

FIFTEENTH DAY
REGULAR MEETING
AUGUST 19, 2008

Minutes of the Regular Meeting of the County Legislature of Suffolk County, New York, held in the Suffolk County Community College, Culinary Arts and Hospitality Center, 20 East Main Street, Riverhead, New York, at 4:00 p.m., pursuant to notice duly given.

The meeting was called to order at 4:03 p.m. by Presiding Officer William Lindsay. The Clerk called the roll and the following were found present: Deputy Presiding Officer Viloría-Fisher; Legislators Romaine, Schneiderman, Browning, Beedenbender, Losquadro, Eddington, Montano, Alden, Barraga, Horsley, Gregory, Stern, and D'Amaro.

Legislator Nowick arrived at 4:03 p.m.
Legislator Kennedy arrived at 4:20 p.m.
Legislator Cooper arrived at 4:30 p.m.

Statements and Presentations

Public Portion

AN EXECUTIVE SESSION WAS HELD FROM 6:00 P.M. TO 6:30 P.M.

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

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

Intro. Res. No. 1747-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislator Barraga

**RESOLUTION NO. 646 -2008, CANCELING AUCTION SALE
OF PROPERTY (SUFFOLK COUNTY TAX MAP NO. 0500-
441.00-02.00-044.000)**

WHEREAS, Gerard Pallotta was the successful bidder for County owned land, Suffolk County Tax Map No. 0500-441.00-02.00-044.000, at the auction conducted by the County of Suffolk on October 16, 2007; and

WHEREAS, Resolution No. 128-2008 authorized the sale of the subject parcel to Gerard Pallotta; and

WHEREAS, a title search of the subject parcel identified problems regarding the chain of title; as a result, Mr. Pallotta's title company has advised the Division of Real Property Acquisition and Management that they are unable to deliver insurable title to Pallotta; and

WHEREAS, Gerard Pallotta was required to leave a \$100,000 deposit and pay related auction fees at the time he bid on the property; and

WHEREAS, the Division of Real Property Acquisition and Management has, to date, failed to cancel the sale of the subject parcel or return Gerard Pallotta's deposit; and

WHEREAS, Gerard Pallotta has communicated to the County of Suffolk that his inability to timely close on the subject parcel, and the County's refusal to return his deposit is causing a hardship; and

WHEREAS, the County's auction rules specifically allow for the cancellation of a sale in the event insurable title cannot be conveyed; now, therefore be it

1st RESOLVED, that the Department of Environment and Energy, Division of Real Property Acquisition and Management, is hereby authorized, empowered, and directed to cancel the sale of a parcel (Suffolk County Tax Map No. 0500-441.00-02.00-044.000) to Gerard Pallotta, which occurred at the County's auction on October 16, 2007, and which was previously approved by Resolution No. 128-2008; and be it further

2nd RESOLVED, that pursuant to Suffolk County's duly approved auction rules, the Department of Environment and Energy, Division of Real Property Acquisition and Management, is hereby authorized, empowered, and directed to return the down payment and all other monies paid by Gerard Pallotta in connection with this cancelled transaction; and be it further

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

DATED: August 19, 2008

****VETOED BY COUNTY EXECUTIVE ON SEPTEMBER 4, 2008****

****VETO OVERRIDE ADOPTED ON SEPTEMBER 16, 2008****

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

RESOLUTION NO. 647 -2008, TO READJUST,
COMPROMISE, AND GRANT REFUNDS AND
CHARGEBACKS ON CORRECTION OR
ERRORS/COUNTY TREASURER BY: COUNTY
LEGISLATURE NO. 301

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

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

1st **RESOLVED**, that the taxes for the properties represented by the item numbers or tax map numbers as shown for the year or years specified be readjusted or refunded in full or in part in the amount set opposite each such parcel as hereinafter indicated; and be it further

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

<u>Description</u>	<u>Year</u>	<u>Original Tax</u>	<u>Corrected Tax</u>	<u>Chargeback or Refund, if paid</u>
BROOKHAVEN:				
0200-982.70-03-011.002 (Item #8811887)	2005/06	\$4827.32	\$321.02	\$4506.30
0200-982.70-03-011.003 (Item #8811888)	2005/06	\$5310.07	\$321.03	\$4989.04
0200-982.70-03-011.004 (Item #8811881)	2005/06	\$2968.80	\$188.26	\$2780.54
0200-982.70-03-011.005 (Item #8811882)	2005/06	\$5539.34	\$678.23	\$4861.11

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1666-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 648 -2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 792-2008)

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; then

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

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

RESOLUTION NO.

CONTROL# 792-2008

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

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

Key	Town	Year	Item No.	S.C. Tax Map No.	Original *-Tax	Corrected *-Tax	Chargeback Refund, if *-Tax Paid
C	BABYLON	05/06	N/A	100 164 3 61.1	17810.31	14218.67	3591.64
C	BABYLON	06/07	N/A	100 164 3 61.1	17625.66	14096.97	3528.69
C	BABYLON	07/08	N/A	100 164 3 61.1	17867.69	14285.83	3581.86
A	BABYLON	07/08	N/A	101 7 5 9.12	9932.95	7095.03	2837.92
A	HUNTINGTON	06/07	N/A	400 43 1 20	11559.74	7387.19	4172.55
A	HUNTINGTON	07/08	N/A	400 244 2 42	15176.44	11850.83	3325.61
A	HUNTINGTON	05/06	N/A	400 83 1 55	14426.65	11757.72	2668.93
A	HUNTINGTON	06/07	N/A	400 83 1 55	15116.43	12319.89	2796.54
A	HUNTINGTON	07/08	N/A	400 83 1 55	15405.60	12555.57	2850.03
A	SOUTHAMPTON	07/08	N/A	900 151 1 15.15	10953.42	8037.60	2915.82

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

RESOLUTION NO. 649 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED HIGHWAY AND DRAINAGE IMPROVEMENTS TO CR 4 COMMACK ROAD, FROM NICHOLS ROAD TO JULIA CIRCLE, TOWNS OF BABYLON AND HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Highway and Drainage Improvements to CR 4 Commack Road, from Nichols Road to Julia Circle, Towns of Babylon and Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves replacing the existing asphalt shoulders with a new full depth asphalt pavement section. The total pavement width will be 44 feet, to provide one eleven foot wide travel lane in each direction, one eleven foot wide striped median and a five and one-half foot wide shoulder area on each side. Existing drainage infrastructure will be cleaned and castings will be adjusted to new grades. Leaching pools will be installed to provide spot drainage improvements. A full width asphalt overlay will be provided for the full length of the project; and

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

WHEREAS, at its June 18, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Public Works; and

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

WHEREAS, the CEQ has advised the Suffolk County Legislature and the Suffolk County Executive by memo dated June 19, 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 Highway and Drainage Improvements to CR 4 Commack Road, from Nichols Road to Julia Circle, Towns of Babylon and Huntington constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons;

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

- 2.) The proposal does not appear to significantly threaten any unique or highly valuable environmental or cultural resources as identified in or regulated by the Environmental Conservation Law of the State of New York or the Suffolk County Charter and the Suffolk County Code;
- 3.) The parcel does not appear to suffer from any severe environmental development constraints (limiting soil properties; no high groundwater and no unmanageable slopes);
- 4.) Existing drainage problems will be alleviated; and
- 5.) Traffic safety will be improved and traffic congestion mitigated;

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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1675-2008
Introduced by the Presiding Officer

Laid on Table 8/5/2008

RESOLUTION NO. 650 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – BEECHWOOD HORSEBLOCK BUILDING CORP. PROPERTY, TOWN OF BROOKHAVEN

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 Overton Preserve – Beechwood Horseblock Building Corp. Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 16.0 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 June 18, 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 Suffolk County Legislature and the Suffolk County Executive by memo dated June 19, 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 Overton Preserve – Beechwood Horseblock Building Corp. Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons;

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1676-2008
Introduced by the Presiding Officer

Laid on Table 8/5/2008

RESOLUTION NO. 651 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – FAIRFIELD CORAM 112, LLC PROPERTY, TOWN OF BROOKHAVEN

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 Overton Preserve – Fairfield Coram 112, LLC Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 23.0 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 June 18, 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 Suffolk County Legislature and the Suffolk County Executive by memo dated June 19, 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 Overton Preserve – Fairfield Coram 112, LLC Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1677-2008
Introduced by the Presiding Officer

Laid on Table 8/5/2008

RESOLUTION NO. 652 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE OVERTON PRESERVE – FAIRFIELD MILL ESTATES, LLC AS CONTRACT VENDEE PROPERTY, TOWN OF BROOKHAVEN

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 Overton Preserve – Fairfield Mill Estates, LLC as Contract Vendee Property, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 48.11 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 June 18, 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 Suffolk County Legislature and the Suffolk County Executive by memo dated June 19, 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 Overton Preserve – Fairfield Mill Estates, LLC as Contract Vendee Property, Town of Brookhaven constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1678-2008
Introduced by the Presiding Officer

Laid on Table 8/5/2008

RESOLUTION NO. 653 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE LONG POND GREENBELT ADDITION – ZEBROWSKI & MULVIHILL ESTATE PROPERTY, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Acquisition of Land for Open Space Preservation Purposes Known as the Long Pond Greenbelt Addition – Zebrowski & Mulvihill Estate Property, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 10.3 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 June 18, 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 Suffolk County Legislature and the Suffolk County Executive by memo dated June 19, 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 Long Pond Greenbelt Addition – Zebrowski & Mulvihill Estate Property, Town of Southampton constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, which project will not have significant adverse impacts on the environment for the following reasons:

- 1.) The proposed action will not exceed any of the criteria in Section 617.7 of Title 6 NYCRR, which sets forth thresholds for determining significant effect on the environment, as demonstrated in the Environmental Assessment Form; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1694-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

RESOLUTION NO. 654 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$30,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE

**BY MEMBERS OF THE 4th PRECINCT POLICE AUXILIARY
WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100%
SUPPORT**

WHEREAS, the New York State Division of Criminal Justice Services has made \$30,000 available to the Suffolk County Police Department for the purchase of a vehicle for use by members of the 4th Precinct Police Auxiliary during the performance of their duties; and

WHEREAS, the operational period of the Program will be from April 1, 2007 through March 31, 2009; and

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

WHEREAS, the 4th Precinct Police Auxiliary Vehicle grant program includes funding for the purchase of a standard police vehicle for use by the members of the 4th Precinct Auxiliary while in the performance of their duties; and

WHEREAS, the purchase of said Vehicle will increase the fleet of the Suffolk County Police Department by one (1) vehicle; and

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

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

<u>REVENUE:</u>	<u>AMOUNT</u>
115-3368 – State Aid: 4th Precinct Police Auxiliary Vehicle	\$30,000

ORGANIZATIONS:

Police Department (POL)
4th Precinct Police Auxiliary Vehicle
115-POL-3280

<u>2000 – Equipment</u>	<u>\$30,000</u>
2030 – Automobiles and Motorcycles	25,700
2090 – Radio and Communication	4,300

and be it further

2nd RESOLVED, that the Suffolk County Legislature hereby authorizes the fleet of the Suffolk County Police Department be increased by one (1) Police Auxiliary vehicle, hereby approved pursuant to Chapter 186-2 (b) (6) of the SUFFOLK COUNTY CODE, and in accordance with or exceeding the county vehicle standard, for use by the 4th Precinct Suffolk County Police Department Auxiliary; and be it further

3rd RESOLVED, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the New York State Division of Criminal Justice Services.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1696-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 655 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$25,000 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ALLOW THE SUFFOLK COUNTY POLICE DEPARTMENT TO PURCHASE A VEHICLE FOR USE BY MEMBERS OF THE 1ST PRECINCT POLICE AUXILIARY WHILE IN THE PERFORMANCE OF THEIR DUTIES WITH 100% SUPPORT

WHEREAS, the New York State Division of Criminal Justice Services has made \$25,000 available to the Suffolk County Police Department for the purchase of a vehicle for use by members of the 1st Precinct Police Auxiliary during the performance of their duties; and

WHEREAS, the operational period of the Program will be from April 1, 2007 through March 31, 2009; and

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

WHEREAS, the Suffolk County Police Department will be decommissioning one of the vehicles currently in use by the 1st Precinct Police Auxiliary; and

WHEREAS, the vehicle purchased with herein referenced grant funds will replace said decommissioned vehicle and, therefore, will not result in an increase to the fleet; now, therefore, be it

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

<u>REVENUE:</u>	<u>AMOUNT</u>
115-3367– State Aid: 1 st Precinct Police Auxiliary Vehicle	\$25,000

ORGANIZATIONS:

Police Department (POL)
1st Precinct Police Auxiliary Vehicle
115-POL-3275

<u>2000 – Equipment</u>	<u>\$25,000</u>
2030 – Automobiles and Motorcycles	25,000

and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1697-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 656 -2008, ACCEPTING FROM NEW YORK STATE ONE (1) AIRBOAT, ONE (1) BOAT TRAILER , TWO (2) OUTBOARD ENGINES AND RELATED ACCESSORIES FOR USE BY THE SUFFOLK COUNTY POLICE DEPARTMENT MARINE BUREAU

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation wishes to assist Suffolk County in its marine law enforcement and boating safety functions and to that end has provided and made available to the County, for as long as the items are needed, one airboat, one boat trailer, two outboard engines and related accessories for the Police Department’s law enforcement purposes; and

WHEREAS, the Suffolk County Police Department has a need for this equipment for the purposes of law enforcement; now, therefore be it

1st RESOLVED, that the donation of one (1) airboat and accompanying trailer with a value of approximately \$135,000.00, and two (2) outboard engines and related equipment with a value of approximately \$24,000.00 for use by the Suffolk County Police Department is hereby accepted and the items are to be returned to New York State at the end of their service life.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1715-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Browning

RESOLUTION NO. 657 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$100,000.00 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S BELLPORT TASK FORCE 2008 WITH 100% SUPPORT

WHEREAS, the New York State Department of Criminal Justice Services has made \$100,000.00 in Federal pass-through monies from the Byrne Justice Assistance Grant Program available to Suffolk County to continue a project to reduce crime committed by repeat offenders in the area served by the Suffolk County Police Department's Fifth Precinct; and

WHEREAS, said project will utilize a multi-agency approach of investigation, enforcement and prevention; and

WHEREAS, the operational period of the Program will be from October 1, 2008, through September 30, 2009; 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>REVENUES:</u>	<u>AMOUNT</u>
115-4337-Federal Aid: Bellport Task Force 2008	\$100,000
 <u>ORGANIZATIONS:</u>	
	Police Department (POL) Bellport Task Force 2008 115-POL-3276
<u>1000 – Personal Services</u>	<u>\$85,070</u>
1120 – Overtime Salaries	85,070
	Employee Benefits Retirement 115-EMP-9010
<u>8000-Employee Benefits</u>	<u>\$13,696</u>
8280 – Employee Retirement System	13,696
	Employee Benefits Social Security 115-EMP-9030
<u>8000 – Employee Benefits</u>	<u>\$1,234</u>
8330 – Social Security	1,234

and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1659-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 658 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 434-2008, AUTHORIZING THE INCLUSION OF NEW PARCELS INTO EXISTING AGRICULTURAL DISTRICTS IN THE COUNTY OF SUFFOLK

WHEREAS, Resolution No. 434-2008, when adopted, contained technical errors;
and

WHEREAS, the County Executive desires technical corrections to Resolution No. 434-2008; now, therefore be it

1st **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction of the last Whereas clause in Resolution No. 434-2008 as hereby amended to read as follows:

WHEREAS, three hundred sixty [three] two [(363)] (362) parcels totaling nine thousand fifty one [four and nine tenths (9,054.9)] (9,051) acres in the Towns of Brookhaven, Huntington, Islip, Riverhead, Southampton, and Southold have requested inclusion in existing Agricultural Districts (Exhibit "A"); now, therefore be it

2nd **RESOLVED**, that the Clerk of the Legislature shall make the following technical correction of Exhibit "A" in Resolution No. 434-2008 as hereby amended to read as follows:

Exhibit A

Parcels for Inclusion in [Exixting] Existing Agricultural Districts as Recommended by the Suffolk County Agricultural and Farmland Protection Board

Tax Map Number	Name	Acres
0200 46000 0200 007000	Edda Dosiak	17.5
0200 46100 0200 004000	Edda Dosiak	1.0
0200 46100 0200 010002	Edda Dosiak	5.0
0200 46100 0200 011000	Edda Dosiak	1.0
0200 50700 0300 011000	Rassk Associates Inc	11.0
0200 50700 0400 005000	Edda Dosiak	4.6
0200 50700 0400 006000	Edda Dosiak	3.6
0200 50800 0100 002000	Edda Dosiak	32.1
0200 5[0]5800 0200 001000	Edda Dosiak	3.8
0200 55800 0200 002000	Edda Dosiak	9.0
0200 55800 0200 032000	Edda Dosiak	4.8
0200 55800 0200 033000	Edda Dosiak	1.5
0200 57800 0300 001001	S.N. Rodgers	28.0
0200 59100 0300 013000	Charles & Lori Spitzner	2.3
0200 66500 0100 001002	Suffolk County Honor Farm	2.2
0200 66500 0100 001003	Suffolk County Honor Farm	5.0
0200 66500 0100 001004	Suffolk County Honor Farm	164.5
0200 75700 0100 006000	Ender & Theresa Kaya	7.8
0200 79600 0500 001000	Craig & Carol Kawasaki	2.3
0200 79600 0500 002000	Craig & Carol Kawasaki	5.8
0200 84900 0300 008000	H. Ronald Bush	1.3
0200 84900 0300 010003	H. Ronald Bush	1.2
0200 94600 0200 010001	Fingerhut & Schwartz	1.0

Tax Map Number	Name	Acres
0200 94600 0200 010002	Fingerhut & Schwartz	1.0
0200 94600 0200 010003	Fingerhut & Schwartz	1.0
0200 94600 0200 010004	Fingerhut & Schwartz	0.9
0200 94600 0200 011001	Fingerhut & Schwartz	0.9
0200 94600 0200 011002	Fingerhut & Schwartz	0.9
0200 94600 0200 011003	Fingerhut & Schwartz	1.0
0200 94600 0200 011004	Fingerhut & Schwartz	0.9
0400 10700 0[3]400 002000	Tilden Realty LLC	2.1
0400 10700 0300 006001	Tilden Realty LLC	9.7
0400 10700 0300 006010	Tilden Realty LLC	1.3
0500 35700 0300 033000	Bernard Loughlin	10.3
0600 00700 0100 004001	Wells	9.0
0600 00700 0100 004002	Wells	2.0
0600 00700 0100 031000	LI House Wines	2.0
0600 00800 0200 012004	Reeve	13.1
0600 00800 0200 012005	Reeve	10.7
0600 00800 0200 013004	Luce	22.2
0600 00800 0300 010000	McCombe	20.0
0600 00800 0700 001000	Hallock	0.9
0600 00800 0700 003001	Hallock	3.6
0600 00800 0700 005000	Hallock	7.9
0600 00900 0100 006006	Caracciolo	10.6
0600 00900 0100 011004	Big E	3.1
0600 00900 0100 011005	Big E	19.3
0600 00900 0100 011006	Big E	63.1
0600 00900 0100 011007	Big E	52.4
0600 00900 0200 005006	Caracciolo, Jr.	24.3
0600 00900 0200 005007	Caracciolo, Jr.	0.9
0600 00900 0200 005008	Caracciolo, Jr.	1.5
0600 00900 0200 005009	Caracciolo, Jr.	1.8
0600 00900 0200 005010	Caracciolo, Jr.	2.0
0600 00900 0200 007003	Sydrowski	15.0
0600 00900 0200 008000	Ireland	17.9
0600 00900 0200 009000	Ireland	23.3
0600 00900 0200 010002	Wines	2.5
0600 00900 0200 011000	Van De Wetering	33.9
0600 01700 0100 007004	Schmitt	24.4
0600 01700 0300 003000	Kapsalis	36.0
0600 01700 0400 003001	Yours Farm Assoc LLP	69.4
0600 01700 0500 001000	Schmitt	29.0
0600 01700 0500 002001	Schmitt	56.7
0600 01700 0500 004005	DeLea	109.3
0600 01700 0500 004006	Pisacano	2.5
0600 01700 0500 004007	Pisacano	7.5
0600 01800 0100 006006	Pratt Farm II LLC	21.0
0600 01800 0100 006007	Pratt Farm III LLC	35.0

Tax Map Number	Name	Acres
0600 01800 0100 006008	Pratt Farm IV LLC	15.0
0600 01800 0100 006011	Pratt Farm III LLC	2.4
0600 01800 0100 006012	Pratt Farm IV LLC	7.0
0600 01800 0100 007002	Stars in the Forest WR	61.9
0600 01800 0100 007004	Stars in the Forest WR	0.7
0600 01800 0100 007005	PLT	6.7
0600 01800 0100 007006	PLT	20.3
0600 01800 0100 007007	Gallucio Est. Vineyard	2.1
0600 01800 0100 007008	Gallucio Est. Vineyard	1.8
0600 01800 0100 008001	Reeve	3.9
0600 01800 0100 008002	Reeve	8.4
0600 01800 0100 010001	Justin Purchasing Corp.	41.0
0600 01800 0200 009002	DeLalio Sod Farms	160.3
0600 02000 0100 002003	Young	66.7
0600 02000 0100 002005	Young	2.7
0600 02000 0100 002006	Young	2.6
0600 02000 0200 002000	Schmitt	37.1
0600 02000 0300 003000	Wells	27.1
0600 02000 0300 006002	Wells	2.1
0600 02000 0300 006003	Wells	50.9
0600 02000 0300 007002	Wells	33.4
0600 02000 0300 009002	LI House Wines	5.5
0600 02000 0300 009003	LI House Wines	1.4
0600 02000 0300 009004	LI House Wines	52.8
0600 02100 0200 018002	Young	59.5
0600 02100 0300 002000	Krudop	0.9
0600 02100 0300 003000	Krudop	0.9
0600 02200 0100 003002	Cichanowicz	40.5
0600 02200 0200 015000	Northwind Farm c/o Richard O'Deh	16.2
0600 02200 0300 004000	Caracciolo	19.5
0600 02200 0300 008000	Innamorato	12.5
0600 02200 0500 001000	Caracciolo, Jr.	0.9
0600 02300 0100 005002	Half Hollow Nursery Inc	159.3
0600 02300 0100 006000	Half Hollow Nursery Realty	63.5
0600 02300 0100 013000	Half Hollow Nursery Ctr Corp	12.1
0600 02300 0100 014000	Half Hollow Nursery Ctr Corp	12.3
0600 03900 0100 020000	Lewin	7.6
0600 03900 0400 006001	Lewin, Wells, Scanlon	2.0
0600 03900 0400 006002	Lewin, Wells, Scanlon	9.1
0600 03900 0400 007002	Baiting Hollow Farms LLC	16.8
0600 04000 0200 010000	Wulforst	51.5
0600 04100 0100 010004	Friar's Head Farm	0.5
0600 04100 0200 005001	Talmage	5.1
0600 04100 0200 005005	Friars Head Farm	51.1
0600 04100 0200 005006	Friars Head Farm	80.6
0600 04100 0200 007000	Cornell (NY State Veg Research Farm)	50.6

Tax Map Number	Name	Acres
0600 04100 0200 008001	Cornell U.	18.3
0600 04100 0200 010007	Zilnicki	70.6
0600 04200 0100 003000	Zilnicki	59.1
0600 04200 0100 017000	Zilnicki & ors	17.1
0600 04200 0100 020000	Zilnicki & ors	24.8
0600 04200 0100 022000	Schmitt	30.0
0600 04200 0100 02400[0]3	Zilnicki	47.8
0600 04200 0100 028008	Zilnicki	2.0
0600 04200 0100 028009	Zilnicki	34.6
0600 04200 0200 001001	Schneider Vineyards LLC	4.4
0600 04200 0200 001002	Schneider Vineyards LLC	17.0
0600 04200 0200 002002	Schmitt	14.1
0600 04200 0200 002003	Schmitt	10.0
0600 04200 0200 003001	Anderson	20.1
0600 04300 0100 00100[1]6	Kozak	19.6
0600 04300 0200 003010	Hartmann & ors	35.6
0600 04300 0300 001000	Papish	5.7
0600 04400 0200 008003	DeLalio Sod Farms	97.4
0600 04400 0200 012001	Hartmann	4.0
0600 04400 0200 012002	Hartmann	60.6
0600 04400 0300 002001	Barnet Holdings	1.1
0600 04400 0300 002002	Barnet Holdings	26.8
0600 04400 0300 003001	Hartmann	29.2
0600 04500 0100 003001	Hartmann	19.5
0600 04500 0100 004004	Wells	53.0
0600 04500 0100 013001	Lingerfelt	5.5
0600 04500 0100 013002	McBurnie	13.0
0600 04500 0100 013003	Haarmann	5.5
0600 04500 0200 002003	Wells	20.1
0600 04600 0100 037002	Zaweski & Zilniki	2.0
0600 04600 0100 037003	Zaweski & Zilniki	3.9
0600 04600 0100 037004	Zaweski & Zilniki	28.8
0600 04600 0200 044000	Massoud	1.1
0600 04600 0100 040004	Springer	2.1
0600 04600 0300 018001	Wineton Realty LLC	133.1
0600 04800 0100 001003	Zaleski	57.5
0600 04800 0100 001004	Zaleski	5.0
0600 04800 0100 001005	Zaleski	5.0
0600 04800 0100 001006	Zaleski	5.0
0600 04800 0100 003009	Zaweski	26.4
0600 04800 0100 003010	Zaweski	1.8
0600 04800 0200 004000	Half Hollow Nursery Realty	15.9
0600 04800 0300 006000	Caracciolo Jr.	20.2
0600 04800 0300 009003	Zaweski	1.8
0600 04800 0300 009005	Manor Lanes Vineyards	10.5
0600 04800 0300 010000	Zaweski & Albin	11.5

Tax Map Number	Name	Acres
0600 04800 0300 011000	Zaweski & Albin	10.7
0600 04800 0300 014001	Gajeski	9.5
0600 04800 0300 015000	Half Hollow Nursery Ctr Corp	21.0
0600 04800 0300 019000	Half Hollow Nursery Ctr Corp	18.2
0600 04800 0300 022000	Schmitt	6.8
0600 04800 0300 026000	Half Hollow Nursery Ctr Corp	16.6
0600 04800 0400 005000	Half Hollow Nursery Ctr Corp	1.3
0600 04800 0600 001000	Half Hollow Nursery Ctr Corp	0.5
0600 05700 0200 003000	Condzella	1.0
0600 05700 0200 005000	Condzella	5.2
0600 05700 0200 006001	Condzella	3.1
0600 05800 0100 002002	Davis	64.2
0600 05800 0100 004000	Lewin	33.7
0600 05800 0100 005000	Lewin	25.6
0600 05800 0200 012002	Andrews	24.8
0600 05800 0200 013001	Logan & Staufer	6.0
0600 05800 0500 001000	Howard Lewin	1.4
0600 05900 0100 001001	Howard Lewin	1.1
0600 05900 0100 001002	Howard Lewin	95.0
0600 05900 0100 003002	Green Hollow Inc	6.0
0600 05900 0100 003003	Green Hollow Inc	100.6
0600 05900 0200 003006	Lewin	112.5
0600 05900 0200 006002	Lewin	122.6
0600 06000 0100 001000	Lewin	218.3
0600 06000 0100 005002	Lewin	97.1
0600 06000 0100 009001	Lewin	7.4
0600 06000 0100 009002	Lewin	48.6
0600 06100 0100 007002	Martin	5.5
0600 06100 0200 007001	Rottkamp	21.3
0600 06100 0200 007002	Rottkamp	30.0
0600 06100 0200 007003	Martin	5.2
0600 06100 0200 008001	Rottkamp	11.3
0600 06100 0200 009000	RoselleBuilding Co., Inc.	58.3
0600 06100 0200 010000	RoselleBuilding Co., Inc.	36.0
0600 06100 0200 017002	Wulforst	187.5
0600 06200 0100 012003	Jarzombek	3.1
0600 06200 0100 012004	Jarzombek	1.9
0600 06200 0200 002000	Warner	40.0
0600 06200 0200 003001	Jarzombek	2.0
0600 06200 0200 003002	Jarzombek	36.9
0600 06200 0200 004005	Reeves Ave. Storage Co LLC	3.2
0600 06200 0200 004006	Osborne Ave Tree Nursery Co. LLC	62.2
0600 06200 0200 005001	Osborne Ave Tree Nursery Co. LLC	25.4
0600 06200 0200 005002	Warner	32.9
0600 06300 0100 001000	Warner	23.3
0600 06300 0100 002003	Zilniki	23.5

Tax Map Number	Name	Acres
0600 06300 0100 003000	Zilniki	19.1
0600 06300 0100 004000	42 Sound Ave Inc.	22.1
0600 06300 0100 008001	Raynor & ors	2.5
0600 06300 0100 008002	Raynor & ors	50.0
0600 06300 0100 009002	Anderson	22.9
0600 06300 0100 01300[0]1	Zilnicki	30.0
0600 06300 0200 002000	Tuccio	26.2
0600 06300 0200 003000	Muma	10.2
0600 06300 0200 005002	Muma	19.1
0600 06300 0200 007000	Zilniki & Raynor	113.9
0600 06300 0300 002002	Grodski	2.8
0600 06300 0300 003000	Zilniki	73.7
0600 06300 0300 005004	Zilniki	164.7
0600 06400 0100 006079	NF Development LLC	87.1
0600 06400 0100 006080	NF Development LLC	13.2
0600 06400 0100 007001	Anderson	66.8
0600 06400 0100 057000	Anderson	25.6
0600 06400 0200 001001	Papish	55.5
0600 06500 0100 009002	Hodun	81.9
0600 06500 0500 002001	DeLalio Sod Farms	61.5
0600 06500 0500 010000	Cichanowicz	15.9
0600 06500 0500 014001	Cichanowicz	42.3
0600 06500 0600 003001	Warner	18.7
0600 06500 0600 009001	Bellmark LLC	1.2
0600 06500 0600 009002	Bellmark LLC	1.2
0600 06600 0100 001001	McKay	18.1
0600 06600 0200 002004	Schaffner	35.6
0600 06600 0200 002005	Schaffner	27.7
0600 06600 0200 002006	Schaffner	5.8
0600 06600 0200 002007	Schaffner	12.5
0600 06600 0200 017000	Gassert	16.7
0600 06600 0400 001003	Schaffner	29.8
0600 06700 0200 026003	Gammon	3.0
0600 06700 0200 029001	Reeve	17.9
0600 06700 0300 001007	Janlewicz	8.7
0600 06700 0300 001008	Janlewicz	36.8
0600 06700 0300 029009	Massoud	33.6
0600 06700 0300 029010	Massoud	3.5
0600 06700 0300 029011	Massoud	3.6
0600 06700 0400 033003	Massoud	30.2
0600 06800 0100 012002	Losquadro	55.2
0600 06800 0100 016001	Wineton Realty LLC	33.2
0600 06800 0100 016002	Wineton Realty LLC	20.5
0600 06800 0100 018002	Walter Gabrielsen Jr.	3.2
0600 06800 0100 020000	Walter Gabrielsen Jr.	9.2
0600 06800 0100 022000	Nixon	32.4

Tax Map Number	Name	Acres
0600 06800 0100 024004	Nixon	125.0
0600 06800 0100 029002	Nixon	22.1
0600 06800 0200 020003	Gammon	1.1
0600 06800 0200 020004	Gammon	9.8
0600 06900 0200 016004	Sieminski	20.7
0600 06900 0200 018000	Sieminski	11.1
0600 06900 0200 023000	Jason Cellar LLC	19.7
0600 06900 0200 024000	Zaweski	2.1
0600 06900 0300 054000	Korpi	22.3
0600 06900 0300 056000	Zaweski	24.5
0600 06900 0300 057000	Zaweski	24.0
0600 06900 0300 058000	Half Hollow Nursery Realty	27.2
0600 07100 0100 002000	Schmitt	41.2
0600 07500 0100 001001	Condzella	0.1
0600 07500 0100 002000	Condzella	5.6
0600 07600 0100 018001	Howard Lewin	1.0
0600 07600 0100 018002	Howard Lewin	1.0
0600 07600 0200 011001	Howard Lewin	1.4
0600 07600 0200 011002	Howard Lewin	1.4
0600 07700 0100 004000	Lewin	97.6
0600 07700 0400 001000	Howard Lewin	1.1
0600 07800 0100 001000	Lewin, Yakaboski	169.4
0600 07900 0100 003000	Edwards	63.2
0600 07900 0100 012002	Sujecki	5.0
0600 07900 0100 012003	Sujecki	0.6
0600 07900 0100 012004	Sujecki	0.6
0600 07900 0100 012005	Sujecki	1.0
0600 07900 0100 012007	Sujecki	1.1
0600 07900 0100 012008	Sujecki	26.4
0600 07900 0100 016000	Farr	2.3
0600 08000 0100 003002	Farr	34.0
0600 08000 0100 003003	Farr	20.0
0600 08000 0300 010000	Osborne Ave Tree Nursery Co. LLC	14.4
0600 08100 0200 001000	Zilniki	13.4
0600 08100 0200 005000	Park	6.2
0600 08200 0100 011003	Tuccio	110.2
0600 08400 0100 004001	McBurnie	9.7
0600 08500 0300 014000	Verderber	0.5
0600 08500 0300 067000	Verderber	19.8
0600 08500 0300 07200[4]5	Klein	54.7
0600 08500 0300 073002	406 Main Rd. LLC	26.2
0600 08800 0100 009002	Millar	35.4
0600 08800 0100 010000	Millar	28.8
0600 08800 0100 015001	Verderber	76.5
0600 09400 0100 005000	Sieminski	21.7
0600 09400 0100 006000	Sieminski	9.6

Tax Map Number	Name	Acres
0600 09700 0300 001000	Howard Lewin	1.4
0600 09800 0100 005000	Meyer	49.8
0600 09800 0100 014000	North Shore Farms, Inc.	13.0
0600 09800 0100 020000	Green Meadows LLC	4.1
0600 09800 0100 021001	Green Meadows LLC	8.5
0600 09900 0100 004000	PF&E Associates Inc	22.0
0600 09900 0100 005000	Zeh	30.4
0600 09900 0100 017000	Zeh	10.6
0600 09900 0200 004046	Dowd	2.1
0600 10000 0200 019003	Hodun	6.3
0600 10000 0200 019010	Binder	5.1
0600 10000 0200 019011	Binder	5.1
0600 10000 0200 025007	Rottkamp	32.9
0600 10000 0300 010008	Funfgeld	4.4
0600 10000 0300 010009	Funfgeld	14.1
0600 10000 0300 010011	Funfgeld	8.6
0600 10000 0300 010012	Funfgeld	2.7
0600 10000 0300 010013	Funfgeld	8.6
0600 11600 0100 003001	Korus & ors	29.1
0600 11600 0100 007002	Green Meadows LLC	108.8
0600 11600 0200 001001	Green Meadows LLC	24.8
0600 11600 0200 002000	Marro & Petrocelli	25.5
0600 11600 0200 003000	Marro & Petrocelli	25.5
0600 11700 0100 003000	Zeh	41.7
0600 11700 0100 005001	Gibbs & Miloski	10.5
0600 11700 0100 005002	Gibbs & Miloski	1.7
0600 11700 0100 005003	Gibbs & Miloski	28.8
0600 11700 0100 006000	Ambrosini	24.1
0600 11700 0[1]200 008002	DeLalio Sod Farms	52.0
0600 13600 0100 004000	Dibernardi	14.9
0600 13700 0100 032000	DeLalio Sod Farms	52.0
0600 14400 0100 027006	Spindler	12.4
0600 14600 0100 027009	Martino	9.2
0900 11600 0300 002000	Harry S. Ludlow	2.7
0908 00200 0100 008000	Christian Wolffer	1.6
0908 00200 0200 001000	Sag Pond Properties LLC	12.4
0908 00200 0200 002000	Wolffer Estate Stables LLC	1.1
0908 00200 0200 003000	Sag Pond Properties LLC	1.0
0908 00200 0200 006000	Wolffer Estate Vineyards LLC	16.9
0908 00200 0200 007000	Wolffer Estate Vineyards LLC	2.8
0908 00200 0200 008000	Wolffer Estate Vineyards LLC	0.9
0908 00200 0200 013000	Wolffer Estate Holding LLC	0.6
0908 00200 0200 014000	Wolffer Estate Holding LLC	19.6
0908 00200 0200 021000	Wolffer Farms LLC	2.2
0908 00200 0200 022000	Wolffer Estate Stables LLC	22.3
0908 00200 0200 023000	Wolffer Estate Stables LLC	2.9

Tax Map Number	Name	Acres
0908 00200 0200 024000	Wolffer Estate Stables LLC	2.0
[0908 00200 0200 027000]	[Wolffer Estate Stables LLC]	[3.9]
0908 00200 0200 028000	Wolffer Estate Stables LLC	3.2
0908 00200 0200 029000	Sag Pond Properties LLC	13.2
0908 00200 0200 030000	Wolffer Estate Vineyards LLC	1.1
0908 00200 0200 031000	Christian Wolffer	27.4
0908 00200 0300 004000	NL Housing LLC	1.3
1000 03100 0100 005009	Patricia Sepenoski	7.9
1000 03100 0100 005010	Patricia Sepenoski	2.1
1000 03100 0600 028006	SCPDR	8.2
1000 03800 0100 001013	SCPDR	27.5
1000 05600 0300 009000	Ira & Kathy Haspel	4.5
1000 13300 0100 003003	Howard Pickerell	247.0
1000 13300 0100 00300 <u>7</u> <u>4</u>	Bill Pell	28.0
1000 13300 0100 026000	Aeros Cultured Oyster Co.	30.0
1000 13300 0100 028002	Aeros Cultured Oyster Co.	37.0
1000 14000 0100 023001	LI Oyser LLC	0.8
	Total Acreage	[9,054.9] <u>9,051.0</u>

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

3rd **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution is a Type II action pursuant to Title 6 NYCRR Part 617.5(c)(20) and (27) since it constitutes a local legislative decision in connection with routine agency administration and management in compliance with Article 25AA (Agricultural Districts) of the New York State Agricultural and Markets Law, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1660-2008
 Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

RESOLUTION NO. 659 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOSEPH LICATA and LAURA LICATA, his wife (SCTM NO. 0400-100.00-03.00-007.000)

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 100.00, Block 03.00, Lot 007.000, 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 100.00, Block 03.00, Lot 007.000; 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 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, JOSEPH and LAURA LICATA have made application of said above described parcel and JOSEPH and LAURA LICATA have paid the application fee and \$44,702.09, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOSEPH LICATA and LAURA LICATA, his wife, 36 Three Sisters Road, St. James, New York 11780, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1661-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

**RESOLUTION NO. 660 -2008, AUTHORIZING
THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF
REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE
SUFFOLK COUNTY TAX ACT MONICA DITURI (SCTM NO.
0400-206.00-02.00-098.000)**

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 206.00, Block 02.00, Lot 098.000, 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 206.00, Block 02.00, Lot 098.000; 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 16-1976, provision has been made for the sale of such real property acquired by the County through tax sale; and

WHEREAS, MONICA DITURI has made application of said above described parcel and MONICA DITURI has paid the application fee and \$33,983.12, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2007; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to MONICA DITURI, 61 Evert Street, Huntington Station, New York 11746, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1671-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 661 -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO.
267-2008**

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 267-2008; 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. 267-2008

In the 7th **RESOLVED** paragraph change the Project Title:

FROM:

Project Title

Storm Water Remediation to **Brown** Creek @ CR 85, Montauk Hwy
001-PRO-3199

TO:

Project Title

Storm Water Remediation to **Green** Creek @ CR 85 Montauk Hwy

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1672-2008
Introduced by Legislator Eddington

Laid on Table 8/5/2008

**RESOLUTION NO. 662 -2008, AUTHORIZING CERTAIN
TECHNICAL CORRECTIONS TO THE 2008 ADOPTED
OPERATING BUDGET FOR THE GREATER BELLPORT CIVIC
ASSOCIATION**

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 Greater Bellport Coalition and the correct name of this contract agency is the Greater Bellport Civic Association; and

WHEREAS, the intent of this Legislature is to provide the Greater Bellport Civic Association with a total of \$10,000 through the Department of Economic Development & Workforce Housing; and

WHEREAS, the County Legislature desires to make technical corrections to the 2008 Adopted Operating Budget to assist in funding the Greater Bellport Civic Association 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	ECD	6410	JBW1	4980	Greater Bellport Coalition (Visioning)	-\$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	JBW1	4980	Greater Bellport Civic Association	+\$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 Greater Bellport Civic Association.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1683-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 663 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a BERTHA

**TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL
a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR
BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE BY
RAYMOND CLARK AS EXECUTOR (SCTM NO. 0300-
100.00-01.00-009.000)**

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel;
and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of East Hampton, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0300, Section 100.00, Block 01.00, Lot 009.000, and acquired by tax deed on September 30, 2003, from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on October 6, 2003, in Liber 12276, at Page 226, and otherwise known as and by Town of East Hampton, Map of Hampton Terrace, Lots 17, 18, 19, 20, 21 & 22, Block 3, filed in the Office of the Suffolk County Clerk on November 21, 1911, as Map No. 473; and

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

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

WHEREAS, RAYMOND CLARK as Executor for the Estate of Bertha E. Tuttel a/k/a Bertha Tuttel a/k/a Bertha Tuttle a/k/a Bertha E. Tuttle a/k/a Bertha Bedell a/k/a Bertha Bedell Straus a/k/a Bertha Elonor Bedell Straus a/k/a Bertha Bedell Tuttle, has made application of said above described parcel and RAYMOND CLARK as Executor for the Estate of Bertha E. Tuttel a/k/a Bertha Tuttel a/k/a Bertha Tuttle a/k/a Bertha E. Tuttle a/k/a Bertha Bedell a/k/a Bertha Bedell Straus a/k/a Bertha Elonor Bedell Straus a/k/a Bertha Bedell Tuttle, has paid the application fee and \$2,273.40, 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 THE ESTATE OF BERTHA E. TUTTEL a/k/a BERTHA TUTTEL a/k/a

BERTHA TUTTLE a/k/a BERTHA E. TUTTLE a/k/a BERTHA BEDELL a/k/a BERTHA BEDELL STRAUS a/k/a BERTHA ELONOR BEDELL STRAUS a/k/a BERTHA BEDELL TUTTLE by Raymond Clark as Executor, c/o Marie Corliss, Esq., Covey, Roberts, Corliss & Carmody-Roberts, LLP, 200 Katonah Avenue, Village Commons, Katonah, New York 10536, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1686-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 664 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CHARLES JUNIOR JACKSON and BETTY JEAN HARDY (SCTM NO. 0500-181.00-01.00-036.000)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel;
and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 181.00, Block 01.00, Lot 036.000, and acquired by tax deed on April 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2008, in Liber 12550, at Page 472, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 181.00, Block 01.00, Lot 036.000; 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 28, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on May 9, 2008 in Liber 12550 at Page 472.

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 JUNIOR JACKSON has made application of said above described parcel and CHARLES JUNIOR JACKSON has paid the application fee and \$9,756.40, 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 CHARLES JUNIOR JACKSON and BETTY JEAN HARDY, 1691 Manatuck Blvd., Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1687-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 665 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW NO. 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT LYNDA EDWARDS (SCTM NO. 0206-017.00-02.00-019.001)

WHEREAS, the COUNTY OF SUFFOLK acquired the following described parcel;
and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0206, Section 017.00, Block 02.00, Lot 019.001, and acquired by tax deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008, in Liber 12553, at Page 960, and otherwise known as and by Incorporated Village of Port Jefferson, Town of Brookhaven, County of Suffolk and State of New York, known and described as Lot Number 13 and the northwesterly part of Westview Avenue as abandoned on a certain map entitled "Westview" filed in the Office of Suffolk County Clerk as Map Number 533; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on June 2, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on June 9, 2008 in Liber 12553 at Page 960.

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, LYNDA EDWARDS has made application of said above described parcel and LYNDA EDWARDS has paid the application fee and \$2,033.34, 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 LYNDA EDWARDS, 667 High Street, Port Jefferson, New York 11777, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1742-2008
Introduced by Presiding Officer Lindsay

Laid on Table 8/5/2008

**RESOLUTION NO. 666 -2008, TO MAKE TECHNICAL
CHANGE TO RESOLUTION NO. 141-2004**

WHEREAS, Resolution No. 141-2004 approved the petition of Fire Island Ferries, Incorporated for a cross bay ferry license; and

WHEREAS, the petition submitted by Fire Island Ferries Incorporated requested a license through March 15, 2009; and

WHEREAS, Resolution No. 141-2004 inadvertently indicated that the license was extended through March 15, 2008; now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 141-2004 is hereby amended and corrected as follows:

RESOLVED, that:

* * * *

(3) A ferry license and franchise be and the same hereby is granted to Fire Island Ferries Incorporated of Bay Shore, New York to operate a public ferry service over and upon the waters of the Great South Bay for service as follows:

Between the ferry terminals at Bay Shore and the Fire Island communities of Kismet, Fair Harbor, Dunewood, Atlantique, Seaview and Ocean Bay Park, and the Incorporated Villages of Ocean Beach and Saltaire, both express and local service, with intermittent stops among said communities and Villages, all of which lie within the County of Suffolk commencing on the date of approval hereof up to and including March 15, [2008] 2009;

* * * *

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 141-2004 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), (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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1743-2008
Introduced by Presiding Officer Lindsay

Laid on Table 8/5/2008

RESOLUTION NO. 667 -2008, TO MAKE TECHNICAL CHANGE TO RESOLUTION NO. 142-2004

WHEREAS, Resolution No. 142-2004 approved the petition of Fire Island Ferries, Incorporated for a lateral ferry license; and

WHEREAS, the petition submitted by Fire Island Ferries Incorporated requested a license through March 15, 2009; and

WHEREAS, Resolution No. 142-2004 inadvertently indicated that the license was extended through March 15, 2008; now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 142-2004 is hereby amended and corrected as follows:

RESOLVED, that:

* * * *

(3) A ferry license and franchise be and the same hereby is granted to Fire Island Ferries Incorporated of Bay Shore, New York to operate a public ferry service over and upon the waters of the Great South Bay for service as follows:

Lateral service along the Fire Island Beach among the communities of Fire Island Lighthouse, Kismet, Fair Harbor, Dunewood, Atlantique, Seaview, Ocean Bay Park, Sailor's Haven, Watch Hill Marina and the Incorporated Villages of Ocean Beach and Saltaire, all of which lie within

WHEREAS, the Public Works and Transportation Committee of this Legislature has reported its recommendations on the application to the Legislature as a whole; now, therefore be it

1st **RESOLVED**, that the Petition of Davis Park Ferry Co., dated and verified January 4, 2008 is approved as follows:

RATE SCHEDULES

See attached following pages

and be it further

2nd **RESOLVED**, that subject to the provisions of Chapter 287 of the Suffolk County Administrative Code the Davis Park Ferry Co. shall by March 31, 2009 comply with the following recommendations contained in Resolution No. 461-2005 which, to date, have not been met.

- 1.) Provide to the Public Works Committee or any successor committee information on the "Buy Out" of Fred Sherman and a plan to liquidate the payment to Fred Sherman from their balance sheet.
- 2.) The lease of the office and the lease of the "Marquette" and "Nicolet", shall be formalized in writing with properly executed agreements detailing the method of calculating consideration.
- 3.) Fully executed leases and any amendments thereto with the Town of Brookhaven and the National Park Service shall be filed with the Clerk of the Legislature. Proof of current payment of leases is also required.
- 4.) Implement cash control system that provides an auditable and verifiable trail that will reconcile revenues, ridership, and cash. To demonstrate compliance with this condition the company will file with the Suffolk County Legislature audited 2007 financial statements and an unaudited 2008 income statement.

and be it further

3rd **RESOLVED**, that said rates shall take effect immediately; 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 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 (6NYCRR) and within the meaning of Section 8-0109 (2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, 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.

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
 RETURNED BY THE COUNTY EXECUTIVE UNSIGNED SEPTEMBER 4, 2008

Exhibit B

Passenger Rates

	Old Rate	New Rate	% Increase
Adult One Way	\$7.00	\$8.50	22%
Child One Way	\$4.50	\$5.75	28%
Senior One Way	\$6.25	\$8.00	28%
Adult Round Trip	N/A	\$16.00	N/A
Child Round Trip	N/A	\$10.50	N/A
Senior Round Trip	N/A	\$15.00	N/A
Dog (Round Trip Only)	\$4.50	\$5.25	16 ¼%
20 Trip Book of Tickets	\$122.00	\$140.00	15%
40 Trip Card	\$195.50	\$238.00	21 ¾%
60 Trip Book	N/A	\$357.00	N/A
Water Taxis			
During Ferry Hours			
10 people or less	\$130.00	\$180.00	N/A
11 people or more			
Per person	\$ 13.00	\$ 18.00	N/A
After Ferry Hours			
10 people or less	\$150.00	\$200.00	N/A
11 people or more			
Per person	\$ 15.00	\$ 20.00	N/A

Specials

Following July 4th until Thursday before Labor Day.

Family Day – Up to 2 children ride ½ price with 1 parent paying full round trip fare (no tickets, cards, or coupons) (Tuesday)

Ladies Day (Wednesday)	\$14.00 Same day round trip
Teenage Day (Thursday)	\$14.00 Same day round trip

Freight Rates

Amusements

Item	Old Rate	New Rate	% Increase
Bowling Game	\$17.75	\$20.40	15%
Cigarette Machine	\$10.50	\$12.00	14 ¼%
Football Game	\$14.25	\$16.35	15%
Juke Box	\$15.00	\$17.25	15%
Pinball Machine	\$17.75	\$20.40	15%
Video Game	\$14.25	\$16.35	15%
Pool Table	\$22.75	\$26.15	15%

Appliances

Item	Old Rate	New Rate	% Increase
Dishwasher	\$9.00	\$10.35	15%
Dryer	\$9.00	\$10.35	15%
Freezer, residential	\$23.25	\$26.75	15%
Freezer, commercial	\$34.30	\$39.45	15%
Microwave Oven	\$4.50	\$5.15	14 ¼%
Range 4 Burner Stove	\$13.75	\$15.75	14 ½%
Range Top	\$3.45	\$3.95	14 ½%
Refrigerator, residential	\$21.00	\$24.15	15%
Refrigerator, commercial	\$32.95	\$37.90	15%
Soda Machine	\$26.50	\$30.35	14 ½%
Stove: Coal/Wood	\$12.65 min.	\$14.55 min.	15%
	\$0.05 p/gal	\$0.06 p/gal	15%
Trash Compactor	\$6.60	\$7.60	15.1%
Washing Machine	\$13.25	15.25	15.1%

Building Supplies

Item	Old Rate	New Rate	% Increase
Asphalt Tub	\$2.65	\$3.05	15%
Bricks, p/brick	\$0.12	\$0.14	15%
Cement, bag 90 lbs	\$3.50	\$4.00	14 ¼%
Cement block, 8"std/4" solid	\$0.50	\$0.60	20%
Cement block, 12' std.	\$0.60	\$0.70	16 ¾%
Cement covers, 5x2'	\$13.00	\$14.95	15%

Cement covers, 2' round	\$7.00	\$8.05	15%
Cement mixer	\$7.90	\$9.10	15.1%

Item	Old Rate	New Rate	% Increase
Doors			
Combo & Exterior	\$4.50	\$5.15	14 ¼%
Interior & Louvre	\$3.00	\$3.45	15%
Jalousie w/glass	\$4.50	\$5.15	14 ¼%
Pre-hung & Shower	\$4.50	\$5.15	14 ¼%
Sliding glass set, 6'	\$11.50	\$13.20	14 ¾%
Sliding glass set, 8'	\$17.00	\$19.55	15%
Door frame, set	\$9.50	\$10.95	15.2%
Door jambs, set	\$0.85	\$1.00	17%
Flagstone, per piece, bulk	\$0.65	\$0.75	15%
Felt, roll	\$1.00	\$1.15	15%
Fiberglass panel, 2'x8'	\$0.75	\$0.90	19%
Flue Pipe, 8"x8"	\$0.85	\$1.00	17%
Flue Pipe, 12' piece	\$1.25	\$1.45	15 ¾%
Formica, 4'x8' or roll	\$3.00	\$3.45	15%
Glass minimum per piece	\$3.00	\$3.45	15%
Gravel, sand 50 lb bag	\$2.00	\$2.30	15%
Homosote, 4'x8' sheet	\$0.85	\$1.00	17%
Insulation, bundle	\$1.75	\$2.00	14 ¼%
Ladder, step	\$1.25	\$1.45	15 ¾%
Ladder, 20' extension	\$2.25	\$2.60	15 ¾%
Ladder, 40' extension	\$4.50	\$5.15	14 ¼%
Lath, 2'x8' wire	\$4.00	\$4.60	15%
Leader or gutter, 10' piece	\$0.75	\$0.90	19%
Leader or gutter, 20' piece	\$0.75	\$0.90	19%
Masonite, 4'x8' panel	\$1.10	\$1.25	14 ½%
Molding, bundle, per foot	\$0.25	\$0.30	20%
Nails, 50# box	\$1.25	\$1.45	15 ¾%
Poles, CCA			
6"x8'	\$3.25	\$3.75	15 ½%
6"x20'	\$5.75	\$6.65	15 ¾%
6"x25'	\$7.75	\$8.95	15 ½%
8"x20'	\$8.50	\$9.75	14 ¾%
8"x25'	\$10.75	\$12.30	14 ½%
10"x20'	\$12.50	\$14.40	15 ¼%
Over 20 feet add p/ft.	\$0.85	\$1.00	17%
R.R. ties, creosote	\$3.25	\$3.75	15 ½%
Landscape ties, CCA	\$2.00	\$2.30	15%
Roof deck, 2'x8' panel	\$0.85	\$1.00	17%
Roofing, shingles per bundle	\$3.50	\$4.00	14 ½%
Roofing, roll or split sheet	\$1.10	\$1.25	14 ½%
Scaffold, w/return	\$8.75	\$10.10	15 ½%

Screens	\$0.85	\$1.00	17%
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Item	Old Rate	New Rate	% Increase
Sheetrock:			
½" 4'x8' sheet	\$1.10	\$1.25	14 ½%
½" 4'x10'	\$1.15	\$1.35	17 ½%
½" 4'x12'	\$1.25	\$1.45	15 ¾%
Shingles, wood p/bundle	\$1.50	\$1.75	16 ¾%
Siding break w/return	\$8.50	\$9.75	14 ¾%
Skylight	\$3.25	\$3.75	15 ½%
Slate, per piece, bulk	\$0.60	\$0.70	16%
Siding, bundle	\$1.25	\$1.45	15 ¾%
Snow fence, 50' roll	\$2.75	\$3.15	14 ¾%
Snow fence posts, bdl. of 10	\$1.50	\$1.75	16 ¾%
Split Rail Fence, per piece	\$0.70	\$0.80	15%
Stockade Fence, 6' x 8' section	\$3.50	\$4.00	14 ½%
Stockade Fence Post, each	\$0.60	\$0.70	16 ¾%
Styrofoam, 2' x 8' sheet	\$0.50	\$0.60	20%
Tar kettle w/return	\$35.00	\$40.25	15 %
Tar	\$1.50	\$1.75	16 ¾%
Tar Roofing 5gal. pail	\$1.10	\$1.25	14 ½%
Tile, ceiling, box	\$1.25	\$1.45	15 ¾%
Tile, floor, box	\$1.50	\$1.75	16 ¾%
Tile, ceramic, box	\$1.50	\$1.75	16 ¾%
Wonderboard	\$3.00	\$3.45	15%

Bulk Shipments: Liquids, Gas, Etc.
(Price includes return of empties)

Item	Old Rate	New Rate	% Increase
Bulk liquid per gallon	\$0.30	\$0.35	16 ¾%
55-gal. drum w/gas, oil or kerosene	\$15.30	\$17.60	15%
Gas, oil, or kerosene p/gal	\$0.30	\$0.35	16 ¾%
Gas tank, 6 gallon	\$1.75	\$2.00	14 ¼%
Gas, 5 gal. container	\$1.50	\$1.75	16 ¾%
Gas cylinder, lg. (Chlorine, etc)	\$4.60	\$5.30	15 ¼%
Gas cylinder, sm. (Co2, etc)	\$3.50	\$4.00	14 ½%
Propane cylinder, 100 lb.	\$5.00	\$5.75	15%
Propane cylinder, 25 lb.	\$1.25	\$1.45	15 ¾%
Freight Boat – minimum charge (unscheduled)	\$250.00	\$287.50	15%
Barge minimum charge	\$500.00	\$575.00	15%

Furniture

Item	Old Rate	New Rate	% Increase
Beds & Bedding			

Bed end	\$1.50	\$1.75	16 ¾%
Bed Frame	\$1.50	\$1.75	16 ¾%
Bed, Folding	\$2.50	\$2.90	16%
Mattress or box springs			
Single	\$3.25	\$3.75	15 ½%
Double	\$5.00	\$5.75	15%
Queen	\$6.50	\$7.50	15 ½%
King	\$8.75	\$10.10	15 ½%
Chair, folding	\$0.90	\$1.05	17%
Chair	\$1.50	\$1.75	16 ¾%
Chaise, aluminum	\$1.30	\$1.50	15 ½%
Chaise, redwood	\$2.30	\$2.65	15 ¼%
Cabinets, kitchen, per foot:			
Lower Units	\$3.50	\$4.00	14 ¼%
Upper Units	\$2.50	\$2.90	16%
Dresser	\$3.00	\$3.45	15%
Hi-riser	\$11.50	\$13.25	15 ¼%
Hutch	\$8.75	\$10.10	15 ½%
Lamp, floor style	\$2.25	\$2.60	15 ¾%
Lamp, table style	\$1.50	\$1.75	16 ¾%
Love Seat	\$4.75	\$5.45	14 ¾%
Piano	\$26.20	\$30.00	14 ¾%
Play Pen	\$1.50	\$1.75	16 ¾%
Recliner	\$5.00	\$5.75	15%
Rocker	\$1.75	\$2.00	14 ¼%
Rug or padding, roll	\$2.50	\$2.90	16%
Sofa	\$5.00	\$5.75	15%
Sofa, convertible	\$26.00	\$29.90	15%
Table, cocktail	\$1.75	\$2.00	14 ¼%
Table, dining	\$4.25	\$4.90	15 ½%
Table, end	\$1.50	\$1.75	16 ¾%
Table, picnic	\$5.00	\$5.75	15%
TV Set, cabinet	\$5.75	\$6.60	15%
TV Set, console	\$8.75	\$10.10	15 ½%
TV Set, portable	\$4.25	\$4.90	15 ½%
Stereo component, per piece	\$1.50	\$1.75	16 ¾%

Garden Supplies & Tools

Item	Old Rate	New Rate	% Increase
Bush 25lb.	\$2.00	\$2.30	15%
Chainsaw	\$1.50	\$1.75	16 ¾%
Fertilizer:			
25 lb. bag	\$1.15	\$1.35	17 ½%
40-50 lb. bag	\$2.00	\$2.30	15%
75-80 lb. bag	\$3.25	\$3.75	15 ½%
100 lb. bag	\$4.00	\$4.60	15%

Flat of plants or flowers	\$0.85	\$1.00	17%
Hay, bale	\$1.75	\$2.00	14 ¼%
Mower	\$3.25	\$3.75	15 ½%
Peat moss, 2 c.f. bale	\$1.10	\$1.25	14 ½%
Peat moss, 4 c.f. bale	\$1.50	\$1.75	16 ¾%
Peat moss, 6 c.f. bale	\$1.75	\$2.00	14 ¼%
Pine bark (chips), bag	\$1.50	\$1.75	16 ¾%
Plant, single small container	\$1.10	\$1.25	14 ½%
Rota-tiller	\$4.50	\$5.15	14 ¼%
Sprayer	\$4.50	\$5.15	14 ¼%
Table Saw	\$8.75	\$10.10	15 ½%
Tree, add \$2.00 p/ft over 3 ft.	\$3.00	\$3.45	15%

Groceries, Food, & Restaurant Supplies

Item	Old Rate	New Rate	% Increase
Beer, case of cans	\$0.75	\$0.85	14 ½%
Beer, case of bottles	\$0.75	\$0.85	14 ½%
Beer & Soda empties, p/case	\$0.75	\$0.85	14 ½%
Beer, ¼ keg w/return	\$3.75	\$4.30	14 ¾%
Beer ½ keg w/return	\$5.00	\$5.75	15%
Bread or cake, box or bag	\$0.75	\$0.85	14 ½%
Cigarettes, single case	\$1.60	\$1.85	15 ¾%
Cigarettes, double case	\$2.75	\$3.15	14 ¾%
Cones, carton	\$0.75	\$0.85	14 ½%
Cookies, carton	\$1.60	\$1.85	15 ¾%
Dairy products, per piece, bulk	\$0.65	\$0.75	15 ½%
Deli products, per piece, bulk	\$0.65	\$0.75	15 ½%
Eggs, case	\$1.20	\$1.40	16 ¾%
Fish, crate or box	\$2.65	\$3.05	15 ¼%
Fish, carton, bag or bushel	\$1.20	\$1.40	16 ¾%
Frozen food, p/carton, bulk	\$0.45	\$0.50	13%
Ice Cream, lg. carton	\$4.00	\$4.60	15%
Ice Cream, sm. Carton	\$2.00	\$2.30	15%

Item	Old Rate	New Rate	% Increase
Liquor, case	\$2.00	\$2.30	15%
Meat, p/100 lb. bulk	\$3.60	\$4.15	15 ½%
Meat, lg. carton, crate or box	\$1.30	\$1.50	15 ½%
Meat, sm. carton	\$0.80	\$0.90	13 ½%
Milk, case w/return	\$0.80	\$0.90	13 ½%
Newspapers, magazines p/bundle	\$0.80	\$0.90	13 ½%
Paper logs, kindling, p/bundle	\$0.80	\$0.90	13 ½%
Soda, case of cans	\$0.70	\$0.80	15%
Soda, case of bottles	\$0.80	\$0.90	13 ½%

Soda, empties per case (24)	\$0.35	\$0.40	15%
Soda Syrup, 4 gal. carton	\$1.20	\$1.40	16 ¾%
Soda syrup, cylinder w/return	\$3.25	\$3.75	15 ½%
Supplies, p/carton 25 lbs or less	\$0.75	\$0.85	14 ½%
Supplies, 25 lbs & over p/lb	\$0.05	\$0.06	20%
Vegetables & produce carton/crate	\$0.80	\$0.90	13 ½%
Water, 5gal. bottle w/return	\$3.10	\$3.55	14 ¾%

Hardware

Item	Old Rate	New Rate	% Increase
Hardware, package or carton	\$1.10	\$1.25	14 ½%
Paint, case	\$1.50	\$1.75	16 ¾%
Paint, gallon can	\$1.50	\$1.75	16 ¾%
Paint, 5 gal. pail	\$1.50	\$1.75	16 ¾%

Windows

Item	Old Rate	New Rate	% Increase
Single Unit	\$3.00	\$3.45	15%
Mullion	\$4.50	\$5.15	14 ¼%
Triple or picture	\$8.75	\$10.10	15 ½%
Bay or Bow	\$10.00	\$11.50	15%

Miscellaneous

Item	Old Rate	New Rate	% Increase
Air conditioner	\$2.50	\$2.90	16%
Battery, std. size	\$1.75	\$2.00	14 ¼%
Bicycle	\$3.00	\$3.45	15%
Boats, p/ft.	\$1.75	\$2.00	14 ¼%
Boat Trailer	\$13.00	\$14.95	15%
Cash Register	\$3.25	\$3.75	15 ½%
Carts – Garden	\$4.00	\$4.75	18 ¾%
Carts – Shopping	\$1.25	\$1.50	20%
Carton, not exceeding 25 lbs.	\$0.75	\$0.85	14 ¼%
Carton, over 25 lbs. p/lb.	\$0.05	\$0.06	20%

Item	Old Rate	New Rate	% Increase
Coal, per bag, 50 lbs.	\$1.85	\$2.10	14%
Copy machine	\$5.90	\$6.75	14 ½%
Dry Cleaning, box or bundle	\$1.30	\$1.50	15 ½%
Garbage can – empty	\$1.30	\$1.50	15 ½%
Laundry – bag or bundle w/return	\$2.00	\$2.30	15%
Motor, outboard 1hp. -10 hp.	\$2.30	\$2.65	15 ¼%
Sunfish Sailboat	\$26.30	\$30.25	15%
Surfboard	\$3.00	\$3.45	15%
Tricycle, small	\$1.50	\$1.75	16 ¾%

Wagon – empty	\$1.25	\$1.50	20%
Wagon – Loaded	\$2.50	\$3.00	20%
Windsurfer	\$14.50	\$16.75	15 ½%
Windsurfer w/mast, boom, & sail	\$20.00	\$23.00	15%
Firewood, cord 4' X32" X8'	\$62.50	\$72.00	15 ¼%

Passenger Luggage

Item	Old Rate	New Rate	% Increase
Box, bag, suitcase (25 lbs. or less)	\$0.75	\$0.85	14 ½%
Box, bag, suitcase 25 lbs. or more p/lb.	\$0.05	\$0.06	20%
Wagon	\$2.50	\$3.00	20%
Shopping Cart	\$1.25	\$1.50	20%
Garden Cart	\$4.00	\$4.50	18 ¾%
Hand Truck	\$2.50	\$3.00	20%

Plumbing Supplies

Item	Old Rate	New Rate	% Increase
Basin	\$1.50	\$1.75	16 ¾%
Cast Iron Fittings	\$0.85	\$1.00	17%
Closet set	\$4.25	\$4.90	15 ½%
Pipe:			
Steel 6' length	\$1.50	\$1.75	16 ¾%
Steel 8' length	\$1.75	\$2.00	14 ¼%
Steel 10' length	\$2.25	\$2.60	15 ¾%
Copper 20' length	\$1.25	\$1.45	15 ¾%
Copper 10' length	\$0.75	\$0.85	14%
PVC 10' length	\$0.40	\$0.45	13%
PVC 20' length	\$0.80	\$0.90	13%
Shower, enclosure	\$4.25	\$4.90	15 ½%
Shower, base	\$5.00	\$5.75	15%
Shower, stall, fiberglass	\$20.25	\$23.30	15%
Shower, tub size, fiberglass	\$38.00	43.70	15%
Sink	\$1.50	\$1.75	16 ¾%
Toilet	\$4.25	\$4.90	15 ½%

Item	Old Rate	New Rate	% Increase
Tub, cast iron	\$17.50	\$20.00	14 ½%
Tub, fiberglass	\$7.25	\$8.35	15 ¼%
Water Heater, electric or gas Per gallon capacity	\$0.15	\$0.17	15%

Refuse

Shipping of Container only, does not include dumping fees

Item	Old Rate	New Rate	% Increase
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30 yard container	\$362.80	\$417.20	15%
20 yard container	\$241.90	\$278.15	15%
10 yard container	\$181.40	\$208.60	15%

Vehicles

Item	Old Rate	New Rate	% Increase
Cushman type scooter	\$25.25	\$29.00	15%
Small trucks, passenger	\$61.50	\$70.70	15%
Truck ¾ ton max. capacity	\$69.00	\$79.35	15%

Vehicles not in operating condition add 50%

Lumber price p/linear ft – New Rates 27% Higher

	CCA	FIR	CEDAR	PINE
1 x 2	\$0.0191	\$0.0177	\$0.0107	\$0.0177
1 x 4	\$0.0383	\$0.0339	\$0.0215	\$0.0339
1 x 6	\$0.0576	\$0.0534	\$0.0322	\$0.0534
5/4 x 4	\$0.0499	\$0.0463	\$0.0279	\$0.0463
5/4 x 6	\$0.0720	\$0.0669	\$0.0403	\$0.0669
5/4 x 8	\$0.0960	\$0.0891	\$0.0538	\$0.0891
2 x 4	\$0.0768	\$0.0712	\$0.0427	\$0.0712
2 x 6	\$0.1154	\$0.1069	\$0.0645	\$0.1069
2 x 8	\$0.1536	\$0.1424	\$0.0861	\$0.1424
2 x 10	\$0.1921	\$0.1781	\$0.1073	\$0.1781
2 x 12	\$0.2261	\$0.2138	\$0.1290	\$0.2138
3 x 6	\$0.1921	\$0.1781	\$0.1073	\$0.1781
3 x 8	\$0.2306	\$0.2138	\$0.1290	\$0.2138
4 x 4	\$0.1532	\$0.1422	\$0.0857	-----
6 x 6	\$0.3460	\$0.3044	-----	-----
8 x 8	\$0.6150	\$0.5699	-----	-----

***Lumber – Miscellaneous
Plywood Price per Sheet***

Item	Old Rate	New Rate	% Increase
1/4	\$0.50	\$0.60	20%
3/8	\$0.80	\$0.90	13 1/2%
1/2	\$1.10	\$1.25	14 1/2%
5/8	\$1.25	\$1.45	15 3/4%
3/4	\$1.65	\$1.90	15 1/4%

Legislator Cooper made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 12-6-0-0-0. Deputy Presiding Officer Vilorio-Fisher and Legislators Romaine, Schneiderman, Alden, Kennedy and Nowick voted no.

Intro. Res. No. 1645-2008

Laid on Table 6/24/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 669 -2008, ADOPTING LOCAL LAW NO. 35 -2008, A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on June 24, 2008, a proposed Charter law entitled, " **A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL;**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 35 -2008, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW TO IMPLEMENT TWO-YEAR ROLLING DEBT POLICY UNDER 5-25-5 LAW TO MITIGATE BUDGETARY SHORTFALL

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 Local Law No. 23-1994, "A Charter Law to Establish 5-25-5 Debt Policy," was adopted for the purpose of making the Capital Program and Budget approval and appropriation process more meaningful and more responsive to the needs of the public and to accommodate increased future debt service payments by prohibiting the issuance of debt to pay for the following County operating expenses:

- 1.) repair and maintenance not significantly extending the useful life of an asset;
- 2.) dredging projects - \$100,000 or less;
- 3.) road and equipment repairs;
- 4.) roof replacement;
- 5.) equipment purchases that may not occur in the same location or department if:
 - a.) costs are incurred on annual basis;
 - b.) item price is \$5,000 or less;
 - c.) aggregate cost is less than \$25,000; and
 - d.) useful life is five (5) years or less;
- 6.) 9 mm guns; and
- 7.) soft body armor vests.

This Legislature further finds that the County of Suffolk has waived the application of the 5-25-5 during periods of significant economic downturns.

This Legislature also finds that the County of Suffolk faces the prospect of a budget deficit between \$130 and \$150 million in 2009.

This Legislature further determines that interest rates are still low by historical standards, thereby permitting substitution of low cost debt for a limited number of recurring expenses during 2008 and 2009 in order to deal with the impact of the anticipated budget shortfall.

Therefore, the purpose of this law is to waive the application of the 5-25-5 Law for a two-year period of time and to permit traditional normal bonding for items that would otherwise be required to be paid for under the 5-25-5 Law in order to deal with the anticipated budget shortfall,.

Section 2. Amendment.

§ C4-19 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

§4-19. Adoption of capital program.

- A.) Not less than two weeks after the public hearing required by § C4-18 and not later than the 30th day of June, the County Legislature shall adopt the proposed capital program, with or without amendments.
- B.) If the County Legislature does not adopt a capital program on or before the 30th day of June, the proposed capital program shall be deemed adopted as submitted.
 - 1.) Commencing in fiscal year 1996, funding for recurring expenses shall be paid by a transfer from the General Fund rather than through the issuance of debt.
 - 2.) The requirement of subsection (1) of this paragraph shall not apply to recurring expenses incurred, or necessary to

be paid, during fiscal years [2006 and 2007] 2008 and 2009.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law only during fiscal years 2008 and 2009.

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 (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 not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

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

Date DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008
After a public hearing duly held on September 2, 2008
Filed with the Secretary of State on September 16, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 13-1-3-0-1. Legislator Barraga voted no. Legislators Schneiderman, Montano and Kennedy abstained. Legislator Alden was recused.

Intro. Res. No. 1679-2008
Introduced by Presiding Officer Lindsay

Laid on Table 8/5/2008

RESOLUTION NO. 670 -2008, ADDING DEPOSITORY TO LIST OF DESIGNATED DEPOSITORIES FOR SUFFOLK COUNTY (EMPIRE NATIONAL BANK)

WHEREAS, the Suffolk County Legislature adopted Resolution No. 8-2008, "Designating Depositories Pursuant to Section 212 of the County Law", at its organizational meeting on January 2, 2008; and

WHEREAS, the Suffolk County Treasurer has requested that said Resolution be amended to include the Empire National Bank; now, therefore, be it

1st RESOLVED, that the first RESOLVED clause of Resolution No. 8-2008 be amended to read as follows:

RESOLVED, that each of the following banks having and maintaining a principal or branch office or offices in the County of Suffolk, namely, Bank of New York, 1401 Franklin Avenue, Garden City, New York; JP Morgan Chase Bank, 395 North Service Road, Melville, New York; Citibank, 730 Veterans Memorial Highway, Hauppauge, New York; Commerce Bank, 45 Melville Park Road, Melville, New York; Bank of America, 300 Broad Hollow Road, Melville, New York; North Fork Bank, 275 Broad Hollow Road, Melville, New York; State Bank of Long Island, 740 Veterans Memorial Highway, Hauppauge, New York; Suffolk County National Bank, 6 West Second Street, Riverhead, New York; New York Commercial Bank, 1601 Veterans Memorial Highway, Suite 120, Islandia, New York; HSBC Bank, 534 Broad Hollow Road, Melville, New York, Hamptons State Bank, North Sea Road and Windmill Lane, Box 5037, Southampton, New York, Wachovia Bank, 58 South Service Road, Melville, New York, Bridgehampton National Bank, 2200 Montauk Highway, Bridgehampton, New York, Bank of Smithtown, 1 East Main Street, Smithtown, NY 11787, [and] the Madison National Bank, 888 Veterans Memorial Highway, Suite 400, Hauppauge, NY, 11787, and Empire National Bank, 1707 Veterans Highway, Islandia, NY 11749 or any successor entity thereto, be and the same are hereby designated and appointed a depository for the deposit of moneys received or under the control of the County Treasurer, pursuant to Section 212 of the NEW YORK COUNTY LAW, provided, however, that the maximum amount to be kept on deposit in any such bank or branches shall not exceed \$750,000,000.00 including interest bearing deposits in any one of said bank or branches, except that such limitation

shall not apply to those depositories in which regular county working accounts (checking accounts) are maintained in whatever amounts are required for the regular and necessary conduct of the County's business; and be it further

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 8-2008 shall remain the same.

[] Brackets denote deletion of existing language
___Underlining shall mean addition of new language.

DATED: August 19, 2008

Effective pursuant to Section 212 of the NEW YORK COUNTY LAW.

Legislator Montano made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-0-2-0-0. Legislators Romaine and Kennedy abstained.

Intro. Res. No. 1702-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

TAX ANTICIPATION NOTE RESOLUTION NO. 671 -2008

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$105,000,000 TAX ANTICIPATION NOTES OF THE COUNTY OF SUFFOLK, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED FOR COUNTY PURPOSES OR RETURNED TO THE COUNTY FOR COLLECTION FOR THE FISCAL YEARS COMMENCING JANUARY 1, 2005, 2006, 2007 AND 2008, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), the power to authorize the issuance of Tax Anticipation Notes (herein called the "Notes") of the County of Suffolk, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$105,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The following matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes levied for County purposes or returned to the County for collection for the fiscal years commencing January 1, 2005, 2006, 2007 and 2008.

(b) No notes have heretofore been authorized or issued in anticipation of the collection of said taxes, other than the \$300,000,000 Tax Anticipation Notes-2008 (Series I), dated and issued on January 3, 2008.

(c) Said Notes shall mature within the period of one year from the date of their issuance, and may be renewed from time to time in accordance with the provisions of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the powers to enter into one or more letter of credit agreements or liquidity facility agreements for the Notes, are hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, TIM LAUBE, Clerk of the Suffolk County Legislature, in the State of New York, HEREBY CERTIFY that Tax Anticipation Note Resolution No. ____ - 2008 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Suffolk duly called and held on August 19, 2008 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Note Resolution which was duly adopted by the County Legislature on August 19, 2008 and approved by the County Executive on August __, 2008.

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

(SEAL)

Tim Laube
Clerk of the Legislature

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

RESOLUTION NO. 672 -2008 ACCEPTING AND APPROPRIATING AN AMENDMENT TO THE COLLEGE BUDGET FOR A GRANT AWARD FROM THE STATE UNIVERSITY OF NEW YORK FOR AN EDUCATIONAL OPPORTUNITY PROGRAM 87% REIMBURSED BY STATE FUNDS AT SUFFOLK COUNTY COMMUNITY COLLEGE

WHEREAS, the 2007-2008 College Operating Budget provides \$150,875 for an Educational Opportunity Program (EOP) grant from the State University of New York, for the period of September 1, 2007 through August 31, 2008; and

WHEREAS, the grant award has been increased by \$25,000, to support additional tutoring services for the 2007-2008 fiscal year, bringing the total amount of the grant award to \$127,000; and

WHEREAS, the grant award has been further increased by \$76,471 for the 2008 EOP Summer Program, bringing the final total amount of the grant award to \$203,471; and

WHEREAS, it is necessary to amend the College budget in the amount of \$52,596 to provide for the increase in the grant award; and

WHEREAS, matching funds in the amount of \$30,039 are provided for in the College Operating Budget; and

WHEREAS, the Board of Trustees of Suffolk County Community College accepted the amendment to the 2007-2008 College budget for the increase in the grant award in the amount of \$52,596 on June 26, 2008 by Resolution No. 2008. ; and

WHEREAS, the College anticipates spending the increase in the grant award in the amount of \$52,596 in accordance with the terms of said grant before August 31, 2008; now, therefore be it

1st RESOLVED, that said 2007-2008 College Operating Budget be amended to reflect the increase in the grant award from the State University of New York, for an Educational Opportunity Program grant in the amount of \$52,596, and said amount be accepted and appropriated for the operation of the program as follows:

REVENUES:	AMOUNT
State Aid: EOP: 818-GRT-3203-08	\$52,596

APPROPRIATIONS:	AMOUNT
EOP: 818-GRT-GC07-08	\$52,596

Suffolk County Community College
Educational Opportunity Program (EOP)
818-GRT-GC07-08

1000-Personal Services	\$ 30,000
1130-Temporary Salaries	10,000
1180-Part-Time Instructors - Summer	20,000
3000-Supplies & Materials	\$ 20,121
3100-Instructional Supplies	2,000
3500-Unclassified Supplies	18,121
8000-Employee Benefits	\$ 2,475
8330-Social Security	2,295
8350-Unemployment Insurance	180

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1699-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 673 -2008 AUTHORIZING A LEASE AGREEMENT WITH THE HERTZ CORPORATION FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS, Suffolk County owns and operates Francis S. Gabreski Airport in Westhampton Beach; and

WHEREAS, The Hertz Corporation has submitted an application requesting a lease to operate a car rental service; and

WHEREAS, the Department of Economic Development and Workforce Housing has negotiated a lease with The Hertz Corporation for counter space and a parking area as further defined in Exhibit A, for a term of three (3) years, at an annual rental rate of \$993.00 for the first year of the lease term and an annual escalation of two and one-half percent (2.5%); and

WHEREAS, this project is in compliance with the adopted 1990 Airport Master Plan Update, the 2008 Airport Master Plan Draft Update, the 1995 Central Pine Barrens Comprehensive Land Use Plan, the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan, the 1999 Town of Southampton Comprehensive Plan Update and the Town of Southampton Aquifer Protection Overlay District requirements; and

WHEREAS, through Executive Order 26-2006 the County Executive created the Airport Conservation and Assessment Panel (ACAP) comprised mostly of local community group representatives, to evaluate applications for proposed leases, lease renewals, lease extensions, lease modifications and licenses and to issue formal recommendations to the County Executive, the CEQ and the County Legislature; and

WHEREAS, on May 2, 2007, the Airport Conservation and Assessment Panel reviewed the proposed development and, as noted in the panels' written recommendation attached as Exhibit B, recommends that the lease be approved; and

WHEREAS, through Resolution No. 793-2007 the Suffolk County Legislature has determined that proposed development as reflected in the attached lease agreement constitutes a Type II action and no further review is required under SEQRA; now, therefore be it

1st RESOLVED, that the County Executive or his designee, be and hereby is authorized to execute a lease agreement for the use of the above described property between The Hertz Corporation and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit A.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1741-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislators Cooper, Romaine

RESOLUTION NO. 674 -2008, AUTHORIZING A RENEWABLE ENERGY REQUEST FOR PROPOSALS

WHEREAS, the rapidly rising cost of oil and gasoline, the threat posed by global climate change and our nation's unhealthy dependence on foreign oil, have led to a renewed focus on developing renewable energy sources; and

WHEREAS, Suffolk County is situated in a prime geographic and climatologic location for the development of solar and wind energy sources; and

WHEREAS, the development of solar, wind, and other renewable energy systems at County facilities has the potential to provide clean renewable power to serve the County's energy needs while stabilizing the County's energy costs; and

WHEREAS, Suffolk County, a traditional leader on environment and energy issues, must continue to enact policies to promote and advance renewable power; and

WHEREAS, it is necessary and prudent for Suffolk County to assess County properties and determine land and buildings suitable for new wind and solar power facilities; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Public Works is hereby authorized, empowered, and directed, to develop and issue a Request for Proposals (RFP) for the purpose of identifying a consultant/contractor to provide the following services:

- 1.) An assessment of County buildings and lands to determine locations that are suitable, from an economic and technical viewpoint, for the development of solar, wind, or other alternative power facilities;
- 2.) Analysis of the economic and environmental benefits of installing solar and wind power facilities on County properties;
- 3.) An assessment and analysis of project financing options, focusing on how federal, state, and private funds can be utilized to develop new facilities;
- 4.) A review of government programs that may be available to assist Suffolk County in the installation of alternative energy facilities;
- 5.) Identify technical and economic barriers that may prevent the successful installation of solar and wind facilities on County properties;

and be it further

2nd RESOLVED, that the Department of Public Works shall issue the above described Request for Proposals within 120 days of the effective date of this resolution; and be it further

3rd RESOLVED, that the Department of Public Works shall report the results of the RFP to the County Legislature within 120 days of the issuance of the RFP, for further action by this Legislature; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Cooper made motion for the following resolution, seconded by Legislator Gregory. The resolution was passed 15-3-0-0-0. Legislators Schneiderman, Losquadro and Barraga voted no.

Intro. Res. No. 1274-2008

Laid on Table 3/18/2008

Introduced by Legislators Cooper, Horsley, Gregory, Stern, D'Amaro

RESOLUTION NO. 675 -2008, TO PROMOTE LAND ACQUISITIONS FOR OPEN SPACE, FARMLAND PRESERVATION AND HAMLET PARKS IN UNDERSERVED COMMUNITIES

WHEREAS, the County of Suffolk has been a nationwide leader in the acquisition of land for open space and farmland preservation; and

WHEREAS, despite these extensive efforts, certain communities in the County have not benefited as much as other communities from the land acquisition programs; and

WHEREAS, it is important to the health and quality of life of Suffolk residents that land acquisitions in the more densely populated areas of the County be maximized; and

WHEREAS, increased efforts should be made now to acquire lands in these communities before their open space disappears entirely; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Planning is hereby authorized, empowered and directed to amend its three department rating forms to provide points for land acquisitions in Census Designated Places that have a density level of 1000 persons per square mile or greater; 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) 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: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED SEPTEMBER 4, 2008.

Legislator Schneiderman made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 16-2-0-0-0. Legislators Alden and Barraga voted no.

Intro. Res. No. 1670-2008
Introduced by Legislator Schneiderman

Laid on Table 8/5/2008

**RESOLUTION NO. 676 -2008, AUTHORIZING
PLANNING STEPS FOR THE ACQUISITION OF LAND
UNDER THE SUFFOLK COUNTY DRINKING WATER
PROTECTION PROGRAM, AS AMENDED BY LOCAL
LAW 24-2007 (REEVES BAY PROPERTY – TOWN OF
SOUTHAMPTON)**

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 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 39.28 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0900 Section 147.00 Block 01.00 Lot 005.000	4	Richard & Donna Landress 249 Sheep Pasture Road East Setauket, NY 11733
No. 2	District 0900 Section 147.00 Block 01.00 Lot 006.005	7.9	Norman Penny c/o Charles Penny 33 Bay Avenue Riverhead, NY 11901
No. 3	District 0900 Section 147.00 Block 02.00 Lot 023.000	1.5	Marcy Rubenstein PO Box 5032 Quogue, NY 11959
No. 4	District 0900 Section 147.00 Block 02.00 Lot 028.001	0.7	Fland Hampton Holdings, LLC c/o Robin Nedboy PO Box 338 Laurel, NY 11948
No. 5	District 0900 Section 147.00 Block 02.00 Lot 029.000	1.4	Joseph Grill 129 W. 27 th Street, Suite 12 New York, NY 10001
No. 6	District 0900 Section 147.00 Block 02.00 Lot 032.000	1.5	Joseph Grill 129 W. 27 th Street, PH New York, NY 10001
No. 7	District 0900 Section 147.00 Block 02.00 Lot 017.000	2.6	WHB Properties 7 Seafeld Lane Westhampton, NY 11978
No. 8	District 0900 Section 147.00 Block 01.00 Lot 001.000	5.1	Alfred Berti 501 Riverdale Avenue, Apt. 5E Yonkers, NY 10705
No. 9	District 0900 Section 147.00 Block 02.00 Lot 031.000	0.94	Kenneth Ettlinger 1368 Flanders Road, Rt. 24 Flanders, NY 11901

No. 10	District	0900	3.7	Kenneth Ettlinger
	Section	148.00		Temple Avenue
	Block	01.00		Riverhead, NY 11901
	Lot	075.000		
No. 11	District	0900	9	Kenneth Ettlinger
	Section	148.00		Fanning Road
	Block	01.00		Riverhead, NY 11901
	Lot	076.000		
No. 12	District	0900	0.94	Kathleen Chisholm
	Section	148.00		16 Center Street
	Block	01.00		Yarmouth, ME 04096
	Lot	074.000		
Total Acreage			±39.28	

EXHIBIT "A"

Legislator Schneiderman made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-2-0-0-0. Legislators Alden and Barraga voted no.

Intro. Res. No. 1712-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 677 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH THE CHARTER LAW EXTENDING AND ACCELERATING THE SUFFOLK COUNTY 1/4% DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION FOR LAND ACQUISITIONS

WHEREAS, at the general election held on November 6, 2007, the electorate approved the mandatory referendum on Resolution No. 770-2007, Adopting A Charter Law Extending and Accelerating the Existing Suffolk County ¼% Drinking Water Protection Program for Environmental Protection, Sewer District Tax Rate Stabilization and County-wide Property Tax Protection from December 31, 2013 to November 30, 2030 (Local Law No. 24-2007); and

WHEREAS, the intent of Local Law No. 24-2007 is to extend the ¼% Suffolk County Drinking Water Protection Program for 17 years and to accelerate the land acquisition component of the program, by permitting borrowing of up to \$322 million over the next four (4) years, with the cost of the borrowing to be repaid from the ¼% Sales Tax Revenue Stream; and

WHEREAS, Local Law No. 24-2007 will allow the County to borrow money now at reduced interest rates, purchase the last vestiges of land available, and pay off its debt service at a later date, all to the benefit of the Suffolk County taxpayers; and

WHEREAS, under that law, 31.10% of the total revenues generated each calendar year by the ¼% Sales Tax Revenue Stream is allocated and deposited annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the Suffolk County Environmental Programs Trust Fund can be used for the payment of debt service on serial bonds or notes authorized via duly enacted resolution of the County of Suffolk and issued for the purchase of farmland development rights, open space, wetlands, woodlands, pine barrens, and other lands which are suitable only for passive, recreational use, land for use as Hamlet Greens, Hamlet Parks, pocket parks, active parkland, active recreation, historic and/or cultural park uses; and

WHEREAS, principal and interest expenses, bond or note issuance costs and all other expenses directly related to the bonds or notes issued for such purchases may be paid from the sales tax revenues allocated and deposited annually to the Suffolk County Environmental Programs Trust Fund; and

WHEREAS, the serial bonds or notes issued for the purchase of development rights or land under this program are required to be authorized by a duly enacted bond or note resolution of the County of Suffolk adopted in the calendar years 2008, 2009, 2010 or 2011; and

WHEREAS, any such bonds or notes must be issued on or prior to December 31, 2011, and the final maturity of such bonds and notes shall be no later than December 31, 2030; and

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

WHEREAS, the County Legislature by even date herewith has authorized the issuance of \$25,000,000 in Suffolk County Serial Bonds to cover the cost of purchasing land under the Suffolk County ¼% Drinking Water Protection Program for Environmental Protection; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, not including new programs or major reordering of priorities that may affect the environment; and be it further

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

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

4th **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-two (72), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

Project No.: 8712
 Project Title: Suffolk County ¼% Drinking Water Protection Program for Environmental Protection - Land Acquisition Component

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Program and Budget</u>	<u>Revised 2008 Capital Program and Budget</u>
2. Land Acquisition	\$25,000,000.00	\$ 0	\$25,000,000.00B
TOTAL	\$25,000,000.00	\$ 0	\$25,000,000.00

and be it further

6th **RESOLVED**, that the proceeds of \$25,000,000.00 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-8712.210 (Fund 477-Debt Service)	Suffolk County ¼% Drinking Water Protection Program for Environmental Protection - Land Acquisition Component	\$25,000,000.00

and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: August 25, 2008

Legislator Schneiderman made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 16-2-0-0-0. Legislators Alden and Barraga voted no.

Intro. Res. No. 1712A-2008

BOND RESOLUTION NO. 678 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$25,000,000 BONDS TO FINANCE TO FINANCE THE COST OF THE ACQUISITION OF LAND AND/OR DEVELOPMENT RIGHTS UNDER THE SUFFOLK COUNTY 1/4% DRINKING WATER PROTECTION PROGRAM FOR ENVIRONMENTAL PROTECTION LAND ACQUISITIONS (CP 8712.210)

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 \$25,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land and/or development rights under the Suffolk County 1/4% Drinking Water Protection Program pursuant to Local Law No. 24-2007, 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 \$57,000,000. The plan of financing includes (a) the issuance of \$32,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 164-2008, (b) the issuance of \$25,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable. It is expected that certain sales tax revenues to be collected pursuant to the Suffolk County 1/4% Drinking Water Protection Program shall be available and shall be used to pay principal and interest on the bonds and notes authorized to be issued pursuant to this bond resolution. In accordance with Local Law 24-2007, the bonds authorized pursuant to this resolution, and any bond anticipation notes issued in anticipation thereof, are required to be issued on or prior to December 31, 2011; and all such bonds and notes must be authorized by duly enacted bond or note resolutions adopted in the calendar years 2008, 2009, 2010 or 2011.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years. However, in accordance with Local Law 24-2007, the bonds authorized pursuant to this resolution, and any bond anticipation notes issued in anticipation thereof, shall mature no later than December 31, 2030.

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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1718-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 679 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY MULTIFACETED LAND PRESERVATION PROGRAM – OPEN SPACE PRESERVATION PROGRAM - FOR THE ZEBROWSKI & MULVIHILL ESTATE PROPERTY – LONG POND GREENBELT – TOWN OF SOUTHAMPTON – (SCTM NOS. 0900-025.00-01.00-012.000 AND 0900-025.00-01.00-045.000)

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. 830-2006 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 One Million Four Hundred Forty Five Thousand Dollars (\$1,445,000.00), 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 0900	10.3±	Dolores Zebrowski
	Section 025.00		P.O. Box 24
	Block 01.00		Sag Harbor, NY 11963
	Lot 012.000		
No. 2	District 0900		The Estate of William Mulvihill
	Section 025.00		c/o Mary Mulvihill, Exectruix
	Block 01.00		70 Dosis Way
	Lot 045.000		Glen Cove, NY 11542

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(s), the funding for which shall be provided under the Suffolk County Multifaceted Land Preservation Program, for a purchase price of One Million Four Hundred Forty Five Thousand Dollars (\$1,445,000.00), subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$1,445,000.00, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-7177.227, Suffolk County Multifaceted Land Preservation Program, for this acquisition; and be it further

4th **RESOLVED**, that the 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 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.

- 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**, 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1719-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 680 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY ENVIRONMENTAL LEGACY FUND FOR OPEN SPACE PRESERVATION FOR THE BEECHWOOD HORSEBLOCK BUILDING CORP. PROPERTY – OVERTON PRESERVE – TOWN OF BROOKHAVEN – (SCTM NO. 0200-544.00-01.00-008.002)

WHEREAS, the Suffolk County Environmental Legacy Fund was established by Resolution No. 281-2007, allocating fifty million dollars for the acquisition of: environmentally sensitive lands pursuant to the traditional Open Space Preservation Program, Resolution No. 762-1986 et seq.; farmland development rights pursuant to the Suffolk County Administrative Local Law Chapter 8, Development Rights to Agricultural Lands; active parklands including playgrounds, soccer fields, football fields, baseball fields, outdoor concerts, horseback riding or equine endeavors and/or other community recreational needs; or historic properties that exhibit historic and/or archeological significance, where there is a partner who will provide at least a 50% matching contribution to its acquisition; and

WHEREAS, Resolution No. 86-2008 appropriated \$15,000,000.00 for acquisitions under the Suffolk County Environmental Legacy Fund; and

WHEREAS, Resolution No. 203-2004 authorized planning steps for acquisition of the subject property; and

WHEREAS, the Town of Brookhaven (“Town”) has approved Resolution No. 410-A1-07 on July 1, 2008, authorizing the acquisition of the subject property in partnership with the County of Suffolk; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the Suffolk County Environmental Legacy Fund pursuant to the traditional Suffolk County Open Space Preservation Program (1986 et seq.), for a total purchase price of One Million Eight Hundred Ninety Four Thousand Forty One Dollars (\$1,894,041.00±), at One Hundred Eighteen Thousand (\$118,000.00) per acre, for 16.0512± acres, which cost is to be shared by the County of Suffolk and the Town, with the County of Suffolk’s share, totaling Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents (\$947,020.50±) for a fifty percent (50%) undivided interest; and the Town’s share, totaling Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents (\$947,020.50±), for a fifty percent (50%) undivided interest, as tenants-in-common, subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 544.00 Block 01.00 Lot 008.002	16.0512±	Beechwood Horseblock Building Corp. Michael Dubb, President c/o Richard Rosenberg, Esq. 500 North Broadway-Suite 240 Jericho, NY 11753

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Suffolk County Environmental Legacy Fund, for the County's portion of the purchase price of Nine Hundred Forty Seven Thousand Twenty Dollars and Fifty Cents (\$947,020.50±), 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 \$947,020.50±, subject to a final survey, from previously appropriated funds in Capital Project 525-CAP-8731, Suffolk County Environmental Legacy Fund, for this acquisition; and be it further

4th **RESOLVED**, that the title to this acquisition shall be held by the County of Suffolk and the Town, as tenants-in-common, with the County of Suffolk owning a fifty percent (50%) undivided interest and the Town owning a fifty percent (50%) undivided interest; and be it further

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

6th **RESOLVED**, that the subject parcel(s) shall be transferred to the Department of Parks, Recreation and Conservation for passive recreational use; and be it further

7th **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management is hereby authorized to negotiate and enter into any necessary collateral agreements with the Town to effectuate the terms of the resolution; and be it further

8th **RESOLVED**, if desired, the County of Suffolk, through its Department of Parks, Recreation and Conservation, is hereby authorized to negotiate and enter into a municipal cooperative agreement with the Town for the management of this acquisition, consistent with this program, and the terms and conditions thereof shall be approved by the Suffolk County Attorney in consultation with the

respective Commissioner of the County Department of Parks, Recreation and Conservation, who is charged with the management and operation of said property; and be it further

9th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1720-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 681 -2008, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE FAIRFIELD CORAM 112, LLC PROPERTY – OVERTON PRESERVE – TOWN OF

BROOKHAVEN – (SCTM NO. 0200-524.00-01.00-047.001)

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. 203-2004, authorized planning steps for the acquisition of said property; and

WHEREAS, the Environmental Trust Review Board has reviewed the appraisals and the report of the Internal Appraisal Review Board and has approved the purchase price and authorized the Director of 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 New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Eleven Million Two Hundred Thousand Dollars (\$11,200,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

	SUFFOLK COUNTY		REPUTED OWNER
<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>AND ADDRESS:</u>
No. 1	District 0200	23.0±	Fairfield Coram 112, LLC
	Section 524.00		66 Commack Road
	Block 01.00		Commack, NY 11725
	Lot 047.001		

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Eleven Million Two Hundred Thousand Dollars (\$11,200,000.00), 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 \$11,200,000.00, 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) 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 pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Eighteen (18) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of Planning,

consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

6th **RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

- c.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area

and be it further

7th **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

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

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

10th **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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1721-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 682 -2008, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE FAIRFIELD MILL ESTATES, LLC AS CONTRACT VENDEE FOR THE P AND F MINING CORP.

**PROPERTY – OVERTON PRESERVE – TOWN OF
BROOKHAVEN – (SCTM NO. 0200-495.00-05.00-007.001)**

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. 203-2004, authorized planning steps for the acquisition of said property; and

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, Open Space component, for a total purchase price of Five Million Seven Hundred Seventy Two Thousand Seven Hundred Twenty Dollars (\$5,772,720.00±), at One Hundred Twenty Thousand Dollars (\$120,000.00) per acre for 48.106± 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:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER AND ADDRESS:</u>
No. 1	District 0200 Section 495.00 Block 05.00 Lot 007.001	48.106±	Fairfield Mill Estates, LLC as Contract Vendee from P & F Mining Corp. 66 Commack Road Commack, NY 11725

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-3(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, Open Space component, Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of Five Million Seven Hundred Seventy Two Thousand Seven Hundred Twenty Dollars (\$5,772,720.00±), subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay \$5,772,720.00±, 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 as of December 1, 2007, Open Space component, Section C12-2(A)(1) 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 pursuant to Section C12-2(A)(2)(c), this property is not to be developed and Twenty Six (26) Workforce Housing Development Rights shall be removed and placed in the Suffolk County Workforce Housing Transfer of Development Rights Program registry pursuant to the Workforce Housing Development Rights Program as developed by the Department of

Planning, consistent with Resolution No. 412-2005, as amended, and approved by the Suffolk County Executive and the Suffolk County Legislature; and be it further

6th **RESOLVED**, that the acquisition of such parcel(s) meets the following criteria as required under Section C12-2(A)(1) of the SUFFOLK COUNTY CHARTER:

d.) any tract of land located fully or partially within the statutorily designated Special Groundwater Protection Area:

and be it further

7th **RESOLVED**, that the subject parcel(s) shall be transferred to the County Department of Parks, Recreation and Conservation for passive recreational use; and be it further

8th **RESOLVED**, that the above activity is an unlisted action pursuant to the provisions of Title 6 NYCRR, Part 617; and be it further

9th **RESOLVED**, that the project will not have a significant effect on the environment for the following reasons:

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

002.000, 0900-333.00-02.00-011.000, 0900-333.00-03.00-029.000, 0900-335.00-01.00-011.000 AND 0900-335.00-01.00-024.000)

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

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

WHEREAS, adequate funding is provided for, under the Old Suffolk County Drinking Water Protection Program, pursuant to Section C12-5(E)(1)(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. 1356-2002, 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 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 residual fee of 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 Twenty Seven Thousand Six Hundred Dollars (\$27,600.00), 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 0900 Section 242.00 Block 01.00 Lot 009.000	.06±	Joseph Zachary Gazza P.O. Box 969 Quogue, NY 11959
No. 2	District 0900	.06±	

	Section	242.00	
	Block	01.00	
	Lot	011.000	
No. 3	District	0900	.33±
	Section	285.00	
	Block	01.00	
	Lot	012.000	
No. 4	District	0900	1.6±
	Section	305.00	
	Block	01.00	
	Lot	004.000	
No. 5	District	0900	0.3±
	Section	327.00	
	Block	02.00	
	Lot	002.000	
No. 6	District	0900	.23±
	Section	333.00	
	Block	02.00	
	Lot	011.000	
No. 7	District	0900	1.29±
	Section	333.00	
	Block	03.00	
	Lot	029.000	
No. 8	District	0900	.09±
	Section	335.00	
	Block	01.00	
	Lot	011.000	
No. 9	District	0900	1.56±
	Section	335.00	
	Block	01.00	
	Lot	024.000	

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the residual fee of 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 Twenty Seven Thousand Six Hundred Dollars (\$27,600.00), 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 \$27,600.00, 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 recreation use; and be it further

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

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

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

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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Losquadro made motion for the following resolution, seconded by Legislator Eddington. The resolution was passed 10-3-4-1-0. Legislators Alden, Barraga, and Gregory voted no. Legislators Montano, Kennedy, Nowick and Horsley abstained. Presiding Officer Lindsay was not present.

Intro. Res. No. 1725-2008

Laid on Table 8/5/2008

Introduced by Legislator Losquadro

RESOLUTION NO. 684 -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW 24-2007 (R. I. MILLER PLACE CORP. PROPERTY – TOWN OF BROOKHAVEN) (SCTM NO. 0200-013.00-01.00-002.001)

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 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 9.8 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
 County Executive of Suffolk County

Date: September 3, 2008

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District: 0200 Section 013.00 Block 01.00 Lot 002.001	9.8	Robert I. Toussie 290 Exeter Drive Brooklyn, NY 11235

EXHIBIT "A"

Legislator Cooper made motion for the following resolution, seconded by Legislator Browning. The resolution was passed 16-1-0-1-0. Legislator Barraga voted no. Presiding Officer Lindsay was not present.

Intro. Res. No. 1734-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 685 -2008, AMENDING RESOLUTION
NO. 1357-2007, IN CONNECTION WITH THE BROWNFIELDS
PROGRAM (CP 8223.111)**

WHEREAS, Resolution No. 1357-2007 appropriated \$855,000 in 100% Suffolk County funds; and

WHEREAS, \$50,670 of these appropriated funds are eligible for 90% reimbursement for on-site work and 100% reimbursement for off-site work from the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the reimbursement is to be received pursuant to a State Assistance Contract between the NYS Department of Environmental Conservation and Suffolk County under the Clean Water/Clean Air Bond Act, Environmental Restoration Program, for investigation related to the Former Bellport Gas Station (Site Number E152194); and

WHEREAS, the County is required to first instance fund the entire cost of the project and subsequently receive reimbursement for the State portion based on actual expenditures; now, therefore be it

1st RESOLVED, that the apportionment of the cost of Capital Project 8223.111 be amended to reflect the additional ninety percent (90%) State assistance for on-site work and one hundred percent (100%) State assistance for off-site work dedicated in the amount of \$46,346; and be it further

2nd RESOLVED, that the current allocation of funding is \$808,654 in County Serial Bonds and \$46,346 in State Aid for a total cost of \$855,000; and be it further

3rd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$808,654; and be it further

4th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$808,654 the County share; and be it further

5th RESOLVED, that the County Treasurer and County Comptroller are hereby authorized and directed to accept State funding of up to \$46,346; and be it further

6th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total State share of \$46,346; and be it further

7th **RESOLVED**, that this Legislature being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Volume 6 of New York Code of Rules and Regulations ("NYCRR") Section 617.5 (c) 20 and 27, and the Legislature has no further responsibilities under SEQRA.
DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1748-2008

Laid on Table 8/5/2008

Introduced by Legislator Schneiderman

RESOLUTION NO. 686 -2008, AMENDING RESOLUTION NO. 683-2006, CREATING A REGIONAL SOLID WASTE MANAGEMENT COMMISSION TO REDUCE POLLUTION, TRAFFIC CONGESTION AND FINANCIAL IMPACT OF CURRENT SOLID WASTE DISPOSAL PRACTICES IN SUFFOLK COUNTY

WHEREAS, Resolution No. 683-2006 created the Regional Solid Waste Management Commission to evaluate current regional solid waste disposal practices in Suffolk County and to evaluate the financial and environmental benefits of new technologies for their use in Suffolk County; and recommend alternatives to current practices that are both environmentally and economically beneficial; and

WHEREAS, the Commission requires additional time to complete their report; now, therefore be it

1st **RESOLVED**, that the 9th RESOLVED clause of Resolution No. 683-2006 is hereby amended to read as follows:

9th **RESOLVED**, that the Commission shall file a report [within twelve (12) months from the date of its first meeting] no later than December 31, 2008; and be it further

and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 683-2006 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), (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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Romaine made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 16-0-2-0-0. Presiding Officer Lindsay and Legislator Cooper abstained.

Intro. Res. No. 1667-2008 Laid on Table 8/5/2008
Introduced by Legislators Romaine, Browning, Schneiderman, Eddington, Horsley, Gregory, and D'Amaro

RESOLUTION NO. 687 -2008, TO REQUIRE VERIFICATION OF CERTIFICATES OF OCCUPANCY AND/OR RENTAL PERMITS FOR HOUSING USED BY THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the placement of public assistance recipients in substandard housing is a long-standing problem in our County; and

WHEREAS, the County of Suffolk has enacted several local laws designed to prevent the placement of Department of Social Services' clients in housing that is substandard, unsafe and/or non-compliant with local building and zoning codes; and

WHEREAS, despite these efforts, the unfortunate practice of placing public assistance recipients in substandard housing continues; and

WHEREAS, this Legislature wishes to establish that it shall be the policy of Suffolk County to verify that potential accommodations used by the Department of Social Services to house recipients of public assistance have the necessary certificate of occupancy and/or rental permit; now, therefore be it

1st **RESOLVED**, that no individual receiving public assistance shall be housed in any accommodation that does not have a valid certificate of occupancy and/or rental permit issued by the municipality in which the housing accommodation is located; and be it further

2nd **RESOLVED**, that the Commissioner of Social Services is authorized, empowered, and directed to obtain copies of certificates of occupancy and or/rental permits from potential landlords before an individual is placed in the subject housing accommodation and/or before any payment is paid to said landlord; and be it further

3rd **RESOLVED**, that the Commissioner of Social Services shall maintain records of certificates of occupancy and/or rental permits for accommodations used by the Department of Social Services to house recipients of public assistance and he or she shall obtain updated copies of said documents should they expire; 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1692-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 688 -2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR A HEALTH PARTNERSHIP TRAINING PROGRAM – MINORITY MINI GRANT

WHEREAS, the New York State Department of Health has awarded 100% State grant funds to the Department of Health Services for a Health Partnership Training Program – Minority Mini Grant in the amount of \$14,500 for the period 04/01/08-03/31/09; and

WHEREAS, the purpose of this grant funding is to provide health education to minorities in the Wyandanch and Amityville areas through training to selected barbers and beauticians on a variety of health issues who will pass this information onto their clients; and

WHEREAS, a portion of this funding is already included in the 2008 Suffolk County Operating Budget and \$11,714 needs to be appropriated; and

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

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$11,714 grant funds as follows:

REVENUES:

001-3401 Public Health	\$11,714
------------------------	----------

APPROPRIATIONS:

Department of Health Services (HSV)
General Administration
Health Partnership Training Program – Minority Mini Grant
001-HSV-4004

<u>Supplies, Materials & Other</u>	<u>\$11,666</u>
3100 Instructional Supplies	\$4,202
3500 Other: Unclassified	\$7,464

<u>Travel</u>	<u>\$48</u>
4340 Travel: Other	\$48

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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res No. 1698-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 689 -2008, APPROVING THE REAPPOINTMENT OF DR. RICHARD E. DIBBLE AS A MEMBER OF THE SUFFOLK COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD

WHEREAS, Dr. Richard E. Dibble was re-appointed a member of the Suffolk County Public Employment Relations Board by Resolution No. 1064-2002 for a term which expired April 20, 2008 and it is the intent of the resolution to extend a third term to Richard Dibble; now, therefore be it

1st RESOLVED, that the re-appointment of Dr. Richard E. Dibble of 31 Flagstone Lane, Westbury, New York 11590, as a member of the Suffolk County Public Employment Relations Board be and the same hereby is approved for a term of office expiring on April 23, 2014, said appointment having been made by the Suffolk County Executive pursuant to the provisions of Section 44-6 of the Suffolk County Administration Code; and be it further

2nd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Article 8 of the New York Environmental Conservation Law and Section 617, 13(D) (15) (21) of Title 6 of the New York Code of Rules and Regulations (NYCRR) since such law constitutes routine or continuing agency administration and management and promulgation of the regulations, policies, procedures and legislative decision in connection with such action.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1700-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 690 -2008, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC., AND KIDS PLACE EARLY CHILDHOOD DAY SCHOOL, DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc., and Kids Place Early Childhood Day School, day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance; and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy; and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$206,685 be awarded for the period January 1, 2008 to December 31, 2008; and

WHEREAS, the Living Wage Hardship funding will be provided to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters (\$62,285), The Community Programs Center of Long Island, Inc. (\$84,950), and Kids Place Early Childhood Day School (\$59,450) up to a maximum total of \$206,685; now, therefore be it

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

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$206,685.00

TO:

001-DSS-6015-4770 Client Benefits Special Services

\$206,685.00

and be it further

2nd RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Brightwaters Child Care & Development Center, Inc. dba Kiddie Academy of Brightwaters, The Community Programs Center of Long Island, Inc., and Kids Place Early Childhood Day School.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1703-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 691 -2008, AUTHORIZING PLANNING STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY WORKFORCE HOUSING PROGRAM

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired and infrastructure improvements to be made by the County through the use of Capital Bond proceeds (CP 8704 and/or CP 7177 and CP 6411, as applicable); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Town of Huntington have identified two sites known as Suffolk County Tax Map Numbers 0400-140.00-03.00-072.000 (4 and 6 Columbia Street, Huntington Station, New York 11746) and 0400-140.00-03.00-073.000 (14 Columbia Street, Huntington Station, New York 11746) which would be appropriate for development as workforce housing; and

WHEREAS, the development is to be known as the "Columbia Street Take Back the Blocks Program" and is part of Huntington Town's community and government based initiative to transform dilapidated properties primarily run by absentee landlords into well-designed owner occupied affordable homes with safe affordable rental units; and

WHEREAS, the Town of Huntington has expressed an interest in partnering with the County of Suffolk to provide workforce housing at this location; 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 constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that this Legislature hereby finds that the parcels known as 0400-140.00-03.00-072.000 (4 and 6 Columbia Street, Huntington Station, New York 11746) and 0400-140.00-03.00-073.000 (14 Columbia Street, Huntington Station, New York 11746) meets the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements for the parcels listed herein below:

SUFFOLK COUNTY

<u>PARCEL:</u>	<u>TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER:</u>
No. 1	District 0400 Section 140.00 Block 03.00 Lot 072.000	10,500 SF	Community Properties (LLC) 4 and 6 Columbia Street Huntington Station, New York 11746
No. 2	District 0400 Section 140.00 Block 03.00 Lot 073.000	7500 SF	Community Properties (LLC) 14 Columbia Street Huntington Station, NY 11746

and be it further

4th RESOLVED, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title searches and to utilize such valid appraisals for the subject parcels 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

5th **RESOLVED**, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th **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; and be it further

7th **RESOLVED**, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement and/or Infrastructure Development Agreement between the County of Suffolk and the Town of Huntington, shall be appropriated to future and subsequent Workforce Housing Program projects.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1738-2008

Laid on Table 8/5/2008

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

**RESOLUTION NO. 692 -2008, AUTHORIZING PLANNING
STEPS FOR IMPLEMENTATION OF SUFFOLK COUNTY
WORKFORCE HOUSING PROGRAM**

WHEREAS, Article XXXVI of the SUFFOLK COUNTY ADMINISTRATIVE CODE establishes the County's Workforce Housing Program; and

WHEREAS, Section 36-2(C) of said Article authorizes land to be acquired and infrastructure improvements to be made by the County through the use of Capital Bond proceeds (CP 8704 and/or CP 7177 and CP 6411, as applicable); and

WHEREAS, the County Department of Economic Development and Workforce Housing and the Village of Greenport have identified a site known as Suffolk County Tax Map Number 1001-004.00-01.00-023.000 (314 Center Street, Greenport Village, NY) which would be appropriate for development as workforce housing; and

WHEREAS, the development is to be known as “The Southold Community Land Trust at Greenport” and is to be developed by the Community Land Trust of Southold, Inc., making it, the first fully operating community land trust dedicated to providing affordable housing on mainland Long Island; and

WHEREAS, the Village of Greenport has expressed an interest in working with the County of Suffolk to provide workforce housing at this location; 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 constitutes a Type II action pursuant to Section 617.5(c) (18), (20), (21) and (27) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) in that the resolution authorizes information collection and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action and because the resolution constitutes routine or continuing agency administration; since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd RESOLVED, that this Legislature hereby finds that the parcel known as SCTM No. 1001-004.00-01.00-023.000 (314 Center Street, Greenport Village, NY) meets the acquisition and infrastructure funding requirements of the County Workforce Housing Program and the need to fill the critical shortage of workforce housing in Suffolk County; and be it further

3rd RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing, is hereby authorized, empowered and directed, pursuant to Section 14-10(B) of the SUFFOLK COUNTY CHARTER, to plan for the acquisition of and/or infrastructure improvements for the parcels listed herein below:

<u>PARCEL:</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER:</u>	<u>ACRES:</u>	<u>REPUTED OWNER:</u>
No. 1	District 1001 Section 004.00 Block 01.00 Lot 023.000	.33	Jill Carsten Gordon 314 Center Street Greenport Village, New York 11944

and be it further

4th RESOLVED, that the County Department of Economic Development and Workforce Housing, the Division of Real Property Acquisition and Management, and the County Department of Law are hereby authorized, empowered and directed to take such other actions as may be necessary and appropriate to accomplish such planning purposes, including, but not limited to, securing appraisals, surveys, engineering reports, environmental audits, title search and to utilize such valid appraisals for the subject parcels 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

5th RESOLVED, that the Director of Affordable Housing within the Suffolk County Department of Economic Development and Workforce Housing is hereby authorized,

empowered and directed to take such other actions as may be necessary and appropriate to process such application; and be it further

6th 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; and be it further

7th RESOLVED, that any unencumbered, unallocated funds available upon the execution of a binding Development Agreement and/or Infrastructure Development Agreement between the County of Suffolk and the Village of Greenport or other applicable party, shall be appropriated to future and subsequent Workforce Housing Program projects.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1658-2008
Introduced by Legislator Schneiderman

Laid on Table 8/5/2008

RESOLUTION NO. 693 -2008, APPOINTING EDWARD W. WALTERS, JR., AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION, AND CONSERVATION

WHEREAS, Aurelio A. Colina, representing the Town of Southampton, has tendered his resignation as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation, effective November, 2007; and

WHEREAS, the Supervisor of the Town of Southampton has recommended the appointment of **Edward W. Walters, Jr.**, representing the Town of Southampton, to said Board; now, therefore be it

1st RESOLVED, that **Edward W. Walters, Jr.**, currently residing in Hampton Bays, New York, be and he hereby is appointed to fill the unexpired term of **Aurelio A. Colina**, pursuant to Section 28-1(C) of the SUFFOLK COUNTY CHARTER, as a member of the Suffolk County Board of Trustees of Parks, Recreation, and Conservation as the representative of the Town of Southampton for a term of office to expire on November 30, 2009.

DATED: August 19, 2008

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

Intro. Res. No. 1664-2008
Introduced by Legislator Browning

Laid on Table 8/5/2008

RESOLUTION NO. 694 -2008, AUTHORIZING USE OF SMITH POINT COUNTY PARK PROPERTY IN 2008 BY BUILDING HOMES FOR HEROES

WHEREAS, Building Homes for Heroes is a not-for-profit organization; and

WHEREAS, Building Homes for Heroes would like to use the Smith Point County Park in Shirley for the purpose of hosting a 5 Kilometer race, the proceeds of which would go to Building Homes for Heroes; and

WHEREAS, Building Homes for Heroes is planning to hold a 5 Kilometer race which would begin in the park and proceed up the William Floyd Parkway to Parkview Drive with a return to the park; and

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

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

WHEREAS, this race would be held on Sunday, October 26, 2008 from 6:00 a.m. to 12:00 noon; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred Fifty and 00/100 Dollars (\$350.00), payment of which shall be guaranteed by Building Homes for Heroes; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by Building Homes for Heroes; and

WHEREAS, the use of County property for such a fund drive for support of Building Homes for Heroes would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by Building Homes for Heroes, in consideration of the payment of Three Hundred Fifty and 00/100 Dollars (\$350.00) for the purpose of holding a 5 Kilometer race on October 26, 2008, between the hours of 6:00 a.m. and 12:00 noon, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and

conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Browning made motion for the following resolution, seconded by Deputy Presiding Officer Vilorio-Fisher. The resolution was passed 16-2-0-0-0. Legislators Losquadro and Barraga voted no.

Intro. Res. No. 1680-2008
Introduced by Legislator Browning

Laid on Table 8/5/2008

**RESOLUTION NO. 695 -2008, EXTENDING THE DEADLINE
FOR THE TRAP AND SKEET SEARCH COMMITTEE**

WHEREAS, Resolution No. 1231-2006 established the Trap and Skeet Search Committee to conduct a search for an appropriate location for a new Suffolk County Trap and Skeet Range; and

WHEREAS, this Search Committee will require additional time in order to complete its search and issue its report; now, therefore be it

1st **RESOLVED**, that the 9th RESOLVED clause of Resolution No. 1231-2006 is hereby amended as follows:

9th **RESOLVED**, that this special Committee shall submit a written report of its findings and determinations together with its recommendations to each member of the County Legislature and the County Executive no later than [one hundred twenty (120) days subsequent to the effective date of this Resolution] December 31, 2008 for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

and be it further

2nd **RESOLVED**, that all other terms and conditions of Resolution No. 1231-2006 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), (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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

**RESOLUTION NO. 696 -2008, AUTHORIZING USE OF SMITH
POINT PARK PROPERTY BY MASTIC KNIGHTS OF
COLUMBUS FOR 5K RACE**

WHEREAS, the Mastic Knights of Columbus is a not-for-profit organization; and

WHEREAS, the Mastic Knights of Columbus would like to use Smith Point Park for the purpose of a 5K Race to benefit Angela's House, an association that assists families caring for medically frail children living at home with their parents; and

WHEREAS, the Race would be held on Sunday, November 9, 2008 between the hours of 5:00 a.m. and 1:00 p.m.; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of Three Hundred Fifty and 00/100 dollars (\$350.00), payment of which shall be guaranteed by the Mastic Knights of Columbus; and

WHEREAS, the Mastic Knights of Columbus have requested the use of the adjoining parking lot for this event; and

WHEREAS, a Certificate of Insurance and accompanying declaration page naming Suffolk County as an additional insured will be provided by the Mastic Knights of Columbus; now, therefore be it

1st RESOLVED, that the use of County-owned property, Smith Point Park in Shirley, by the Mastic Knights of Columbus, in consideration of the payment of Three Hundred Fifty and 00/100 dollars (\$350.00), for the purpose of holding a 5K Race on November 9, 2008, between the hours of 5:00 a.m. and 1:00 p.m. 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 Mastic Knights of Columbus 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 Mastic Knights of Columbus must apply for and obtain a permit from the Commissioner of the Department of Parks, Recreation, and Conservation as required by Section 378-7(B) of the Suffolk County Code; and be it further

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

4th RESOLVED, that the Mastic Knights of Columbus shall also provide an entertainment promoter certificate to Suffolk County if it wishes to allow vendors at the event to

sell tangible personal property other than food or drink and require these vendors to display such certificate in order to comply with the provisions of the NEW YORK TAX LAW; and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1726-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislator Cooper

RESOLUTION NO. 697 -2008, REAPPOINT DANIEL R. OLIVIERI AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 1)

WHEREAS, the term of office of Daniel R. Olivieri as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

1st RESOLVED, that **Daniel R. Olivieri** residing in Greenlawn, NY, be and he hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 1, for a term of office to expire December 28, 2011, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

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

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE).

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

Intro. Res. No. 1727-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislator Alden

RESOLUTION NO. 698 -2008, REAPPOINT MICHAEL B. DELUISE AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 8)

WHEREAS, the term of office of Michael B. DeLuise as a member of the Suffolk County Vanderbilt Museum Commission expired on December 28, 2007; now, therefore be it

1st RESOLVED, that **Michael B. DeLuise** residing in Dix Hills, NY, be and he hereby is reappointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 8, for a term of office to expire December 28, 2011, said appointment having been made pursuant to the provisions of Section 184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 226-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Res. No. 1728 -2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay

RESOLUTION NO. 699 -2008, APPOINTING SARAH S. ANKER AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 14)

WHEREAS, Ronald Parr resigned as a member of the Suffolk County Vanderbilt Museum Commission on February 29, 2008, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Sarah S. Anker**, residing in Mt. Sinai, NY, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 14, to fill the unexpired term of Ronald Parr, for a term of office to expire December 28, 2009, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Res. No. 1729-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislators Kennedy, Nowick, Romaine

RESOLUTION NO. 700 -2008, APPOINTING NOEL J. GISH AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 10)

WHEREAS, Marjorie E. Fuhrmann resigned as a member of the Suffolk County Vanderbilt Museum Commission on December 28, 2007, thereby creating a vacancy; now, therefore be it

1st RESOLVED, that **Noel J. Gish**, residing in Smithtown, NY, is hereby appointed as a member of the Suffolk County Vanderbilt Museum Commission, as Trustee No. 10, to fill the unexpired term of Marjorie E. Fuhrmann, for a term of office to expire December 28, 2010, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Res. No. 1731-2008

Laid on Table 8/5/2008

Introduced by Legislators Browning and Eddington

RESOLUTION NO. 701 -2008, AUTHORIZING MASTIC BEACH AMBULANCE COMPANY TO USE SMITH POINT COUNTY PARK PROPERTY FOR AN EMS FIELD DAY

WHEREAS, the Mastic Beach Ambulance Company is a not-for-profit organization; and

WHEREAS, the Mastic Beach Ambulance Company would like to use the Smith Point County Park in Shirley for the purpose of hosting an EMS Field Day, the proceeds of which would go to the Mastic Beach Ambulance Company; and

WHEREAS, the event will need to use half of the parking lot as well as the DARE area; and

WHEREAS, this EMS Field Day will be held on Saturday, September 27, 2008 from 8:00 a.m. to 6:00 p.m., with a rain date of Sunday, September 28, 2008; and

WHEREAS, the County of Suffolk shall receive consideration in the total amount of One Hundred Twenty-five and 00/100 Dollars (\$125.00), payment of which shall be guaranteed by the Mastic Beach Ambulance Company; and

WHEREAS, a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured has been provided by the Mastic Beach Ambulance Company; and

WHEREAS, the use of County property for such an event to support the Mastic Beach Ambulance Company would promote and protect the public health, safety, and general welfare of the residents of Suffolk County; now, therefore be it

1st RESOLVED, that the use of County-owned property, i.e. the Smith Point County Park in Shirley, by the Mastic Beach Ambulance Company, in consideration of the payment of One Hundred Twenty-Five and 00/100 Dollars (\$125.00) for the purpose of holding an EMS Field Day on Saturday, September 27, 2008, between the hours of 8:00 a.m. and 6:00 p.m., with a rain date of Sunday, September 28, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK COUNTY LAW, subject to the receipt of a Certificate of Insurance and the accompanying declaration page naming Suffolk County as an additional insured by the County of Suffolk from the Department, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division in the County Department of Human Resources, Personnel, and Civil Service; and be it further

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

3rd RESOLVED, that the Commissioner of the County Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed, pursuant to Section 28-4(A) of the SUFFOLK COUNTY CHARTER, and the County Department of Public Works is hereby authorized, empowered and directed, under Section 8-2(W) of the SUFFOLK COUNTY CHARTER, to take such measures, either alone or in conjunction with each other, as shall be necessary and appropriate to facilitate the hosting of an EMS Field Day for the Mastic Beach Ambulance Company at Smith Point County Park in Shirley; and be it further

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1739-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislator Cooper

RESOLUTION NO. 702 -2008, APPOINTING ARTHUR M. SILLMAN, JR. AS A MEMBER OF THE SUFFOLK COUNTY VANDERBILT MUSEUM COMMISSION (TRUSTEE NO. 7)

WHEREAS, Resolution No. 571-2006 appointed Carl H. Luecke as a member of the Suffolk County Vanderbilt Museum Commission, with a term of office to expire on May 13, 2010; and

WHEREAS, Carl H. Luecke has been absent from four consecutive regular meetings of the Vanderbilt Museum Commission; and

WHEREAS, pursuant to §C23-3 of the SUFFOLK COUNTY CHARTER, any appointed member of any board or commission who shall be absent from four consecutive regular meetings of such board or commission, unless excused by resolution thereof, shall be deemed to have vacated his office; now, therefore, be it

1st RESOLVED, that **Arthur M Sillman, Jr.**, residing in Cold Spring Harbor, NY, be and he hereby is appointed to the Suffolk County Vanderbilt Museum Commission, as Trustee No. 7, to fill the unexpired term of Carl H. Luecke, said term of office to expire May 13, 2010, pursuant to the provisions of §184-7(A) of the SUFFOLK COUNTY CODE; and be it further

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

DATED: August 19, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND RESOLUTION NO. 266-1987 (SECTION 793-5 OF THE SUFFOLK COUNTY CODE)

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

Intro. Reso. No. 1714-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 703 -2008, ACCEPTING AND
 APPROPRIATING A GRANT IN THE AMOUNT OF \$25,000 IN
 FEDERAL PASS-THROUGH FUNDS FROM THE NEW YORK
 STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE
 SUFFOLK COUNTY POLICE DEPARTMENT'S SECOND
 PRECINCT COMMUNITY SUPPORT 2008 GRANT PROGRAM
 WITH 90% SUPPORT**

WHEREAS, the New York State Department of Criminal Justice Services has made \$25,000 in Federal pass-through monies from the Byrne Justice Assistance Grant Program available to Suffolk County to continue to address community concerns regarding gang-related criminal activity through targeted enforcement efforts and educational presentations to school, community and business groups in the area served by the Suffolk County Police Department's Second Precinct; and

WHEREAS, said project will utilize a multi-agency approach of investigation, enforcement and prevention; and

WHEREAS, the operational period of the Program will be from June 1, 2008, through May 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>REVENUES:</u>	<u>AMOUNT</u>
115-4338-Federal Aid: 2 nd Precinct Community Support 2008	\$25,000

ORGANIZATIONS:

	Police Department (POL)		
	2 nd Precinct Community Support 2008		
	115-POL-3282		
<u>1000 – Personal Services</u>			<u>\$21,268</u>
1120 – Overtime Salaries			21,268
	Employee Benefits		
	Retirement		
	115-EMP-9010		
<u>8000-Employee Benefits</u>			<u>\$3,424</u>
8280 – Employee Retirement System			3,424
	Employee Benefits		
	Social Security		

8000 – Employee Benefits
8330 – Social Security

\$308
308

and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1689-2008
Introduced by Legislator Kennedy

Laid on Table 8/5/2008

RESOLUTION NO. 704 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301) FOR A TRAFFIC STUDY ON COUNTY ROAD 16

WHEREAS, a traffic study on County Road 16 at the intersection with Sheppard Lane and Gilbert Avenue is required; and

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

WHEREAS, Resolution No. 471-1994, as revised by Resolution No. 571-1998, Resolution No. 209-2000 and Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2008 Capital Budget, as the basis for funding capital projects such as this project; now, therefore be it

1st RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-three (53) 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 Number: 1755

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

<u>Cost Elements</u>	Total Est'd <u>Cost</u>	Current 2008 Capital Budget & <u>Program</u>	Revised 2008 Capital Budget & <u>Program</u>
3. Construction	\$1,785,000	\$1,885,000 B	\$1,785,000 B
TOTAL	\$1,785,000	\$1,885,000	\$1,785,000

Project Number: 3301

Project Title: Safety Improvements at Various Intersections

<u>Cost Elements</u>	Total Est'd <u>Cost</u>	Current 2008 Capital Budget & <u>Program</u>	Revised 2008 Capital Budget & <u>Program</u>
1. Planning	\$1,292,000	\$350,000 B	\$450,000 B
TOTAL	\$13,967,000	\$2,360,000	\$2,460,000

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 No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-3301.125	50	Safety Improvements on CR 16, Intersection with Sheppard Lane and Gilbert Avenue	\$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) (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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1689A-2008

BOND RESOLUTION NO. 705 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$100,000 BONDS TO FINANCE THE COST OF A TRAFFIC STUDY FOR SAFETY IMPROVEMENTS ON CR 16, AT THE INTERSECTION WITH SHEPPARD LANE AND GILBERT AVENUE (CP 3301.125)

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 a traffic study for safety improvements on CR 16, at the intersection with Sheppard Lane and Gilbert Avenue, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$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. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said

bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1690-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 706 -2008, A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS IN RELATION TO THE PLANNING PHASE OF PROPOSAL TO INCREASE AND IMPROVE FACILITIES FOR SEWER DISTRICT NO. 3 - SOUTHWEST (OUTFALL) (CP 8108)

WHEREAS, a map and plan together with an estimate of cost has been prepared and filed with the County Legislature resulting in a public hearing on June 10, 2008 in relation to the proposed purchase of approximately 4-6 sections of piping, 72" in diameter and 20' long, for use in the proposed increase and improvement of facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall), and in relation to the retention of engineering services for the design and issuance of a response plan for the increase and improvement of facilities for said district; and

WHEREAS, pursuant to Resolution No. 405-2008, the Clerk of the Legislature did duly cause a Notice of Public Hearing to be published at least once in each of the official newspapers of the County, all in the manner and within the time provided by law and proof thereof has been presented to the County Legislature; and

WHEREAS, said public hearing was held in Hauppauge, New York in said County on June 10, 2008 at 2:30 p.m., Prevailing Time; and

WHEREAS, said County Legislature has duly considered the map and plan and estimate of cost for the planning phase to increase and improvement of facilities for Suffolk County Sewer District No. 3 – Southwest (Outfall) submitted and evidence given at the public hearing held on June 10, 2008; now, therefore be it

1st RESOLVED, by the County Legislature of the County of Suffolk, New York, as follows:

Section 1. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is hereby found and determined that it is in the public interest to perform the planning phase of the increase and improve the facilities at Suffolk County Sewer District No. 3

– Southwest (Outfall), that the proposed work is adequate and appropriate, and will not constitute an undue burden on the property which will bear the cost thereof;

Section 2. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, the Legislature further finds and determines that it is in the public interest to expend \$5,400,000 on the planning phase of the increase and improvement of facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall).

Section 3. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, and recommendations, and data filed with the County Legislature, it further finds and determines that it is in the public interest to provide the planning for the increase and improve the facilities at Suffolk County Sewer District No. 3 – Southwest (Outfall) at a maximum cost of \$5,400,000 which represents the planning phase portion of the aforementioned project which will be attributable to the increase and improvement of facilities of said sewer district, substantially in accordance with the revised map and plan;

Section 4. Upon evidence given at the aforesaid public hearing and after due consideration of the maps, plans, reports, recommendations, and data filed with the County Legislature, it is found and determined that all property and property owners within the existing Suffolk County Sewer District No. 3 – Southwest (Outfall) will be benefited by such planning of the increase and improvement of facilities and that no benefited property has been excluded;

and be it further

2nd RESOLVED, this Legislature, being the lead agency under the State Environmental 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 State Code of Rules and Regulations (“NYCRR”), the Legislature has no further responsibilities under SEQRA; and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro Res. No. 1691-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

RESOLUTION NO. 707 -2008, AUTHORIZING THE PURCHASE OF UP TO 55 AUTOMATED BUS STOP ANNUNCIATORS FOR SUFFOLK TRANSIT AND AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND ACCEPTING AND APPROPRIATING FEDERAL AID AND STATE AID (CP 5648)

WHEREAS, the Federal Transit Administration (FTA) and the New York State Department of Transportation (NYSDOT) provide funds for mass transportation projects which include the purchase and installation of up to fifty-five (55) automated bus stop annunciators on Suffolk Transit Buses; and

WHEREAS, Grant No. NY-90-X558 was awarded to Suffolk County by the FTA on May 15, 2007; and

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

WHEREAS, Federal reimbursement to the County will be 80% and State reimbursement to the County will be up to 50% of the non-federal share of federally funded projects, but not to exceed 10% of federally funded total project costs and the County will provide the 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, it is estimated that the total cost of the purchase and installation of automated bus stop annunciators on Suffolk Transit Buses will be \$430,000 with the Federal and State shares amounting to 90% of the total cost; and

WHEREAS, sufficient funds have not been included within the 2008 Capital Budget and Program and pursuant to the Suffolk County Charter, Section C4-13, an offsetting authorization is not required on amendments which are financed in an amount of at least fifty percent (50%) by Federal and/or State Aid; and

WHEREAS, that the County Legislature, by resolution of even date herewith, has authorized the issuance of \$43,000 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 the 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5648
 Project Title: Equipment for Public Transit Vehicles

	<u>Total Est'd. Cost</u>	<u>2008 Capital Budget & Program</u>	<u>2008 Capital Budget & Program</u>
5. Furniture and Equipment	\$2,820,000	119,500B 119,500S <u>956,000F</u>	162,500B 162,500S <u>1,300,000F</u>
6. TOTAL	\$2,820,000	1,195,000	1,625,000

and be it further

3rd RESOLVED, that it is hereby determined that this project, with a priority ranking of fifty-five (55) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th RESOLVED, that the Purchasing Division is authorized to receive bids for the purchase and installation of up to fifty-five (55) automated bus stop annunciators on Suffolk Transit Buses pursuant to applicable Federal and State regulations; and be it further

5th RESOLVED, that the proceeds of \$43,000 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-5648.519 (Fund 001-Debt Service)	Purchase and installation of automated bus stop annunciators on Suffolk Transit buses	\$43,000

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-5648.519	Purchase and installation of automated bus stop annunciators on Suffolk Transit Buses	\$43,000

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-5648.519	Purchase and installation of automated bus stop annunciators on Suffolk Transit buses	\$344,000

and be it further

8th RESOLVED, that the County Treasurer and the County Comptroller are authorized to accept State and/or Federal Aid in connection with this project.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1691A-2008

BOND RESOLUTION NO. 708 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$43,000 BONDS TO FINANCE A PART OF THE COST OF THE PURCHASE AND INSTALLATION OF UP TO FIFTY-FIVE (55) AUTOMATED BUS STOP ANNUNCIATORS ON SUFFOLK TRANSIT BUSES (CP 5648.519)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$43,000 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 up to fifty-five (55) automated bus stop annunciators on Suffolk transit buses, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$430,000. The plan of financing includes (a) the expenditure of \$344,000 in Federal Aid funds (80%) and \$43,000 in State Aid funds (10%), (b) the issuance of \$43,000 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. 35 of the Law of the Law, is five (5) years.

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

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

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

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

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

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1704-2008
Introduced by Legislators Kennedy and Nowick

Laid on Table 8/5/2008

RESOLUTION NO. 709-2008, AUTHORIZING TRANSFER OF FOUR (4) SURPLUS COUNTY COMPUTERS AND FOUR (4) SURPLUS COUNTY MONITORS TO THE BOYS & GIRLS CLUB OF SUFFOLK COUNTY

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, the Boys & Girls Club of Suffolk County has requested the donation of computers and monitors from the County; and

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

1st RESOLVED, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:
The Boys & Girls Club of Suffolk County
7 Flowerfield, Suite 28
St. James, NY 11780

Contact: Judith W. Pitsiokos
Telephone: 631-584-6585

COMPUTER SERIAL NO:
18DV3
18EOX
18KFK
18DVR

MONITOR SERIAL NO:
MX06271R
9281923
MXO8376T
1780R-DB8QU-69

and be it further

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1705-2008
Introduced by Legislator Kennedy

Laid on Table 8/5/2008

RESOLUTION NO. 710 -2008, AUTHORIZING TRANSFER OF SIX (6) SURPLUS COUNTY COMPUTERS, MONITORS, MICE, KEYBOARDS AND TWO (2) SURPLUS COUNTY PRINTERS TO RSVP

WHEREAS, the Suffolk County Department of Information Technology has submitted to the Purchasing Department a list of surplus computer systems and a list of surplus printers which have been taken out of service because of obsolescent technology; and

WHEREAS, this equipment has been declared surplus property; and

WHEREAS, RSVP has requested the donation of computers and printers from the County; and

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

1st RESOLVED, that the Suffolk County Legislature is hereby authorized, empowered, and directed, to transfer the following surplus equipment to the following not-for-profit organization, for use within its facilities for nominal consideration:

TO:
RSVP
1 West Main Street
Smithtown, NY 11787

Contact: Irene Grvegorczyk
Telephone: 631-979-9490

COMPUTER SERIAL NO:
18KDR
18EOW
18KFT
18KGF
18IJM
18KDF

MONITOR SERIAL NO:
9281924
8100004
1780R-DB8R6-69
6204TE01S799
1780R-DB8R4-69
1780R-DB8QS-69

MOUSES:
6

KEYBOARDS:
6

PRINTER SERIAL NO:
MY3853J290
MY3825KO4X

and be it further

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1713-2008

Laid on Table 8/5/2008

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

**RESOLUTION NO. 711 -2008, AMENDING THE 2008
CAPITAL BUDGET AND PROGRAM AND APPROPRIATING
FUNDS IN CONNECTION WITH ENERGY CONSERVATION AT
VARIOUS COUNTY FACILITIES (CP 1664)**

WHEREAS, the Commissioner of Public Works has requested funds for Energy Conservation at Various County Facilities; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$1,070,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, pursuant to the State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA"), Resolution No. 506-1995 classified the action contemplated by this as Type II Action; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-eight (68) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

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

Project No.: 1664
Project Title: Energy Conservation at Various County Facilities

	Total Est'd <u>Cost</u>	Current 2008 Capital Budget & <u>Program</u>	Revised 2008 Capital Budget & <u>Program</u>
1. Planning, Design, and Supervision	\$780,000	\$170,000	\$30,000
3. Construction	<u>\$6,635,000</u>	<u>\$900,000</u>	<u>\$1,040,000</u>
TOTAL	\$7,415,000	\$1,070,000	\$1,070,000

and be it further

5th **RESOLVED**, that the proceeds of \$1,070,000 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-1664.113 (Fund 001-Debt Service)	20	Energy Conservation at Various County Facilities--Planning	\$30,000
525-CAP-1664.314 (Fund 001-Debt Service)	20	Energy Conservation at Various County Facilities--Construction	\$1,040,000

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1713A-2008

BOND RESOLUTION NO. 712 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$1,070,000 BONDS TO FINANCE A PART OF THE COST OF ENERGY CONSERVATION IMPROVEMENTS AT VARIOUS COUNTY BUILDINGS (CP 1664.113 and .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 \$1,070,00 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 energy conservation improvements at various county buildings, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,760,000. The plan of financing includes (a) the issuance of \$490,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 942-2005 (\$100,000 for planning and \$390,000 for construction), (b) the issuance of \$950,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1051-2006 (\$100,000 for planning and \$850,000 for construction), (c) the issuance of \$250,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 475-2007 (\$50,000 for planning and \$200,000 for construction), (d) the issuance of \$100,000 bonds or bond anticipation notes authorized pursuant to this resolution (\$30,000 for planning and \$1,040,000 for construction) and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years, computed from May 15, 2006, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 942-2005.

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

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

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

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

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

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

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro Res. No. 1716-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 713 -2008, AUTHORIZING THE EXECUTION OF AN AGREEMENT BY THE ADMINISTRATIVE HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST WITH LEXINGTON VILLAGE CONDOMINIUMS (IS 1263)

WHEREAS, Lexington Village Condominiums is located outside the boundary of Suffolk County Sewer District No. 3 - Southwest; and

WHEREAS, Lexington Village Condominiums has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 3; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$15.00 per gallon per day of sewage capacity

with a daily flow of 45,000 gallons, for a total connection fee of \$675,000.00 to be paid to Suffolk County; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 3 and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st **RESOLVED**, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 3 – Southwest and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1717-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 714 -2008, TRANSFERRING ESCROW ACCOUNT REVENUES AND TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AMENDING THE 2008 OPERATING BUDGET, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING ADDITIONAL FUNDS FOR THE IMPROVEMENT AND REHABILITATION OF THE EXISTING FACILITIES IN SUFFOLK COUNTY SEWER DISTRICT NO. 6 – KINGS PARK (CP 8144)

WHEREAS, the Kings Park Wastewater Treatment Plant requires reconstruction to comply with NYSDEC permit limitations derived from the Long Island Sound Study with respect to reducing nitrogen discharges into Long Island Sound; and

WHEREAS, Resolution Nos. 783-1999 and 951-2004 appropriated Bond Act

grant funds of \$7,930,448 to the capital fund; and

WHEREAS, Resolution Nos. 639-02 and 543-2006 appropriated escrow account revenue and Assessment Stabilization Reserve Funds to the capital fund; and

WHEREAS, bids were received on June 17, 2008 and it has been determined that those bids were appropriate for the work to be performed and that the funds available were insufficient to award the contracts and complete the project; and

WHEREAS, the Administrative Head of Sewer District No. 6 – Kings Park has requested that additional funds be appropriated to allow the project to be initiated and contracts awarded; and

WHEREAS, sufficient funds are available in the escrow accounts established and containing connection fees and funds from the Assessment Stabilization Reserve Fund to cover the costs of the improvement and/or rehabilitation; and

WHEREAS, pursuant to Resolution No. 924-2006 there is no offset required by this modification of the capital budget and program due to a transfer from the Assessment Stabilization Reserve Fund and connection fees; and

WHEREAS, it is proposed that \$2,500,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the project; and

WHEREAS, it is proposed that previously received connection fees, which are deposited in escrow accounts, be appropriated; and

WHEREAS, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8, Resolution No. 783-1999 determined that the Proposed Improvements to Sewer District No. 6 – Kings Park, constitutes an unlisted action which will not have a significant effect on the environment pursuant to the provisions of Title 6 NYCRR Part 617.5 and Chapter 279 of the Suffolk County Code; and

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

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

2nd RESOLVED, that additional funds from the Assessment Stabilization Reserve Fund shall be appropriated in the sum of \$2,500,000 for the purpose of implementing the project; and be it further

3rd RESOLVED, that the Adopted 2008 Operating Budget be and hereby is amended and that the interfund transfer be and hereby is appropriated from Fund 404 Reserve Fund Balance as follows:

Interfunds

Appropriations:

404-IFT-E527-Transfer to Fund 527

Increased Amount

\$2,500,000

and be it further

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

Revenues:
 527-IFT-R404-Transfer from Fund 404 \$2,500,000
 (Ref. 527-CAP-IFTR-R404)

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to transfer the following funds, plus accrued interest to date, from the Trust & Agency Escrow Account to the Capital Fund as a Sewer Revenue:

<u>From Escrow Account</u>	<u>To Capital Fund Sewer Revenues</u>	<u>Amount</u>	<u>Accrued Interest</u>
The Hills at Kings Park	SM 886	\$625,725	Yes
Lutheran Center for Aging	SM 1045	\$794,250	Yes
Total SCSD #6		\$1,419,975	Yes

and be it further

6th **RESOLVED**, that the County Treasurer and County Comptroller be and they hereby are authorized to accept proceeds not to exceed \$1,419,975 plus accrued interest to date, transferred to the Capital Fund from the Trust & Agency Escrow Account; and be it further

7th **RESOLVED**, that the 2008 Capital Budget be and it hereby is amended as follows:

Program No.: 8144
 Project Name: Improvements to Sewage Treatment Facilities - Sewer District No. 6 – Kings Park

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
Planning, Design & Supervision	2,710,000	2,000,000-A	50,000 - E 2,000,000 - A
Construction	18,392,833	0	2,500,000 - A 1,369,975 - E

TOTAL	21,257,833	2,000,000	5,919,975
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A- Assessment Stabilization
E-Connection Fee Money

and be it further

8th **RESOLVED**, that the proceeds of \$1,419,975 in revenues transferred to the Capital Fund, plus accrued interest to date, be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8144.113	80	Improvements to Sewer District No. 6 – Kings Park - Planning, Design and Supervision	\$50,000+ Accrued Interest
527-CAP-8144.311	80	Improvements to Sewer District No. 6 – Kings Park - Construction	\$1,369,975+ Accrued Interest

and be it further

9th **RESOLVED**, that funds in the amount of \$2,500,000 from the Assessment Stabilization Reserve Fund be and hereby are appropriated as follows:

<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
527-CAP-8144.311	80	Improvements to Sewage Treatment Facilities SCSD #6 – Kings Park – Construction	\$2,500,000

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro Res. No. 1724-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 715 -2008, AUTHORIZING EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE

**HEAD OF SUFFOLK COUNTY SEWER DISTRICT NO. 7 -
MEDFORD WITH THE OWNER OF AMNEAL
PHARMACEUTICALS, LLC**

WHEREAS, Amneal Pharmaceuticals, LLC, is located outside the boundary of Suffolk County Sewer District No. 7 - Medford; and

WHEREAS, Amneal Pharmaceuticals, LLC, has petitioned and requested the Administrative Head of the District for permission to connect into the sanitary sewers of the Sewer District No. 7; and

WHEREAS, it has been determined by the Administrative Head of the District that the District has wastewater treatment capacity in excess of its own needs; and

WHEREAS, the connection is subject to the approval of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, the proposed connection has received the approval of the Suffolk County Sewer Agency with a connection fee of \$30.00 per gallon per day of sewage capacity for a daily flow of 14,818 gallons of sewage for a total connection fee of \$444,540.00; and

WHEREAS, it will be financially beneficial to Suffolk County Sewer District No. 7 - Medford and Suffolk County, as well as in the environmental interest of all of Suffolk County, for the connection to be made; and

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a Negative Declaration has been issued by the Lead Agency; now, therefore be it

1st RESOLVED, that the Administrative Head of the District be and he hereby is authorized, directed and empowered to enter into contracts and agreements with the developer upon such terms and conditions as he may deem necessary relating to connections to the District of lands adjacent to Suffolk County Sewer District No. 7 - Medford and that they be required to post a surety bond or bonds and deposit cash or securities with the County Treasurer in those instances that the Administrative Head deems necessary to ensure performance of such agreements and contracts.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Kennedy made motion for the following resolution, seconded by Legislator Nowick. The resolution was passed 16-1-1-0-0. Legislator Barraga voted no. Legislator Alden abstained.

RESOLUTION NO. 716 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 16, SMITHTOWN BOULEVARD @ CR 93, LAKELAND/ROSEVALE AVENUE, TOWN OF SMITHTOWN (CP 5118)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland/Rosevale Avenue; 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 \$450,000 in Suffolk County Serial Bonds; now, therefore be it

1st RESOLVED, Resolution No. 42-2003 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 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 2008 Capital Budget and Program be and they are hereby amended as follows:

Project No.: 3301
 Project Title: Safety Improvements at Various Intersections

	<u>Total Est'd Cost</u>	<u>Current 2008 Capital Budget & Program</u>	<u>Revised 2008 Capital Budget & Program</u>
3. Construction	<u>\$6,975,000</u>	<u>\$1,060,000B</u>	<u>\$860,000B</u>
TOTAL	\$13,667,000	\$2,360,000	\$2,160,000

Project No.: 5515

Project Title: Reconstruction of CR 46, William Floyd Parkway

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
2. Land Acquisition	<u>\$20,000</u>	<u>\$150,000B</u>	<u>\$0</u>
TOTAL	\$9,770,000	\$150,000	\$0

Project No.: 5168
Project Title: Reconstruction of CR 11, Pulaski Road

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$2,730,000</u>	<u>\$330,000B</u>	<u>\$230,000B</u>
TOTAL	\$3,780,000	\$330,000	\$230,000

Project No.: 5118
Project Title: Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland/Rosevale Avenue

	<u>Total Est'd Cost</u>	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	<u>\$1,650,000</u>	<u>\$300,000B</u>	<u>\$750,000B</u>
TOTAL	\$2,650,000	\$300,000	\$750,000

and be it further

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

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-5118.314 (Fund 001-Debt Service)	50	Intersection Improvements on CR 16, Smithtown Boulevard @ CR 93, Lakeland/Rosevale Avenue	\$450,000

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1735A-2008

BOND RESOLUTION NO. 717-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$450,000 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 \$350,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance 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 \$2,570,000. 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 Bond Resolution No. 559-2008, (h) the issuance of \$450,000 bonds or bond anticipation notes authorized pursuant to this resolution and (i) 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: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator Beedenbender made motion for the following resolution, seconded by Legislator Viloría-Fisher. The resolution was passed 17-1-0-0-0. Legislator Alden voted no.

Intro. Res. No. 1744-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 718 -2008, AMENDING RESOLUTION NO. 34-2008, TO PURCHASE ONE (1) REPLACEMENT VEHICLE

WHEREAS, Resolution No. 34-2008 appropriated additional 100% State grant funds that needed to be expended by March 31, 2008 and approved the purchase of one (1) replacement Hybrid 4X4 SUV; and

WHEREAS, expenditures for these one time 100% additional State grant funds were completed by the specified March 31, 2008 deadline; and

WHEREAS, as per New York State contract pricing a purchase order was issued on March 3, 2008, PO 00000010389, for the purchase of one 2008 Ford Escape Hybrid 4X4 with an estimated delivery date of July 3, 2008; and

WHEREAS, there has been an unanticipated demand for hybrid vehicles and the vendor cannot honor the purchase order; and

WHEREAS, this program needs either a SUV or Passenger Van Class vehicle to transport two to four adults plus one youth and all necessary equipment (i.e.: briefcases, cameras, and recording equipment in the front of the vehicle); and

WHEREAS, an alternate fuel 2008 Chevrolet Uplander, included in the Passenger Van Class of the New York State Vehicle Contract, would suit the needs of this program; and

WHEREAS, the 2008 model year for vehicles has ended and this is the only vehicle under the NYS Contract that was available for delivery within the grant period; and

WHEREAS, a purchase order was re-issued, PO 00000012394, on July 24, 2008 so that this purchase can be done within the grant period ending September 30, 2008; and

WHEREAS, these advanced funds, if not expended before the grant period, would need to be returned to the New York State Department of Health; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Health Services is authorized to purchase the replacement for Fleet Number 21445 through the Purchase Requisition process.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 25, 2008

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

Intro. Res. No. 1745-2008

Laid on Table 8/5/2008

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

RESOLUTION NO. 719 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS (CP 3301)

WHEREAS, the Commissioner of Public Works has requested funds for planning in connection with Safety Improvements at CR 48 @ Cox Neck Road, Town of Southold; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$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) (20) and (21) of Title 6 of New York Code of Rules and Regulations (“NYCRR”), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-three (53) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete the Safety Improvements at Various Intersections, pursuant to Section C8-2 (A) 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.: 3301
 Project Title: Safety Improvements at Various Intersections

	Total Est'd <u>Cost</u>	Current 2008 Capital Budget & <u>Program</u>	Revised 2008 Capital Budget & <u>Program</u>
1. Planning, Design & Supervision	\$1,292,000	\$350,000	\$450,000
2. Land Acquisition	<u>\$5,400,000</u>	<u>\$950,000</u>	<u>\$850,000</u>
TOTAL	\$13,617,000	\$2,160,000	\$2,160,000

and be it further

5th **RESOLVED**, that the proceeds of \$100,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

<u>Project No.</u>	<u>J.C.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP- 3301.122 (Fund 001-Debt Service)	50	Safety Improvements at Various Intersections--Planning	\$100,000

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1745A-2008

BOND RESOLUTION NO. 720 -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 PLANNING FOR SAFETY IMPROVEMENTS AT CR 48, MIDDLE ROAD, AT COX NECK ROAD, IN THE TOWN OF SOUTHOLD (CP 3301.122)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$100,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of planning for safety improvements at CR 48, Middle Road, at Cox Neck Road, in the Town of Southold, 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. 1169-2007, (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. 62 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said

bonds are authorized, or for such expenditures made on or prior to the effective date if a prior statement of intent to issue bonds has been made. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in

substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1746-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 721-2008, AMENDING RESOLUTION NOS. 873 OF 2007 AND 571 OF 2008 FOR PARTICIPATION IN CONSTRUCTION IN CONNECTION WITH THE RECONSTRUCTION/WIDENING OF CR 3, WELLWOOD AVENUE BRIDGE OVER THE SOUTHERN STATE PARKWAY, TOWN OF BABYLON (CAPITAL PROGRAM NUMBER 5851)

WHEREAS, Resolution No. 1325 of 2005 appropriated \$9,280,000 under Capital Project No. 5851.310 for this project; and

WHEREAS, Resolution No. 929 of 2006 appropriated \$2,600,000 under Capital Project No. 5851.310 for this project; and

WHEREAS, Resolution No. 873 of 2007 reflected a total project cost as \$11,880,000 and apportioned the funding allocation at 80% in federal funds in the amount of \$9,504,000, 14.354377% in State Marchiselli Aid reimbursement in the amount of \$1,705,300 and a 5.645623% County share in the amount of \$670,700; and

WHEREAS, Resolution No. 571 of 2008 appropriated an additional \$300,000 for this project; now, therefore be it

1st RESOLVED, that the apportionment of the cost of Capital Project 5851.310 be amended to reflect a total cost of \$12,180,000 with 80% Federal reimbursement in the amount of \$9,744,000, 14.0008% State Marchiselli Aid reimbursement in the amount of \$1,705,300, and a 5.9992% County share in the amount of \$730,700; and be it further

2nd RESOLVED, that the County Comptroller is hereby authorized and directed to limit the serial bond borrowing for the County share to \$730,700; and be it further

3rd **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to place into a debt service reserve fund any Federal or State Aid received for this project, that is required to pay down debt service borrowed in excess of the serial bond borrowing limit of \$730,700 for the County share; and be it further

4th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept Federal funding in the amount up to \$9,744,000; and be it further

5th **RESOLVED**, that the County Comptroller is authorized to issue bond anticipation notes for the total federal and state share of \$11,449,300; and be it further

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Legislator D’Amaro made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 15-3-0-0-0. Legislators Romaine, Montano and Barraga voted no.

Intro. Res. No. 1563-2008
Introduced by Presiding Officer Lindsay

Laid on Table 6/10/2008

**RESOLUTION NO. 722 -2008, AMENDING THE RULES OF
THE LEGISLATURE OF THE COUNTY OF SUFFOLK -
RULE 6 (B)**

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 (B) of the 2008 Rules of the Legislature of the County of Suffolk is hereby amended as follows:

RULE 6. DISCHARGE OF LEGISLATION.

* * * *

B.) Legislation laid on the table shall be placed on the agenda for consideration by the full Legislature at its next regularly scheduled meeting and shall be eligible for a vote by the full Legislature only if it has been discharged, with or without recommendation, by a majority of the members present and voting and the number of those present and voting to discharge equals in number at least a majority of the entire membership of the Legislative committee to which it has been assigned[, with or without recommendation]. For the purposes of this rule, the term "entire membership of the Legislative committee" shall mean the members appointed to the committee by the Presiding Officer and shall not include the Presiding Officer acting in his or her ex-officio capacity. The "entire membership of the Legislative committee" shall not increase when the Presiding Officer votes at a committee meeting in his or her ex-officio capacity. For the purposes of this rule, the term "members present and voting" shall include members casting an abstention.

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: August 19, 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 Losquadro made motion for the following resolution, seconded by Deputy Presiding Officer Viloría-Fisher. The resolution was passed 14-4-0-0-0. Legislators Browning, Beedenbender, Eddington and Gregory voted no.

Intro. Res. No. 1605-2008
Introduced by Legislator Losquadro

Laid on Table 6/24/2008

**RESOLUTION NO. 723 -2008, ADOPTING LOCAL LAW
NO. 34 -2008, A LOCAL LAW AMENDING COUNTY
LEGISLATURE ORGANIZATIONAL MEETING DATE
REQUIREMENT**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 24, 2008, a proposed local law entitled, "**A LOCAL LAW AMENDING**

COUNTY LEGISLATURE ORGANIZATIONAL MEETING DATE REQUIREMENT;" now, therefore be it

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

LOCAL LAW NO. 34 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING COUNTY LEGISLATURE ORGANIZATIONAL MEETING DATE REQUIREMENT

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that under current County law, the Suffolk County Legislature must hold its organizational meeting on the first business day of each year.

This Legislature further finds that when the first business day of a new year falls on a Friday, most schools do not resume their schedule on that day and many families continue on vacation or extend out-of-town visits. These circumstances make it difficult for legislators and legislative staff to organize and/or attend a meeting on that date.

This Legislature also determines that under NEW YORK COUNTY LAW, the Suffolk County Legislature may hold its annual organizational meeting as late as January 8.

Therefore, the purpose of this local law is to amend the SUFFOLK COUNTY ADMINISTRATIVE CODE to provide that when the first business day of a new year falls on a Friday, the Legislature's organization meeting will be held on the following Monday.

Section 2. Amendments.

Section A2-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A2-2. Organization of County Legislature.

- A. The members of the County Legislature shall hold an organization meeting on the first business day in January of each year unless the first business day in January falls on a Friday, in which case the County Legislature shall hold its organizational meeting on the following Monday. At this meeting, the County Legislature shall elect from its own members a Presiding Officer and a Deputy Presiding Officer and shall adopt the rules of its own proceedings, in that order. In the event that the County Legislature is unable to select a Presiding Officer on or before January 15 of any given year, the County Clerk of the County of Suffolk shall appoint a member of the County Legislature as Presiding Officer, who shall serve until the end of the calendar year in which he or she is

appointed, anything to the contrary in the New York County Law notwithstanding.

* * * *

Section 3. Applicability.

This law shall apply to organizational meetings 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 its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language

___ Underlining denotes addition of new language

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

After a public hearing duly held on September 2, 2008
Filed with the Secretary of State on September 16, 2008

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

Intro. Res. No. 1608-2008 Laid on Table 6/24/2008
Introduced by Legislators Beedenbender, Stern, Horsley, Browning, Cooper, Romaine, Eddington, Nowick, Gregory, and D'Amaro

RESOLUTION NO. 724 -2008, ADOPTING LOCAL LAW NO. 33 -2008, A LOCAL LAW TO ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on June 24, 2008, a proposed local law entitled, "**A LOCAL LAW TO ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE**;" now, therefore be it

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

LOCAL LAW NO. 33 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ADD HARDSHIP CAUSED BY MILITARY DEPLOYMENT AS A BASIS FOR A SECTION 215 CONVEYANCE

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 Chapter 27 of the SUFFOLK COUNTY CODE authorizes the conveyance of property obtained by the County of Suffolk due to nonpayment of taxes to the former property owner; these conveyances are often referred to as § 215 redemptions.

This Legislature further finds that in order to regain their property through the § 215 process, a prior owner must demonstrate that the nonpayment of taxes was caused by a personal illness, loss of employment or a government record keeping error.

This Legislature also determines that in recent years an increasing number of Suffolk County families have been impacted by military deployments. These deployments can cause a sharp drop in a family's income and, in some cases, lead to a tax delinquency.

This Legislature further finds that the County of Suffolk has traditionally done everything in its power to aid veterans and assist military families.

This Legislature also determines that a family in danger of losing their home as a result of financial hardship related to a military deployment should have the ability to make an application for a § 215 redemption.

Therefore, the purpose of this law is to add financial hardship caused by a military deployment as one of the acceptable justifications for a § 215 conveyance.

Section 2. Amendments.

Chapter 27 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 27, Conveyance of Real Property

* * * *

§ 27-3. Guidelines for conveyance procedure.

* * * *

- C. An explanation submitted by an applicant establishing one or more of the following conditions shall be required as an appropriate and sufficient basis before the Legislature may approve a conveyance to an applicant who is the immediate prior owner of record:

* * * *

4. Military deployment of the applicant, other than a mortgagee, assignee or judgment creditor, or the applicant's spouse, which results in a loss of income, where written evidence of the deployment and the loss of income is provided.

* * * *

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

Section 6. Effective Date.

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

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008
After a public hearing duly held on September 2, 2008
Filed with the Secretary of State on September 16, 2008

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

Intro. Res. No. 1662-2008 Laid on Table 8/5/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 725 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO SECTION 72-H OF THE GENERAL MUNICIPAL LAW – TOWN OF RIVERHEAD – (SCTM NO. 0600-126.00-01.00-002.003)

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 Riverhead, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0600 Section 126.00, Block 01.00 Lot 002.003 and acquired by Tax Deed on April 9, 2001 from John C. Cochrane, the County Treasurer of Suffolk County,

New York, and recorded on April 9, 2001 in Liber 12112 at Page 245 and described as follows, Town of Riverhead, known and designated as the "Map of Helen M. Stone", Map # 585, Lots 17 & 18, filed in the Office of the Clerk of Suffolk County on January 2, 1880; Exhibits "A1" & "A2"; and

WHEREAS, Section 72-h of the General Municipal Law permits a sale of real property between municipal corporations, or between a municipal corporation of the State of New York or the United States of America; and

WHEREAS, the Town of Riverhead had requested that the County of Suffolk convey to the town the above and said parcel was transferred to the Town of Riverhead via Suffolk County Resolution No. 861-2004 for affordable housing (Exhibit "B"), and

WHEREAS, the Suffolk County Quitclaim deed dated April 22, 2005 transferring title to the Town of Riverhead for said purpose has been returned to the County; and

WHEREAS, the Town of Riverhead has requested said property be transferred to the Town of Riverhead for Parking purposes rather than affordable housing; Exhibit "C"; and

WHEREAS, the Town of Riverhead will abandon a portion of Hallett Avenue and transfer said parcel for County parking purposes, Exhibit "D"; 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 Riverhead; and be it further

2nd **RESOLVED**, that the Town of Riverhead will be restricted in its use of the subject parcel and will use said parcel solely and exclusively for Highway/Parking purposes; with all right title and interest reverting to the County of Suffolk in the event that the Town of Riverhead, at any time, uses or attempts to use said subject parcel for other than Highway/Parking purposes or attempts to sell, transfer or otherwise dispose of or does, in fact, sell, transfer or otherwise dispose of said subject parcel without said parcel being used thereafter for Highway/Parking purposes; and be it further

3rd **RESOLVED**, that said quitclaim deed tendered by the Director of the Division of Real Property Acquisition and Management, pursuant to this resolution, shall contain a reverter clause declaring that title to the above described property shall revert to the County of Suffolk if: 1) the property is not used for the above-described public governmental purposes within three (3) years after delivery of the deed to the grantee; or 2) the grantee attempts to sell, transfer, or otherwise dispose of the property or does sell, transfer, or otherwise dispose of said subject property without said property being used thereafter for the above described public governmental purposes; or 3) the grantee imposes a back-charge or fee against the County for the actual or projected cleanup cost of the debris on the property in violation of Resolution No. 1028-1991; or 4) the grantee violates Resolution No. 256-1998; and be it further

4th **RESOLVED**, this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto. See 6 N.Y.C.R.R. Section 617.2(b)(2). The Legislature further finds and determines that even if the adoption of the local law is an action within the meaning of SEQRA, the adoption

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

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

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

Intro. Res. No. 1681-2008
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 8/5/2008

**RESOLUTION NO. 726 -2008, SALE OF COUNTY-OWNED
REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-
1976 WALTER B. SCHUTZENBACH (SCTM NO. 0500-194.00-
02.00-075.000)**

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; and

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 194.00 Block 02.00 Lot 075.000 and acquired by Tax Deed on December 14, 2000 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on December 21, 2000 in Liber 12092 at Page 201 and described as follows, Town of Islip, known and designated as being and intended to be that parcel of land carried on the tax rolls of the Town of Islip under SCTM No. 0500-194.00-02.00-075.000; 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, Walter B. Schutzenbach, has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of \$10,501.00. 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 \$8,500.00, 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 \$10,501.00, 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 Walter B. Schutzenbach, 680 Horseblock Road, Farmingville, New York 11738.

DATED: August 19, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator Losquadro. The resolution was passed 13-5-0-0-0. Legislators Romaine, Schneiderman, Montano, Alden and Kennedy voted no.

Intro. Res. No. 1709-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 727 -2008, ADOPTING LOCAL LAW NO. 36 -2008, A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on August 5, 2008, a proposed local law entitled, "**A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT;**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 36 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENHANCE PERSONAL PRIVACY PROTECTION FOR RECORDED DOCUMENTS AND AUTHORIZING THE COUNTY CLERK TO COLLECT CERTAIN FEES FOR RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT

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

Section 1. Legislative Intent.

This Legislature finds and determines that section 8021 of the New York Civil Practice Law and Rules (CPLR) allows a County Clerk who renders a service other than in his capacity as clerk of the supreme court 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.

This Legislature further finds and determines that section 8021 was recently amended to require County Clerks to make a good faith effort to redact social security numbers from recorded instrument cover sheets, and to authorize County Clerks, via duly enacted local law, to increase fees charged for recorded instruments in the County Clerk's Office.

This Legislature further finds and determines that redacting social security numbers from the cover sheets of recorded instruments is an important tool to protect the privacy of individuals.

This Legislature further finds and determines that by extending the authority to the Suffolk County Clerk to accept as a fee for recorded instruments the maximum sum

allowable under New York State Law, a critical source of revenue will be provided for the good faith effort made by the County Clerk to redact social security numbers from recorded instrument cover sheets.

Therefore, the purpose of this law is to authorize the County Clerk to accept as a fee for recording, entering, indexing and endorsing a certificate on any instrument the maximum sum allowable under New York State Law and to instruct the County Clerk, as applicable, to make a good faith effort to redact social security numbers from recorded instrument cover sheets.

Section 2. Fees For Recording Instruments.

- A.) Whenever the Suffolk County Clerk renders a service, other than in its capacity as clerk of the supreme or the county court, or other than in an action pending in a court of which it is clerk, in connection with papers or instruments relating to real property and not filed under the uniform commercial code, the Suffolk County Clerk shall be entitled to a fee, payable in advance, for recording, entering, indexing and endorsing a certificate on any instrument, of twenty dollars and, in addition thereto, of five dollars for each page or portion of a page.
- B.) For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument.

Section 3. Redaction of Social Security Numbers.

- A.) A cover page shall not include any social security account number or date of birth.
- B.) To the extent that the County Clerk has placed an image of such cover page online, the County Clerk shall make a good faith effort to redact such information.

Section 4. Applicability.

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

Section 5. 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 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and (27) of Title 6 of the NEW YORK CODE OF RULES AND

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

Section 7. Effective Date.

This law shall take effect thirty (30) days after its filing in the Office of the Secretary of State.

DATED: August 20, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: September 3, 2008
After a public hearing duly held on September 2, 2008
Filed with the Secretary of State on September 16, 2008

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

Intro. Res. No. 1778-2008

Laid on Table 8/19/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 728 -2008, AUTHORIZING USE OF BLYDENBURGH COUNTY PARK BY THE MARINE CORPS LEAGUE FOR ITS RUN-WALK FUNDRAISER

WHEREAS, the Marine Corps League is a 501(c)(4) nonprofit organization having its principal place of business at 30 Fresh Pond Road, Fort Salonga, New York; and

WHEREAS, the Marine Corps League would like to hold its Run-Walk Fundraiser at Blydenburgh County Park in the Town of Smithtown; and

WHEREAS, the proceeds raised at the Run-Walk Fundraiser will be used to fund a memorial for Long Island service members killed in action since September 11, 2001; and

WHEREAS, the Run-Walk Fundraiser is scheduled to be held on Saturday, September 6, 2008; and

WHEREAS, a Certificate of Insurance naming Suffolk County as an additional insured has been provided by the Marine Corps League; now, therefore, be it

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

2nd **RESOLVED**, that the use of Blydenburgh County Park by the Marine Corps League for the purpose of hosting a fundraiser on Saturday, September 6, 2008, is hereby approved pursuant to Section 215(1) of the NEW YORK STATE COUNTY LAW, subject to the receipt of a Certificate of Insurance by the County of Suffolk from the Marine Corps League and the payment of One Hundred and Twenty-Five Dollars (\$125.00) event fee, and subject to such additional terms and conditions as may be required by the Risk Management and Benefits Division; and be it further

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

DATED: August 20, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 22, 2008

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

Intro. Res. No. 1803-2008

Laid on Table 8/19/2008

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

RESOLUTION NO. 729 -2008, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS IN CONNECTION WITH THE SUFFOLK COUNTY ROUTE 48 CAP SECTION 14 EMERGENCY SHORELINE PROTECTION PROJECT

WHEREAS, the U.S. Army Corps of Engineers, in partnership with the New York State Department of Environmental Conservation and Suffolk County, is in the planning phase

for the Suffolk County Route 48 (North Road/Middle Road) CAP Section 14 Emergency Shoreline Protection Project at Route 48 in the Town of Southold; and

WHEREAS, the project goal is to protect the portion of Route 48 (North Road/Middle Road) near Long Island Sound, in the vicinity of Lots 15, 16 and 17, in Block 1, Section 44, District 1000, from damage caused by wave action or similar natural forces; now, therefore be it

1st **RESOLVED**, the County Legislature hereby authorizes the County Executive or his designee, to execute an agreement with the U.S. Army Corps of Engineers on behalf of the County of Suffolk providing for Suffolk County's participation in the above referenced project.

DATED: August 20, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 22, 2008

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

Intro Res. No. 1805-2008

Laid on Table 8/19/2008

Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 730 -2008, AMENDING THE 2008 OPERATING BUDGET IN CONNECTION WITH APPROPRIATING 75% FEDERAL PASS-THROUGH GRANT FUNDS FROM THE NYS EMERGENCY MANAGEMENT OFFICE TO THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES FOR A FY2005 PRE-DISASTER MITIGATION PLANNING (PDMC) GRANT AND TO EXECUTE GRANT RELATED AGREEMENTS AND TO ADOPT/ACCEPT THE SUFFOLK COUNTY PRE-DISASTER MITIGATION PLAN AS APPROVED BY FEMA ON MARCH 26, 2008

WHEREAS, Resolution No. 184-2006 accepted and appropriated 75% federal pass-through grant funds from the NYS Emergency Management Office through the Federal Emergency Management Agency (FEMA) to the Suffolk County Department of Fire, Rescue and Emergency Services for a FY2005 Pre-Disaster Mitigation Planning (PDMC) Grant; and

WHEREAS, FEMA has approved the Suffolk County Pre-Disaster Mitigation Plan "pending local adoption of this resolution"; and

WHEREAS, the Plan was able to be prepared by Suffolk County and its participating municipalities under budget, and as a result, FEMA has approved additional scope items for inclusion into the Plan under the original grant funding in a letter dated June 16, 2008; and

WHEREAS, additional scope items include the addition of the Towns of Brookhaven and East Hampton into the Plan, the addition of an Earthquake Hazard, an update of the Plan for a new FEMA loss estimation software package (HAZUS MH3), and inclusion of a cost estimating catalog; and

WHEREAS, the Village of Lake Grove withdrew from the program in a letter dated February 2, 2007; and

WHEREAS, the position of Planning Aide created in the Suffolk County Dept. of FRES (001-3408-0100-0001) shall continue through the newly extended grant expiration period; and

WHEREAS, the amended Pre-Disaster Mitigation Planning Grant is \$1,157,122, an increase of \$39,218 in Grant Aid; and

WHEREAS, FEMA has extended the FY2005 PDMC grant through May 13, 2009; and

WHEREAS, the amended scope must be re-adopted by the Suffolk County Legislature, following FEMA's re-approval of the Plan, to be eligible for FEMA Grant funding; now, therefore be it

1st **RESOLVED**, that the PDMC Grant has been amended to reflect the total grant funds available to FRES (001-FRE-4374) of \$1,137,735, Planning (001-PLAN-4374) of \$7,365 and ITS (001-ITS-4374) of \$12,022 over the life of the Grant; and be it further

2nd **RESOLVED**, that the 2008 Operating Budget be and hereby is amended as follows;

REVENUES:

	<u>Amount</u>
001-FRE-4374 Pre-Disaster Mitigation Grant	\$27,196
001-ITS-4374 Pre-Disaster Mitigation Grant	\$12,022

ORGANIZATIONS:

Department of Fire, Rescue and Emergency Services
Pre-Disaster Mitigation Grant
001-FRE-3408

	<u>Current</u>	<u>Amended</u>	
	<u>Budget</u>	<u>Budget</u>	<u>Change</u>
<u>1000 – Personnel Services</u>			
1100 – Permanent Salaries	\$13,695	\$62,212	\$48,517

4000 – Contractual Expenses

	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
4560 – Fees for Services-Non Employees	\$131,448	\$460,011	\$328,563
4980 – Contracted Agencies	<u>\$600,038</u>	<u>\$227,417</u>	<u>(\$372,620)</u>
HUG1 – Town of Huntington	\$97,957	\$5,707	(\$92,250)
HUH1 – Town of Riverhead	\$82,192	\$54,881	(\$27,311)
HUI1 – Town of Shelter Island	\$42,492	\$12,496	(\$29,995)
HUJ1 – Town of Smithtown	\$82,579	\$16,516	(\$66,063)
HUK1 – Town of Southold	\$113,087	\$12,166	(\$100,921)
HUL1 – Town of Babylon	\$100,314	\$16,285	(\$84,029)
HUM1 – Village of Asharoken	\$22,601	\$750	(\$21,851)
HUN1 – Village of Bellport	\$17,502	\$4,708	(\$12,794)
HUO1 – Village of Huntington Bay	\$14,196	\$32,771	\$18,575
HUP1 – Village of Lake Grove	\$16,643	\$0	(\$16,643)
HUQ1 – Village of Northport	\$10,475	\$17,329	\$6,854
JEG1 - Town of Brookhaven	\$0	\$15,000	\$15,000
JEH1 – Town of East Hampton	\$0	\$38,808	\$38,808

Employee Benefits
Social Security
001-EMP-9030

<u>Employee Benefits</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
8330 - Social Security	\$0	\$3,042	\$3,042

Employee Benefits
Retirement
001-EMP-9010

<u>Employee Benefits</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
8280 – Retirement	\$0	\$2,141	\$2,141

Employee Benefits
Welfare Fund
001-EMP-9080

<u>Employee Benefits</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
9080 – Welfare Fund Contribution	\$0	\$2,594	\$2,594

Interfund Transfer
Transfer to Employee Medical Health Plan
001-IFT-E039

<u>Employee Benefits</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
9600 – Transfer of Funds	\$0	\$26,981	\$26,981

and be it further

3rd **RESOLVED**, that the following interfund revenues for Employee Medical Health Plan be accepted and appropriated as follows:

REVENUES:

	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
039-IFT-R0001			
Transfer from General Fund	\$0	\$26,981	\$26,981

ORGANIZATION:

Employee Benefits
Major Medical Claim
039-EMP-9060

<u>Employee Benefits</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>Change</u>
8360 – Health Insurance	\$0	\$26,981	\$26,981

and be it further

4th **RESOLVED**, that the County Executive's Budget Office is authorized to assign appropriate pseudo codes as necessary; and be it further

5th **RESOLVED**, that nothing contained herein shall be construed as obligating or committing the County of Suffolk to continue the employment of the individuals filling the position extended in this Resolution at the conclusion of the grant funding; and be it further

6th **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; and be it further

7th **RESOLVED**, that this Legislature accepts the Suffolk County Pre-Disaster Mitigation Plan as approved by FEMA on March 26, 2008. Additional county legislative approval will be sought following FEMA's approval of the enhanced and amended final plan as described herein in 2009; and be it further

8th **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement for reimbursement with 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: August 20, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: August 22, 2008

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

S.C.C.B.A. No. 1-2008

Laid on Table 8/5/2008

Introduced by Presiding Officer Lindsay and Legislators Horsley, Kennedy, Montano and Stern

RESOLUTION NO. 574 -2008, AMENDING THE SUFFOLK COMMUNITY COLLEGE RECOMMENDED OPERATING BUDGET 2008-2009 AND INCORPORATING DISTINGUISHED BUDGET PRESENTATION CRITERIA AS RECOMMENDED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) FOR A MORE TRANSPARENT OPERATING BUDGET

WHEREAS, the Suffolk County Legislature, pursuant to SECTION 6304 of the NEW YORK STATE EDUCATION LAW, is the local sponsor of Suffolk County Community College; and

WHEREAS, the County Executive instructed the College to submit a 2008-2009 operating budget request with no increase in the County contribution; and

WHEREAS, the Board of Trustees of Suffolk County Community College adopted Resolution No. 2008.27 on April 17, 2008 approving the College's 2008-2009 Operating Budget request for submission to the County Executive which included a zero percent increase in the County contribution; and

WHEREAS, on June 17, 2008 the County Executive submitted the Suffolk Community College Recommended Budget 2008-2009 to the Suffolk County Legislature for review and approval; and

WHEREAS, the Suffolk Community College Recommended Budget 2008-2009 complies with Local Law Nos. 21-1983, 38-1989 and 29-1995; and

WHEREAS, the Suffolk County Legislature held two public hearings on June 24, 2008 and July 28, 2008 on the Suffolk Community College Recommended Budget 2008-2009; and

WHEREAS, Resolution No. 30-1997 requires that the Suffolk County Community College Operating Budget Amendment Resolution(s) and Budget Amendment Veto(s) shall contain a County contribution for illustrative purposes only; and

WHEREAS, any decrease in the County contribution, maintenance of effort, below the previous academic year is inconsistent with the State Legislature's conditions for aid to local community colleges; and

WHEREAS, Suffolk County Community College continues to operate a three campus community college at a lower cost to taxpayers than a single campus community college in a neighboring county; and

WHEREAS, the residents of Suffolk County receive a significant return on their investment in Suffolk County Community College through a high quality affordable education offering 75 associate degree programs and transfer options for students who wish to earn an advanced degree at a four-year educational institution; and

WHEREAS, Suffolk County Community College is meeting the needs of the business community by developing programs to provide workforce training in nursing and allied health fields as well as in the culinary arts and hospitality industry and technical fields such as HVAC/R, energy technology and building efficiency, machining, and automotive technology; and

WHEREAS, the Budget Review Office of the Suffolk County Legislature has issued its Review of the 2008-2009 Suffolk County Community College Operating Budget dated July 24, 2008, which makes recommendations to amend the Suffolk Community College Recommended Budget 2008-2009; and

WHEREAS, it is the desire of the Suffolk County Legislature to incorporate distinguished budget presentation criteria recommended by the Government Finance Officers Association (GFOA) to provide for a more transparent Adopted 2008-2009 College Operating Budget presentation by illustrating the relationship between the College budget and the County General Fund, the relationship between College expenditures and revenues in the budget document and the summary of audit adjustments that reconciled the College's fund balance to the College's audited financial records, and

WHEREAS, it is the desire of the Suffolk County Legislature to include appropriations for the College to continue the successful Welfare-to-Work Mentoring Education Program that has a 92.6% successful completion rate resulting in the transition of Public Assistance recipients from welfare to work; and

WHEREAS, this resolution contains such budgetary adjustments as shall be necessary to accomplish the explicitly stated single budgetary objective set forth in the budget note below; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in this Resolution directly to the pertinent line item, organization or object, or revenue account in the Suffolk Community College Adopted Budget 2008-2009; shall place and post all appropriation and revenue changes or adjustments contained in this Resolution pertaining to fiscal year 2007-2008 for the purpose of calculating the effect on the 2007-2008 fund balances for Suffolk County Community College; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments contained in this Resolution in the pertinent line item, organization, object and sub-object for fiscal years 2007-2008 and/or 2008-2009 all as set forth herein, not to be construed as amending the Suffolk

Community College Adopted Budget 2007-2008 because the 2007-2008 Estimated Column contained in the Suffolk Community College Recommended Budget 2008-2009 shall be construed as informational in nature for the purpose of calculating the 2007-2008 fund balances for Suffolk County Community College; and be it further

2nd **RESOLVED**, that any Budget Amendment Resolution enacted subsequent to adoption of this Resolution, containing budgetary adjustments that are consistent with either an appropriation decrease, appropriation increase, revenue increase, or revenue decrease provided for in this Resolution, shall be treated as an adjustment to be calculated cumulatively from the adopted figures contained in this Resolution, and those items not amended by this or any other resolution be posted as “adopted”; and be it further

3rd **RESOLVED**, that all Whereas clauses and all Resolved clauses denominated 1st through 11th inclusive, contained on pages 1 through 5 (inclusive) of the Suffolk Community College Recommended Budget 2008-2009 are hereby stricken and are not adopted and not approved, and shall not appear in the printed 2008-2009 Suffolk Community College Adopted Budget; and be it further

4th **RESOLVED**, that “Schedule A” which summarizes the relationship between the College Operating Budget and the County General Fund is hereby incorporated into the 2008-2009 Suffolk Community College Adopted Budget to include information as directed in the 8th and 9th RESOLVED CLAUSES and to be included in the printed 2008-2009 Suffolk Community College Adopted Budget, immediately prior to the “Status of Funds” page; and be it further

5th **RESOLVED**, that all subsequent College Operating Budgets to the 2008-2009 Suffolk Community College Adopted Budget are hereby required to include an updated summary of the relationship between the College Budget and the County General Fund as illustrated in Schedule A, and be it further

6th **RESOLVED**, that “Schedule B” which summarizes the relationship between the various College expenditures and revenues is hereby incorporated into the 2008-2009 Suffolk Community College Adopted Budget to include information as directed in the 8th and 9th RESOLVED CLAUSES and to be included in the printed 2008-2009 Suffolk Community College Adopted Budget, immediately prior to the “Status of Funds” page; and be it further

7th **RESOLVED**, that all College Operating Budgets subsequent to the 2008-2009 Suffolk Community College Adopted Operating Budget are hereby required to include an updated summary of the various College expenditures and revenues as illustrated in Schedule B, and be it further

8th **RESOLVED**, that the County Executive shall include the following additional columns, “2008-2009 Adopted” and “2007-2008 Estimated”, in Schedule A and in Schedule B that reflects the sum total of all revenue increases, revenue decreases, appropriation increases, or appropriation decreases ultimately adopted in the 2008-2009 Suffolk Community College Adopted Budget, and be it further

9th **RESOLVED**, that the County Executive shall include the following additional column “2006-2007 Actual” in Schedule A and in Schedule B that reflects the actual sum total of all revenue and expenditures for the academic year 2006-2007 in the 2008-2009 Suffolk Community College Adopted Budget and be it further;

10th **RESOLVED**, that “Schedule C” which summarizes adjustments that reconciled the College’s fund balance to the College’s audited financial records is hereby incorporated into the 2008-

2009 Suffolk Community College Adopted Budget and to be included in the printed 2008-2009 Suffolk Community College Adopted Budget, immediately prior to the “Status of Funds” page; and be it further

11th **RESOLVED**, that the \$60,000 provided in this adopted budget specifically for the Nursing Incentive Program shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

12th **RESOLVED**, that the \$29,500 provided in this adopted budget specifically for the Welfare to Work Program Mentoring Education Program (\$25,000 in 818-2210-1160, Part Time Instructors, Day; \$2,000 in 818-2210-3100, Instructional Supplies; and \$2,500 in 818-8000-8330, Social Security) shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

13th **RESOLVED**, that the description for revenue code 818-2815 hereby be changed from “Transfer from General Fund – Misc” to “Welfare to Work Mentoring Education Program” and be it further;

14th **RESOLVED**, that the \$100,000 provided in this adopted budget specifically for the County Technical Training (\$92,000 in 818-2210-1160 Part Time Instructors, Day and \$8,000 in 818-8000-8330 Social Security) shall not be utilized as an offset for any other purpose without a duly enacted Resolution of the County of Suffolk pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW YORK STATE EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994, and 785-1995; and be it further

15th **RESOLVED**, the Suffolk Community College Recommended Budget 2008-2009 and it hereby is amended pursuant to Section 3(b) of the Plan “C” Agreement between the County of Suffolk and the Suffolk County Community College, as authorized by Section 6304(6) of the NEW STATE YORK EDUCATION LAW and Suffolk County Resolution Nos. 847-1989, 716-1994 and 785-1995 as follows:

APPROPRIATIONS

FD	AGY	UNIT	UNIT NAME	OBJ	OBJECT DESCRIPTION	2008-2009 RECOMMENDED	2008-2009 ADOPTED	DIFFERENCE
818	SCC	2210	Instruction	1160	PART-TIME INSTRUCTORS, DAY	\$6,984,792	\$7,101,792	\$117,000
818	SCC	2210	Instruction	3100	INSTRUCTIONAL SUPPLIES	\$502,189	\$504,189	\$2,000
818	SCC	2260	Plant Maintenance & Operation	3050	FUEL FOR HEATING	\$475,773	\$512,673	\$36,900
818	SCC	8000	Employee Benefits	8330	SOCIAL SECURITY	\$7,623,427	\$7,633,927	\$10,500
								\$166,400

REVENUE

FD	REV CODE	REVENUE	2008-2009 RECOMMENDED	2008-2009 ADOPTED	DIFFERENCE
818	1415	County Technical Training	\$0	\$100,000	\$100,000
818	2810	Suffolk County Contribution	\$34,131,342	\$34,197,742	\$66,400
					\$166,400

COUNTY CONTRIBUTION SHOWN FOR ILLUSTRATIVE PURPOSES PURSUANT TO RESOLUTION NO. 30-1997

FD	REV CODE	REVENUE	2008-2009 RECOMMENDED	2008-2009 ADOPTED	DIFFERENCE
818	1001	Real Property Taxes	\$4,405,215	\$4,405,215	\$0
818	2810	Suffolk County Contribution	\$34,131,342	\$34,197,742	\$66,400
		Contribution to Community College Fd.			
		TOTAL	\$38,536,557	\$38,602,957	\$66,400

DATED: August 5, 2008

****LINE ITEM VETOED BY COUNTY EXECUTIVE ON AUGUST 14, 2008****
THE FOLLOWING CLAUSES ARE HEREBY VETOED:

- Resolved Clause Number 3;
- Resolved Clause Number 4
- Resolved Clause Number 5;
- Resolved Clause Number 6;
- Resolved Clause Number 7;
- Resolved Clause Number 8;
- Resolved Clause Number 9;
- Resolved Clause Number 10; and
- Resolved Clause Number 13

RESOLVED CLAUSES NUMBERS 1, 2, 11, 12, 14, 15 HAVE BEEN POCKET APPROVED.

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER, RETURNED BY THE COUNTY EXECUTIVE UNSIGNED AUGUST 14, 2008.

****VETO OVERRIDE ADOPTED ON AUGUST 19, 2008****

Note: This resolution amends the Suffolk County Community College Recommended Budget 2008-2009 to provide the same County contribution as was adopted in the 2007-2008 College Budget, \$38,602,957. This resolution does not change the Recommended mandated or the non-mandated College real property tax. Expenditure increases of \$129,500 in 2008-2009 include \$29,500 for the Welfare to Work Mentoring Education Program, \$100,000 for County Technical Training and \$36,900 for Fuel for Heating. Ten votes are required for adoption.

Schedule A

Relationship between the College Budget and the County General Fund Budget			
		2007/2008 Adopted	2008/2009 Recommended
1.	Suffolk County Contribution (818-2810 = 001-2495)	\$34,131,342	\$34,131,342
2.	Transfer from General Fund (818-2812 = 001-E818)	\$5,427,383	\$5,605,571
3.	818-1001-Real Property Taxes	\$5,250,467	\$5,250,467
3.a.	Non-mandated College Tax Levy	\$4,471,615	\$4,405,215
3.b.	Mandated College Tax Levy	\$778,852	\$845,252
<hr/>			
4.	County Contribution (818-Contribution to Community College Fd)	\$38,602,957	\$38,536,557
1.	818-2810-Suffolk County Contribution (=001-2495)	\$34,131,342	\$34,131,342
3.a.	NonMandated College Tax Levy	\$4,471,615	\$4,405,215
<hr/>			
5.	Revenue Sources for Mandated County Expenses and Incentive Payments	\$6,206,235	\$6,450,823
2.	Transfer from General Fund (818-2812 = 001-E818)	\$5,427,383	\$5,605,571
3.b.	Mandated College Tax Levy	\$778,852	\$845,252
5.	Appropriations Paid from the above Revenue Sources	\$6,206,235	\$6,450,823
	818-Debt Service	\$6,114,635	\$6,359,223
	Out-of-County Tuition: County Incentive Payment	\$31,600	\$31,600
	Nurses Tuition Reimbursement Program & Other Contracts	\$60,000	\$60,000

Schedule B

Relationships between Various Expenditures and Revenues in the College Budget Document Suffolk Community College Recommended Budget 2008 - 2009

	2008/2009 Recommended	Relationship	Page Number in Budget Document
1000-Personal Services	\$104,654,150	(1)	p. 17
2000-Equipment	\$2,619,465	(2)	pp. 17-18
3000-Supplies Materials & Other Expenses	\$9,664,137	(3)	pp. 18-19
4000-Contractual Expenses	\$11,732,605	(4)	p. 19
8000-Employee Benefits	\$37,512,846	(5)	p. 19
9000-Interfund Transfers	\$2,556,767	(6)	p. 20
Total College Expenditures (excluding grants)	\$168,739,970	(7)=(1)+...+(6)	p. 17
Grants	\$2,811,934	(8)	p. 17
Grand Total College Expenditures	\$171,551,904	(9)=(7)+(8)	pp. 10, 17
Offsets to Expenses / Offset Revenue	\$17,259,860	(10)	pp. 10, 12
Net Operating Costs	\$154,292,044	(11)=(9)-(10)	pp. 9, 10
County Share ¹	\$40,030,540	(12)	p. 12
State Share	\$47,575,455	(13)	p. 12
Student Share	\$65,156,783	(14)	p. 12
Offset Revenue	\$17,259,860	(15)	pp. 12-16
Revenues: Total	\$170,022,638	(16)=(12)+...+(15)	p. 12
<i>plus</i> Fund Balance, September 1	\$2,529,266	(17)	p. 9
<i>minus</i> Transfer to Suffolk Community College Reserve Fund	\$1,000,000	(18)	p. 9
Total Gross Operating Costs	\$171,551,904	(19)=(16)+(17)-(18)	pp. 10, 17
Debt Service Obligation / Total Cost of Debt ²	\$6,359,223		pp. 7, 8

1. The \$40,030,540 recommended "County Share", which is broken down into its various revenue components, can be found on page 12 of the 2008-2009 recommended college budget. This is the same as "Revenue" under the County Share portion of the status-of-funds presentation on page 9 of the recommended college budget. As shown on page 9, this "Revenue" excludes local funding associated with the \$2,529,266 fund balance surplus used to offset expenses and the \$1,000,000 Transfer to Suffolk Community College Reserve Fund.

2. College debt service is not counted in total College expenditures. The reason is that Section 6304 of Article 126 of the New York State Education Law mandates that the local sponsor of a county community college be responsible for the payment of all capital costs.

Schedule C

	2006-2007 Actual			
	College Discretionary Operating Budget		College Reserve Fund (p. 11)	Combined College Operating & Reserve Budgets
	2006-07 Actual (Executive's recommended budget, p. 9)	2006-07 Actual (BRO Revised Presentation)		
		(1)	(2)	(3)=(1)+(2)
Fund Balance Sept. 1, 2006	\$3,390,746	\$777,912	\$2,912,460	\$3,690,372
<i>Plus</i> Audit Adjustment #1		\$2,612,834		\$2,612,834
<i>Equals</i> Adjusted Fund Balance Sept. 1, 2006		\$3,390,746		\$6,303,206
<i>Plus</i> Revenue	\$138,442,465	\$138,442,465		\$138,442,465
<i>Plus</i> Audit Adjustment #2	-\$297,623	-\$297,623		-\$297,623
<i>Equals</i> Total Funds Available	\$141,535,588	\$141,535,588	\$2,912,460	\$144,448,048
<i>Less</i> Expenditures	\$138,743,341	\$138,743,341		\$138,743,341
<i>Equals</i> Fund Balance, Aug. 31, 2007	\$2,792,247	\$2,792,247	\$2,912,460	\$5,704,707

Note on Audit Adjustment #1:	
College fund balance reported to the State	\$6,002,330
<i>Equals</i> Balance Sept. 1, 2006 (as shown in the 2007-2008 adopted College budget)	\$777,912
<i>Plus</i> Audit Adjustment #1	\$2,612,834

Note on Audit Adjustment #2:	
Audit Adjustment #2	\$297,623
<i>Equals</i> Increase in the reserve for uncollectible student receivables	\$412,799
<i>Less</i> Difference between what the College reported as their fund balance on the State report and what their trial balance indicated to the County's Independent Auditor (Ernst & Young)	\$115,176

Net Audit Adjustment (as noted in the narrative on the recommended College budget)	\$2,315,211
<i>Equals</i> Audit Adjustment #1	\$2,612,834
<i>Less</i> Audit Adjustment #2	\$297,623

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

Introduced by Presiding Officer Lindsay and Legislator Alden
8/19/08

LOT

**PROCEDURAL MOTION 22 –2008, APPROVING
PARTIAL SETTLEMENT OF MTBE LITIGATION WITH
DEFENDANT EXXON MOBIL**

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

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

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

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

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

WHEREAS, Procedural Motion No. 4-2008 approved a partial settlement of the County’s MTBE litigation with certain defendants representing approximately 70% of the total gasoline refining market of all named defendants in the case, under which the County of Suffolk is entitled to a payment of \$1,431,187.45 from which attorneys fees and expenses will be paid; and

WHEREAS, outside counsel has now recommended accepting a settlement with Exxon Mobil under which the County of Suffolk will be paid an additional \$100,000 from which attorneys fees and expenses will be paid; and

WHEREAS, pursuant to the tentative settlement with Exxon Mobil, in the event contamination is detected in a County-owned well that has not been previously impacted MTBE or TBA, Exxon Mobil will either pay its allocated share of treatment costs, arbitrate or mediate the issue of its responsibility, or be subject to new litigation; now, therefore be it

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

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

DATED: Adopted August 19, 2008

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

Legislator Beedenbender made motion for the following resolution, seconded by Legislator D’Amaro. The resolution was passed 18-0-0-0-0.

Introduced by Presiding Officer Lindsay

Laid on Table 8/19/08

MOTION NO. 23 – 2008, PROCEDURAL RESOLUTION AUTHORIZING FUNDING FOR COMMUNITY SUPPORT INITIATIVES (PHASE VI)

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>
American Legion Greenlawn Post 1244	Stern	\$1,000
Bellport Chamber of Commerce	Browning	\$5,000
Cancer Care, Inc.	Schneiderman	\$2,000
Children’s Maritime Museum	Viloria-Fisher	\$1,000
Deer Park Little League	D’Amaro	\$1,000
Eastern Suffolk BOCES	Viloria-Fisher	\$1,000
Family and Children’s Association	Alden	\$1,000
Federation of Organizations for the New York State Mentally Disabled, Inc	Lindsay	\$5,000
Flanders, Riverside and Northampton Community Association	Schneiderman	\$2,000
Friends of Karen, Inc.	Nowick	\$3,000
Friends of Long Island Wireless History	Lindsay	\$1,000
Friends of Science East, Inc.	Losquadro	\$1,000
Friends of Smithtown Library	Nowick	\$3,500
Friends of Wertheim National Wildlife Refuge	Browning	\$2,000
Girl Scouts of Suffolk County, Inc.	Cooper	\$1,000
Greater Long Island Runners Club	Cooper	\$1,000
Heckscher Museum of Art	D’Amaro	\$1,000
Huntington Community First Aid Squad Explorer Post 215	Cooper	\$1,500
Huntington Detachment Marine Corps League	Cooper	\$1,000
Huntington Human Services Institute, Inc.	Cooper	\$1,000

John J. McMahon Jr., Roller Hockey Club, Inc.		D'Amaro		\$2,000
John R. Cacioppo Post 1848 American Legion		Eddington		\$5,000
Lighthouse Mission, Inc.		Montano		\$1,000
Long Island Senior Games		Cooper		\$1,000
Newfield High School PTSA		Beedenbender		\$1,000
New England Village Homeowners Association		Lindsay		\$2,000
North Coleman Road Elementary School PTA		Beedenbender		\$1,400
North Shore Holiday House		Cooper		\$1,000
Northport Youth Center Soccer League		Cooper		\$2,000
Riverhead Townscape Community Trust		Romaine		\$2,000
Sag Harbor Historical Society		Schneiderman		\$1,000
Southold Historical Society		Romaine		\$1,500
Splashes of Hope		D'Amaro		\$2,000
St. Anne's Gardens HDFC, Inc.		Montano		\$2,000
St. Elizabeth Roman Catholic Church Outreach		D'Amaro		\$2,000
St. Peter's Evangelical Lutheran Church		D'Amaro		\$2,000
Youth Directions and Alternatives Community and Youth Agency, Inc.		Cooper		\$1,000

and be it further

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

DATED: Adopted August 19, 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 D'Amaro. The resolution was passed 18-0-0-0-0.

Introduced by Presiding Officer Lindsay

Laid on Table 8/19/08

**MOTION NO. 24 – 2008, PROCEDURAL RESOLUTION
 AUTHORIZING FUNDING FOR COMMUNITY SUPPORT
 INITIATIVES (PHASE VII)**

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>
Stony Brook Research Foundation		Viloria-Fisher		\$1,000

and be it further

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

DATED: Adopted August 19, 2008

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

LEGISLATURE

ADJOURNED 12:10AM 8/20/08
TIM LAUBE, CLERK OF THE