345-25.A.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1522-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 507-2008, APPROVING
THE REAPPOINTMENT OF MICHAEL DALY AS A MEMBER
OF THE SUFFOLK COUNTY ELECTRICAL LICENSING BOARD**

WHEREAS, the term of office of Michael Daly, expired on December 31, 2006;
now, therefore be it

RESOLVED, that the reappointment of Michael Daly of 11 Sugarwood Lane,
Commack, New York 11725 as a member of the Suffolk County Electrical Licensing Board, for a
term of office expiring December 31, 2009, is hereby approved; said reappointment having been
made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 275
Section 275-6.A.(1).

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1523-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 508-2008, APPROVING THE REAPPOINTMENT OF ROBERT J. KOHLMAYER AS A MEMBER OF THE SUFFOLK COUNTY ELECTRICAL LICENSING BOARD

WHEREAS, the term of office of Robert J. Kohlmeyer, expired on April 2, 2007; now, therefore be it

RESOLVED, that the reappointment of Robert J. Kohlmeyer of 278 Indian Head Road, Kings Park, New York 11754 as a member of the Suffolk County Electrical Licensing Board, for a term of office expiring April 2, 2010, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 275 Section 275-6.A.(1).

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1524-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 509-2008, APPROVING THE REAPPOINTMENT OF LEE EYSMAN AS A MEMBER OF THE SUFFOLK COUNTY ELECTRICAL LICENSING BOARD

WHEREAS, the term of office of Lee Eysman, expired on April 30, 2007; now, therefore be it

RESOLVED, that the reappointment of Lee Eysman of 15 Milton Road, West Babylon, New York 11704 as a member of the Suffolk County Electrical Licensing Board, for a term of office expiring April 30, 2010, is hereby approved; said reappointment having been made by the County Executive pursuant to the provisions of Suffolk County Code Chapter 275 Section 275-6.A.(1).

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1438-2008 Laid on Table 4/29/2008
Introduced by Legislators Horsley, Nowick, Eddington, Romaine, and Cooper

RESOLUTION NO. 510 -2008, ADOPTING LOCAL LAW NO. 25 -2008 A LOCAL LAW TO STRENGTHEN MOTORIST PROTECTIONS FROM UNWARRANTED PRICE INCREASES BY UNSCRUPULOUS WHOLESALE MOTOR FUEL DISTRIBUTORS AND SERVICE STATION OPERATORS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 29, 2008, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN MOTORIST PROTECTIONS FROM UNWARRANTED PRICE INCREASES BY UNSCRUPULOUS WHOLESALE MOTOR FUEL DISTRIBUTORS AND SERVICE STATION OPERATORS;**" now, therefore, be it

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

LOCAL LAW NO. 25 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO STRENGTHEN MOTORIST PROTECTIONS FROM UNWARRANTED PRICE INCREASES BY UNSCRUPULOUS WHOLESALE MOTOR FUEL DISTRIBUTORS AND SERVICE STATION OPERATORS

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 spike in the cost of fuel is hurting consumers already feeling the effects of a slowing economy, a sluggish job market and falling home values. Soaring prices of diesel, which runs most of the world’s trucks, trains, ships and heavy equipment, is a major factor pushing food prices higher.

This Legislature hereby finds and determines that retail gas prices have reached a nation-wide record-high average of \$3.418 a gallon according to surveys of stations by AAA and the Oil Price Information Service.

This Legislature also finds that the U.S. Department of Energy has determined that retail gas prices will continue to climb towards the \$4 level as the summer driving season approaches, and The Associated Press has reported U.S. gasoline prices continue to set new records as oil futures surged to a new record of \$117 a barrel.

This Legislature also finds and determines that in past years some wholesale motor fuel distributors have increased the price charged to service stations for a gallon of gasoline several times a day, prior to their next delivery of product and, therefore unrelated to the actual price paid.

This Legislature further finds and determines that the New York State Legislature has made efforts to increase the maximum penalty for price gouging from \$10,000 to \$25,000 to ensure that the penalties for price gouging are sufficient to prevent businesses from exploiting emergencies in order to earn excessive profit.

This Legislature further finds and determines that it is therefore appropriate to strengthen penalties under Suffolk County Code § 313-20 (L.L. No. 3-2006) to insure that Suffolk County’s efforts to discourage price gouging remain sufficient to protect motorists from unscrupulous practices, especially, in a softening economic climate where energy prices continue to have a profound effect on the economy.

Therefore, the purpose of this law is to protect motorists from unscrupulous wholesale motor fuel distributors and gasoline service station operators, by increasing the maximum fine allowable under law to prevent said stations from unfairly increasing the price per gallon of gasoline more than once in any calendar day.

Section 2. Amendments.

Chapter 313 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 313, Gasoline Sales

* * * *

Article IV, Registration of Motor Fuel Distributors.

* * * *

§ 313-20. Penalties for offenses

- A. Any person who shall violate any provisions of this article shall be guilty of a violation and subject to a [fine] civil penalty of not less than \$250 nor more than \$1,000 [or imprisonment up to 15 days or both,] except that any person who violates the provisions

of 313-18(B) of the SUFFOLK COUNTY CODE shall be guilty of a violation and subject to a civil penalty of not less than \$1,000 nor more than \$10,000.

* * * *

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[] Brackets denote deletion of existing language.

___ Underlining denotes addition of new language.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 17, 2008

After a public hearing duly held on July 8, 2008

Filed with the Secretary of State on August 1, 2008

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

Intro. Res. No. 1482-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 511 -2008, AUTHORIZING
USE OF PROPERTY AT GABRESKI AIRPORT BY THE
KIWANIS CLUB OF GREATER WESTHAMPTON**

WHEREAS, the Kiwanis Club of Greater Westhampton is a not-for-profit organization;
and

WHEREAS, the Kiwanis Club of Greater Westhampton will host its annual fundraising carnival August 14, 2008 through August 17, 2008; and

WHEREAS, the Kiwanis Club of Greater Westhampton has submitted to Gabreski Airport a request to utilize property for the purposes of this event; and

WHEREAS, the Department of Economic Development and Workforce Housing and the Airport Conservation and Assessment Panel (ACAP) have reviewed this application and recommends the Legislature approve this request with a fee of \$400 per day; now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a license agreement for the use of the above described property between the Kiwanis Club of Greater Westhampton and the County of Suffolk, in substantial accordance with the agreement annexed; and be it further

2nd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA") New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to volume 6 of New York Code of Rules and Regulations ("NYCRR") §617.5 (c)(15), (20), and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Horsley. Legislator Kennedy was not present. The resolution was passed 16-0-0-1-0.

Intro. Res. No. 1568-2008
Introduced by Legislator Viloría-Fisher

Laid on Table 6/10/2008

RESOLUTION NO. 512 -2008, APPOINTING ELIZABETH CUSTODIO AS A MEMBER OF THE SUFFOLK COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA)

WHEREAS, Resolution Nos. 1142-1975 and 1245-1975 implemented the creation of the Suffolk County Industrial Development Agency (“IDA”) pursuant to Section 991-a of the NEW YORK GENERAL MUNICIPAL LAW and made the initial appointments to that Agency; and

WHEREAS, Section 856 (2) of the NEW YORK GENERAL MUNICIPAL LAW permits the appointment of seven (7) members to said IDA; and

WHEREAS, all such members of the IDA serve at the pleasure of the Suffolk County Legislature; now, therefore be it

1st RESOLVED, that Elizabeth Custodio residing in Stony Brook, New York, be and she hereby is appointed as a member of the Suffolk County Industrial Development Agency (IDA) to replace present member Lutricia Edwards; and be it further

2nd RESOLVED, that such member so appointed shall serve at the pleasure of the Suffolk County Legislature; and be it further

3rd RESOLVED, that this resolution shall take effect immediately.

DATED: June 24, 2008

EFFECTIVE PURSUANT TO SECTION 2-15 (A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 856 (2) OF THE NEW YORK GENERAL MUNICIPAL LAW

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

Intro. Res. No. 1575-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 6/10/2008

RESOLUTION NO. 513 -2008, AMENDING RESOLUTION NO. 911-2007, SETTING FEES FOR FRANCIS S. GABRESKI AIRPORT TO INCLUDE FEES FOR PROMOTIONAL EVENTS

WHEREAS, Resolution No. 911-2007, “To Set Fees at Francis S. Gabreski Airport” was approved on September 26, 2007; and

WHEREAS, the Department of Economic Development and Workforce Housing occasionally receives inquiries from for-profit entities requesting the use of airport property for promotional purposes; and

WHEREAS, the fee schedule needs to be amended to allow the airport to charge for the use of the property for promotional purposes; now, therefore be it

1st RESOLVED, that the 2nd RESOLVED clause of Resolution No. 911-2007 is hereby amended to include the fees as follows:

<u>Type</u>	<u>Landing Fee</u>	<u>Security Fee</u>	<u>Day Landing Fee Total</u>	<u>Night Landing Fee* Total</u>
Non-Commercial Aircraft				
Single-engine	\$3.00	\$2.00	\$5.00	\$6.65
Multi-engine equal to or under 12,500 lbs. gross weight	\$8.00	\$2.00	\$10.00	\$13.30
Multi-engine over 12,500 lbs. gross weight	\$23.00	\$2.00	\$25.00	\$33.25
Commercial Aircraft				
Single-engine	\$18.00	\$2.00	\$20.00	\$26.60
Multi-engine equal to or under 12,500 lbs. gross weight	\$48.00	\$2.00	\$50.00	\$66.50
Helicopter	\$48.00	\$2.00	\$50.00	\$66.50
Multi-engine over 12,500 lbs. gross weight	\$73.00	\$2.00	\$75.00	\$99.75
Multi-engine over 25,000 lbs. gross weight	\$123.00	\$2.00	\$125.00	\$166.25
Over 50,000 lbs. gross weight	\$173.00	\$2.00	\$175.00	\$232.75
Over 100,000 lbs. gross weight	\$223.00	\$2.00	\$225.00	\$299.25
*Night Fees in effect between 11:00 p.m. and 7:00 a.m.				
Tie Down				
Single-engine				\$70.00 per month
Multi-engine				\$80.00 per month
Overnight/Transient Parking (No more than seven consecutive days)				
Single-engine				\$10.00 per day
Multi-engine				\$ 20.00 per day
Overnight Adjacent to Taxiway N				\$ 50.00 per day
Airship Mooring				\$100.00 per day (not to exceed \$2,000.00 per month)
Touch and Go Operations				
Aircraft 12,500 lbs. gross weight and over				\$200.00 (per series of 4)

Aircraft under 12,500 lbs. gross weight
(Weights are based on gross take-off weights) No Charge

Film Industry/Promotional Events

Taxiways	[\$500.00] <u>\$750.00</u> per day
Runways	[\$100.00] <u>\$1,000.00</u> per [hour] day
Terminal Building	[\$250.00] <u>\$1,000.00</u> per day
Ramp Area	[\$400.00] <u>500.00</u> per day
Area outside AOA (Airfield Operations Area)	[\$350.00] <u>\$500.00</u> per day

Daily Fees are based on a 7 hour day. Any additional time will be prorated hourly based on the daily rates noted above.

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 911-2007 shall remain in full force and effect; and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1180-2008
 Introduced by Legislators Browning, Eddington

Laid on Table 3/4/2008

RESOLUTION NO. 514 -2008, AUTHORIZING PLANNING STEPS FOR ACQUISITION UNDER SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM (ISLAND IN NARROW BAY NORTH OF SMITH POINT COUNTY PARK) TOWN OF BROOKHAVEN (SCTM NO. 0200-988.30-02.00-001.000)

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

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

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

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 988.30 Block 02.00 Lot 001.000	6.6	Dowling College 150 Idle Hour Blvd. Oakdale, NY 11769 Contact: Erik Paulson

and be it further

2nd RESOLVED, that the County Department of Environment and Energy, Division of Real Property Acquisition and Management, the County Planning Department, the County Department of Public Works, and/or the County Department of Parks, Recreation and Conservation are hereby authorized, empowered, and directed to take such other actions as may be necessary and appropriate, in connection with planning for such acquisition, to secure

appraisals, obtain surveys, obtain engineering reports, and secure title insurance for such lands; and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1498-2008

Laid on Table 6/10/2008

Introduced by Legislators Losquadro, Romaine, Schneiderman, Alden, Viloría-Fisher, Cooper

**RESOLUTION NO. 515 -2008, REAPPOINTING
JOSEPH GERGELA AS A MEMBER OF THE SUFFOLK
COUNTY SOIL AND WATER CONSERVATION DISTRICT**

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

WHEREAS, the term of office of Joseph Gergela as a member of the Soil and Water Conservation District expired on June 30, 2005 and is in a holdover status; now, therefore be it

1st RESOLVED, that **Joseph Gergela**, residing at P. O. Box 341, 59 Red Bridge, Center Moriches, NY 11934, be and he hereby is re-appointed as a member of the Soil and Water Conservation District for a term to expire on June 30, 2011, said appointment having been made pursuant to the provisions of Section 6 of the NEW YORK SOIL AND WATER CONSERVATION DISTRICTS LAW.

DATED: June 24, 2008

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

JOSEPH M. GERGELA III

16 Ricky Road, Manorville, NY 11949
631.878.2898

Professional Background

*Executive Director, Long Island Farm Bureau, Calverton, New York.....1988-
Present*

- NYS Registered Lobbyist, representing 7,200 farmers, fishermen and agribusinesses at local, county, state and federal levels of government
- Administrator of finances
- Director of Personnel and Public Relations
- Organize and plan service program development
- Control and report company activity to Board of Directors

*County Executive Director, USDA/ASCS.....1986 –
1988*

- Administration of government farm programs, including Production Adjustment, Price Support, Conservation, and Emergency Programs Management of budget, personnel, and office funds
- Chairman of Food and Agriculture Council (FAC), formerly L.I. Emergency Board, serving all of Long Island emergency programs

*Farm Owner/Operator/Manager, Gergela Farms, Riverhead, NY.....1975 –
1986*

- Operated 200 acre vegetable farm
- Full knowledge of growing, harvesting, packaging, and marketing farm commodity
- Proficient in effective and safe handling, use, and application of pesticides and fertilizers

Affiliations

- Suffolk County Executive Economic Development Advisory Committee, 2004
- Suffolk County Community College Foundation Board of Directors, 2002 to Present
- Vytra Health Care Board of Directors, 2001 to Present
- Long Island Market Authority, 2001 – Present
- Central Suffolk Hospital Board of Directors, 2001 to Present
- National Association of Conservation Districts, Board of Directors, 1999 – October 2004
- NYS Association of Soil & Water Conservation Districts, 1997; President, 1999 - Present
- NYS Leadership Institute (LEAD NY), Cornell University, 1996 – Present; Finance Chair, 1998
- Suffolk County Soil & Water Conservation District, Board of Directors, 1996 – Present
- NYS Agricultural Society, Board of Directors, 1996 – Present
- East End Economic & Environmental Institute, President and Treasurer, 1995 – Present
- Riverhead Chamber of Commerce, President, 1994; Executive Board 1995, 1996
- Business Round Table of Eastern Long Island, Vice-President, 1994; Board of Directors 1995

- Suffolk County Community College, President's Roundtable, 1994 to Present
- Riverhead Town Economic Development Task Force, 1994
- NYS Farmland Preservation Committee, 1994 to Present
- Long Island Pine Barrens Advisory Board, 1992 to Present
- Southampton Town Agricultural Advisory Board, 1991 to Present
- Riverhead Town Agricultural Advisory Board, 1998 to Present
- Long Island Regional Planning Board Advisory Committee: Calverton Redevelopment Committee, 1991; Open Space Programs, 1998
- Long Island Association Economic Development Committee, 1990 to Present
- Cornell Cooperative Extension Advisory Committee, 1986

Accomplishments

1996 – Contributed to the drafting and passage of the Breast Cancer Pesticide Registry legislation in New York State

1992 – Developed agricultural assessment program for farm and non-farm landowners to receive reduced assessment on farmland in exchange for commitment to leave land in agriculture or open space; passed into Southampton Town Law via enabling state legislation

1992 – Participated in drafting the Farmland Agriculture Protection Act of 1992; Governor's Program Bill passed into New York State Law

1992 – Drafted bill amending New York State Building Code to classify temporary greenhouses as agricultural equipment

1993 - One of four major contributors in drafting and passing Long Island Pine Barrens Protection Act – Long Island Farm Bureau, Long Island Builders, Long Island Association, and Long Island Pine Barrens Society – in addition to Senator Kenneth LaValle and Assemblyman Thomas DiNapoli

1993 – Authored Agricultural Section of “Blueprint for Our Future – Creating Jobs, Preserving the Environment”, a report to then-Governor Mario Cuomo by the East End Economics and Environmental Task Force of Long Island, New York, published by Newmarket Press, 1993

1994 – Drafted 2 bills passed by the New York State Legislature:

- 1) Land of less than 10 acres will receive agricultural assessment
- 2) Horse boarding will qualify for reduced assessment

1996- Testified United States Senate Agriculture Committee for creation of Federal Farmland Protection Program in 1996 Farm Bill

1998 – Participation in drafting and passing of Peconic Region Community Preservation Fund legislation to provide 2% Real Estate Transfer Tax – proceeds for Farmland Preservation and important environmental lands

1999 – Participation and drafting state legislation to create the Long Island Marketing Authority

2000 – Participation and drafting state legislation to indemnify liability for Soil and Water Conservation District employees and Directors

2000 – Obtained full reimbursement of state funding for Soil and Water Conservation Districts

2001 – Traveled to the Ukraine for Citizens Network for Foreign Affairs (CNFA) to develop a strategic plan for the Ukrainian Private Farmers Association

2001 - Appointed to Central Suffolk Hospital Board of Directors

2001 - Appointed to Vytra Board of Directors

2002 - Appointed to Suffolk County Community College Board of Directors

2002 - Participated in preservation of Keyspan property in Jamesport, 225 acres State Parkland, 300 acres preserved farmland

2005 – Provided testimony to the United States House of Representatives Resources Committee on the Listing of the Eastern Oyster to the Endangered Species list and ultimately the petition for the listing was withdrawn by the petitioner.

Awards

- Long Island Farm Bureau “Service Award”, Senator Hillary Rodham Clinton and N.Y.S. Agriculture & Markets Commissioner Nathan Rudgers in attendance, August 2005
- NY State League of Conservation Voters “Preserving Long Island” Award, October, 2004
- Environmental Coalition of the year, Keyspan property preserved in Jamesport, Times-Review Newspapers, 2002
- Long Island Wine Council – “Emiratus” Award, 2002
- “Distinguished Service Award”, NY State Association of Conservation Districts, 2000
- Public Relations Professionals of Long Island’s “Long Island Achievement Award”, 1999
- Long Island Business News “Top 100 Influentials of Long Island”, 1993 through 2000
- “Person of the Year” Award, Times-Review Newspapers, 1991
- USDA “Outstanding Service to Agriculture” Award, 1987
- Cornell Cooperative Extension of Suffolk County “Friend of Extension”, 1997
- Outstanding Alumni, Suffolk County Community College, 1995
- Outstanding Alumni, SUNY Stony Brook, 1995

*References available upon request.

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

Intro. Res. No. 1525-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 516-2008, AMENDING THE 2008 OPERATING BUDGET AND 2008 CAPITAL BUDGET AND PROGRAM BY ACCEPTING UP TO 75% GRANT FUNDS IN THE AMOUNT OF \$3,953,349 FROM THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS (GRANT C800654) TO THE SUFFOLK COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM FOR THE ACQUISITION OF DEVELOPMENT RIGHTS

WHEREAS, pursuant to Agricultural and Markets Law Article 25AAA, the New York State Department of Agriculture and Markets offers an Agricultural and Farmland Protection Implementation Grant; and

WHEREAS, the Suffolk County Planning Department has been advised that a grant in the amount of \$3,953,349 for the acquisition of development rights has been awarded; and

WHEREAS, said funds for acquisitions are provided for in the attached contract (C800654) between the New York State Department of Agricultural and Markets and Suffolk County; and

WHEREAS, the State funds may be used to offset up to seventy-five percent (75%) of the cost of such acquisitions; and

WHEREAS, Suffolk County must in the first instance fund the entire cost of the project and will subsequently be reimbursed for the State portion; and

WHEREAS, Suffolk County recognizes the importance of the agricultural industry to the County and has committed substantial resources to the preservation of farmland resulting in the protection of approximately 9,000 acres of prime farmland; and

WHEREAS, the Suffolk County Agricultural and Farmland Protection Plan recommends a need for the protection of 20,000 acres of farmland through the acquisition of development rights by the County and other levels of government and/or the use of other means of farmland protection such as local zoning and subdivision land use techniques; and

WHEREAS, the grant will make it possible for Suffolk County to protect additional farmland through the leveraging of County funds with State funds; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the acceptance of State Aid in the amount of \$3,953,349; 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 6 N.Y.C.R.R. Sections 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of development rights as set forth in the adopted Suffolk County Purchase of Development Rights Program which will mainly result in a beneficial impact; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that \$1,768,309 be accepted into the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection, effective as of December 1, 2007, to cover a portion, up to 75%, of the acquisition cost for development rights of the Walter R. Zaweski (SCTM No. 0600-048.00-01.00-003.009 p/o) and 353 Manor Lane, LLC (aka Totino Nursery) (SCTM No. 0600-047.00- 01.00-003.002 p/o); and be it further

3rd **RESOLVED**, that the 2008 Operating Budget be and herby is amended accepting State grant funds in the amount of \$1,768,309 into the New Suffolk County Drinking Water Protection Program, Specific Environmental Protection, to offset the acquisition cost of development rights as follows:

<u>Fund</u>	<u>Dept</u>	<u>Code</u>	<u>Revenue Title</u>	<u>Amount</u>
477	FIN	3089	State Aid: Other	\$1,768,309

and be it further

4th **RESOLVED**, that State Grant funds in the amount of \$2,185,040 or up to 75% of the acquisition costs for development rights for the Hodun Property (0600-065.00-01.00-009.002 p/o) be accepted into Capital Project 7177.227 Multifaceted Land Acquisition Program; and be it further

5th **RESOLVED**, that the Suffolk County Comptroller is hereby authorized and directed to limit the serial bond borrowing to the County share; and be it further

6th **RESOLVED**, that the Suffolk County Comptroller has already issued the serial bond borrowing for the full acquisition cost for development rights of the Hodun Property under Capital Project 7177.227; and be it further

7th **RESOLVED**, that the Suffolk County Treasurer and the Suffolk County Comptroller are hereby authorized and directed to place into a debt service reserve fund \$2,185,040 of State Aid received for this acquisition, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of for the County share; and be it further

8th **RESOLVED**, that the Suffolk County Treasurer and the Suffolk County Comptroller are authorized to accept State Aid in connection with this project; and be it further

9th **RESOLVED**, that the Suffolk County Executive and/or the Planning Director are authorized to accept the grant on behalf of Suffolk County, to take all necessary actions and to execute all necessary agreements including an Agreement with the New York State Department of Agriculture and Markets to effectuate this grant.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

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

Intro. Res. No. 1527-2008

Laid on Table 6/10/2008

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

RESOLUTION NO. 517 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE MCDONNELL PROPERTY – PINE BARRENS CORE, TOWN OF BROOKHAVEN (SCTM NO. 0200-511.00-05.00-077.000)

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)(b) 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. 264-2002, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Thirty Two Thousand Ninety Dollars (\$32,090.00+), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 511.00 Block 05.00 Lot 077.00	1.37±	Patricia McDonnell 15516 Morning Drive Lutz, FL 33549

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)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Thirty Two Thousand Ninety Dollars (\$32,090.00), 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 \$32,090.00, subject to a final survey, from previously appropriated funds in MY-475-MS-1940 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) 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 recreational 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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Nowick made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. Legislator Montano was not present. The resolution was passed 16-0-0-1-0.

Intro. Res. No. 1528-2008

Laid on Table 6/10/2008

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

**RESOLUTION NO. 518 -2008, AUTHORIZING
ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY
MULTIFACETED LAND PRESERVATION PROGRAM –
OPEN SPACE PRESERVATION - FOR THE LECKY AND
RANDALL PROPERTY – STONY BROOK HARBOR
HEADWATERS, TOWN OF SMITHTOWN (SCTM NO. 0801-
006.00-02.00-023.000)**

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

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

WHEREAS, Resolution No. 1260-2004 authorized planning steps for acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Seven Hundred Fifty Thousand Dollars (\$750,000.00), 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>REPUTED OWNER ACRES: AND ADDRESS:</u>
No. 1	District 0801	2.2±	James P. Lecky
	Section 006.00		524 Clifon Avenue
	Block 02.00		Newark, NJ 07104
	Lot 023.000		H. Martyn Randall
			P.O. Box 219
			St. James, NY 11780

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Seven Hundred Fifty Thousand Dollars (\$750,000.00), 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 \$750,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

6th **RESOLVED**, that the subject parcel shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use, which may include a small-scale (approximately 6 to 8 car capacity) parking area, consisting of gravel or other permeable materials, and a walking trail, consisting of soil or other permeable materials, so as to provide public access for all Suffolk County residents; and be it further

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

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

- 1.) the proposed action will not exceed any of the criteria in 6 NYCRR, Section 617.7, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; and
- 2.) the proposed use of the subject parcel will be passive recreation, which may include a small-scale (approximately 6 to 8 car capacity) parking area, consisting of gravel or other permeable materials, and a walking trail, consisting of soil or other permeable materials, to provide public access for all Suffolk County residents; and
- 3.) if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact than the proposed acquisition and preservation of the site would have;

and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1529-2008 Laid on Table 6/10/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Nowick

RESOLUTION NO. 519 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] AND THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM FOR THE LECKY, RANDALL AND LEIGHTON PROPERTY – STONY BROOK HARBOR HEADWATERS, TOWN OF SMITHTOWN (SCTM NO. 0801-004.00-02.00-006.001 p/o)

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

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

WHEREAS, Resolution No. 1260-2004 authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, and the Suffolk County Multifaceted Land Preservation Program, pursuant to the Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Two Million Five Hundred Forty Four Thousand One Hundred Dollars (\$2,544,100.00±), at One Hundred Ninety Thousand Dollars (\$190,000.00) per acre for 13.39± acres, of which Two Million One Hundred Forty-Four Thousand One Hundred Dollars (\$2,144,100.00±) will be paid under the Old Drinking Water Protection Program, and Four Hundred Thousand Dollars (\$400,000.00) will be paid under the Suffolk County Multifaceted Land Preservation Program, 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 0801 Section 004.00 Block 02.00 Lot 006.001 p/o	13.39±	James P. Lecky and H. Martyn Randall Delaware College 600 North Market Street Wilmington, DE 19801 Alexandra Leighton P.O. Box 2096 St. James, NY 11780

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, and the Suffolk County Multifaceted Land Preservation Program, for a total purchase price of Two Million Five Hundred Forty-Four Thousand One Hundred Dollars (\$2,544,100.00±), at \$190,000.00 per acre, 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 \$2,144,100.00±, subject to a final survey, from previously appropriated funds in MY-176-LAW-GEA2, 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, and \$400,000.00 from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such 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, which may include a small-scale (approximately 6 to 8 car capacity) parking area, consisting of gravel or other permeable materials, and a walking trail, consisting of soil or other permeable materials, so as to provide public access for all Suffolk County residents; 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 which may include a small-scale (approximately 6 to 8 car capacity) parking area, consisting of gravel or other permeable materials, and a walking trail, consisting of soil or other permeable materials, to provide access for all Suffolk County residents; 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 24, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1530-2008

Laid on Table 6/10/2008

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

RESOLUTION NO. 520 –2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE RUTH ALLAN, LLC PROPERTY – FORGE RIVER ADDITION, TOWN OF BROOKHAVEN (SCTM NO. 0200-750.00-03.00-004.000)

WHEREAS, the 5th RESOLVED clause of Resolution No. 459-2001 established the Suffolk County Multifaceted Land Preservation Program for acquisitions to be consummated pursuant to

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

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

WHEREAS, Resolution No. 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 Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and/or II Reports, respectively; now, therefore be it

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Multifaceted Land Preservation Program pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq), for a total purchase price of Fifty Six Thousand One Hundred Dollars (\$56,100.00±), at \$2.50 per square foot, for 22,440± 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:

	SUFFOLK COUNTY		REPUTED OWNER	
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>		<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District	0200	22,440± s.f.	Ruth Allan, LLC
	Section	750.00		215 South Country Road
	Block	03.00		Bellport, NY 11713
	Lot	004.00		

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of Fifty Six Thousand One Hundred Dollars (\$56,100.00±), subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$56,100.00±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1531-2008

Laid on Table 6/10/2008

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

RESOLUTION NO.

521 -2008, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE SIEMINSKI PROPERTY, TOWN OF RIVERHEAD (SCTM NOS. 0600-069.00-02.00-016.004 p/o, 0600-069.00-02.00-

018.000 p/o & 0600-094.00-01.00-005.000)

WHEREAS, Local Law No. 24-2007, “A Charter Law Extending and Accelerating the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection,” Section C12-2(A)(1) authorized the use of 31.10 percent of sales and compensating tax proceeds generated each year for environmental protection, as determined by duly enacted Resolutions of the County of Suffolk; and

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

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

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, for a total purchase price of Three Million Nine Hundred Twenty Five Thousand Seventy

Dollars (\$3,925,070.00±), at Eighty Three Thousand Dollars (\$83,000.00) per acre for 47.29± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY</u>		<u>ACRES:</u>	<u>REPUTED OWNER</u>
No. 1	<u>TAX MAP NUMBER:</u>		47.29±	<u>AND ADDRESS:</u>
	District	0600		Joseph B. Sieminski Trust
	Section	069.00		and Estate of Stephanie L. Sieminski
	Block	02.00		c/o Anthony B. Tohill, Esq.
	Lot	016.004 p/o		12 First Street – Box 1330
				Riverhead, NY 11901-0903
	District	0600		
	Section	069.00		
	Block	02.00		
	Lot	018.000 p/o		
	District	0600		
	Section	094.00		
	Block	01.00		
	Lot	005.000		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Three Million Nine Hundred Twenty Five Thousand Seventy Dollars (\$3,925,070.00±), at Eighty Three Thousand Dollars (\$83,000.00) per acre for 47.29± acres, subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$3,925,070.00±, subject to a final survey, from previously appropriated funds in capital project 525-8712.210 for the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

4th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee; the County Planning Department; and the County Department of Public Works are hereby authorized, empowered, and directed to take such actions and to pay such additional expenses as may be necessary and appropriate to consummate such acquisition, including, but not limited to, securing appraisals, title insurance and title reports, obtaining surveys, engineering

reports and environmental audits, making tax adjustments and executing such other documents as are required to acquire such County interest in said lands; and be it further

5th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Sections 617.5 (c) (20) and (27) of the New York Code of Rules and Regulations since such actions are simply legislative decisions administering and implementing the acquisition of farmland development rights as part of the Suffolk County Farmland Preservation Program which will mainly result in a beneficial impact and for which SEQRA determination of non-Significance has already been issued.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Losquadro made motion for the following resolution, seconded by Presiding Officer Lindsay. Legislator Alden abstained. Legislator Montano was not present. The resolution was passed 15-0-1-1-0.

Intro. Res. No. 1532-2008
Introduced by Legislator Losquadro

Laid on Table 6/10/2008

**RESOLUTION NO. 522 –2008, AUTHORIZING
PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER
THE SUFFOLK COUNTY DRINKING WATER PROTECTION
PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007
CHANDLER ESTATES ADDITION – TOWN OF BROOKHAVEN
(SCTM NO. 0200-046.00-03.00-023.000)**

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds

generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

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

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

1st RESOLVED, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately .75 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER; and be it further

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

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

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

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

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

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

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

Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 24, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED JUNE 10, 2008

EXHIBIT "A"

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 046.00 Block 03.00 Lot 023.000	±.75	Gail Clark 1164 Cumbermeade Road Fort Lee, NJ 07024

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

Intro. Res. No. 1581-2008
Introduced by Legislator Eddington

Laid on Table 6/10/2008

RESOLUTION NO. 523 –2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, TREMONT AVENUE PROPERTY– TOWN OF BROOKHAVEN (SCTM NO. 0200-838.00-03.00-001.000)

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

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

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

1st **RESOLVED**, that the parcel(s) listed in Exhibit "A" of this resolution, consisting of approximately 2.2 acres, are hereby approved for preliminary planning steps and ultimate inclusion in the

Suffolk County Drinking Water Protection Program pursuant to Article XII of the SUFFOLK COUNTY CHARTER for use as a hamlet park or active parkland; and be it further

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

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

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

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

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 838.00 Block 03.00 Lot 001.000	2.2	Concetta Rupolo 174 Hewlett Avenue East Patchogue, NY 11772

EXHIBIT "A"

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

Intro. Res. No. 1497 -2008 Laid on Table 6/10/2008
 Introduced by Legislator Viloría- Fisher and Presiding Officer Lindsay

RESOLUTION NO. 524 –2008, AMENDING MEMBERSHIP OF THE SUFFOLK COUNTY WELFARE TO WORK COMMISSION

WHEREAS, Resolution No. 181-2003, authorized an independent Suffolk County Welfare to Work Commission to evaluate and make recommendations of federal, state and County policies and procedures designed to move people from welfare to work; and

WHEREAS, the Welfare to Work Commission has requested several changes to its membership to allow it to work more effectively; now, therefore be it

1st RESOLVED, that § 860-21 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 860-21. Membership.

This Commission shall consist of the following [18] 21 members:

- A. The Presiding Officer of the County Legislature, or her or his designee;
- B. The Suffolk County Commissioner of Social Services or her or his designee;
- C. The Chair[man]person of the Health and Human Services Committee of the Suffolk County Legislature, or any successor committee thereto, or her or his designee, who shall serve as Chairman of the Commission;
- D. One representative from Catholic Charities;
- E. One representative from Nassau/Suffolk Law Services;

- F. A representative from Long Island Cares;
- G. One representative from the Suffolk County Community College, selected by the Board of Trustees of the College;
- H. A mental health professional to be selected by the Presiding Officer of the Suffolk County Legislature;
- I. A representative from the Workforce Investment Board (WIB);
- J. A representative from the Suffolk County Department of Labor;
- K. A representative from the child-care community to be selected by the Chair[woman]person of the Health and Human Services Committee of the Suffolk County Legislature;
- L. A representative from Gerald Ryan Outreach;
- M. A representative from Long Island Council of Churches;
- N. A representative from FEGS;
- O. A representative from EOC;
- P. A representative from The Inn;
- Q. [A high school teacher to be selected by the Suffolk County School Superintendents' Association; and] A representative of the Family Service League
- R. A representative from BOCES[.];
- S. A representative of the Suffolk County Association of Municipal Employees Association;
- T. A representative of the Empire Justice Center (Long Island Office); and
- U. A representative of the Wyandanch Homes and Property Development Corporation (WHPDC).

* * * *

and be it further

2nd **RESOLVED**, that § 860-25 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 860-25 Quorum.

[Ten] Eleven members of the Commission shall constitute a quorum to transact the business of the Commission at both regular and special meetings.

* * * *

and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Eddington. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1540-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 525 –2008, AMENDING THE ADOPTED 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS FOR THE PROVISION OF AN ELECTRONIC MEDICAL RECORD SYSTEM AT THE JAIL MEDICAL UNIT IN BOTH THE RIVERHEAD AND YAPHANK CORRECTIONAL FACILITIES (NEW CP 3024)

WHEREAS, the Commissioner of Health Services is requesting to create a new Capital Project for the creation and implementation of an Electronic Medical Record System at the Jail Medical Unit in both the Riverhead and Yaphank Correctional Facilities; and

WHEREAS, the health care for inmates in the custody of the Sheriff's Office of Suffolk County is a mandated service under New York State Correctional Law and Suffolk County Code; and

WHEREAS, the Suffolk County Department of Health Services provides medical care and mental health care to all Suffolk inmates through their Jail Medical Units at the Riverhead Correctional Facility and the Yaphank Correctional Facility; and

WHEREAS, at the present time all inmate health records are manually maintained in a unified format, with medical, mental health and substance abuse treatment notes kept in a single paper file jacket at the facility the inmate is housed; and

WHEREAS, it has been determined that the current manual medical record keeping system does not allow for optimal patient care and coordination of treatment by multiple disciplines, especially between facilities when medical records have to be transferred by courier when inmates are moved from one location to another; and

WHEREAS, the New York State Commission of Correction has recommended that SCDHS Jail Medical Unit strongly consider moving to an Electronic Medical Record System in place of the current manual system; and

WHEREAS, the computerization and centralization of the medical record can improve patient care and minimize potential medical errors and the resultant liability; and

WHEREAS, an Electronic Medical Record (EMR) contains medical history, test results, lab findings, medications and all other patient health information which can be accessed in one place; and

WHEREAS, it is anticipated that implementation of an Electronic Medical Record System will lead to cost savings through greatly enhanced efficiency of operations and overall employee productivity; and

WHEREAS, the Information Processing Working Committee and Steering Committee have reviewed the EMR System requirements and has granted approval; and

WHEREAS, the total cost of this new project for planning and equipment is \$278,000; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the costs of said request under a new Capital Program and pursuant to Suffolk County Charter Section C4-13 an offsetting authorization must be provided from other Capital Projects; and

WHEREAS, Resolution No. 471-1994 amended 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 \$278,000 in Suffolk County Serial Bonds; now therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (25) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the resolution concerns purchasing of computer applications and hardware, other than land, radioactive material, pesticides, herbicides or other hazardous materials, and adoption of a local legislative decision in connection with the same, and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 amended by Resolution No. 461-2006; and be it further

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

Project Number: 8223
Project Title: Brownfields Program

<u>Cost Elements</u>	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$1,498,000</u>	<u>\$825,000B</u>	<u>\$753,000B</u>
TOTAL	\$2,641,700	\$835,000	\$763,000

Project Number: 4041
Project Title: Equipment for the John J. Foley Skilled Nursing Facility

<u>Cost Elements</u>	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
5. Furniture & Equipment	<u>\$765,840</u>	<u>\$100,000G</u>	<u>\$0</u>
TOTAL	\$765,840	\$100,000	\$0

Project Number: 4057
Project Title: Improvements at the John J. Foley Skilled Nursing Facility

<u>Cost Elements</u>	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$5,564,000</u>	<u>\$200,000B</u>	<u>\$94,000B</u>
TOTAL	\$6,048,635	\$200,000	\$94,000

Project No.: 3024
Project Title: Electronic Medical Record System for Jail Medical Units at both Riverhead and Yaphank Correctional Facilities

<u>Cost Elements</u>	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	\$215,000	\$0	\$215,000B
5. Equipment	<u>\$63,000</u>	<u>\$0</u>	<u>\$63,000B</u>

TOTAL \$278,000 \$0 \$278,000

and be it further

4th **RESOLVED**, that the proceeds of \$278,000 in serial bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3024.110 (Fund 001-Debt Service)	40	Electronic Medical Records System in the Jail Medical Units Software Development, Installation, Integration, and Training	\$215,000
525-CAP-3024.510 (Fund 001-Debt Service)	40	Electronic Medical Records System in the Jail Medical Units-Equipment	\$ 63,000

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Eddington. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1540A -2008

BOND RESOLUTION NO. 526 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$278,000 BONDS TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF AN ELECTRONIC MEDICAL RECORDS SYSTEM FOR THE MEDICAL UNITS AT THE RIVERHEAD AND YAPHANK CORRECTIONAL FACILITIES (CP 3024.110 AND .510)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$278,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the acquisition and installation of an electronic medical records system for

the Medical Units at the Riverhead and Yaphank Correctional 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 \$278,000. The plan of financing includes the issuance of \$278,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$215,000 for planning and \$63,000 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. 32 of the Law, is five (5) years.

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

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Browning made motion for the following resolution, seconded by Legislator Beedenbender. Legislators Romaine, Montano, Alden and Kennedy abstained. The resolution was passed 13-0-4-0-0.

Intro. Res. No. 1561-2008 Laid on Table 6/10/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Browning, Beedenbender

RESOLUTION NO. 527-2008, DIRECTING THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES TO ENSURE SATISFACTORY HOUSING ACCOMODATIONS FOR ALL PUBLIC ASSISTANCE RECIPIENTS

WHEREAS, the adequacy of housing for public assistance recipients is of long-standing concern in Suffolk County; and

WHEREAS, the County is not in the best position to know that housing accommodations for public assistance recipients are not in compliance with local building codes or that landlords have allowed housing units to fall into substandard conditions, which conditions may place public assistance recipients who reside in them at risk with respect to their health and safety; and

WHEREAS, this Legislature has determined that it shall be the policy of the County to endeavor to locate alternative housing accommodations for public assistance

recipients residing in substandard housing who wish to receive such assistance; now, therefore be it

1st **RESOLVED**, that the Department of Social Services ("Department"), upon receipt of a written notice from a Suffolk County town supervisor or village mayor containing a list, at any one time, of up to ten (10) public assistance housing accommodations that are in violation of applicable building codes, ordinances or regulations of the municipality in which such housing accommodations are located, shall contact the owners of such housing accommodations to notify them as follows:

- 1) that the violation or violations must be remedied within twenty (20) days from the Department's communication to the owner; and
- 2) unless such violation or violations are remedied within that twenty (20) day time frame, the Department shall work with any public assistant recipient residing at such housing accommodation to provide alternative housing accommodations;

and be it further

2nd **RESOLVED**, that the Department shall use all available means to provide alternative housing accommodations to the public assistance recipients residing there at; and be it further

3rd **RESOLVED**, that assistance will be provided by the Department to the public assistance recipients in the order of priority as determined by the Department; and be it further

4th **RESOLVED**, that in order for the Department to act in connection with the written notification sent by the town or village, the notification must contain the name of the owner of the housing accommodation, a description of the violations, along with the statutes, rules or regulations being violated; and be it further

5th **RESOLVED**, that since State law permits any public assistance recipient to refuse alternate housing accommodation assistance from the Department, if a recipient communicates his or her declination of the Department's offer to assist, the Department shall forward a report of such declination to the applicable municipality; and be it further

6th **RESOLVED**, that pursuant to New York State Law, such report shall not contain the name of the individual residing at the subject housing; and be it further

7th **RESOLVED**, that such report of declination shall contain a statement that nothing shall prohibit any town or village from commencing and prosecuting an action against the applicable owner for the violation or violations existing at such owner's premises or prevent such town or village from enforcing its laws or revoking the owner's right to rent such premises; and be it further

8th **RESOLVED**, that this Resolution shall not alter or affect the duties of the Department where safety and health violations, as defined by State law, are found; and be it further

9th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 25, 2008

Legislator Eddington made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1449-2008

Laid on Table 5/13/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 528 –2008, AUTHORIZING THE SALE OF COUNTY-OWNED REAL PROPERTY PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW TO THE TOWN OF BROOKHAVEN FOR AFFORDABLE HOUSING PURPOSES

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

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

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

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

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

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

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

provided in any deed evidencing the transfer of the subject premises from the grantor to the grantee:

1. If the grantee is not restricted in its use of the subject premises solely and exclusively for affordable housing purposes; with all right, title, and interest reverting to the grantor, at the sole option of the grantor, in the event that the housing purposes, in accordance with the approved plan submitted by the grantee. Such reverter clauses contained herein shall apply to the grantee, or any transferee from the grantee undertaking the construction, reconstruction or rehabilitation of affordable housing on the subject premises;
2. If the grantee fails to construct or complete construction of affordable housing unit or units on said property within three (3) years from the date of transfer unless an extension of time is granted in writing, for good cause shown, by the Suffolk County Director of Affordable Housing or any successor thereto. Such extension shall not exceed two two year extensions unless approved by duly enacted resolution of the grantor;
3. If the income, at initial occupancy, of the occupant should exceed 80% of the HUD established median income for the Nassau-Suffolk PMSA based on family size;
4. If the subsidized purchase price of home should exceed 60% of median sales price for Suffolk County based upon the State of New York Mortgage Agency Guidelines;
5. If the rent should exceed HUD established fair market rent for Nassau-Suffolk PSMA based upon bedroom size;
6. If the affordable housing unit or units are owner-occupied, and the unit or units fail(s) to remain the principal residence of the owner for a period of five (5) consecutive years. If the affordable housing unit or units are tenant-occupied, and the unit or units fail(s) to remain affordable for ten (10) consecutive years;
7. If the grantee fails to certify to the Suffolk County Director of Affordable Housing prior to closing of the title with any affordable housing grantee
 - a. the dates of completion and occupancy for any affordable housing unit or units constructed or rehabilitated on said property; and
 - b. the total household income, from all sources, of the purchaser or purchasers of the property and his or her family; and
 - c. the total purchase or rental price of the affordable housing unit or units sold or otherwise transferred; and
 - d. the affordable housing unit or units meet local building and zoning codes;
8. If the grantee shall fail to provide the Suffolk County Director of Affordable Housing with an annual written report, no later than December 31 of each year commencing December 31, 2008, on the subject premises, including, but not limited to, the exact and precise use to which the subject premises has been put to along with the net proceeds generated by the initial purchase of the subject premises; or
9. If any subsequent grantee fails to comply with all applicable state, federal, and local regulations pertaining to price, income eligibility and marketing standards for affordable housing programs.

and be it further

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

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

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

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1507-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 529 –2008, TRANSFERRING AND APPROPRIATING LIVING WAGE CONTINGENCY FUNDS TO THE FEDERATION OF ORGANIZATIONS FOR THE NYS MENTALLY DISABLED, INC., RESPITE FEE SUBSIDY

WHEREAS, a contingency fund was established in the 2008 Suffolk County Operating Budget for the express purpose of implementing the Living Wage Law, Local Law No. 12-2001; and

WHEREAS, Local Law No. 12-2001, the Living Wage Law, ensures that employees of County contractors and subcontractors and beneficiaries of tax, loan, grant and other subsidy assistance provided by the County earn an hourly wage that is sufficient for a family of four to live at or above the federal poverty level; and

WHEREAS, the Federation of Organizations for the NYS Mentally Disabled, Inc., provides support and assistance to caregivers of frail elderly family members through the Respite Fee Subsidy contract with the Suffolk County Office for the Aging; and

WHEREAS, additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service; now, therefore be it

1st RESOLVED, that the Suffolk County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:			<u>CHANGE</u>
001-MS-C-1998-4770			(\$29,979)
Suffolk County Living Wage Contingency Fund			

TO:	<u>ADOPTED</u>	<u>MODIFIED</u>	<u>CHANGE</u>
001-EXE-GFC2-4980	\$30,697	\$60,676	\$29,979
Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program			

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1490-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 530 -2008, AUTHORIZING USE OF THE LONG ISLAND MARITIME MUSEUM BY THE CYSTIC FIBROSIS FOUNDATION FOR THEIR "ANNUAL RUN/WALK AND BARBECUE" FUNDRAISER

WHEREAS, Cystic Fibrosis Foundation – Greater New York Chapter is a 501(c)(3) nonprofit organization having its principal place of business at 205 East 42nd Street, Suite 1821, New York, New York; and

WHEREAS, the Cystic Fibrosis Foundation would like to use the Long Island Maritime Museum in the County Park in West Sayville for the purpose of hosting their Annual Run/Walk and Barbecue Fundraiser to raise money for the Foundation; and

WHEREAS, the fundraiser will be held on the grounds of the Long Island Maritime Museum on Sunday, July 27, 2008; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by the Cystic Fibrosis Foundation; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the use of Long Island Maritime Museum by the Cystic Fibrosis Foundation for the purpose of hosting a fundraiser on Sunday, July 27, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from the Cystic Fibrosis Foundation and the payment of the Five Hundred Dollar (\$500.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Long Island Maritime Museum by the Cystic Fibrosis Foundation.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Eddington. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1491-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 531 -2008, AUTHORIZING USE OF SOUTHAVEN COUNTY PARK BY CONTRACTORS FOR KIDS FOR THEIR PICNIC AND BARBECUE FUNDRAISER

WHEREAS, Contractors for Kids, Inc. is a not-for-profit organization; and

WHEREAS, Contractors for Kids would like to use Southaven County Park for the purpose of hosting their Picnic and Barbecue Fundraiser to raise money for the organization; and

WHEREAS, the fundraiser will be held on the grounds of Southaven County Park on Saturday, September 13, 2008; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured will be provided by the Contractors for Kids; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that the use of Southaven County Park by Contractors for Kids, Inc. for the purpose of hosting a fundraiser on Saturday, September 13, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of

Suffolk from the Contractors for Kids, Inc. and the payment of the Five Hundred Dollars (\$500.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd RESOLVED, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at the Southaven County Park by Contractors for Kids, Inc.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1502-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 532 -2008, AUTHORIZING USE OF
CEDAR BEACH COUNTY PARK BY EVENT POWER FOR ITS
MIGHTY NORTH FORK TRIATHLON FUNDRAISER**

WHEREAS, an unincorporated entity known as "Event Power" hosts the Mighty North Fork Triathlon event which is sanctioned by USA Triathlon, Inc., a nonprofit corporation having its principal place of business in Colorado Springs, CO; and

WHEREAS, Event Power would like to use Cedar Beach County Park in Southold for the purpose of hosting their Mighty North Fork Triathlon on Sunday, July 13, 2008; and

WHEREAS, Event Power has stated that a portion of the proceeds raised at the Triathlon will be donated to local organizations, including Rick Shalvoy's Row for a Cure, Cornell Marine Science, CAST (Community Action of Southold Town), and the Southold Fire Department; and

WHEREAS, a Certificate of Insurance with accompanying declaration page naming Suffolk County as an additional insured has been provided by USA Triathlon, Inc.; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), New York Environmental Conservation Law, Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") § 617.5 (C)(15), (20) and (27), in that the resolution concerns minor temporary uses of land having negligible or no permanent impact on the environment, routine, or continuing agency administration and management, not including new programs or major reordering of priorities, and adoption of a local legislative decision in connection with the same, and since this is a Type II action, the County Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that the use of Cedar Beach County Park by Event Power for the purpose of hosting a fundraiser on Sunday, July 13, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance with accompanying declaration page by the County of Suffolk from USA Triathlon, Inc. and the payment of the Five Hundred Dollars (\$500.00) event fee, and the issuance of a permit by the Commissioner of Parks, Recreation and Conservation pursuant to section 378-7B(c) of the Suffolk County Code, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

3rd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, to take such measures as shall be necessary and appropriate to facilitate the hosting of the fundraiser at Cedar Beach County Park by Event Power.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1533-2008
Introduced by Legislator Cooper

Laid on Table 6/10/2008

**RESOLUTION NO. 533 -2008, AUTHORIZING
PARTICIPATION IN THE AUDUBON COOPERATIVE
SANCTUARY PROGRAM FOR GOLF COURSES**

WHEREAS, the County of Suffolk operates four golf courses; and

WHEREAS, the County of Suffolk has attempted to operate these golf courses in an environmentally sound manner; and

WHEREAS, the County of Suffolk has established a pest control policy to phase out the use of pesticides by the County for many pest control purposes in favor of non-chemical pest control strategies; and

WHEREAS, Resolution No. 868-1997 authorized the Suffolk County Department of Parks, Recreation and Conservation to develop an Organic Parks Maintenance Plan for all County parklands, including golf courses, which would substantially reduce or eliminate the use of fertilizers, pesticides, herbicides and other toxic chemicals in the routine maintenance of said parklands and golf courses; and

WHEREAS, the County of Suffolk wishes to take additional steps to enhance the natural areas and wildlife habitats located at its golf courses while increasing water conservation and reducing chemical use; and

WHEREAS, Audubon International administers the Audubon Cooperative Sanctuary Program (ACSP) for Golf Courses; and

WHEREAS, municipally operated golf courses are eligible to participate in this program; and

WHEREAS, under this program Audubon provides the interested golf course with an ACSP Certification Handbook to guide the certification efforts and documentation. The golf course begins by completing a Site Assessment and Environmental Plan form from the handbook. This information helps golf course personnel to take stock of current environmental management practices and plan improvements. Throughout the process, Audubon staff provide the golf course with valuable guidance as well as educational information to help with environmental planning, wildlife and habitat management, chemical use reduction and safety, water conservation, and water quality management at golf courses. The golf course submits the completed evaluation form to Audubon International for review; and

WHEREAS, based on this assessment, Audubon provides a site specific report and works with the owner of the golf course to implement a Site Assessment and Environmental Plan at the course; and

WHEREAS, upon meeting standards in wildlife and habitat management, chemical use reduction and safety, water conservation, water quality management, and outreach and education, a golf course is designated as a certified Audubon Cooperative Sanctuary; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed to participate in the Audubon Cooperative Sanctuary Program for Golf Courses and to take all steps necessary under that program to have the County's golf courses at Timber Point, West Sayville, Indian Island, and Bergen Point, designated as Certified Audubon Cooperative Sanctuaries; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: June 24, 2008

****VETOED BY COUNTY EXECUTIVE ON JULY 10, 2008****

****VETO OVERRIDE ADOPTED ON JULY 11, 2008****

Legislator Eddington made motion for the following resolution, seconded by Legislator Browning. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1535-2008

Laid on Table 6/10/2008

Introduced by Legislator Eddington

RESOLUTION NO. 534 –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT IN SMITH POINT COUNTY PARK (CP 7162)

WHEREAS, Smith Point County Park is the County's largest oceanfront park;
and

WHEREAS, Smith Point County Park is an extremely popular facility, which offers swimming, scuba diving, surfing, saltwater fishing, camping, outer beach access, and special events; and

WHEREAS, it is the desire of the Suffolk County Legislature to purchase and install playground equipment on the beach at Smith Point County Park near the pavilion; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds to cover the cost of said purchase and installation, and under the 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. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project Number: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

<u>Cost Elements</u>	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	\$2,575,000	\$2,675,000 B	\$2,575,000 B
TOTAL	\$2,575,000	\$2,675,000	\$2,575,000

Project Number: 7162

Project Title: Restoration of Smith Point County Park

<u>Cost Elements</u>	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	\$18,775,000	\$1,000,000 B	\$1,100,000 B
TOTAL	\$19,735,000	\$1,000,000	\$1,100,000

and be it further

3rd **RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7162.319	Restoration of Smith Point County Park	\$100,000

and be it further

4th **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) 20, 21, and 27 of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Eddington made motion for the following resolution, seconded by Legislator Browning. Legislators Barraga and D’Amaro voted no. The resolution was passed 15-2-0-0-0.

Intro. Res. No. 1535A-2008

BOND RESOLUTION NO. 535 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT IN SMITH POINT COUNTY PARK (CP 7162.319)

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

Section 1. The County of Suffolk, New York (herein called the “County”), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the “Law”), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase and installation of playground equipment in Smith Point County Park, 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 \$100,000. The plan of financing includes the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19 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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1555-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 536-2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM TO REFLECT THE ESTABLISHMENT OF NEW CAPITAL PROJECT NUMBER 7128 "IMPROVEMENTS TO HUBBARD COUNTY PARK" AND ACCEPTING AND APPROPRIATING FUNDS FOR A 100% STATE FUNDED COMMUNITY ENHANCEMENT FACILITIES ASSISTANCE PROGRAM GRANT

WHEREAS, the Dormitory Authority of the State of New York has awarded a grant in the amount of \$550,000 to the Suffolk County Department of Parks, Recreation and Conservation to fund improvements at Hubbard County Park; and

WHEREAS, this grant is funded by the Community Enhancement Facilities Assistance Program (CEFAP) for the express purpose of renovating a building, trails improvements, signage, and the development of a master plan; and

WHEREAS, the Commissioner of the Department of Parks, Recreation and Conservation has selected the Smithers Main Lodge as the building to be renovated under this grant; and

WHEREAS, this is a reimbursable grant and the Grant Disbursement Agreement for CEFAP requires that the County establish a segregated account for all expenses associated with 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, a new Capital Project Number 7128 "Improvements to Hubbard County Park" is created to accept and appropriate this funding; and

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

1st RESOLVED, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action pursuant to 6 NYCRR Part 617.5(c) (1), (2), (20), (21), and (27) since it is a legislative decision of an administrative nature regarding maintenance, repair, and rehabilitation of a building in kind as well as the preparation of preliminary planning studies; and be it further

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

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

Project No. 7128
 Project Title: Improvements to Hubbard County Park

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Program and Budget</u>	<u>Revised 2008 Capital Program and Budget</u>
1. Planning	\$ 130,000	\$ 0	\$ 130,000 S
3. Construction	\$ 375,000	\$ 0	\$ 375,000 S
4. Site Improvements	<u>\$ 45,000</u>	<u>\$ 0</u>	<u>\$ 45,000 S</u>
TOTAL	\$ 550,000	\$ 0	\$ 550,000

and be it further

4th **RESOLVED**, that the proceeds of \$550,000 be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7128.110	60	Improvements to Hubbard County Park Planning-Development of Master Plan For Hubbard County Park	\$130,000
525-CAP-7128.310	60	Improvements to Hubbard County Park Construction-Smithers Lodge	\$375,000
525-CAP-7128.410	60	Improvements to Hubbard County Park Site Improvements-Trail and Signage improvements	\$45,000

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of \$550,000; and be it further

6th **RESOLVED**, that the Department of Parks, Recreation and Conservation shall oversee the performance of this project of behalf of the County of Suffolk and coordinate the reimbursement of funds with the Dormitory Authority of the State of New York; and be it further

7th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the Grant Disbursement Agreement with the Dormitory

Authority of the State of New York and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1556-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 537 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM TO REFLECT THE ESTABLISHMENT OF NEW CAPITAL PROJECT NUMBER 5380 "BEACH EROSION AND COASTLINE PROTECTION" AND ACCEPTING AND APPROPRIATING 75 PERCENT FEDERAL AID FUNDS FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY/FEDERAL EMERGENCY MANAGEMENT AGENCY'S PUBLIC ASSISTANCE PROGRAM AND THE 25 PERCENT MATCHING FUNDS FROM NEW YORK STATE EMERGENCY MANAGEMENT OFFICE

WHEREAS, the United States Department of Homeland Security through the Federal Emergency Management Agency (FEMA) declared that Suffolk County is eligible to receive federal disaster assistance under its Public Assistance Program as a result of damage sustained at Smith Point Beach County Park and Cupsogue Beach County Park during a Nor'easter on April 14-18, 2007; and

WHEREAS, FEMA's Public Assistance Program is an aid program that will provide Suffolk County with \$8,371,468 which represents 75 percent of the eligible costs of repairs; and

WHEREAS, the 25 percent local share requirement of \$2,790,493 will be funded entirely by the New York State Emergency Management Office (SEMO); and

WHEREAS, due to Federal and New York State environmental statutes and regulations designed to safeguard rare, endangered, threatened and protected species of wildlife and finfish, the physical work associated with this coastline project can only be performed during a narrow window of only a few months in length from October through December; and

WHEREAS, the agreements for Federal and associated State financial assistance impose certain obligations upon the County; and

WHEREAS, the County must in first instance fund the entire cost of the project and will subsequently be reimbursed for the Federal and State shares of the 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, a new Capital Project Number 5380 “Beach Erosion and Coastline Protection” is created to accept and appropriate this funding; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$11,161,961 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that the New York State Department of Environmental Conservation (“DEC”) is the lead agency for this project under SEQRA; and be it further

2nd RESOLVED, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept Federal and State Aid in connection with seven (7) awards totaling \$11,161,961 for this project as outlined in Exhibit A of this resolution; and

3rd RESOLVED, that it is hereby determined that this project, with a priority ranking of seventy (70), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

Project No. 5380
Project Title: Beach Erosion and Coastline Protection

	Total Est'd Cost <u> </u>	Current 2008 Capital Program and Budget <u> </u>	Revised 2008 Capital Program and Budget <u> </u>
3. Construction	\$11,161,961	\$ 0	\$ 8,371,468 F <u>\$ 2,790,493 S</u>
TOTAL	\$11,161,961	\$ 0	\$11,161,961

and be it further

5th RESOLVED, that the proceeds of Federal Emergency Management Agency, Public Assistance Program aid of \$8,371,468 be and hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.310	56	Beach Erosion and Coastline Protection - Smith Point Beach County Park	\$5,676,797
525-CAP-5380.311	56	Beach Erosion and Coastline Protection - Cupsogue Beach County Park	\$2,694,671

and be it further

6th **RESOLVED**, that the proceeds of New York State Emergency Management Office aid of \$2,790,493 be and hereby are appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5380.310	56	Beach Erosion and Coastline Protection - Smith Point Beach County Park	\$1,892,267
525-CAP-5380.311	56	Beach Erosion and Coastline Protection - Cupsogue Beach County Park	\$ 898,226

and be it further

7th **RESOLVED**, that the County Comptroller is directed not to issue serial bonds for this project; and be it further

8th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total Federal and State shares of this project totaling \$11,161,961; and be it further

9th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal and State funding in the amount of \$11,161,961; and be it further

10th **RESOLVED**, that the Department of Public Works will be the lead agency in overseeing the engineering and performance of this project and will coordinate with the Department of Parks, Recreation and Conservation and the Department of Fire, Rescue & Emergency Services (FRES) in communicating with all Federal and State agencies to ensure compliance and that all associated aid is captured; and be it further

11th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with the United States Department of Homeland Security through the Federal Emergency Management Agency and New York State Emergency Management Office and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 2, 2008

EXHIBIT A

PW 20 allocates \$2,365,358.00 in coastline protection aid and \$354,816.00 in hazard mitigation aid for Smith Point County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$1,774,018.50 from the federal government and \$591,339.50 from New York State for coastline protection and \$266,112.00 from the federal government and \$88,704.00 from New York State for hazard mitigation; and

PW 21 allocates \$31,693.00 in coastline protection aid for Cupsogue Beach County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$23,769.75 from the federal government and \$7,923.25 from New York State; and

PW 23 allocates \$18,360.00 in coastline protection aid and \$2,760.00 in hazard mitigation aid for Cupsogue Beach County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$13,770.00 from the federal government and \$4,590.00 from New York State for coastline protection and \$2,070.00 from the federal government and \$690.00 from New York State for hazard mitigation; and

PW 30 allocates \$474,184.00 in coastline protection aid and \$71,136.00 in hazard mitigation for Smith Point County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$355,638.00 from the federal government and \$118,546.00 from New York State for coastline protection and \$53,352.00 from the federal government and \$17,784.00 from New York State for hazard mitigation; and

PW 886 allocates \$94,755.00 in coastline protection aid for Cupsogue County Park and Smith Point County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$ 71,066.25 from the federal government and \$23,688.75 from New York State. The funding will be distributed as \$12,927.50 to Cupsogue Beach County Park and \$81,827.50 to Smith Point County Park; and

PW 1053 allocates \$3,671,078 in coastline protection aid and \$550,664.00 in hazard mitigation for Smith Point County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$2,753,305.50 from the federal government and \$917,772.50 from New York State for coastline protection and \$412,998.00 from the federal government and \$137,666.00 from New York State for hazard mitigation; and

PW 1056 allocates \$3,527,157.00 in coastline protection aid for Cupsogue Beach County Park; the aid will be reimbursed after expenditure in a 75/25 split according to the following schedule: \$2,645,367.75 from the federal government and \$881,789.25 from New York State.

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1556A-2008

BOND RESOLUTION NO. 538 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$11,161,961 BONDS TO FINANCE A PART OF THE COST OF BEACH

**EROSION AND COASTLINE PROTECTION IMPROVEMENTS
AT SMITH POINT BEACH COUNTY PARK AND CUPSOGUE
BEACH COUNTY PARK (CP 5380.310 and .311)**

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$11,161,961 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 beach erosion and coastline protection improvements at Smith Point Beach County Park \$7,569,064 and Cupsogue Beach County Park \$3,592,897, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project, including preliminary costs and costs incidental thereto and the financing thereof, is \$11,161,961. The plan of financing includes (a) the issuance of \$11,161,961 bonds or bond anticipation notes authorized pursuant to this resolution and (b) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that Federal Aid (FEMA) and State Aid (SEMO) shall be received to pay a part of the cost of the project and any such aid is authorized to be expended for such purpose. The obligations issued pursuant to this resolution shall be limited to bond anticipation notes in the maximum principal amount of \$11,161,961.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, 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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1565-2008
Introduced by Legislator Cooper

Laid on Table 6/10/2008

RESOLUTION NO. 539 –2008, DIRECTING THE DEPARTMENT OF PARKS, RECREATION AND CONSERVATION TO INSTALL CIGARETTE BUTT RECEPTACLES AT COUNTY PARKS AND BEACHES

WHEREAS, it is estimated that several trillion cigarette butts are littered worldwide every year causing significant environmental harm; and

WHEREAS, the hazards and costs associated with flicking cigarette butts out of a car window, or throwing them on the ground, can be exorbitant, both financially and in terms of the damage they pose to public health; and

WHEREAS, not only are cigarette butts unsightly, they also present a threat to wildlife. The average cigarette butt contains numerous chemicals which are considered toxic and while the paper and tobacco of cigarette butts are biodegradable, their cellulose acetate filters are not. The acetate (plastic) filters can take many years to decompose. During the very slow decomposition process, the toxins the filters are designed to trap leak into aquatic ecosystems, threatening water quality and posing a danger to marine creatures and wildlife. These plastic pieces from cigarettes have been found in the stomachs of fish, birds, whales and other marine creatures that mistake them for food; and

WHEREAS, cigarette-caused fires result in over \$400 million in property damage each year; and

WHEREAS, it would be advantageous to install cigarette butt receptacles in all Suffolk County parks and beaches in an effort to protect wildlife and reduce littering in Suffolk County; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed pursuant to Section C28-4 of the SUFFOLK COUNTY CHARTER to install cigarette butt receptacles at all County parks and beaches; and be it further

2nd **RESOLVED**, that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation is further directed to site cigarette butt receptacles in or near picnic areas, parking lots, and trail heads; and be it further

3rd **RESOLVED**, that if the Department of Parks, Recreation and Conservation cannot implement this Resolution within existing appropriations, the Commissioner shall notify all County Legislators, in writing, within 60 days of the effective date of this Resolution, how much additional funding the Department requires to implement this Resolution; and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 2, 2008

Legislator Alden made motion for the following resolution, seconded by Legislator Nowick. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1574-2008
Introduced by Legislator Alden

Laid on Table 6/10/2008

RESOLUTION NO. 540 –2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO COUNTY GOLF COURSES (CP 7166) TO PLAN FOR THE REPLACEMENT OF THE OBSOLETE GOLF CART BARN AT THE SUFFOLK COUNTY TIMBER POINT GOLF COURSE

WHEREAS, the Parks Department continues to make golf course facility improvements that are anticipated to enhance the Department's revenues; and

WHEREAS, the County Golf Courses are one of the Department's major revenue collection areas; and

WHEREAS, the Department of Parks, Recreation and Conservation is in need of planning funds for the replacement of the obsolete golf cart barn located at the 27-hole Suffolk County Timber Point Golf Course in Great River with a larger new facility that will provide expanded indoor storage; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said planning funds under Capital Program Number 7166; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$80,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 38 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and

2nd RESOLVED, that the proceeds of \$80,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project Number</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7166.111	Improvements to County Golf Courses	\$80,000

and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 24, 2008

****VETOED BY COUNTY EXECUTIVE ON JULY 9, 2008****

****VETO OVERRIDE ADOPTED ON JULY 11, 2008****

Legislator Alden made motion for the following resolution, seconded by Legislator Nowick. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1574A-2008

BOND RESOLUTION NO. 541 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$80,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO COUNTY GOLF COURSES, CONSISTING OF THE REPLACEMENT OF THE CART BARN AT THE TIMBER POINT GOLF COURSE (CP 7166.111)

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

Section 1. The County of Suffolk, New York (herein called the “County”), is hereby authorized to issue bonds in the principal amount of \$80,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the “Law”), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to County golf courses, consisting of the replacement of the cart barn at the Timber Point Golf Course, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the golf course improvement project, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,784,800. The plan of financing includes (a) the issuance of \$250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 140-1997, (b) the issuance of \$500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 371-1998, (c) the issuance of \$1,400,000 bonds or bond anticipation notes heretofore authorized

pursuant to Bond Resolution No. 463-1999, (d) the issuance of \$190,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 190-2000, (e) the issuance of \$905,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1281-2000, (f) the issuance of \$500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 144-2001, (g) the issuance of \$34,800 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 387-2002, (h) the issuance of \$500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1252-2002, (i) the issuance of \$75,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 379-2003, (j) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 396-2004, (k) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 966-2006, (l) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 1389-2007, (m) the issuance of \$80,000 bonds or bond anticipation notes authorized pursuant to this resolution and (n) 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. 54 of the Law, is fifteen (15) years, computed from August 4, 1998, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 140-1997.

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

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

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

credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: June 24, 2008

****VETOED BY COUNTY EXECUTIVE ON JULY 9, 2008****

****VETO OVERRIDE ADOPTED ON JULY 11, 2008****

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

Intro. Res. No. 1579-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 542 -2008, APPROPRIATING
FUNDS IN CONNECTION WITH EQUIPMENT FOR REVENUE
COLLECTION AT PARK FACILITIES (CP 7186)**

WHEREAS, the Commissioner of Parks, Recreation and Conservation has requested funds for hardware and infrastructure improvements and software upgrades for the computerized reservation system used throughout the County parks system; and

WHEREAS, the computerized reservation system has proven to be an effective tool in the accurate collection of revenue, the management of daily reservations, and the overall oversight of the County's park facilities; and

WHEREAS, the computerized reservation system is a more efficient and less time consuming process for entrance into the County's park facilities as Suffolk County residents with an active green key card can scan their card and pay an appropriate fee for entrance; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of purchasing equipment under Capital Program Number 7186; 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 \$100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of thirty-eight (38), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd RESOLVED, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-7186.510 (Fund 001-Debt Service)	60	Equipment for Revenue Collection at Park Facilities	\$100,000

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Intro. Res. No. 1579A-2008

BOND RESOLUTION NO. 543 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE OF EQUIPMENT FOR REVENUE COLLECTION AT PARK FACILITIES (CP 7186.510)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of equipment for revenue collection at park 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 (a) the issuance of \$100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1353-2006, (b) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of

1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: June 30, 3008

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

Intro. Res. No. 1580-2008
Introduced by Legislator Browning

Laid on Table 6/10/2008

RESOLUTION NO. 544 -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY BY THE MONTAUK HIGHWAY MERCHANTS' ASSOCIATION AND THE CHAMBER OF COMMERCE OF THE MASTICS AND SHIRLEY, FOR A SUMMER YOUTH PROGRAM

WHEREAS, the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley would like to host a Summer Youth Program at the campground site located just west of Smith Point Park; and

WHEREAS, the Summer Youth Program would be held on Thursday, Friday and Saturday nights during July and August from 6 p.m. to 10 p.m.; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured has been provided by the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley; and

WHEREAS, the use of County property for a Summer Youth Program would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, more particularly described as the 3-4 acre campground site located just west at Smith Point Park, for every Thursday, Friday, and Saturday evening in July and August, 2008, beginning on July 10, 2008 and ending on August 30, 2008, from 6 p.m. to 10 p.m. each day, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

2nd RESOLVED, that before this event shall be permitted to occur, the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

3rd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the Summer Youth Program by the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley at Smith Point County Park in Shirley/Mastic Beach; and be it further

4th RESOLVED, that the Montauk Highway Merchants' Association and the Chamber of Commerce of the Mastics and Shirley shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

This Legislature hereby finds and determines that pursuant to New York State Vehicle and Traffic Law Section 1212, a person driving or using a motor vehicle in a manner which unreasonably interferes with the free and proper use of the public highway, or unreasonably endangers users of the public highway shall be guilty of a misdemeanor.

This Legislature further finds that in 2007 there were an alarming number of individuals arrested for reckless driving in Suffolk County resulting in the needless loss of life, injury, and property damage.

This Legislature also finds that such driving poses an immediate threat to the health and safety of the public, interferes with pedestrian and vehicular traffic, and creates a public nuisance.

This Legislature also finds that the County's seizure laws have proven to be a strong deterrent to misdemeanor criminal activity and a useful tool for law enforcement in combating such dangerous problems.

This Legislature finds it necessary and appropriate to expand the personal property forfeiture statutes to declare vehicles used in violation of Section 1212 of the Vehicle and Traffic Law a nuisance which may be forfeited.

Therefore, the purpose of this law is to amend Chapter 270 of the Suffolk County Code to provide for the forfeiture of vehicles used in violation of Section 1212 of the NYS Vehicle and Traffic Law.

Section 2. Amendments.

I. Chapter 270 of the SUFFOLK COUNTY CODE is hereby amended as follows:

ARTICLE IV, FORFEITURE OF PROPERTY USED IN OR OBTAINED THROUGH CRIME

§ 270-25. Definitions.

* * * *

OFFENSE -- A violation of New York Vehicle and Traffic Law § 1192, Operating a motor vehicle under the influence of alcohol or drugs, Subdivision 2, 2-a, 3, 4, or 4-a; or § 1192-a, Operating a motor vehicle after having consumed alcohol[;], under the age of 21; per se, or §1212, Reckless driving; or a violation of New York Navigation Law § 49-a, Operation of a vessel while under the influence of alcohol or drugs.

* * * *

§ 270-27. Civil authority.

A. A civil action shall be commenced by the claiming authority, or its designees, against a defendant to forfeit seized property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense or to recover a money judgment in an amount equivalent in value to the

property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property was seized in connection with the acts of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), § 1212 of New York Vehicle and Traffic Law, or § 49-a of the New York Navigation Law or having been found guilty of violating § 1192-a of the New York Vehicle and Traffic Law, except that:

* * * *

B. A civil action shall be commenced by the claiming authority, or its designee, against a defendant to seize and to forfeit property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of an offense, the substituted proceeds of an offense, or an instrumentality of an offense, if it can be demonstrated that the property is to be seized in connection with the action of an individual who has been convicted at least once before of a violation of New York Vehicle and Traffic Law § 1192(2), (2-a), (3), (4) or (4-a), §1212 of New York Vehicle and Traffic Law, or § 49-a of the New York Navigation Law or having been found guilty of § 1192-a of the New York Vehicle and Traffic Law, except that:

* * * *

Section 3. Applicability.

This law shall apply to offenses committed on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes enactment of a local law which will not affect the environment pursuant to Section 617.2(b)(3) 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. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 17, 2008

After a public hearing duly held on July 8, 2008
Filed with the Secretary of State on August 1, 2008

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

Intro. Res. No. 1519-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive and Legislators Stern, D'Amaro, Cooper

**RESOLUTION NO. 546 -2008, APPROVING
THE APPOINTMENT OF MARK J. EPSTEIN AS A MEMBER OF
THE SUFFOLK COUNTY HUMAN RIGHTS COMMISSION**

WHEREAS, the term of office of Alice P. Lambert expired on May 31, 2005, and has since resigned from her post; now, therefore be it

RESOLVED, that the appointment of Mark J. Epstein, 8 Rawlings Drive, Melville, NY 11747, as a member of the Suffolk County Human Rights Commission, to the position of Commissioner #8, for a term of office expiring May 31, 2010, be and the same hereby is approved; said appointment having been made by the County Executive pursuant to the provisions of Chapter 89-4A of the Suffolk County Code.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Eddington made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1546-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 547 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$300,000.00 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT SMART (SEX OFFENDER SENTENCING, MONITORING, APPREHENDING, REGISTERING, AND TRACKING) 07 PROGRAM WITH 86% SUPPORT

WHEREAS, the United States Department of Justice, Office of Justice Programs has made \$300,000.00 in grant funds available to Suffolk County that will allow the Suffolk County Police Department's Special Victims Section to enhance its ability to monitor and ensure sex offender compliance with SORNA (the Sex Offender Registration and Notification Act) pursuant to the expanded requirements of Megan's Law Legislation and the Adam Walsh Act; and

WHEREAS, the operational period of the Program will be from April 1, 2008 through March 31, 2009; and

WHEREAS, the monies for the permanent salaries and fringe benefit match are included in the 2008 Suffolk County Operating Budget; and

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

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

<u>REVENUE:</u>	<u>Amount</u>
001-4334-Federal Aid: SMART 07 Program	\$300,000

ORGANIZATIONS:

Police Department (POL)
SMART 07 Program
001-POL-3268

<u>1000-Personal Services</u>	<u>\$288,844</u>
1120-Overtime Salaries	288,844
<u>2000-Equipment</u>	<u>\$ 3007</u>
2500-Other Equipment Not Otherwise	3007
<u>3000-Supplies Materials & Others</u>	<u>\$ 3540</u>
3010-Office Supplies	540
3160-Computer Software	3000

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits
8330-Social Security

\$ 4,609
4,609

and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Eddington made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1551-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 548 -2008, AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE COUNTY OF NASSAU FOR USE OF THE SUFFOLK COUNTY POLICE DEPARTMENT ARTICLE TRACKING SYSTEM

WHEREAS, Chapter 345 of the Suffolk County Code requires the reporting of transactions engaged in by precious metal exchange establishments, pawn shops and secondhand merchants; and

WHEREAS, the Suffolk County Police Department maintains and operates a computerized Article Tracking System data base and web site for monitoring transactions of tangible personal property acquired by precious metal exchange establishments, pawn shops and secondhand merchants by requiring reporting of those transactions via the internet ; and

WHEREAS, the Nassau County Police Department and the Suffolk County Police Department would like to share information regarding precious metal exchange establishments, pawn shops and secondhand merchants with each other; and

WHEREAS, it is in the interest of both counties to monitor transactions occurring across County lines to curb burglaries, larcenies and related crimes; and

WHEREAS, the County Executives and the Police Commissioners of Nassau and Suffolk Counties have deemed that the public interest requires that both Counties utilize the Suffolk County Police Department Article Tracking System database and website; and

WHEREAS, the sharing of the System will be best accomplished pursuant to a Memorandum of Agreement between the County of Suffolk and the County of Nassau setting forth the terms and conditions of the shared use; now, therefore be it

1st **RESOLVED**, the County Executive or his designee is authorized to enter into a Memorandum of Agreement with Nassau County, in substantially the form annexed hereto; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section 617.5 (c) (20) of Title 6 of the New York Code of Rules and Regulations ("NYCRR"), in that the resolution pertains to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; since this resolution is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1348-2008 Laid on Table 4/29/2008
Introduced by Presiding Officer, pursuant to Rule 3F-13 of the S.C. Legislature

RESOLUTION NO. 549 -2008, APPROVING EXTENSION OF LICENSE FOR NORTH FERRY CO., INC. FOR GREENPORT HARBOR SERVICE BETWEEN SHELTER ISLAND HEIGHTS, NEW YORK AND GREENPORT, NEW YORK

WHEREAS, North Ferry Co., Inc. has applied to the Suffolk County Legislature, by a Petition dated April 11, 2008 and verified April 11, 2008 pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County; and

WHEREAS, North Ferry Co., Inc. has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the Navigation Law of the State of New York; now, therefore be it

1st RESOLVED, that:

- (1) The Petition of North Ferry Co., Inc. dated April 11, 2008 is approved;
- (2) The undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of \$10,000.00 is hereby approved;
- (3) The Ferry License heretofore granted to North Ferry Co., Inc. to operate a public ferry service over and upon the waters of the Greenport Harbor for service between Shelter Island Heights, New York and Greenport, New York, all within the County of Suffolk be and the same hereby is extended up to and including five years subsequent to the effective date of this resolution;
- (4) This Ferry License is granted subject to all existing laws, rules and regulations of all federal, state, county and municipal governments and agencies having jurisdiction thereover;
- (5) The rates and fares to be charged for transportation pursuant to this License shall not exceed the rates and fares authorized to the said North Ferry Co., Inc. from time to time by the Suffolk County Legislature pursuant to Article 8 of the Navigation Law, Section 71 of the Transportation Corporations Law, Section 131-g of the Highway Law and Local Law No. 7 of 1982 of Suffolk County.
- (6) The said rates and fares and schedules, if any, shall be posted at each entrance of the ferry pursuant to Section 113 of the Navigation Law and Section 72 of the Transportation Corporations Law.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1496-2008
Introduced by Legislator Horsley

Laid on Table 6/10/2008

**RESOLUTION NO. 550 -2008, DIRECTING A STUDY
FOR A TARGETED FACILITY ENERGY EFFICIENT
OPERATIONS PILOT PROGRAM (OPERATION SHUT DOWN)**

WHEREAS, Suffolk County's expenditures for energy required for operations have increased more than 70% over the past ten years; and

WHEREAS, actual General Fund expenditures attributable to electricity, natural gas, and fuel oil used at County buildings increased by more than \$8.2 million (62%), from \$13.1 million in 2002 to more than \$21.3 million in 2007; and

WHEREAS, the fiscal impact of continued energy use, notwithstanding energy efficiency improvements, is substantial as the average annual impact of primary funds for energy use in County buildings was approximately \$28.6 million in 2007; and

WHEREAS, reducing the operating hours of targeted facilities would provide the most significant and most immediate reduction in energy use and expenses; and

WHEREAS, the Suffolk County Legislature's Office of Budget Review has recommended that the Department of Public Works conduct an analysis and recommend County buildings and operations that would be able to participate in a four day work week pilot program; and

WHEREAS, due to LIPA billing time periods, the Budget Review Office states that the pilot programs savings would be greatest if implemented during the time period May 1st through September 1st; and

WHEREAS, arranging a "closed" day in proximity to a weekend would enable the County to "shut down" targeted buildings for that portion of the week, which could result in significant energy and other operating savings; and

WHEREAS, this Legislature has in the past expressed support for energy efficiency managerial and operating concepts; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered, and directed to conduct an analysis and recommend County buildings and operations that could participate in a four day work week pilot program without affecting essential employees and facilities; and be it further

2nd **RESOLVED**, that all County departments and agencies shall cooperate with the Department of Public Works as it conducts this study; and be it further

3rd **RESOLVED**, that the Department shall provide to the County Executive and all County Legislators a written report of its findings and recommendations within one hundred eighty (180) days of the effective date of this resolution so a pilot program might be implemented beginning in May, 2009; and be it further

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Deputy Presiding Officer Viloría-Fisher made motion for the following resolution, seconded by Legislator Losquadro. Legislator Cooper was not present. The resolution was passed 16-0-0-1-0.

Intro. Res. No. 1500-2008

Laid on Table 6/10/2008

Introduced by Legislators Viloría-Fisher, Stern and D'Amaro

**RESOLUTION NO. 551 -2008, TO AMEND THE
LEADERSHIP IN ENERGY AND ENVIRONMENT DESIGN
(LEED) PROGRAM**

WHEREAS, Resolution No. 126-2006 implemented the Leadership in Energy and Environment Design (LEED) Program for County construction projects; and

WHEREAS, the LEED program sets standards for environmental and economic performance of commercial buildings, using established and/or advanced building principles, practices, materials and standards; and

WHEREAS, pursuant to Resolution No. 126-2006, the Suffolk County Department of Public Works was directed to apply the principles of the LEED Building Rating System 2.1 when planning the construction or renovation of County buildings with a construction cost of \$1,000,000.00 or more; and

WHEREAS, the Suffolk County Office of Budget Review has recommended that the County of Suffolk amend Resolution No. 126-2006 to require the Department of Public Works to apply the principles of the LEED Building Rating System 2.2 for new building projects and major renovations; and

WHEREAS, adhering to the higher standards of the LEED Building Rating System 2.2 will enable the County of Suffolk to take advantage of incentives offered by the Long Island Power Authority (LIPA); now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 126-2006 is hereby amended as follows:

1st RESOLVED, that the County Department of Public Works is hereby authorized, empowered, and directed, pursuant to Section C8-2(W) of the SUFFOLK COUNTY CHARTER, to apply the principles of the LEED Building Rating System [2.1] 2.2, as a standard that meets environmental and economic performance of commercial buildings, using established and/or advanced building principles, practices, materials and standards, for:

- a.) planning of new construction project occurring on or after the effective date of this Resolution, with a construction cost of \$1,000,000.00 or more; **[or]**
- b.) planning of renovation of an existing County building occurring on or after the effective date of this Resolution, which requires the expenditure of \$1,000,000.00 or more; **or**
- c.) planning of new construction or renovation “built to suit” for long term lease by the County of Suffolk occurring on or after the effective date of this resolution; and be it further

and be it further

2nd **RESOLVED**, that the 6th RESOLVED clause of Resolution No. 126-2006 is hereby amended as follows:

6th **RESOLVED**, that the Suffolk County Council of Environmental Quality (CEQ) shall consider the LEED Building Rating System **[2.1] 2.2** set forth in Exhibit “A”, attached hereto and made a part hereof, in its review of County action under SEQRA and Section 279 of the SUFFOLK COUNTY CODE; and be it further

and be it further

3rd **RESOLVED**, that all other provisions of Resolution No. 126-2006 shall remain in full force and effect; and be it further

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res No. 1504-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer pursuant to Rule 3(A) (14) of the Suffolk County Legislature

RESOLUTION NO. 552 –2008, AUTHORIZING PUBLIC HEARING FOR APPROVAL OF RATES FOR FIRE ISLAND FERRIES, INCORPORATED

WHEREAS, Fire Island Ferries, Incorporated, a corporation formed pursuant to Section 3 of the New York Corporations Law, has applied to the Suffolk County Legislature, Navigation Law and Section 71 of the New York Transportation Corporations Law and Chapter 287 of the Suffolk County Code for the approval of the alteration of its existing passenger and freight rates, which will be applicable to the Fire Island Ferries, Incorporated's Cross Bay Service from Bay Shore and Fire Island communities of Kismet, Fair Harbor, Dunewood, Atlantique, Seaview, Ocean Bay Park with intermittent stops at such communities and the Incorporated Villages of Ocean Beach and Saltaire and for its lateral service along Fire Island Beach between Village of Saltaire, Dunewood, Village of Ocean Beach, Kismet, Fair Harbor, Atlantique, Sea View, and Ocean Bay Park, all of which lie within Suffolk County, at approved rates; now, therefore be it

1st RESOLVED, that a Public Hearing on the Petition dated and verified on May 30, 2008 shall be held at the regular meeting of the Suffolk County Legislature August 5, 2008; and be it further

2nd RESOLVED, that pending the consideration of this Petition and Public Hearing, the Petition be, and it hereby is, referred to the Public Works and Transportation Committee for its consideration and recommendation to the Suffolk County Legislature.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1542-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 553 –2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING

**FUNDS IN CONNECTION WITH IMPROVEMENTS TO CR 7,
WICKS ROAD, TOWN OF ISLIP (CP 5539)**

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with Improvements to CR 7, Wicks Road, from CR 13, Fifth Avenue to CR 67, Motor Parkway; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section 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, established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,100,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 409-2005 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd RESOLVED, that it is hereby determined that this project, with a priority ranking of forty-six (46) 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 Improvements to CR 7, Wicks Road, pursuant to Section C8-2 of the Suffolk County Charter; and be it further

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

Project No.: 5039
Project Title: Drainage Improvements on CR 76, Town Line Road

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	<u>\$ 0</u>	<u>\$400,000B</u>	<u>\$ 0</u>
TOTAL	\$63,200	\$400,000	\$ 0

Project No.: 5539
Project Title: Improvements to CR 7, Wicks Road, Town of Islip

	<u>Current 2008 Capital</u>	<u>Revised 2008 Capital</u>
Total	Current 2008 Capital	Revised 2008 Capital

	<u>Est'd Cost</u>	<u>Budget & Program</u>	<u>Budget & Program</u>
2. Land Acquisition	<u>\$1,232,000</u>	<u>\$700,000B</u>	<u>\$1,100,000B</u>
TOTAL	\$8,032,000	\$700,000	\$1,100,000

and be it further

5th **RESOLVED**, that the proceeds of \$1,100,000 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>
525-CAP-5539.210 (Fund 001 Debt Service)	50	Improvements to CR 7, Wicks Road, Town of Islip Land Acquisition	\$1,100,000

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1542A-2008

BOND RESOLUTION NO. 554 -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 RECONSTRUCTION OF CR 7, WICKS ROAD, FROM CR 13, FIFTH AVENUE, TO CR 67, MOTOR PARKWAY (CP 5539.210)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$1,100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 7, Wicks Road, from CR 13, Fifth Avenue,

to CR 67, Motor Parkway (for land acquisition in connection with such project), as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,012,000. The plan of financing includes (a) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1294-2000, (b) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 533-2001, (c) the issuance of \$400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1245-2001, (d) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 378-2002, (e) the issuance of \$112,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1418-2004, (f) the issuance of \$800,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 933-2005, (g) the issuance of \$1,100,000 bonds or bond anticipation notes authorized pursuant to this resolution and (h) 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 of the Law, is fifteen (15) years, computed from June 15, 2001, the date of issuance of the first obligations issued pursuant to Bond Resolution Number 1294-2000.

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

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

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

PROCEDURE LAW, IN CONNECTION WITH THE ACQUISITION OF PROPERTIES FOR THE RECONSTRUCTION OF THE INTERSECTION AT C.R. 19, PATCHOGUE-HOLBROOK ROAD AND C.R. 90, FURROWS ROAD, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK (CP 5128)

WHEREAS, the Department of Public Works of the County of Suffolk has prepared maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF THE INTERSECTION AT C.R. 19, PATCHOGUE-HOLBROOK ROAD AND C.R. 90, FURROWS ROAD, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK"; and

WHEREAS, on March 23, 2007, the County of Suffolk as Lead Agency, issued a SEQRA determination of non-significance for the project in Adopted Resolution No. 242-2007 and SEQRA is complete; and

WHEREAS, pursuant to Adopted Resolution No. 304-2007, the Department of Public Works was directed to hold public hearings; and

WHEREAS, notice of said hearing was duly published in Newsday, a daily newspaper of general circulation in the locality under consideration; and in the Smithtown News and the Long Island Business News, said newspapers being the current official County newspapers of the County of Suffolk; and the Islip Bulletin, the official town newspaper situated in the locality where the public project is located; and

WHEREAS, a public hearing was duly held on January 25, 2008, for the following purposes:

- A. To inform the public
- B. To review the public use to be served by the above-entitled project.
- C. To determine the impact upon the environment and upon residents of the locality of the project.
- D. To review possible alternative locations.
- E. To authorize the acquisition of said properties for the public purpose as set forth in the title herein;

and

WHEREAS, all persons in attendance desiring to be heard on the project were given an opportunity to be heard and to present written statements; and

WHEREAS, Determinations and Findings pursuant to Section 204 of the New York State Eminent Domain Procedure Law were duly made and filed in the Office of the Clerk of the Suffolk County Legislature on April 4, 2008, pursuant to Adopted Resolution No. 304-2007; and

WHEREAS, a brief synopsis thereof was duly published in two successive issues in the Smithtown News and the Long Island Business News, said newspapers at the time of publication being the current official County newspapers of the County of Suffolk; and the Islip Bulletin, which, at the time of publication was the current official town newspaper situated in the locality where the public project is located, together with the publication thereof in five successive issues of Newsday, a daily newspaper of general circulation; and

WHEREAS, the maps of this project were duly filed with the Clerk of the Suffolk County Legislature on April 4, 2008, pursuant to Adopted Resolution No. 307-2007; now, therefore be it

1st **RESOLVED**, that the Findings and Determinations heretofore filed with the Clerk of the Suffolk County Legislature on April 4, 2008, and the recommendations contained therein be and the same are hereby adopted and approved; and be it further

2nd **RESOLVED**, that the maps entitled "MAPS SHOWING PROPERTIES TO BE ACQUIRED FOR THE RECONSTRUCTION OF THE INTERSECTION AT C.R. 19, PATCHOGUE-HOLBROOK ROAD AND C.R. 90, FURROWS ROAD, TOWN OF ISLIP, SUFFOLK COUNTY, NEW YORK", being the maps heretofore filed with the Clerk of the Suffolk County Legislature on April 4, 2008, pursuant to Adopted Resolution No. 307-2007, be and the same are hereby approved and adopted; and be it further

3rd **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to proceed pursuant to its Rules, Regulations, and Procedures, and Article 3 of the New York State Eminent Domain Procedure Law, to appraise the estates to be acquired and to make offers to the Condemnees by means of the "one offer" system as set forth in the Rules, Regulations, and Procedures of the Suffolk County Department of Public Works and Article 3 of the New York State Eminent Domain Procedure Law; and be it further

4th **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized to acquire the properties set forth in the aforesaid maps herein; said acquisition to be in the name of the County of Suffolk; and be it further

5th **RESOLVED**, that said acquisitions be in fee simple absolute or such lesser estate, if said lesser estate is so indicated on the maps heretofore adopted; and be it further

6th **RESOLVED**, that the Suffolk County Department of Public Works be and hereby is authorized and permitted to make the aforesaid acquisition of said lands from the Condemnees by negotiation, purchase, and conveyance; and in the event that the Suffolk County Department of Public Works is unable to acquire said property by negotiation, purchase and conveyance, it is hereby authorized, permitted, and directed to acquire said property pursuant to the Eminent Domain Procedure Law; and be it further

7th **RESOLVED**, that in all proceedings pursuant to Articles 4, 5, and 6 of the Eminent Domain Procedure Law, the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized to appear for and represent the County of Suffolk in all courts having jurisdiction thereof; and be it further

8th **RESOLVED**, that the County Attorney, his Deputies and Assistant County Attorneys be and they hereby are authorized and permitted to compromise, adjust, and settle any claims for compensation where said claims have been filed pursuant to Articles 5 and 6 of the Eminent Domain Procedure Law; such settlements, compromises and adjustment to be made in open sessions of the court having jurisdiction thereof.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1550-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 556 -2008, AUTHORIZING THE PURCHASE OF UP TO 33 PARATRANSIT VANS FOR SUFFOLK TRANSIT AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID AND COUNTY FUNDS (CP 5658)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects; and

WHEREAS, Grant No. NY-90-X490 has been awarded by the FTA; and

WHEREAS, the grant agreements for the Federal and associated State financial assistance impose certain obligations upon the County, and require the County to commit resources necessary to initially cover the total project costs of the grants; and

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the remaining 10% local share of project costs; and

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

WHEREAS, the total cost of the purchase is estimated to be \$1,980,000; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$198,000 in Suffolk County Serial Bonds to cover the County share of this purchase; now, therefore be it

1st RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of the New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) (25) and (27), in that the resolution concerns purchasing of furnishings, equipment and supplies, other than land, radioactive materials, pesticides, herbicides or other hazardous materials, and adoption of a

local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of thirty-six (36) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the Purchasing Division is authorized to acquire up to 33 paratransit vans and related equipment, and including pre and post delivery Buy America audits and inspection during manufacture subject to approvals of FTA and NYSDOT and pursuant to applicable federal and state regulations; and be it further

4th **RESOLVED**, that that the proceeds of \$198,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.541 (Fund 001-Debt Service)	Purchase of up to 33 paratransit vans and related equipment for Suffolk Transit	\$198,000

and be it further

5th **RESOLVED**, that the State Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.541	Purchase of up to 33 paratransit vans and related equipment for Suffolk Transit	\$198,000

and be it further

6th **RESOLVED**, that the Federal Aid be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5658.541	Purchase of up to 33 paratransit vans and related equipment for Suffolk Transit	\$1,584,000

and be it further

7th **RESOLVED**, that the County Treasurer and the County Comptroller are authorized to accept State and Federal Aid in connection with this project.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1550A-2008

BOND RESOLUTION NO. 557 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$198,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE OF PARATRANSIT VANS (CP 5658.541)

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 \$198,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the purchase of paratransit vans, including related costs and equipment, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,980,000. The plan of financing includes (a) the expenditure of \$1,584,000 in Federal Aid funds (80%) and \$198,000 in State Aid funds (10%), (b) the issuance of \$198,000 bonds or bond anticipation notes authorized pursuant to this resolution, and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 29 of the Law of the Law, is five (5) years.

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

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

budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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

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

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

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Montano. Legislator Barraga voted no. The resolution was passed 16-1-0-0-0.

Introduced by Legislator Kennedy

**RESOLUTION NO. 558 –2008, AMENDING
THE 2008 CAPITAL BUDGET AND PROGRAM AND
APPROPRIATING FUNDS IN CONNECTION WITH
INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN
BLVD. AT CR 93, LAKELAND-ROSEVALE AVENUE (CP 5118)**

WHEREAS, the operational deficiencies due to the layout of the existing intersection have contributed to erratic driver behavior; and

WHEREAS, this project will extend CR 93, Rosevale Avenue, north through the intersection with CR 16, Smithtown Boulevard, to make a direct connection with Gibbs Pond Road, resulting in a standard “four-way” intersection through which over 30,000 vehicles would pass each day; and

WHEREAS, the 2008 Adopted Capital Budget and Program does not include sufficient funds for land acquisition costs, an offsetting authorization must be provided from another capital project; and

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of \$210,000 in Suffolk County Serial Bonds for land acquisition; and

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of 41 is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006; and be it further

2nd RESOLVED, that the 2008 Capital Budget and Program be and is hereby amended as follows:

Project No.: 1755

Project Title: Infrastructure Improvements for Traffic and Public Safety and Public Health

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
<u>Cost Elements</u>			
3. Construction	\$2,365,000	\$2,575,000 B	\$2,365,000 B
TOTAL	\$2,365,000	\$2,575,000	\$2,365,000

Project No.: 5118

Project Title: Intersection Improvements on CR 16, Smithtown Blvd. at CR 93, Lakeland-Rosevale Avenue

<u>Cost Elements</u>	Total	Current	Revised
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	<u>Est'd</u> <u>Cost</u>	<u>2008 Capital</u> <u>Budget & Program</u>	<u>2008 Capital</u> <u>Budget & Program</u>
2. Land Acquisition	\$810,000	\$0	\$210,000 B
TOTAL	\$2,210,000	\$0	\$210,000

and be it further

3rd **RESOLVED**, that the proceeds of \$210,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5118.212	Intersection Improvements on CR 16, Smithtown Blvd. at CR 93, Lakeland-Rosevale Avenue	\$210,000

and be it further

4th **RESOLVED**, that the County Comptroller and the County Treasurer are hereby authorized and empowered to take all steps necessary and appropriate to effectuate the transfer of this funding forthwith; and be it further

5th **RESOLVED**, this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR"), the Legislature has no further responsibilities under SEQRA.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Montano. Legislators Eddington and Barraga voted no. The resolution was passed 15-2-0-0-0.

Intro. Res. No. 1583A-2008

BOND RESOLUTION NO. 559 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$210,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 16, SMITHTOWN BOULEVARD, AT

CR 93, LAKELAND/ROSEVALE AVENUE, TOWN OF SMITHTOWN (CP 5118.314)

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 \$210,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 16, Smithtown Boulevard, at CR 93, Lakeland/Rosevale Avenue, Town of Smithtown, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,120,000. The plan of financing includes (a) the issuance of \$50,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 909-2000, (b) the issuance of \$200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 523-2001, (c) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1406-2004 , (d) the issuance of \$360,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 904-2007, (e) the issuance of \$900,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 905-2007, (f) the issuance of \$300,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 195-2008, (g) the issuance of \$210,000 bonds or bond anticipation notes authorized pursuant to this resolution and (h) 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 of the Law, is fifteen (15) years, computed from December 15, 2001, the date of issuance of the first obligations issued pursuant to Bond Resolution Number 523-2001.

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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1315-2008
Introduced by Legislator Beedenbender

Laid on Table 4/29/2008

**RESOLUTION NO. 560 -2008, ADOPTING LOCAL LAW
NO. 27 -2008, A CHARTER LAW TO MAKE THE COUNTY'S**

LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on April 29, 2008, a proposed local law entitled, "**A CHARTER LAW TO MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE;**" now, therefore be it

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

LOCAL LAW NO. 27 -2008, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO MAKE THE COUNTY'S LEASING PROCESS OPEN, COMPETITIVE AND ACCOUNTABLE

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County of Suffolk spends millions of dollars each year leasing space to house various departments and agencies.

This Legislature also finds that the County's process for leasing space should be transparent and strive to encourage competition that produces cost savings for taxpayers.

This Legislature further finds and determines that several County departments have a hand in County leases but, ultimately, all leases must be approved by the County Legislature. Therefore, this Legislature must take the actions necessary to ensure that there is adequate accountability, openness and competition when the County searches for leased space.

Therefore, the purpose of this law is to establish minimum advertising, investigation and reporting requirements when the County of Suffolk undertakes a search for leased space.

Section 2. Amendments.

I. Section C42-2(C)(3)(b) of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

§ C42-2. Department established; Commissioner; organization of Department.

* * * * *

- b) Negotiate all leases, lease renewals, licenses, license renewals, and user agreements for any interest in real property, within appropriations provided therefor at the request of the County departments, offices, boards, commissions, Legislators and the Administrative Judge of the Supreme Court. Such leases, licenses and agreements shall be executed by the Director of the Division of Real Property Acquisition and Management or his or her designee, on behalf of the County. No lease, lease renewal, license, license renewal, or user agreement for

any interest in real estate, other than for executive, legislative, or judicial office space may be executed, unless such lease, lease renewal, license, license renewal, or user agreement is authorized by the County Legislature. For the purpose of this subsection, "executive office space" shall include only that office space which is necessary for the budgeted functions of the office of the County Executive. The Director, or his or her designee, shall prepare a rent survey and fair market analysis for each proposed lease or lease renewal of space for County use.

II. Section A22-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§A22-2. Space Management Steering Committee.

* * * *

D. The Committee shall ensure that all searches for leased space, due to the County's need for new space or the anticipated expiration of an existing lease, are posted on the County's website and advertised in the official County newspapers. The Committee shall further ensure that a search for space is made each time new space is needed or an existing lease is due to expire and that such search includes an attempt to identify space owned by the County or other government entity and, further, that at least two separate spaces are the subject of investigation and negotiation during the search.

E. [D] The Committee shall submit a formal written reports of its recommendations and decisions in a timely manner to the County Executive and the Presiding Officer for policy review. No action shall be taken by the County of Suffolk in any capacity to locate or relocate a department or agency for or on behalf of the County of Suffolk unless and until the Committee has submitted its written recommendations to the County Executive and Presiding Officer. If the Committee's report recommends leasing space or renewing a lease, the report will verify that the advertising and investigation requirements contained in subsection (D) herein were complied with or provide a written explanation for any non-compliance. The Committee's report will also include the rent survey and fair market analysis prepared by the Division of Real Property Acquisition and Management.

E. [E] Employees of the Department of Public Works shall serve as support staff to the Committee.

III. Section A42-8 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A42-8. Procedure for leasing real property for County use.

* * * *

D. Exceptions.

(1) The provisions of this section shall not apply to the leasing of office space for members of the judiciary or members of the County Legislature, nor

for the County Executive[; nor shall this section apply to the extension, modification, or renewal of an existing lease].

* * * *

Section 3. Applicability.

This law shall apply to leases, lease renewals, licenses and license renewals occurring on or after the effective date of this law.

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 17, 2008

After a public hearing duly held on July 8, 2008
Filed with the Secretary of State on August 1, 2008

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1487-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 561 -2008, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
ASSEMBLY OF GOD CHURCH OF BAY SHORE (SCTM NO.
0500-313.00-01.00-109.000)**

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 313.00 Block 01.00 Lot 109.000 and acquired by Tax Deed on July 14, 2004 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 19, 2004 in Liber 12331 at Page 567 and described as follows, known as designated as part of Lot No. 122 on a certain map entitled “Map of Bayfair, Sheet 1”, filed in the office of the Clerk of the County of Suffolk on September 30, 1948 as Map No. 1652; and

WHEREAS, in accordance with Local Law 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, ASSEMBLY OF GOD CHURCH OF BAY SHORE, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,500.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,500.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$3,500.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

1st **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that the Director, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said ASSEMBLY OF GOD CHURCH OF BAY SHORE, 211 Bay Shore Road, Bay Shore, NY 11706.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1512-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 562 -2008, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW 13-1976
MADALON A. MATHYS (SCTM NO. 0902-001.00-01.00-009.016)**

WHEREAS, the **COUNTY OF SUFFOLK** had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Southampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0902 Section 001.00 Block 01.00 Lot 009.016 and acquired by

Tax Deed on July 31, 2001 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on August 2, 2001 in Liber 12133 at Page 676 and described as follows, Town of Southampton, known and designated as a private road on a certain map entitled "Map of Quogue Plaza" and filed in the Office of the Clerk of the County of Suffolk on November 17, 1987 as Map No. 8425; and

WHEREAS, in accordance with Local Law No. 13-1976 of the County of Suffolk, provision has been made for the sale of real property acquired by the County through tax sale to an adjoining property owner; and

WHEREAS, Madalon A. Mathys, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$3,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at \$3,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of \$3,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them; and be it further

3rd **RESOLVED**, that the Director, hereby is authorized to execute and acknowledge a Bargain and Sale Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in

the above described property and on the above described terms to said MADALON A. MATHYS, 2001 Augusta Alley, Riverhead, NY 11901.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1513-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 563 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW, TOWN OF BROOKHAVEN (SCTM NO. 0200-227.00-07.00-022.000)

WHEREAS, the COUNTY OF SUFFOLK is the fee owner of the following described parcel that is surplus to the needs of the County of Suffolk; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 227.00, Block 07.00 Lot 022.000 and acquired by Tax Deed on August 15, 2007 from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007 in Liber 12520 at Page 725 and described as follows, known and designated as District 0200, Section 227.00, Block 07.00, Lot 022.000.

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Brookhaven has requested that the County of Suffolk convey to the town the parcel described in Exhibit A annexed hereto; and

WHEREAS, the Suffolk County Department of Planning has approved the proposed transfer and use of said parcel; now, therefore be it

1st RESOLVED, that the Director of the Division of Real Property Acquisition and Management, or designee is hereby authorized to execute and acknowledge a Quitclaim deed to transfer the interest of Suffolk County in the above described property and on the terms and conditions provided herein to said Town of Brookhaven for the sum of \$1,445.83 plus the pro rata share of the current tax adjustment due at closing; and be it further

(SCTM NO. 0800-040.00-01.00-011.000) PURSUANT TO SECTION 40-D OF THE SUFFOLK COUNTY TAX ACT

WHEREAS, a parcel of property lying, situate and being in the Town of Smithtown, designated as SCTM No. 0800-040.00-01.00-011.000 known as Toga Woods Map 4532 Sec 1 Part of Lot 14, formerly assessed to Sean T. Pugni; and

WHEREAS, the County of Suffolk acquired said property designated as SCTM NO. 0800-040.00-01.00-011.000, by tax deed dated April 11, 2001, and recorded on April 13, 2001 in the Suffolk County Clerk's Office in Liber 12113 at page 359 for unpaid 1998/1999 taxes; and

WHEREAS, it has been determined that due to timely tax payment being misapplied, property should not have been taken; now, therefore be it

1st RESOLVED, that pursuant to Section 40-C of the Suffolk County Tax Act, after receiving payment in full of all monies due to the County of Suffolk, including but not limited to, accrued taxes, penalties and interest as calculated by the Treasurer of the County of Suffolk, payment has been made to the Division of Real Property Acquisition and Management, the tax deed to Suffolk County will be canceled pursuant to Section 40-D of the Suffolk County Tax Act. The Director of the Division of Real Property Acquisition and Management and/or his designee is authorized to file a certificate of abandonment of Claim of Title, which Suffolk County holds pursuant to said tax deed.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Presiding Officer Lindsay. The resolution was passed 17-0-0-0-0.

Intro. Res. No. 1547-2008

Laid on Table 6/10/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 565 -2008, AUTHORIZING THE EXTENSION OF THE LEASE OF PREMISES LOCATED AT 395 OSER AVENUE, HAUPPAUGE, NY FOR USE BY THE DEPARTMENTS OF LABOR, PROBATION AND SOCIAL SERVICES

WHEREAS, the Departments of Labor, Probation and Social Services are occupying and using 395 Oser Avenue in Hauppauge, New York pursuant to a Lease Agreement with the landlord, Rep 395 Oser Avenue LLC, which expired on October 31, 2007; and

WHEREAS, the Departments desire to continue the use of the leased premises for fifteen (15) years, with an annual rent of \$742,500 in the first year of the extension and an annual escalation of three percent (3%) thereafter; and

WHEREAS, the landlord has expressed its willingness to facilitate the uninterrupted and continued operation of this base of operations at this location by agreeing to extend the lease through October 31, 2022; and

WHEREAS, the Space Management Steering Committee recommended the approval of this lease at its meeting held on April 17, 2008; and

WHEREAS, sufficient funds are included in the 2008 Operating Budget for lease payments to be made in connection with the premises; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.59(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 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. Furthermore, in accordance with Section 1-4(A)(1)(d) of the Suffolk County Charter and Section 279-5(C)(4) of the Suffolk County Code, the Suffolk County Council on Environmental Quality is directed to prepare and circulate all appropriate notices of determination of non-applicability or non-significance in accordance with this law; and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a fifteen (15) year Lease Extension, in accordance with the terms and conditions of this resolution and in substantial conformance with the form annexed.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

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

Intro. Res. No. 1562-2008
Introduced by Presiding Officer Lindsay

Laid on Table 6/10/2008

**RESOLUTION NO. 566 -2008, AMENDING THE
RULES OF THE LEGISLATURE OF THE COUNTY OF
SUFFOLK - RULE 6 (C)**

WHEREAS, several rules of the Suffolk County Legislature are ambiguous and open to interpretation; and

WHEREAS, these rules should be clarified to enhance the efficient operation of the Suffolk County Legislature; now, therefore be it

1st **RESOLVED**, that Rule 6 (C) of the 2008 Rules of the Legislature of the County of Suffolk is hereby amended as follows:

RULE 6. DISCHARGE OF LEGISLATION.

* * * *

- C.) Legislation may be discharged from an assigned committee by a written petition to discharge being presented to the Clerk of the Legislature, signed by at least ten (10) members of the Legislature. A petition to discharge shall be delivered to the Clerk of the Legislature no later than 12:00 noon on the day immediately preceding a regular meeting. The Clerk shall notify all Legislators electronically that said legislation will be eligible for consideration at the next regular meeting.
 - 1.) In the case of legislation that is the subject of a public hearing, such petition may only be submitted if the public hearing on said legislation has been closed. This subparagraph may not be waived at any meeting of the County Legislature by any vote.
 - 2.) Legislation which has been defeated or tabled subject to call in its assigned committee, is eligible to be discharged from the committee by a petition to discharge.

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

DATED: June 24, 2008

EFFECTIVE PURSUANT TO SECTION 2-2 OF THE SUFFOLK COUNTY CODE AND SECTIONS 2-15(a) AND 2-7 OF THE SUFFOLK COUNTY CHARTER.

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

RESOLUTION NO. 567 -2008, AUTHORIZING THE COUNTY COMPTROLLER AND COUNTY TREASURER TO CLOSE CERTAIN CAPITAL PROJECTS AND TRANSFER FUNDS

WHEREAS, the County departments have reviewed their capital projects and have determined that certain capital projects have been completed and should be closed; and

WHEREAS, the attached "Addendum 1" hereby made part of this resolution specifies the capital projects and associated point numbers to be closed; and

WHEREAS, the closing of these projects will reduce the County's outstanding bond authorization, reduce the number of projects required to be monitored and tracked for financial purposes, and generate revenue to offset debt service costs; and

WHEREAS, it is in the best interest of the County of Suffolk to close these selected capital projects listed on "Addendum 1"; and

WHEREAS, the available uncommitted balances have been verified; now, therefore be it

1st RESOLVED, that the County Comptroller and County Treasurer be and hereby are authorized to close the Capital Projects listed on "Addendum 1" and credit the appropriate revenue accounts no later than December 31, 2008; and be it further

2nd RESOLVED, that if any additional aid is received the Treasurer may accept the aid and close to the appropriate fund and revenue account; and be it further

3rd RESOLVED, that any unissued serial bond or capital note authorization remaining after the project is closed can be liquidated by the County Comptroller and the County Treasurer; and be it further

4th RESOLVED, that the County Comptroller and County Treasurer are authorized to transfer positive and negative cash balances to close these capital projects; and be it further

5th RESOLVED, that the County Comptroller and County Treasurer are hereby authorized to net the positive and negative cash as a result of the projects being closed and accept the remaining funds into the appropriate Operating Fund under revenue code 2954 Unused Capital Fund Authorization.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: July 7, 2008

Legislator Horsley made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 16-0-1-0-0.

Intro. Res. No. 1492-2008

Laid on Table 6/10/2008

Introduced by Legislators Horsley, Browning, Romaine, Vilorio-Fisher, Schneiderman, Stern, and D’Amaro

RESOLUTION NO. 568 -2008, ESTABLISHING AN ENERGY EFFICIENT WORK SCHEDULE PILOT PROGRAM (OPERATION SUNSHINE)

WHEREAS, the price of gasoline is approaching, and in certain cases has surpassed, \$4.00 per gallon, the price of diesel gasoline has surpassed \$5.00, and the price of crude oil has surpassed \$130 per gallon; and

WHEREAS, conservative estimates place U.S. employment at 133,000,000, of which 80% drive alone to work resulting in 106,400,000 single driver commuter cars each day; and

WHEREAS, the average U.S. round trip results in 32 miles traveled to and from work each day, with an average of 21 miles per gallon, and with each barrel of crude oil producing, on average, 19.5 gallons of gas, resulting in 8.3 million barrels of oil consumed by U.S. commuters each day; and

WHEREAS, limiting the number of times a County employee must drive to and from work would reduce gasoline consumption, cut expenses for County employees and reduce emissions that are harmful to the environment; and

WHEREAS, this Legislature has in the past expressed support for the concept of fuel efficiency, energy conservation, and flexible work hours for County employees; and

WHEREAS, it would be prudent to implement a pilot program to study the efficacy of a four day work week during the upcoming summer months when gasoline prices are expected to go even higher; and

WHEREAS, immediate implementation of a voluntary furlough program during the summer months would also help reduce gasoline consumption and reduce County expenses; now, therefore be it

FLEX TIME PILOT PROGRAM

1st RESOLVED, that the Director of Labor Relations is hereby authorized, empowered, and directed to work in conjunction with all County departments and agencies to implement a flex time pilot program that will run from July 1, 2008 to September 30, 2008; and be it further

2nd **RESOLVED**, that eligibility for this pilot program will be limited to full time exempt employees; and be it further

3rd **RESOLVED**, that under this program eligible employees will submit to their department head a request for a flexible work schedule, by which he or she will work their normal full-time number of hours in four (4) days per week; and be it further

4th **RESOLVED**, that to the extent practicable and without adversely affecting the delivery of essential services to the residents of Suffolk County, requests for a four day schedule may be presented to each department head who at his or her discretion shall grant or deny such request to work a four (4) day schedule during the duration of the pilot program; and be it further

5th **RESOLVED**, that the County of Suffolk shall not be required to pay overtime for the ninth and tenth hours worked by an employee pursuant to their flexible schedule; and be it further

6th **RESOLVED**, that participating employees shall be required to submit with their time sheets a statement of driving saved as a result of their participation in the program; and be it further

7th **RESOLVED**, that the Director of Labor Relations shall submit to the County Executive and all County Legislators a written report describing the results of the pilot program within one hundred twenty (120) days of the program's end; and be it further

VOLUNTARY FURLOUGH PROGRAM

8th **RESOLVED**, that the Director of Labor Relations is hereby authorized, empowered and directed to work in conjunction with all County departments and agencies to implement a voluntary furlough program that will run from July 1, 2008 to September 30, 2008; and be it further

9th **RESOLVED**, that eligibility to participate in the voluntary furlough program will be limited to full time exempt employees; and be it further

10th **RESOLVED**, that pursuant to this furlough program, employees will submit to their department head a request to take time off from work without pay and without using accrued vacation or sick time; and be it further

11th **RESOLVED**, that to the extent practicable and without adversely affecting the delivery of essential services to the residents of Suffolk County, all County departments and agencies shall permit employees to participate in this voluntary furlough program; and be it further

12th **RESOLVED**, that participating employees shall be required to submit with their time sheets a statement of driving saved as a result of their participation in the program; and be it further

13th **RESOLVED**, that the Director of Labor Relations shall submit to the County Executive and all County Legislators a written report describing the results of the pilot program within one hundred twenty (120) days of the program's end; and be it further

Veterans Clinic” and will supply the necessary professional staff to both administer and run this “Clinic”; and

WHEREAS, the Office of the County Executive – Veterans Services, Department of Health Services and the Department of Public Works are and will be working together to ensure that the “East End Veterans Clinic” – Riverhead County Center meets the needs of both the Department of Veterans Affairs and those veterans who will utilize the center; and

WHEREAS, this is a reimbursable grant and the Grant Disbursement Agreement for CEFAP requires that the County establish a segregated account for all expenses associated with 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, a new Capital Project Number 1604 “East End Veterans Clinic – Riverhead County Center” is created to accept and appropriate this funding; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$500,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act (“SEQRA”), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (c) (1), (2), (20), (21), and (27) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), and the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of 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

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

Project No. 1604
 Project Title: East End Veterans Clinic- Riverhead County Center

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Program and Budget</u>	<u>Revised 2008 Capital Program and Budget</u>
3. Construction	\$1,000,000	\$ 0	\$ 500,000S \$ 500,000B
TOTAL	<u>\$1,000,000</u>	<u>\$ 0</u>	<u>\$ 1,000,000</u>

and be it further

4th **RESOLVED**, that the proceeds of \$500,000 in New York State Aid be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1604.310	20	East End Veterans Clinic – Riverhead County Center Construction	\$500,000

and be it further

5th **RESOLVED**, that the proceeds of \$500,000 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-1604.310 (Fund 001-Debt Service)	20	East End Veterans Clinic – Riverhead County Center Construction	\$500,000

and be it further

6th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding in the amount of \$500,000; and be it further

7th **RESOLVED**, that the Department of Public Works shall oversee the performance of this project of behalf of the County of Suffolk and coordinate the reimbursement of funds with the Dormitory Authority of the State of New York; and be it further

8th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the Grant Disbursement Agreement with the Dormitory Authority of the State of New York and any and all contract documents related to this project, on behalf of the County of Suffolk providing for the municipality's participation in the above referenced project.

DATED: June 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

CAPITAL FUND	PROJECT	DESCRIPTION	CURRENT BUDGET	EXP
525	1106.110	PL ADD & REN TO SIXTH DIST CT	200,000.00	
525	1106.310	ADD & REN TO SIXTH DIST COURT	2,375,000.00	
525	1106.410	IMP TO 6TH DIST COURT, PATCH	120,000.00	
525	1109.113	LIT, JDGMNT& CLAIMS-FOR SC BLD	380,000.00	
525	1109.523	EQ FOR SCIENCES MED/LGL CON LB	440,500.00	
525	1109.525	FOR SCI MED&LEG INV LAB G TO B	716,450.00	
525	1123.110	PL REN TO EXIST COURT COMP - R	20,000.00	
525	1123.311	RECONSTR VAR CRTRMS RHD	1,400,000.00	
525	1124.104	PLAN RENO CRIMINAL COURTS RVH	115,000.00	
525	1125.110	PL REN/IMP COHALAN COURT COMP	140,000.00	
525	1125.311	CONST ACCESS ROAD COHALAN COMP	3,550,000.00	
525	1132.510	PR EQ MED-LEG INVEST & FOR SCI	255,000.00	
525	1132.511	PUR OF EQP FOR MED LEG INV&FOR	225,000.00	
525	1601.110	MAST PL N CNTY COMP HAUP &YAP	200,000.00	
525	1608.111	PLN ALT TO LAB.DEPT NO COMP	12,000.00	
525	1608.311	ALT LABOR DEPT BLDGS	150,000.00	
525	1623.320	ROOF REPL ON VARIOUS CTY BLDGS	850,000.00	
525	1623.321	ROOF REPLACEMENT-VAR CTY BLDGS	310,000.00	
525	1645.311	RENO OF OFFICE BLDG. C-158	1,360,000.00	
525	1659.315	IMROV DENNISON BLDG HAUPP	310,000.00	
525	1664.110	PL ENERGY CONSERV VAR CTY BLDG	45,000.00	
525	1671.110	PL BCKFILE CON&WEB-ENABLE LND	1,100,000.00	
525	1678.316	REH PRKNG LOTS, DRIVES & CURBS	150,000.00	
525	1682.110	CREATION OF A WEB FEE APPLICATION	125,000.00	
525	1686.533	INTEGRATED FINANCIAL MGMT SYST	3,750,000.00	
525	1686.535	COM SYS-LNK HLTH CTR PATNTCARE	500,000.00	
525	1688.112	PL IMP TO WLM H ROGERS BLDG	5,000.00	
525	1688.310	IMPROV WM RGRS LEG BLDG	467,000.00	
525	1688.311	IMPROV WM RGRS LEG BLDG	85,000.00	
525	1688.312	IMP. TO WLM. H. ROGERS LEG BLD	2,938,465.00	
525	1706.325	REP/CLN FUEL TOX HAZ TNKS GTOB	350,000.00	
525	1710.111	PL INS EMER SYS-MAJR CTY BLDGS	20,000.00	
525	1715.112	PL RVRHD CTY CTR POWER PLT UPG	130,000.00	
525	1715.113	PL RVHD CTR POWER PLNT UPGRD	25,000.00	
525	1719.510	INSTALL UPS-VARIOUS SITES	125,000.00	
525	1724.111	IMP WTR SUPPLY SYS-VAR CTY LOC	60,000.00	
525	1724.112	PL IMP WTR SUPPLY SYS VAR BLDG	30,000.00	
525	1724.312	IMP TO WTR SUPPLY SYS VAR BLDG	550,000.00	
525	1726.510	FIBER CABLING NETWRK & SYS UPG	600,000.00	
525	1726.511	FIBER CABLING NETWRK & SYS UPG	200,000.00	
525	1728.510	STORAGE AREA NETWORK	450,000.00	
525	1729.510	IMPL DISASTER RECOVERY-INF SRV	200,000.00	

525	1732.117	PL REM OF TOXIC & HAZ BLD MAT	160,000.00
525	1732.119	PL REM TOX HAZ BLD MAT&COMP VA	45,000.00
525	1732.120	PL REM TOX & HAZ BLD MAT&COMP	25,000.00
525	1732.322	REM OF TOXIC & HAZ MAT & COMP	800,000.00
525	1737.321	REPL MJR BLDG OPER EQ VAR FAC	250,000.00
525	1741.110	GEOGRAPHIC INFO SYSTEM NEEDS	208,000.00
525	1743.510	DIGITIZ SUBDIV & OTH MAPS-CLK	360,000.00
525	1744.310	IINSTAL FIRE ALARM, HT INTR SY	225,000.00
525	1747.110	PL OFFSITE ACCESS PUBL RECORDS	200,000.00
525	1747.510	EQ OFFSITE ACCESS PUBL RECORDS	150,000.00
525	1748.510	INTERNET COMMERCE SERVER	141,875.00
525	1749.516	PUR & REPL NUTRITION VEH-AGING	250,784.00
525	1749.517	PUR & REPL NUTR VEH OFF AGING	232,466.00
525	1749.518	PUR & REP OF NUTRITION VEHICLES FOR THE OFFICE OF THE AGING	325,142.00
525	1751.110	PL OPTICAL DISK IMAGING SYSTEM	150,000.00
525	1751.111	OPTICAL DISK IMAGING SYSTEM REDACTING SOFTWARE APPLICATION	225,000.00
525	1751.510	AUTOMATION FOR CTY CLERK	248,000.00
525	1756.310	CON WW II MEM ARMED FORCES PL	349,816.00
525	1759.510	INT DIST CT JGMNTS&CLK E FILNG	50,000.00
525	1762.310	WEATHERPROOFING CTY BLDGS	535,000.00
525	1765.310	CONST RENOV TO BLDG 50, HAUPP	660,000.00
525	1767.110	PL CON REP & EQP GAR CTY FARM	5,000.00
525	1771.110	REN TO FORMER HOME & INFIRMARY	1,200,000.00
525	1772.310	CONST OF WAR DOGS MEM DENN BLD	50,000.00
525	1777.111	PL CONS DAY CARE FACLT YAPHNK	200,000.00
525	1777.310	CONST OF DAY CARE CTRS-CTY FAC	910,000.00
525	1779.510	FAULT TOL ENTRPRS FIREWL SERV	84,000.00
525	1781.110	PL ACQ DEDICATED ORACLE SERV	5,000.00
525	1781.510	DEDICATED ORACLE SERVER	295,000.00
525	1782.510	IFMS RELEASE 3.0	2,135,000.00
525	1788.510	ACQ OF VPN SERVER	50,000.00
525	1799.510	NEW MAINFRAME	833,000.00
525	2155.511	IMP TO TELECOMM & INFO SYST CW	800,000.00
525	2190.111	PLN FOR SITE IMPR WEST CAMPUS	182,517.00
525	2200.310	SITE IMP - AMMERMAN CAMP	750,000.00
525	2202.510	LOCAL AREA NETWORK UPGRADE SCC	1,232,310.00
525	3008.113	CORRECTIONS-SYS ASSESSMNT STDY	43,120.00
525	3009.510	EQP CONSTR MIN/MED SEC FAC YAP	406,000.00
525	3011.110	PL VIS SHLT/REP SEC BTHS CORR	10,000.00
525	3014.111	PL REN @ YAPHANK CORR FAC	40,000.00
525	3014.112	PL IMP CTY CORR FAC C-141 RVHD	138,500.00
525	3014.314	INST TAMPER PROOF SEC GRSL-RVH	400,000.00
525	3015.510	UPG SEC GATE CTR PNLS-1ST DST	160,000.00
525	3033.510	PERS BODY ALRM SYS RVHD CORR	600,000.00

525	3047.514	PUR ADD PRISONER TRANSPORT BUS	440,000.00
525	3047.515	PURCHASE OF HEAVY DUTY EQUIPMENT FOR THE SHERIFF'S OFFICE	225,000.00
525	3048.511	PROB OFFICER REMOTE ACCESS SYS	182,200.00
525	3048.512	PROB OFF REMOTE ACCESS SYS	158,500.00
525	3061.110	PL FOR REST OF HAY BARN FARM	95,000.00
525	3062.511	PURCHASE OF DIGITAL PHOTOGRAPHY EQUIP FOR SHERIFF'S OFFICE	160,000.00
525	3100.510	PUR SPEED INDICATOR SIGNS - PD	42,000.00
525	3117.513	PURCH OF POLICE HELICOPTER	3,100,000.00
525	3117.514	PURCHASE OF AN ADDITIONAL HELICOPTER	6,125,000.00
525	3122.110	PL IMP TO POL ICE HDQTRS	60,000.00
525	3135.519	PUR HEAVY DUTY VEH-CAR CARRIER	77,000.00
525	3151.513	PR RIGID HULL POL RESCUE VESSL	130,000.00
525	3151.514	PR RIGID HULL POL RESCUE VESSL	130,000.00
525	3151.515	PUR CATAMARAN PATROL VESSEL PD	90,000.00
525	3161.110	FIREARMS TRG SEC DRAINAGE PROJ	10,000.00
525	3161.310	FIREARMS TRG SEC DRAINAGE PROJ	115,000.00
525	3172.512	PURCH OF SURVEILLANCE VEHICLE	98,400.00
525	3175.511	PUR PRISONER TRANSPORT BUS PD	105,000.00
525	3175.512	PURCHASE OF PRISONER TRANSPORT BUS	105,000.00
525	3179.510	ENH/MOD LOCAL AREA NTWK,PCT&HQ	213,000.00
525	3181.110	PD QRTRMST/SUPPLY/STORAGE BLDG	280,000.00
525	3184.116	REN CONST & ADD TO 6TH POL PCT	625,000.00
525	3184.315	CONST & ADD TO NEW 6TH POL PCT	9,300,000.00
525	3184.411	SITE WK CON& ADD NEW 6TH PCT	500,000.00
525	3184.412	SITE IMP NEW 6TH PCT	20,000.00
525	3184.510	PUR FURN & EQUIP NEW 6TH PCT	150,000.00
525	3188.310	REN EXIST SIXTH PCT CORAM	500,000.00
525	3198.515	REPOWERING OF POL PATROL BOATS	107,333.00
525	3198.516	REPO POL PAT BOAT/DIES ENG	27,650.00
525	3201.410	INST EQP FED COMM ASST (CALEA)	75,000.00
525	3202.511	UNINTR POWR SPPLY SYS POL COMP	135,000.00
525	3205.523	PUR AUTO EXT DEFIBRIL CTY BLDG	112,500.00
525	3205.524	PUR AUTO EXT DEFIBRIL CTY BLDG	112,500.00
525	3205.525	PUR AUTO EXT DEFIBRIL CTY BLDG	45,000.00
525	3217.110	TRANSPORTABLE RADIO TOWER SITE	5,000.00
525	3217.510	TRANSPORTABLE RADIO TOWER SITE	87,900.00
525	3219.510	ARREST PROCESSING	835,325.00
525	3228.510	REPL ENTRPRSE COMP SERV-OP CTR	500,000.00
525	3237.310	REPL ITT RADIO TOWER-SHAMPTON	445,000.00
525	3301.216	ACQ LND CR4 COMMACK RD, HUNT	235,000.00
525	3301.223	L ACQ CR16 TERRY RD @347 SMTWN	25,000.00
525	3301.228	ACQ RE CR4,COMMACK RD@DALY RD	120,000.00
525	3301.345	IN SPEONK-RVH RD CR88& CR51 SH	100,000.00
525	3405.511	IMPROVEMENTS TO FIRE TRAINING CENTER	30,000.00
525	3416.110	DESIG DEV & INST FRES CAD SYST	240,375.00

525	3502.510	REPLACEMENT OF MARINE HOIST	132,000.00	
525	3504.510	PURCHASE OF DIGITAL PHOTOGRAPHY EQUIPMENT	150,000.00	
525	4022.312	MOD TO TRI-COMM HLTH CTR	549,350.00	
525	4045.510	PL GENERATOR-EMER PREP HLTH	157,100.00	
525	4052.510	PUR EQ ARTHROPOD DISEASE LAB	166,000.00	
525	4052.512	PUR EQ ARTHROPOD BORNE DIS LAB	100,000.00	
525	4055.512	PUR EQUIP FOR HLTH CTRS	124,613.00	
525	4055.515	PUR EQUIP FOR HLTH CTRS	141,020.00	
525	4055.523	PUR OF EQUIP FOR HLTH CTRS	142,600.00	
525	4057.311	REN JOHN J. FOLEY NURSING FAC	159,000.00	
525	4060.310	IMPR HVAC SYS VECTR CNTRL BLG	55,000.00	
525	4061.513	INFO SYSTEMS FOR HLTH	5,641,769.00	
525	4061.514	INFO SYSTEMS FOR HLTH	1,304,614.00	4
525	4065.510	PBL HLTH NRSNG PATIENT REC SYS	94,000.00	
525	4065.512	PUB HLTH NURSNG PATIENT REC SY	121,000.00	
525	4067.510	ENVIRONMNTL QLTY INFO SYSTEMS	339,000.00	
525	4068.510	METHADONE MAINT INFO SYS	204,410.00	
525	4070.311	CONST RENOV S. BROOKHAVEN HC	2,425,000.00	
525	4079.514	PL & DESIGN REN & CON FAC AIRP	321,000.00	
525	4079.515	PR ENVIR HLTH LABORATORY EQUIP	311,000.00	
525	4079.516	PUR ENVIRNMNTL HLTH LAB EQUIP	195,250.00	
525	4079.517	PUR OF ENVIRO HLTH LAB EQUIP	207,000.00	
525	4815.310	CONS PLAY EQUIP DISA YOUNG	187,443.00	
525	4815.510	PLAYGRND EQUIP DISBLD CHLDRN	577,628.00	
525	5000.310	LIPA RELOC COST-SC CONST PROJS	2,340,000.00	
525	5001.310	MEDIAN IMP ON VAR CTY RDS	250,000.00	
525	5014.336	STRENGHT & IMP CTY RDS (GTO B)	4,000,000.00	
525	5037.318	INST TR SFTY DEV EQ & MRKNGS	100,000.00	
525	5037.319	APP & REMOVAL OF LANE MARKINGS	150,000.00	
525	5044.211	AC LND IMP CR58 OLD CTRY RD-RH	1,110,000.00	
525	5047.519	PURCH HWY MAINT EQUIP	1,160,000.00	
525	5054.561	TRAFFIC SIGNAL IMP VAR CTY RDS	530,000.00	
525	5054.569	TRAFFIC SIGNAL IMP VAR CTY RDS	650,000.00	
525	5054.570	INST TRAFFIC SIGNALS -VAR RDS	425,000.00	
525	5060.515	PURCH EQUIP FOR HWY LAN SYSTEM	260,000.00	
525	5060.517	ASSESSMENT INFO SYST & EQ DPW	75,000.00	
525	5072.310	IMP TO CTY ENV RECHARGE BASINS	250,000.00	
525	5093.110	PL REC LITTLE E.NECK PHII, B&H	250,000.00	
525	5093.310	RECON LIL.E.NCK RD-CR95- BABLN	887,400.00	
525	5095.001	ROW CR11(NSAU CTY LN-TNLN RD)	215,000.00	
525	5112.310	INT IM VICTRY DR @ RIVR RD -BH	175,000.00	
525	5167.211	ROW CR93- OCEAN AV- ISLIP	30,000.00	
525	5178.414	LANDSCAPING ON CTY RDS - IFT	250,000.00	
525	5180.341	INST GUIDE RAIL & SFTY UPGRDS	175,000.00	
525	5200.404	DREDGING COUNTY WATERS	365,000.00	

525	5200.426	DREDGING EAST BAY CANAL ISLIP	30,000.00
525	5200.430	DREDGING OF COUNTY WATERS-IFT	330,000.00
525	5200.435	DREDGING MT SINAI HARBOR BRKHN	700,000.00
525	5201.511	REPL OF DREDGE SUPPORT EQUIP	140,000.00
525	5201.512	REPL DREDG SUPP EQUIP	40,000.00
525	5201.513	REPLACE DREDGE SUPPORT EQUIPMENT	50,000.00
525	5302.410	REST OF SAMMIS BEACH - E HMPTN	200,000.00
525	5343.312	REC OF SHIN CANAL LOCKS PH IV	2,000,000.00
525	5343.313	RE SHINN CANAL LOCKS & GATES	350,000.00
525	5375.313	CONST BROWN'S RVR BLKHD ISLIP	200,000.00
525	5376.110	REPL OF DEER LAKE SPILLWAY	70,000.00
525	5376.310	REPL OF DEER LAKE SPILLWAY	400,000.00
525	5378.410	EROSION MITIGATION AT UNCHACHOGUE CREEK SHIRLEY BRKHVN	20,000.00
525	5405.311	US OPEN PEDESTRAIN BRIDGE SH	200,000.00
525	5497.327	SDWLK CR50 UNION BLV GARD-ABER	30,000.00
525	5508.310	RECONST DEER PARK AVE CR66-HUN	1,300,000.00
525	5509.515	PURCH OF VECTOR CONTROL EQUIP	215,000.00
525	5509.516	PURCH OF VECTOR CONTROL EQUIP	200,000.00
525	5511.110	RECON PORTION/HSBLK RD-BKHVN	1,650,000.00
525	5518.210	AC LND CR48, MIDLE RD @ CHAPEL	150,000.00
525	5518.310	INT IMP CR 48 MDDL RD @ CHAPEL	700,000.00
525	5519.110	ENG INT IMP CR35 PARK AVE HUNT	200,000.00
525	5519.310	REC CR35, PARK AVE, HUNT	2,000,000.00
525	5527.111	PL REC STR. PATH-LIRR-DR PARK	300,000.00
525	5527.311	REC CR2 STRAIGHT PATH, BABYLON	3,700,000.00
525	5529.110	PL REC CR58 OLD CNTRY RD, RVHD	375,000.00
525	5530.111	HIGHWAY TRANSP NEEDS ASSESSMNT	500,000.00
525	5534.110	CR 80 MNTK HWY-NYS 112 & CR101	500,000.00
525	5534.210	L A IMP CR80 MNTK HWY @ FULTON	75,000.00
525	5534.410	IMP MONTAUK HWY CR80 @ S CTRY	30,000.00
525	5536.310	INT IMP CR97 NICOLLS @ SUNY SB	400,000.00
525	5542.310	DR IMP CR40 THREE MILE HRBR EH	800,000.00
525	5564.310	REH CR51 MOR-RVHD RD BRK&SHAMP	6,000,000.00
525	5648.515	PUR FARE COLLECTION SYST UPGRD	1,550,000.00
525	5651.516	PURCH & INST OF BUS SHELTERS	375,000.00
525	5651.517	PUR & INST BUS STOP LOC SIGNS	730,000.00
525	5658.521	30 TRANSIT & SUB BUSES, ETC.	14,220,000.00
525	5658.523	PUR UP TO 13 PARATRANSIT VEH	680,000.00
525	5658.524	PUR UP TO 8 PARATRANSIT VANS	432,000.00
525	5658.526	PURCH UP TO 7 SUPPORT VEHICLES	131,000.00
525	5658.527	PUR UP TO 21 PARATRANSIT VANS	1,084,500.00
525	5658.528	28 BUS/PRTS/RADIOS/ AUDIT/INSP	8,838,000.00
525	5658.529	PUR OF UP TO 17 PARATRNST VANS	986,000.00
525	5658.530	PR UP TO 25 PARATRNST VNS & REL	1,500,000.00
525	5658.531	PUR UP TO 31 TRNST BUSES, PRTS	9,175,000.00

525	5658.532	PURCH 6 PARATRNST VNS & REL	360,000.00
525	5658.533	PURCHASE OF ELEVEN (11) PARATRANSIT VANS AND RELATED EQUIPME	620,000.00
525	5658.534	PURCH OF 4 PARATRANSIT VANS	242,718.00
525	5658.535	PURCH OF 2 HYBRID SUPPORT	70,000.00
525	5658.537	PUR OF 30 PARATRANSIT VANS	1,800,000.00
625	5702.315	RENOVATION TO GABRESKI AIRPORT	350,000.00
625	5702.316	REN & CON FAC GABRESKI AIRPT	437,000.00
625	5721.110	PL AIRPT PERIMTR SURVY&FENCING	110,000.00
625	5723.110	PL CON AIRCRAFT HANGAR AIRPT	175,000.00
625	5726.110	PL REHAB RUNWAY LIGHTING SYST	387,000.00
625	5739.310	PAVEMENT MANAGEMENT	150,000.00
525	5846.310	REHAB BRIDGE CR105 -RIV &SHMTN	800,000.00
525	5849.110	ENG RE/WID CR83 N. OCEAN LIE	600,000.00
525	5850.311	REHAB VAR BRIDGES & ENBANKMNTS	60,000.00
525	5850.314	REHAB OF VAR BRDGS & EMBNKMNTS	800,000.00
525	5850.316	REH VAR BRIDGES & EMBNKMNTS	650,000.00
525	5851.110	PL. CR 3 BRIDGE-WELLWOOD AVE	645,000.00
525	5854.110	ENG REPL BRDG CAR MILL DAM RD	450,000.00
525	5854.310	REH MILL DAM(BRDG)-CNTRPRT HAR	3,010,000.00
525	5901.312	CTY SH CONSTR OF BIKEWAYS	320,000.00
525	7011.522	PUR HVY DTY EQUIP CTY PKS	165,000.00
525	7077.310	IMP VAN BOURGONDIEEN PK-SPRKLRS	20,000.00
525	7079.419	IMP & LIGHTING @ COUNTY PARKS	216,000.00
525	7096.312	RESTORATION OF COINDRE HALL	246,000.00
525	7109.311	IMP TO COUNTY MARINAS	72,500.00
525	7144.009	ACQ PARKLAND-OPEN SPACE PRESER	7,000,000.00
525	7148.110	GREENWAYS-PARKLAND	500,000.00
525	7148.210	ACQ LND COMM GRNWYS ACTV PKLND	19,500,000.00
525	7149.110	GREENWAYS-PARKLAND	500,000.00
525	7149.210	ACQ LND GREENWAYS - FARMLAND	19,500,000.00
525	7162.112	PL STAB TWA FLGHT 800 MEMORIAL	120,000.00
525	7167.312	DEMO/CON PK MAINT BLD IND ISL	545,000.00
525	7171.211	ACQ OF LAND SWAN LAKE BROOKHAV	200,000.00
525	7174.210	LAND PRESERVATION PART PROG	10,939,900.00
525	7176.310	IMP TO OLD FIELD HORSE FARM	200,000.00
525	7177.211	SC MULTI (SAGTIKOS MANOR) ISL	1,700,000.00
525	7177.213	ACQ PROP GRACE PRESBYTERIAN CH	447,500.00
525	7177.214	ACQ HERTLIN PROP IN RONK BRKHV	214,000.00
525	7177.216	MLP-BARNUM AVENUE	200,000.00
525	7177.219	AC BUSH & BUCK PR (ABETS CRK)	530,000.00
525	7177.220	ACQ LND ST GABRIEL'S SHLTR ISL	461,500.00
525	7177.221	MULTIFAC FRMLND (CORSO FARM)	1,150,000.00
525	7177.223	SC MULT LND PR TEDFORD, SH ISL	883,000.00
525	7177.224	MULT FAC LND PRES ABETS CRK-BR	273,000.00

525	7177.226	FRMLD DEV RTS TERRY FARM	350,000.00	
525	7177.228	SUF MULTI (ELWOOD GREENLAWN WOODS)	681,250.00	
525	7177.229	SC MULTIFACETED LAND PRES	23,000,000.00	23,000,000.00
525	7178.310	IMP. ACT. PKLD/REC AT NAUT.PK	250,000.00	
525	7183.410	SITE IMP GREEN'S CREEK CTY PRK	180,000.00	
525	7184.310	IMP TO WATER SUPPLY SYST- PKS	350,000.00	
525	7185.310	REM TOXIC HAZ MAT IN CTY PKS	150,000.00	
525	7185.311	REMOVAL OF TOXIC MATERIALS IN COUNTY PARKS	75,000.00	
525	7432.110	PLAN REPAIR SEA WALL VAN MUS	100,000.00	
525	7443.110	ENVIR CONTROL SYS VAND MUS	150,000.00	
525	7443.111	PL ENVIR CTRL SYS VANDERBILT	60,000.00	
525	7443.310	ENVIRON CNTRL SYS-VANDERBILT	200,000.00	
525	7447.310	REHAB PLUMBING @ VAND MUSEUM	610,000.00	
525	7510.310	MILL&EQUIP-BLYDNBRG CO PK-SMTN	143,000.00	
525	7510.322	HIST AUTO HOUSE @ MEADOW CROFT	118,700.00	
527	8119.511	IMP TO SD 7-MEDFORD - F & E	243,632.00	
527	8126.111	ENG IMP &EXPNSN TO SD#18	500,000.00	
527	8144.000	IMPROVEMENT TO SD#6 KINGS PARK	260,000.00	
527	8164.520	SEWER FAC MAINT EQUIP VAR SD'S	750,000.00	
527	8165.110	P SRVL CNTRL DATA ACQ SYS SD'S	25,000.00	
527	8166.510	DIV OF SANI LAB EQUIPMENT	150,000.00	
527	8169.114	PL IMP - SCSD#1 PORT JEFFERSON	910,000.00	
528	8170.110	PL IMP TO SWSD	110,000.00	
528	8170.112	PL IMP SEWAGE TRMNT FAC SW 3	667,317.00	
528	8170.310	IMPROVEMENT TO SD#3	3,850,000.00	
528	8170.510	IMP TO SEWAGE TREAT. FAC SWSD	339,807.00	
525	8224.110	PL PUB HLTH REL HRMFL ALGAL BL	85,000.00	
525	8224.511	EQ PBL HLTH HRMFL ALGAL BLOOMS	35,000.00	
525	8226.518	PUR EQ GRNDWTR MONIT & WELL DR	204,000.00	
525	8226.519	PR EQ GRNDWTR MONITR & DRILLNG	180,000.00	
525	8226.520	PUR EQ GRNDWTR MON &WELL DRILL	162,000.00	
525	8228.112	STDY BROWN TIDE IN MARINE WTRS	300,000.00	
525	8228.117	STDY OCC BROWN TIDE SC WATER	10,000.00	
525	8237.110	WATER QUALITY MODEL -PHASE III	400,000.00	
525	8701.005	FARMLND DVLP RIGHTS- PHASE V	1,000,000.00	
525	8701.210	ACQ OF FARMLAND	532,000.00	
525	8701.212	ACQ OF FARMLAND	559,736.00	
525	8708.211	WTR PRO. FND-FARMLAND-TEDFORD	490,000.00	
525	8708.212	WTR PRO FND-FRMLND-ERNST/NORTN	2,249,000.00	
525	8710.314	WETLAND RESTORATION AT WEST ISLIP HS	25,000.00	

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

Intro. Res. No. 1650-2008

Laid on Table 6/24/2008

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

RESOLUTION NO. 570 -2008, RESCINDING RESOLUTION NO. 425-2008 AND 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; now, therefore be it

1st RESOLVED, Resolution No. 425-2008 is hereby repealed in its entirety; and

2nd 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	Fischer-Hewins VFW Post 6249	+\$15,000

and be it further

3rd 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

4th 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 24, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: July 7, 2008

**MEETING ADJOURNED 5:43PM
TIM LAUBE, CLERK OF THE LEGISLATURE**

**MEETING ADJOURNED 5:43PM
TIM LAUBE, CLERK OF THE LEGISLATURE**

