TWENTIETH DAY

REGULAR MEETING

December 2, 2008

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

The meeting was called to order at 9:34 a.m. by Presiding Officer William Lindsay. The Chief Deputy Clerk called the roll and the following were found present: Deputy Presiding Officer Viloria-Fisher, and Legislators Romaine, Schneiderman, Browning, Beedenbender, Eddington, Montano, Barraga, Kennedy, Nowick, Horsley, Gregory, D'Amaro and Cooper.

Legislator Stern arrived at 9:34 a.m.
Legislator Losquadro arrived at 9:50 a.m.
Legislator Alden arrived at 11:42 a.m.

Statements and Presentations

Public Portion

THE MEETING WAS RECESSED AT 1:23 P.M. AND RECONVENED AT 2:34 P.M.

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

Intro. Res. No. 1984-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 978 -2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGE-BACKS ON REAL PROPERTY CORRECTION OF ERRORS BY: COUNTY LEGISLATURE (CONTROL # 795-2008)

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# 795-2008

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	Charge back Refund, if *-Tax Paid
A	BABYLON	07/08	N/A	100 217 1 20	10182.08	5576.67	4605.41
A	BABYLON	06/07	N/A	100 217 1 20	9520.67	5328.31	4192.36
C	SMITHTOWN	06/07	N/A	800 100 3 18.3	19261.55	10577.23	8684.32

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1985-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 979 -2008, TO READJUST, COMPROMISE, AND GRANT REFUNDS AND CHARGEBACKS ON CORRECTION OR ERRORS/COUNTY TREASURER BY: COUNTY LEGISLATURE #306

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

WHEREAS, the properties represented by the item numbers or tax map numbers indicated below have been erroneously or improperly assessed as appears from the certificates

of Assessors of the respective towns in which said properties are situated as described below and the procedures as provided in the Real Property Tax Law have been fully complied with; now, therefore be it

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

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

Description	Year	Original Tax	Corrected Tax	Chargeback or Refund, if paid
0500-120.00-03.00-062.000	1996/97	$11,870.36	0	$11,870.36

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2034-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 980 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS GABRESKI AIRPORT – SHELT AIR WESTHAMPTON LLC LEASE AMENDMENT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis Gabreski Airport – Shelt Air Westhampton LLC Lease Amendment, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves the redevelopment of the Shelt Air facility. Intended actions include demolition of the existing hangar/office building, removal of an underground heating oil tank, construction of a new 5,000 square foot FBO office building and customer lobby, removal of some asphalt surfaces, site grading, installation of one (1) new 21,800 square foot hangar (approximately 100 feet by 198 feet) which includes a 2,000 square foot lean-to entrance/office/storage area, new asphalt surfaces, and additional aircraft fuel storage capacity for servicing aircraft operations. The purpose of the project is to upgrade the outdated facility

with improved structures and provide adequate service needs for aircraft that frequent the airport; and

WHEREAS, an Environmental Assessment Form (EAF) was prepared and submitted to the CEQ Office by the Suffolk County Department of Economic Development and Workforce Housing, Aviation Division of the Francis Gabreski Airport and subsequently sent out to all concerned parties; and

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Economic Development and Workforce Housing, Aviation Division of the Francis Gabreski Airport; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 20, 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 Francis Gabreski Airport – Shelt Air Westhampton LLC Lease Amendment, 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 action 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(c) of Title 6 NYCRR, which sets forth thresholds for determining significant adverse impacts on the environment;

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 (no poor soil properties, no high groundwater and no unmanageable slopes). In fact, approximately 95% of the site consists of urban and cut and fill land indicating prior disturbance;

4.) The proposed improvements are in conformance with the Gabreski Airport Master Plan, which was previously reviewed by CEQ and approved by Suffolk County in 1990 after having undergone a SEQRA review which resulted in a Negative Declaration being issued;

5.) The project is in conformance with the 1992 Long Island Comprehensive Special Groundwater Protection Area Plan adopted by the N.Y.S. Department of Environmental Conservation which directs new industrial development be allowed in such areas where such uses already exist including Suffolk County Airport;

6.) The project is in conformance with the 1995 Central Pine Barrens Comprehensive Land Use Plan and standards within the CGA as demonstrated in Parts I, III and Appendix B of the EAF;

7.) The project is in conformance with the 1999 Town of Southampton Comprehensive Update Implementation Strategies Plan; LI200 Zoning and Aquifer Protection Overlay District requirements. The plan update specifically notes that the Gabreski site "offers the unique potential for both aviation and non-aviation development;

8.) As required by the Legislature in 1990, the facility will be hooked up to the existing on site sewage treatment plant which was built by the County to accommodate the future growth at the airport as called for in the 1990 Airport Master Plan;

9.) All aspects of the proposal, including the removal of existing fuel tanks, the construction of the expanded fuel facility, storage of any toxic or hazardous materials and sewage discharge will meet the requirements of Articles 6, 7 and 12 of the Suffolk County Sanitary Code and obtain all necessary approval and permits from the Suffolk County Department of Health Services as called for by the Legislature in the 1990 Airport Master Plan. Suffolk County's regulations to protect the sole source aquifer, the deep recharge areas and water supply sensitive areas are some of the most stringent in the United States and, therefore, minimize any potential impacts to groundwater;

10.) All necessary N.Y.S.D.E.C. stormwater permits will be obtained;

11.) Waste Oil Removal – the applicant is responsible to provide signage to outline the approved procedure for waste oil removal. Any instructions regarding the removal of waste oil from the site is to conform to regulations as determined by the N.Y.S.D.E.C. and the County of Suffolk. Such language is to be included in the lease document;

12.) All noise generated by planes at the airport currently meets the FAA standards and the Town of Southampton Noise Ordinance which does not regulate "noise of aircraft flight operations". The Department of Economic Development & Workforce Housing has also implemented a Voluntary Noise Abatement Program to further mitigate any noise on the surrounding community. The applicant will make their best effort to conform with and to see to it that subtenants conform to current and any future approved Gabreski Airport Voluntary Noise Abatement procedures. Noise abatement procedure documents must be provided to all subtenants and be included in the applicant's lease and any/all subsequent subleases of individual hangars. Applicant further agrees to use their database to dispense updated noise abatement information to their customers, and where possible provide updated materials to further educate customers on the

avoidance of noise sensitive areas and recommended approaches and departures; and

13.) The aspect of cumulative growth at Gabreski Airport has been considered within all of the duly adopted State, County and Town plans that have recommended channeling new growth into the previously disturbed and developed airport while preserving the undisturbed, natural outlying areas to the west, north and east of the site. This is a "Smart Growth" concept;

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2035-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 981 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED CR 3, PINELAWN ROAD/WELLWOOD AVENUE, INTERSECTION RECONSTRUCTION, TOWNS OF BABYLON AND HUNTINGTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed CR 3, Pinelawn Road/Wellwood Avenue, Intersection Reconstruction, Towns of Babylon and Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves reconstruction of two intersections on CR 3 in the vicinity of Rutland Road/Colonial Springs Road and Conklin Street involving roadway widening and intersection reconfigurations. This will improve motorists and pedestrian safety, reduce vehicular congestion and relieve traffic operation problems. The project examines

reconstruction of two sections of County Road CR 3, Pinelawn Road/Wellwood Avenue, from the vicinity of Conklin Street to the vicinity of Corporate Center Drive, as well as Colonial Springs Road from CR 3 Pinelawn Road to CR 95 Little East Neck Road; and

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

WHEREAS, at its October 15, 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 Sufffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 CR 3, Pinelawn Road/Wellwood Avenue, Intersection Reconstruction, 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2036-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 982 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT CAPITAL PROJECT 5702 – PROPOSED RESURFACING OF A PORTION OF THE EXISTING NORTH PERIMETER ACCESS ROAD AT THE AIRPORT, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport Capital Project No. 5702 – Proposed Resurfacing of a Portion of the Existing North Perimeter Access Road at the Airport, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves repaving approximately three quarters of a mile of existing two lane pavement that has deteriorated over the years; and

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the information submitted by the Airport Manager of the Francis S. Gabreski Airport of the Suffolk County Department of Economic Development and Workforce Housing in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(4) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 Francis S. Gabreski Airport Capital Project No. 5702 – Proposed Resurfacing of a Portion of the Existing North Perimeter Access Road at the Airport, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(4) and Chapter 279 of the Suffolk County Code, since it involves repaving approximately three quarters of a mile of existing two lane pavement; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2037-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 983 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED FRANCIS S. GABRESKI AIRPORT CAPITAL PROJECT 5738 – PROPOSED PROJECT TO COMPLETE THE AIRPORT MASTER PLAN UPDATE, TOWN OF SOUTHAMPTON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Francis S. Gabreski Airport Capital Project No.

5738 – Proposed Project to Complete the Airport Master Plan Update, Town of Southampton", pursuant to Section 6 of Local Law No. 22-1985 which project involves updating the airport master plan and revising obsolete figures, charts, airport operations forecasts and land use for submission to the Suffolk County Legislature and Federal Aviation Administration; and

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the information submitted by the Airport Manager of the Francis S. Gabreski Airport of the Suffolk County Department of Economic Development and Workforce Housing in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 Francis S. Gabreski Airport Capital Project No. 5738 – Proposed Project to Complete the Airport Master Plan Update, Town of Southampton constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(20) and (21) and Chapter 279 of the Suffolk County Code, since it involves completing the Airport Master Plan update; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2038-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 984 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED DEPARTMENT OF PUBLIC WORKS SOUTHWEST SEWER DISTRICT NO. 3 – BERGEN POINT WASTEWATER TREATMENT PLANT ULTRAVIOLET DISINFECTION, TOWN OF BABYLON

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Department of Public Works Southwest Sewer District No. 3 – Bergen Point Wastewater Treatment Plant Ultraviolet Disinfection, Town of Babylon", pursuant to Section 6 of Local Law No. 22-1985 which project involves installation of a ultraviolet disinfection system at the Southwest Bergen Point Wastewater Treatment Plant to meet revised NYSDEC effluent standards; and

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the information submitted by the Suffolk County Department of Public Works in connection with this project; and

WHEREAS, the CEQ recommended that the above activity be considered a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2),(7) and (20) and Chapter 279 of the Suffolk County Code; and

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 21, 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 Department of Public Works Southwest Sewer District No. 3 – Bergen Point Wastewater Treatment Plant Ultraviolet Disinfection, Town of Babylon constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(2),(7) and (20) and Chapter 279 of the Suffolk County Code, since it involves rehabilitation of a primary non-residential facility involving less than 4,000 square feet to meet revised State standards; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2039-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 985 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED EXTENSION OF AN EXISTING MAINTENANCE BUILDING AND CONSTRUCTION OF TWO ADDITIONAL STRUCTURES AT CHARLES R. DOMINY COUNTY PARK, (WEST SAYVILLE COUNTRY CLUB) WEST SAYVILLE, TOWN OF ISLIP

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Extension of an Existing Maintenance Building and Construction of Two Additional Structures at Charles R. Dominy County Park, (West Sayville Country Club) West Sayville, Town of Islip", pursuant to Section 6 of Local Law No. 22-1985 which project involves expansion of an existing maintenance building and construction of two additional maintenance structures; and

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

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Parks, Recreation and Conservation; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 Extension of an Existing Maintenance Building and Construction of Two Additional Structures at Charles R. Dominy County Park, (West Sayville Country Club) West Sayville, Town of Islip 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 or 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.) The project will not adversely impact the historic integrity of the park; and

5.) Additional coniferous plantings will be installed to both restore the historic "pinedum" and further screen the maintenance area from the rest of the park;

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2040-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 986 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED EXPANSION OF PARKING LOT AT RAYNOR COUNTY PARK, LAKE RONKONKOMA, TOWN OF BROOKHAVEN

WHEREAS, the Suffolk County Council on Environmental Quality (CEQ) has reviewed a project designated as the "Proposed Expansion of Parking Lot at Raynor County Park, Lake Ronkonkoma, Town of Brookhaven", pursuant to Section 6 of Local Law No. 22-1985 which project involves the expansion of parking facilities at Raynor Beach County Park approximately 8,450 square feet; and

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

WHEREAS, at its October 15, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Parks, Recreation and Conservation; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 Expansion of Parking Lot at Raynor County Park, Lake Ronkonkoma, 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;

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); and

4.) Existing parking is inadequate at the park and additional parking is necessary when field sports are being held. This will divert people from parking along the adjacent town road which is not equipped to handle the overflow of cars;

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2041-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer

RESOLUTION NO. 987 -2008, MAKING A SEQRA DETERMINATION IN CONNECTION WITH THE PROPOSED ACQUISITION OF LAND FOR OPEN SPACE PRESERVATION PURPOSES KNOWN AS THE FROELICH/WICKS ADDITION – RIKER PROPERTY, TOWN OF HUNTINGTON

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 Froelich/Wicks Addition – Riker Property, Town of Huntington", pursuant to Section 6 of Local Law No. 22-1985 which project involves the acquisition of 5.11 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 October 15, 2008 meeting, the CEQ reviewed the EAF and information submitted by the Suffolk County Department of Planning; and

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

WHEREAS, the CEQ has advised the County Legislature and the County Executive by memo dated October 16, 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 Froelich/Wicks Addition – Riker Property, Town of 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 proposed use of the subject parcel 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

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1995-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 988 -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO BROOKHAVEN MEMORIAL HOSPITAL CENTER AND CLUBHOUSE OF SUFFOLK COUNTY

WHEREAS, the New York State Office of Mental Health has allocated $330,448 in additional 100% State Aid to Suffolk County, which is not included in the 2008 County Adopted Operating Budget; and

WHEREAS, $13,992 in 100% State Aid is added to Clubhouse of Suffolk's Ronkonkoma PROS to correctly fund their allocation for this site; and

WHEREAS, the New York State Department of Health has notified the New York State Office of Mental Health that Brookhaven Memorial Hospital Center has reached its Disproportionate Share (DSH) Cap for their clinic program for which $316,456 is allocated effective July 1, 2008; and

WHEREAS, these additional 100% State grant funds are not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $330,448 in additional State Aid as follows:

REVENUES:
001-3493 Community Support Services $330,448

ORGANIZATIONS

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

XORG	OBJECT NAME	2008 Modified Adopted Budget	Increase/ Decrease	2008 Modified Adopted Budget
JAO1	Clubhouse PROS Ronkonkoma	134,883	+13,992	$148,875
XXXX	Brookhaven Memorial Hospital Center	0	+316,456	$316,456

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Clubhouse of Suffolk County and Brookhaven Memorial Hospital Center; and be it further

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1996-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 989 -2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE DNA CAPACITY ENHANCEMENT, FY 08

WHEREAS, the New York State Division of Criminal Justice Services has awarded 100% State grant funds to the Suffolk County Department of Health Services, Division of Medical, Legal Investigations and Forensic Sciences for the DNA Capacity Enhancement, FY 08 in the amount of $15,200 for the period 06/01/08 – 06/30/09; and

WHEREAS, this grant provides funding to enhance our laboratory's capacity for processing DNA, within an average thirty (30) day turnaround time, to support the early identification and apprehension of offenders; and

WHEREAS, the Laboratory Technician needed to perform these DNA analyses is currently being provided through a contract with On Assignment Staffing Services, Inc., and

WHEREAS, these funds were not included in the 2008 Suffolk County Operating Budget; 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 this 100% State grant funding as follows:

REVENUES:

001-3321: Criminal Justice Services	$15,200

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Medical, Legal Investigations and Forensic Sciences
DNA Capacity Enhancement, FY 08
001-HSV-4733

Fees for Services	$15,200
4560 Fees for Services, Non-Employees	$15,200

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract for laboratory support services; and be it further

3rd **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

4th **RESOLVED**, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1997-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 990 -2008, ACCEPTING AND APPROPRIATING 100% STATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH AND THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE HEAL NY PHASE 6 – SOUTH SHORE REGIONAL HEALTH CENTER

WHEREAS, the New York State Department of Health and the Dormitory Authority of the State of New York has awarded 100% State grant funds to the Department of Health Services for the Health Care Efficiency and Affordability Law for New Yorkers Grant Program (HEAL NY) Phase 6 – South Shore Regional Health Center in the amount of $5,000,000 for the period 10/01/08-09/30/10; and

WHEREAS, the intended purpose of these grant funds is to expand and improve primary care services within the community; and

WHEREAS, these funds will be used to contribute to the design and construction of a new South Shore Regional Health Center, which will combine and relocate the existing Brentwood Family Health Center and the Central Islip Family Health Center and provides primary care services for the Bay Shore catchment area; and

WHEREAS, the acceptance of this grant award requires an independent contractor to build and furnish this new South Shore Regional Health Center; and

WHEREAS, the Department will provide a match of $14,758,590 in lease-back payments upon completion of the new Health Center, which will be an operating expense over 20 years within the Department of Public Works; and

WHEREAS, this lease expense will replace two (2) current leases for the Brentwood Family Health Center and the Central Islip Family Health and will result in decreasing future lease payments by approximately $250,000 per year; and

WHEREAS, these grant funds were not included in the 2008 Suffolk County Operating Budget; 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 $5,000,000 in State grant funds as follows:

REVENUES:	AMOUNT
001-3401 Public Health	$5,000,000

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Patient Care Services
HEAL NY Phase 6 – South Shore Regional Health Center
001-HSV-4108

Contractual Expenses	$5,000,000
4560 Fees for Services: Non-Employees	$5,000,000

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute a contract for design and construction services; and be it further

3rd **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

4th **RESOLVED**, that any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1998-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 991 -2008, ACCEPTING AND APPROPRIATING 100% ADDITIONAL FEDERAL GRANT FUNDS PASSED THROUGH THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE BEACH ACT SANITARY SURVEY PROJECT

WHEREAS, the New York State Department of Health Services has awarded additional 100% Federal grant funds to the Department of Health Services, Division of Environmental Quality for the Beach Act Sanitary Survey Project in the amount of $10,886 and has extended the expiration date from 09/30/08 to 09/30/09; and

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

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

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

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $10,886 in Federal grant funds as follows:

REVENUES:	AMOUNT
001-4910 Water Pollution Control	$10,886

APPROPRIATIONS:

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

Personal Services	$5,000
1120 Overtime Salaries	$5,000
Supplies, Materials & Other Expenses	$5,886
3370 Medical, Dental & Lab Supplies	$5,886

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 any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2002-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 992 -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 THE HEAL NY PHASE 6 - PRIMARY CARE INFRASTRUCTURE PROJECT

WHEREAS, the New York State Department of Health has awarded 100% State grant funds to the Department of Health Services for the Health Care Efficiency and Affordability Law for New Yorkers Grant Program (HEAL NY) Phase 6 - Primary Care Infrastructure Project in the amount of $426,415 for the period 10/01/08-09/30/10; and

WHEREAS, the intended purpose of these grant funds is to expand and improve primary care services within the community; and

WHEREAS, this funding will renovate additional examination rooms, a mammography station and a blood drawing station in the Marilyn Shellabarger South Brookhaven Family Health Center East at Shirley; and

WHEREAS, this funding will also renovate additional examination rooms and administration offices in the Riverhead Health Center; and

WHEREAS, the acceptance of this grant award requires that the Department provide an in-kind contribution of $489,538 for salaries, employee benefits, furnishings and mammography equipment; and

WHEREAS, the in-kind contribution is already included in the 2009 Suffolk County Operating Budget within the Departments of Health and Public Works, and appropriated in Capital Project 4055; and

WHEREAS, the $426,415 in additional 100% State Aid funding is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate $426,415 in grant funds as follows:

REVENUE:	AMOUNT
001-3401 Public Health	$426,415

APPROPRIATIONS:

Department of Health Services (HSV)
Division of Patient Care Services
(HEAL NY) Phase 6 – Primary Care Infrastructure Project
001-HSV-4107

Supplies, Materials & Other Expenses	$345,500
3650 Repairs: Buildings	$345,500
Contractual Expenses	$80,915
4560 Fees for Services: Non-Employees	$80,915

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 any unexpended appropriations will be re-appropriated to the subsequent fiscal year, until grant termination; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2003-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 993 -2008, ACCEPTING AND APPROPRIATING 100% GRANT FUNDING FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE TO THE SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES FOR THE CONTINUATION OF SERVICES PROVIDED UNDER THE COMMUNITY SOLUTIONS FOR TRANSPORTATION PROJECT (EMPLOYMENT SHUTTLE) AND AUTHORIZE THE COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICES TO EXECUTE A CONTRACT

WHEREAS, the New York State Office of Temporary and Disability Assistance has designated the Suffolk County Department of Social Services as the recipient of 100% Federal Funding in the amount of $78,102 to continue the Community Solutions for Transportation Project (Employment Shuttle) to provide transportation services to TANF and Safety Net families; and

WHEREAS, the purpose of the grant is to provide funds to enable TANF and SN-MOE families to secure and maintain employment where alternate means of transportation are unavailable; and

WHEREAS, the New York State Office of Temporary Disability Assistance has approved the grant proposal developed in collaboration with the Education and Assistance Corporation (EAC) as the provider of the Community Solutions for Transportation Project (Employment Shuttle); and

WHEREAS, EAC will assess an individual's transportation needs and develop a plan which will enable the individual to secure new employment or continue existing employment thereby promoting self-sufficiency and financial independence; and

WHEREAS, it is in the best interest of Suffolk County to accept these funds; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to accept the following funds:

REVENUES:		AMOUNT
001-4610	FEDERAL AID: Administration	$78,102

and be it further

2nd **RESOLVED**, that total funds in the amount of $78,102 be and are hereby appropriated as follows:

ORGANIZATIONS:

Department of Social Services
Housing, Adult and Employment Services
001-DSS-6008

4000 – Contractual Expenses	**$78,102**
4980 – GVO1 – EAC, Inc. Employment Shuttle	**$78,102**

and be it further

3rd **RESOLVED**, that any unexpended funds be reappropriated in the 2009 Operating Budget, and will be fully expended by June 30, 2009 in conformance with the terms of the grant award; and be it further

4th **RESOLVED**, that the County Executive and the Commissioner of Social Services be and they are hereby are authorized to execute a contract with the Education and Assistance Corporation, Inc., for the Community Solutions for Transportation Project (Employment Shuttle).

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2054-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 994 -2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (NYS OASAS) FOR PEDERSON-KRAG CENTER

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has selected the Pederson-Krag Center to receive a 2008 Problem Gambling Prevention Initiative award; and

WHEREAS, this award supports start up costs incurred between October 1, 2008 and December 31, 2008; and

WHEREAS, this additional 100% State Aid funding must be expended no later than December 31, 2008; and

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

1st **RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate an additional 100% State Aid in the amount of $60,000 as follows:

REVENUES:

Amount	
001-HSV 3488 State Aid: Compulsive Gambling Program	$60,000

ORGANIZATIONS

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

XOR	OBJECT NAME	2008 Modified Adopted Budget	Increase/ Decrease	2008 Modified Budget
ANL9	PK Compulsive Gambling	$115,447	+$60,000	$175,447

and be it further

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2006-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 995 -2008, ACCEPTING AND APPROPRIATING 100% FEDERAL FUNDS AWARDED BY THE U.S. MARSHALS SERVICE TO THE SUFFOLK COUNTY DEPARTMENT OF PROBATION AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE RELATED AGREEMENTS

*WHEREAS**, the U. S. Marshals Service will provide funding to the Suffolk County Probation Department for the Department's participation in the NY/NJ Regional Fugitive Task Force operations; and***

WHEREAS, a total of $13,000.00 has been awarded by the U.S. Marshals Service for overtime expenses for services rendered by the Department of Probation for the period of October 1, 2008 through September 30, 2009; and

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

1st **RESOLVED**, that the County Executive is authorized to execute any Agreement with the U.S. Marshals Service, as necessary, to secure said funds; and be it further

2nd **RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted funds in the amount of $13,000.00 as follows:

REVENUES:	***AMOUNT***
001- 4320 -Federal Aid: Crime Control	***$13,000.00***

APPROPRIATIONS:	**AMOUNT**

Suffolk County Probation Department

U.S. Marshals Fugitive Task Force

001-PRO-3153

1000 Personal Services	***$13,000***
1120-Overtime	$13,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2008-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 996 -2008, ACCEPTING AND APPROPRIATING GRANT FUNDS RECEIVED FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, UNDER THE SUFFOLK COUNTY DISTRICT ATTORNEY DOMESTIC VIOLENCE PROGRAM

WHEREAS, New York State Division of Criminal Justice Services has awarded a grant in the amount of $30,000.00 to the Office of the Suffolk County District Attorney. The objective of this grant is to facilitate the opening of a Sexual Assault Nurse Examiner (SANE) Center at the Stony Brook University Hospital and create an "on-call" shift of Sexual Assault Nurse Examiners who will conduct forensic exams on victims of sexual assault at the newly opened Stony Brook University Hospital SANE Center: and

WHEREAS, said grant is to run for the period 04/1/08 through 12/31/09; and

WHEREAS, no funding has been included in the District Attorney's 2008 Suffolk County Adopted Operating Budget for the purposes of this program; 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;

REVENUES:	AMOUNT
001-3324-Domestic Violence Program	$30,000

ORGANIZATIONS:

District Attorney (DIS)
Domestic Violence Program
001-1153

Supplies, Materials & Other	**$ 1,080**
3040-Printing	$ 1,080
Fees For Services	$28,920
4560-Fees For Services, Non Employee	$28,920

and be it further

2nd **RESOLVED**, that the County Executive be authorized to execute the grant related agreement between Suffolk County and the New York State Division of Criminal Justice Services; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2061-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 997 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $15,497 FROM THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT (GTSC FFY2009) HIGHWAY SAFETY PROGRAM WITH 100% SUPPORT FOR SHERIFF'S TRAFFIC SAFETY INITIATIVE

WHEREAS, the New York State Governor's Traffic Safety Committee has made $15,497 in funds available to Suffolk County for the (GTSC FFY2009) S.T.O.P.P.E.D. (Sheriff's Telling our Parents and Promoting Educated Drivers) program to be administered by the Suffolk County Sheriff's Office; and

WHEREAS, this program provides high visibility enforcement, public information and education, designed to save lives of young drivers by educational means to reduce accidents that may result in serious injury or death; and

WHEREAS, the operational period of the program is from October 1, 2008 through September 30, 2009; and

WHEREAS, said grant funds have not been included in the 2008 and 2009 Suffolk County Operating Budgets; now, therefore be it

1st **RESOLVED**, that the County Executive and Sheriff are authorized to execute an agreement with the State of New York, as necessary, to secure said grant funds; and be it further

2nd **RESOLVED**, that the County Comptroller and the County Treasurer be and they hereby are authorized to accept and appropriate said unbudgeted grant funds in the amount of $15,497 as follows:

REVENUE:

Amount $15,497.00
001-4392-Federal Aid: Sheriff- Traffic Safety Initiative

ORGANIZATIONS:

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

2500-Miscellaneous Equipment	$5,497
3020-Postage	$1,000
3040-Outside Printing	$9,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1974-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 998 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTION TO ADOPTED RESOLUTION NO. 517-2007

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 517-2007; and

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

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

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

Resolution No. 517-2007

In the 2nd RESOLVED paragraph change the Revenues:

FROM:

REVENUES
001-4320 Federal Aid: Crime Control

TO:

REVENUES
001-3321 State Aid: Criminal Justice Services

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1979-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 999 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JOYCE REPECKI (SCTM NO. 0400-165.00-03.00-005.000)

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 165.00, Block 03.00, Lot 005.000, 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 165.00, Block 03.00, Lot 005.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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

WHEREAS, JOYCE REPECKI, has made application of said above described parcel and JOYCE REPECKI, has paid the application fee and will be paying $76,673.77 as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law by applicant through the date of deed transfer by redemption process, in addition to any and all other charges due the County of Suffolk to the date of the closing; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to JOYCE REPECKI, 106 Cuba Hill Road, Greenlawn, New York 11740, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1980-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1000 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CARL J. DARENBERG, III (SCTM NO. 0300-028.00-02.00-007.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 028.00, Block 02.00, Lot 007.001, and acquired by tax deed on July 3, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008, in Liber 12557, at Page 356, and otherwise known as and by Town of East Hampton, Suffolk County Tax Map Number: District 0300, Section 028.00, Block 02.00, Lot 007.001; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 3, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 9, 2008 in Liber 12557 at Page 356.

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, CARL J. DARENBERG, III has made application of said above described parcel and CARL J. DARENBERG, III has paid the application fee and $1,346.78, 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 CARL J. DARENBERG, III, 228 Essex Street, Montauk, New York 11954, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1981-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1001 -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 V. BREWSTER and RUBY BREWSTER, HIS WIFE (SCTM NO. 0100-164.00-05.00-033.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of

Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 164.00, Block 05.00, Lot 033.000, and acquired by tax deed on March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008, in Liber 12546, at Page 601, and otherwise known as and by Town of Babylon, Filed Map No. 431, Lots 805 and 806; 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 March 31, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 4, 2008 in Liber 12546 at Page 601.

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, RUBY BREWSTER has made application of said above described parcel and RUBY BREWSTER has paid the application fee, and CHARLES V. BREWSTER and RUBY BREWSTER have paid $34,770.91, 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 V. BREWSTER and RUBY BREWSTER, his wife, 64 Nathalie Avenue, Amityville, New York 11701, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1982-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1002 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KIRK DAVIDSON and YASMIN DAVIDSON, HIS WIFE (SCTM NO. 0500-225.00-02.00-053.000)

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 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 225.00, Block 02.00, Lot 053.000, and acquired by tax deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007, in Liber 12513, at Page 418, and otherwise known as and by Town of Islip, Suffolk County Tax Map Number: District 0500, Section 225.00, Block 02.00, Lot 053.000; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 2, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 13, 2007 in Liber 12513 at Page 418.

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, KIRK DAVIDSON has made application of said above described parcel and KIRK DAVIDSON has paid the application fee and CIT GROUP INC. has paid $29,768.63, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; now, therefore be it

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

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, and/or his designee, be and he hereby is authorized to execute and acknowledge a Quitclaim Deed to KIRK DAVIDSON and YASMIN DAVIDSON, his wife, 1656 Ohio Avenue, Bay Shore, New York 11706, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1983-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1003 -2008, AUTHORIZING THE SALE,
PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT JAMES N. IRELAND INVESTMENT CO. (SCTM NO. 0200-774.00-01.00-001.012)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 774.00, Block 01.00, Lot 001.012, and acquired by tax deed on August 15, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on September 4, 2007, in Liber 12520, at Page 725, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 774.00, Block 01.00, Lot 001.012; and

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

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

WHEREAS, JAMES N. IRELAND INVESTMENT CO., by James Normile, President, has made application of said above described parcel and JAMES N. IRELAND INVESTMENT CO., by James Normile, President, has paid the application fee and $3,323.00, as payment of taxes, penalties, interest, recording fees, and any other charges due the County of Suffolk, pursuant to Local Law, by applicant, through November 30, 2008; 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 JAMES N. IRELAND INVESTMENT CO., 8 Dogwood Lane, Norwich, Connecticut 06360, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2018-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1004 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT CANTABERRY TAILS, LLC (SCTM NO. 0100-102.00-01.00-049.002 and 0100-102.00-01.00-049.003)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0100, Section 102.00, Block 01.00, Lot 049.002 and District 0100, Section 102.00, Block 01.00, Lot 049.003, and acquired by tax deed on October 11, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007, in Liber 12528, at Page 285, and otherwise known as and by;

PARCEL I – 0100-102.00-01.00-049.002, Town of Babylon, County of Suffolk and State of New York, Filed Map 654 BL G LT 5A; and

PARCEL II – 0100-102.00-01.00-049.003, Town of Babylon, County of Suffolk and State of New York, Filed Map 654 BL G LT 4

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such properties as were acquired by the County of Suffolk by Tax Deed on October 11, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on October 30, 2007 in Liber 12528 at Page 285.

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

WHEREAS, CANTABERRY TAILS, LLC, by Robert F. Kent, as Member, has made application of said above described parcels and CANTABERRY TAILS, LLC, by Robert F. Kent, as Member, has paid the application fee and $11,639.39, 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 CANTABERRY TAILS, LLC, 37 Riverdale Avenue, Oakdale, New York 11769, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2019-2008 Laid on Table
11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1005 -2008, AUTHORIZING THE SALE,3PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT ATLANTIC 1784 CORP. (SCTM NO. 0103-019.00-01.00-091.001)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Lindenhurst, Town of Babylon, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0103, Section 019.00, Block 01.00, Lot 091.001, and acquired by tax deed on July 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008, in Liber 12557, at Page 861, and otherwise known as and by Incorporated Village of Lindenhurst, Town of Babylon, Filed Map 2-282 Block 17 P/O Lots 5-9 Inc.; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax Deed on July 9, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 14, 2008 in Liber 12557 at Page 861.

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, ATLANTIC 1784 CORP., by Salim Gorur, as President, has made application of said above described parcel and ATLANTIC 1784 CORP., by Salim Gorur, as President, has paid the application fee and $45,849.86, 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 ATLANTIC 1784 CORP., 25 Shorewood Drive, Sands Point, New York 11050, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2020-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1006 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT RALPH J. BENINCASA, having a ¼ interest, and CATHERINE BENINCASA, his wife, having a ¾ interest (SCTM NO. 0400-118.00-02.00-032.003)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of 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 118.00, Block 02.00, Lot 032.003, 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 118.00, Block 02.00, Lot 032.003; and

FURTHER, notwithstanding the above description, it is the intention of this conveyance to give title only to such property as was acquired by the County of Suffolk by Tax

Deed on April 15, 2008, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on April 17, 2008 in Liber 12547 at Page 966.

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

WHEREAS, CATHERINE BENINCASA has made application of said above described parcel and RALPH J. BENINCASA has paid the application fee and $16,916.21, 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 RALPH J. BENINCASA, having a ¼ interest, and CATHERINE BENINCASA, his wife, having a ¾ interest, 34 Grand Place, East Northport, New York 11731, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2021-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1007 -2008, AUTHORIZING THE SALE, PURSUANT TO LOCAL LAW 16-1976, OF REAL PROPERTY ACQUIRED UNDER SECTION 46 OF THE SUFFOLK COUNTY TAX ACT KIMBLE LEWIS as Administrator to the Estate of

Billie Ann Lewis Franklin, a/k/a Billie Ann Lewis, a/k/a Billie Franklin, as to 50% interest, and SHELDON LEWIS, as to 50% interest (SCTM NO. 0200-545.00-02.00-008.000)

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

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200, Section 545.00, Block 02.00, Lot 008.000, and acquired by tax deed on July 7, 2007, from Angie M. Carpenter, the County Treasurer of Suffolk County, New York, and recorded on July 25, 2007, in Liber 12515, at Page 222, and otherwise known as and by Town of Brookhaven, Suffolk County Tax Map Number: District 0200, Section 545.00, Block 02.00, Lot 008.000; and

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

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

WHEREAS, WELLS FARGO BANK, N. A., c/o Berkman, Henoch, Peterson and Peddy, P.C., as Mortgagee, has made application of said above described parcel and WELLS FARGO BANK, N. A., c/o Berkman, Henoch, Peterson & Peddy, P.C., as Mortgagee, has paid the application fee and $21,202.44, 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 KIMBLE LEWIS as Administrator to the Estate of Billie Ann Lewis Franklin, a/k/a Billie Ann Lewis, a/k/a Billie Franklin, as to 50% interest, and SHELDON LEWIS, as to 50% interest, 1646 Brooklyn Avenue, Brooklyn, New York 11212, to transfer the interest of Suffolk County in the above described property and on the above described terms.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2022-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1008 -2008, AMENDING THE 2008 OPERATING BUDGET, ACCEPTING 100% GRANT FUNDS IN THE AMOUNT OF $75,000 FROM THE NEW YORK STATE DEPARTMENT OF EDUCATION AND APPROPRIATING FUNDS FOR A GEOGRAPHIC INFORMATION SYSTEMS (GIS) ENTERPRISE ADDRESS MANAGEMENT SYSTEM (EAMS) FOR SUFFOLK COUNTY GOVERNMENT

WHEREAS, the GIS Division of Suffolk County's Department of Information Technology is responsible for the development and administration of the County's evolving mapping information repository and facilitates access to electronic mapping information and related databases for use by County Departments, municipalities, other related organizations, and the broader community; and

WHEREAS, there is no single centralized system for maintaining, tracking or verifying the accuracy of property addresses for the approximately 585,000 parcels in 10 municipalities including 35 Incorporated Villages; and

WHEREAS, there are over a dozen entities that are involved in the assignment of new addresses, modification, tracking of changed addresses, and utilizing property address databases, each with their own requirements, data systems, communication means, and data needs, including the County Police Department who manages addressing data to identify callers who use the 911 Service; and

WHEREAS, the Suffolk County GIS Executive Committee has determined a Enterprise Address Management System (EAMS) would be beneficial to the County as well as other municipalities; but also for residents, organizations and other existing applications that rely on accurate addressing details to retrieve and map parcel level data; and

WHEREAS, the objective of a GIS Enterprise Address Management System (EAMS) could serve as the primary source and standardization of addressing details associated with parcel level data for government organizations and departments within Suffolk County; and

WHEREAS, the EAMS will ensure that addressing information is more effectively and accurately integrated within the geographic database platform (ArcSDE) currently under development in Suffolk County; and

WHEREAS, a GIS Consultant will be contracted by the County of Suffolk to perform services towards an Enterprise Address Management System (EAMS) for an estimated cost of $75,000 (Seventy Five Thousand Dollars); and

WHEREAS, the New York State Archives Government Records Services, under the New York State Department of Education, has awarded the Suffolk County Department of Information Technology a $75,000 grant to be used for the specific purpose of developing Enterprise Address Management System (EAMS); 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 in the sum of $75,000 as follows:

REVENUES:	AMOUNT
001-3217 State Aid: GIS Management Grant	$75,000

EXPENDITURES:

INFORMATION TECHNOLOGY (ITS)
GIS MANAGEMENT GRANT
001-ITS-1653

	2008 Adopted	2008 Modified	Difference
4000 – Contractual Expenses	$0	$75,000	$75,000
4210 – Computer Services	$0	$75,000	$75,000

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 State of New York; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1992-2008 Laid on Table 11/18/2008
Introduced by Legislator Kennedy

RESOLUTION NO. 1009 -2008, APPOINTING MEMBER OF THE SUFFOLK COUNTY VOCATIONAL, EDUCATION, AND EXTENSION BOARD (RONALD BARZ)

WHEREAS, a Suffolk County Resolution of May 24, 1943, created a Suffolk County Vocational, Education and Extension Board for the purpose of giving instruction to the volunteer firemen of the County of Suffolk; and

WHEREAS, appointments to said Board are authorized to be made by the Suffolk County Legislature pursuant to Section 1101(2) of the NEW YORK EDUCATION LAW; and

WHEREAS, the term of Robert E. Holley expired on July 31, 2008; now, therefore be it

1st **RESOLVED**, that Ronald Barz, currently residing in Hauppauge, NY, be and he hereby is appointed to the Suffolk County Vocational, Education and Extension Board to replace Robert E. Holley, for a term office to expire on July 31, 2017, said appointment having been made pursuant to the provisions of Section 1101(2) of the NEW YORK EDUCATION LAW; 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: December 2, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 1101(2) OF THE NEW YORK EDUCATION LAW

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

Intro. Res. No. 2094-2008 Laid on Table 11/18/2008
Introduced by Legislator Viloria-Fisher

RESOLUTION NO. 1010 -2008, TO AMEND THE USER FEE SCHEDULE FOR SUFFOLK COUNTY PARKS

1st **RESOLVED**, that Section 688-3 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 688
PARKS AND RECREATION FEES

* * * * * * *

§ 688-3. Fees.
The fee schedule shall be as follows and where indicated weekday is Monday through Thursday and weekend is Friday through Sunday and holidays:

Type	**Fee**
Green key (2-year pass)	
Resident **[**(3-year pass)**]**	$20.00
Discount rate for:	
Senior citizen (60 and over) **[**or veteran whose adjusted gross income for federal income tax purposes is $50,000 or more, as verified by a signed copy of a federal income tax return actually filed for the prior tax years,**]**	
Veteran	
CERT volunteer**[**, and**]**	
Handicapped	
Junior (under 18)	
Volunteer fire fighter and ambulance workers	
Auxiliary Police	$9.00
Discount rate for:	
Disabled veteran	
Members and spouses and children of members of Armed Forces on active duty	Free

[Senior citizen or veteran whose adjusted gross **]**
[income for federal income tax purposes**]**

[is less than $50,000, as verified]		
[by a signed copy of a federal income]		
[tax return actually filed for the]		
[prior tax year or CERT volunteer]	[Waived]	
[Junior (3-year pass)]	[$9.00]	
Replacement (lost, stolen or misplaced)	$5.00	
[Replacement (lost, stolen or misplaced) for:]		
[Seniors citizen or veterans whose adjusted gross]		
[income for federal income tax]		
[purposes is less than $50,000, as verified]		
[by a signed copy of a federal income tax]		
[return actually filed for the prior tax year or]		
[CERT volunteers]	[Waived]	
Discount rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
[Tourist (2-year pass)]	[Discontinued]	
[Tourist access key (1-year pass)]	[$8.00]	
Non resident [Tourist] reservation key (1-year pass)	[$35.00]	$40.00
[Tourism package (1-year pass)]	[$125.00]	

Golf

Residents:		
Weekday, excluding holidays	[$25.00]	$28.00
Weekend & holidays	[$27.00]	$30.00
Discount rate weekday, excluding holidays (no discount rate on weekends) for:		
Senior citizen		
Handicapped [discount rates:]	[$14.00]	$17.00
[Monday through Thursday (except holidays)]		
[Peak]	[n/a]	
[Off-peak]	[n/a]	
[Monday through Friday (except holidays)]	[n/a]	
[Peak (1 rate for weekday in 1999)]	[$14.00]	
[Off peak (1 rate for weekday in 1999)]	[$11.00]	
Junior[s] (under 18) discount rates [(16 years and under)]:	$10.00	
[Monday through Friday (except holidays)]		
[Tourist as a guest of a resident] Non resident:		
Weekday, [Monday through Thursday] ([except] excluding holidays[)]]	[$35.00]	$38.00
Weekend [Friday through Sunday and] & holidays	[$40.00]	$45.00
[Tourist not as a resident's guest:]		
[Monday through Thursday (except holidays)]	[$32.00]	

[Friday through Sunday and holidays]	[$40.00]	
Twilight discount rates 7 days per week:		
Residents	[$15.00]	$18.00
[Tourists] Non resident	[$28.00]	$30.00
Twilight discount rates weekday, excluding holidays		
Senior citizen[s /handicapped]	[$9.00]	$12.00
Handicapped	[$9.00]	$12.00
Junior[s] (under 18)	[$8.00]	$9.00
[Timber Point, :] 9 holes weekday, excluding holidays		
Residents	$14.00	
Non resident [Tourists]	$22.00	
Senior citizen[s/handicapped]	[$7.00]	$8.00
Handicapped	[$7.00]	$8.00
Junior[s]	[$6.00]	$8.00
[All courses,] 9 holes, weekend & holidays:		
Residents	[$15.00]	$18.00
Non resident [Tourists]	[$29.00]	$30.00
Senior citizen[s/handicapped]	[$15.00]	$18.00
Handicapped	[$15.00]	$18.00
Junior[s]	[$15.00]	$18.00
Tournament application fee	[$25.00]	$50.00
Tournament greens fee (all players)	[$30.00]	$33.00
Same day replay fee		$12.00
Reservation fee (per player/round):	$3.00	
Reservation no-show fee (per player):	$5.00	
[Cancellation fee]	[$1.00]	

Vehicle Use Fees [Beach]

Daily Parking (7 days/week)	
Parks with Lifeguards:	
(Smith Point, Cupsogue, Meschutt, Sears Bellows):	
[General parking (7 days/week)] Resident with green key	$5.00
Discounted rate (weekday, excluding holidays) for:	
Senior citizen	
Veteran	
CERT volunteer	
Handicapped	
Volunteer fire fighter and ambulance workers	
Auxiliary Police	Free
[Seniors/handicapped, veterans or]	
[CERT volunteers (weekdays except holidays)]	[Free]
Discounted rate for (7 days/week)	

Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Non resident [Tourist/non-green key]	$10.00	
Parks without Lifeguards: (Southaven, Indian Island, Blydenburgh, West Hills, Lake Ronkonkoma, Cathedral Pines):		
Resident with green key		$3.00
Discounted rate (weekday, excluding holidays) for:		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Volunteer fire fighter and ambulance workers		
Auxiliary Police	Free	
Discounted rate for (7 days/week)		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Non resident [Tourist/non-green key]	$8.00	
[Meschutt/Sears Bellows/Shinnecock West]		
[(7 days/week)]		
[General parking (7 days/week)]	[$3.00]	
[Seniors/handicapped, veterans or]		
[CERT volunteers (weekdays except holidays)]	[Free]	
[Tourist/non-green key]	[$8.00]	
[Smith Point:]		
[General parking (7 days/week)]	[$5.00]	
[Seniors/handicapped, veterans or]		
[CERT volunteers (weekdays except holidays)]	[Free]	
[Tourist/non-green key]	[$10.00]	
[Major Special Event Parking]		
[Field & Outer Beach after 4 p.m. or without permit]		
[Ronkonkoma Beach (7 days/week):]		
[Resident]	[$2.00]	
[Seniors/handicapped, veterans or]		
[CERT volunteers (weekdays except holidays)]	[Free]	
[Tourist/Non-Green Key]	[$8.00]	

Seasonal parking (NOTE: green-key holders only):		
Limited access parking pass	[$25.00]	$30.00
Unlimited access, resident	[$50.00]	$55.00
Bus parking:		
Daily, nonprofit organization	[$15.00]	$20.00
Daily, general bus parking	[$30.00]	$35.00
[Annual, commercial]	[n/a]	
Outer beach recreational vehicle use permit		
Annual permit:		
Resident [green - key -] holder	$75.00	$100.00
[Senior/handicapped, veteran or]		
[CERT volunteer green key holder]		
Discounted rate for:		
Senior citizen		
Veteran		
CERT volunteer green key holder		
Handicapped		
Volunteer fire fighter and ambulance workers		
Auxiliary Police	$37.50	$50.00
Disabled veteran		Free
Non resident [Tourist]	$200.00	$300.00
Resident (fourth quarter only)	$37.50	$50.00
Non resident [Tourist] (fourth quarter only)	$75.00	$150.00
Annual permit replacement fee		$20.00
Discounted rate for Disabled veteran:		Free
Vehicle day use fee:		
[Smith Point:]		
[Resident green-key holder]	[$0.00]	
[Senior/handicapped, veteran or]		
[CERT volunteer green-key holder]	[$0.00]	
[Outer beach discount book (10 tickets)]	[$0.00]	
[Resident/senior/handicapped, veteran or]		
[CERT volunteer without permit]		
Resident green [-] key holder	[$25.00]	$30.00
Non resident [Tourist without permit]	[$35.00]	$40.00
[Shinnecock East and Montauk (in-season):]		
[Resident green-key holder]	[$0.00]	
[Senior/handicapped, veteran or]		
[CERT volunteer green-key holder]	[$0.00]	
[Resident/senior/handicapped, veteran or]		
[CERT volunteer without permit]	[$25.00]	

[Tourist permit holder]	[$0.00]	
[Tourist without permit]	[$35.00]	
[Overnight outer beach camping:]		
[Resident green-key holder]	[$12.00]	
[Senior/handicapped, veteran or]		
[CERT volunteer green-key holder]	[$6.00]	
[Tourist with permit green-key-holder]	[$20.00]	

Special group events (picnics, fundraisers and horse/dog shows):

Plus Vehicle Use Fee

10-50 people		$50.00
51-100 people		$100.00
101-200 people		$150.00
201-500 people		$225.00
501-1000 people		$400.00
Over 1,000 people		$600.00
Parking fee per person (for facilities without a vehicle day use fee)		$2.00
Pavilion fee		$100.00
Alcohol permit		$30.00
[100 or fewer people]	[$125.00]	
[100 to 250 people]	[$250.00]	
[251 to 399 people]	[$350.00]	
[400 people and over]	[$500.00]	

[Horse/dog shows (fee plus $1.00 per entry)]

[Entry fee]	[$2.00]	
[100 or fewer people]	[$125.00]	
[100 to 250 people]	[$250.00]	
[More than 250 people]	[$350.00]	

[Horseback riding] Recreational permits (horseback riding, dogs, metal detectors, model planes, and others):

Family rate (annual)	$50.00	
Resident individual (annual)	$25.00	
Resident individual (daily)	$5.00	
Non resident [Tourist] family (annual)	$75.00	
Non resident [Tourist] individual (annual)	$40.00	
Non resident [Tourist] individual (daily)	$10.00	
Group riding permit per use (minimum 10 horses, all riders must have permit)	[n/a]	$50.00

Camping

In Season:		
Residents	[$14.00]	$15.00
Residents-electric	[$16.00]	$20.00
Residents-premium	[$21.00]	$25.00
Non resident [Tourist]	[$24.00]	$30.00

Non resident [Tourist] -electric	[$27.00]	$35.00
Non resident [Tourist] -premium	[$32.00]	$40.00
[Senior/handicapped, veteran or]		
[CERT volunteer]	[$7.50]	$8.00
[Senior/handicapped veteran or]		
CERT volunteer-electric]	[$9.50]	$13.00
[Senior/handicapped veteran or]		
[CERT Volunteer-premium]	[$14.50]	$18.00
[Premium Utility Hook-up per night]	[$3.00]	
Discounted rate for:		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Volunteer fire fighter and ambulance workers		
Auxiliary Police	[$7.50]	$10.00
Electric	[$9.50]	$13.00
Premium	[$14.50]	$18.00

Discounted rate for (7 days/week excluding reservation penalty and reservation fees)
Disabled veteran
Members and spouses and children of members of Armed Forces on active duty — Free

Off Season:

Residents	$8.00
Residents-electric	$10.00
Residents-premium	$18.00
Non resident [Tourists]	$16.00
Non resident [Tourist] -electric	$19.00
Non resident [Tourist] -premium	$29.00
[Senior/handicapped, veteran or]	
[CERT Volunteer]	$5.00
[Senior/handicapped, veteran or]	
[CERT volunteer-electric]	$7.00
[Senior/handicapped, veteran or]	
[CERT volunteer-premium]	$13.00
Discounted rate for:	
Senior citizen	
Veteran	
CERT volunteer	
Handicapped	
Volunteer fire fighter and ambulance workers	
Auxiliary Police	$5.00
Electric	$7.00
Premium	$13.00

Discounted rate for (7 days/week excluding reservation penalty and reservation fees)
Disabled veteran

Members and spouses and children of members of Armed Forces on active duty		Free
Premium Utility Hook-up per night (In & Off Season)	$3.00	
Reservation Fees per site:		$12.00
[Per night/per site]	[$3.00]	
[Weekly (7 nights)]	[$12.00]	
No-show fee	[$25.00]	$50.00
Cancellation fee		$35.00
Late checkout fee		$25.00
Camping Clubs:		
Reservation fee (refundable)	[$35.00]	$75.00
Residents	[$15.00]	$16.00
Residents premium site		$18.00
[Tourists (group camping only)]	[$25.00]	
Non resident Suffolk County based camping club		$16.00
Non resident Suffolk County based camping club premium site		$18.00
Non resident Non Suffolk County based camping club		$28.00
Non resident Non Suffolk County based camping club premium site		$30.00
[Senior/handicapped, veteran or]		
[CERT volunteer]	[$6.50]	
Discounted rate for:		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Volunteer fire fighter and ambulance workers		
Auxiliary Police	[$6.50]	$8.00
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Youth group, per person per night	[$1.50]	$2.00
Special large group (Cathedral Pines) (one payment from group – no discounts – per camper, per night):		$8.00
[Residents]	[$10.00]	
[Tourists]	[$14.00]	
[Senior/handicapped, veteran or]		
[CERT volunteer]	[$7.00]	

Discounted rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Dump station campground user		Free
Dump station: non campground user [non-commercial]	[$7.00]	$8.00
Dump station: commercial	[$25.00]	$50.00
Montauk trailer storage		$600.00
Field shelter (West Hills) per night	$50.00	
[Each additional night]	[$25.00]	

[Picnics:]

[Per Person (pre-season)]	[$1.50]	
[Reservation fee (per site, parking fee charged]		
[weekends and holidays in season):]		
[1 to 50 persons]	[$30.00]	
[51 to 100 persons]	[$50.00]	
[101 to 150 persons]	[$75.00]	
[151 to 250 persons]	[$150.00]	
[251 to 500 persons]	[$200.00]	
[501-1,000 persons]	[$300.00]	

[Vehicle day use fee]

[Blydenburgh/Cathedral Pines/West]		
[Hills/Indian Island/Southaven:]		
[(Weekends/holidays only)]	[$2.00]	
[Senior/handicapped veteran or]		
[CERT volunteer (weekdays only)]	[$1.00]	
[Tourist/non green key]	[$5.00]	

Rowboats

First hour	[$6.00]	$7.00
Each additional hour	[$4.00]	$5.00
[Senior/handicapped, veteran or]		
[CERT volunteer (weekdays only)]	[$3.00]	
Discounted rate for (weekdays, excluding holidays):		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Volunteer fire fighter and ambulance workers		
Auxiliary Police	[$3.00]	$4.00
Discount rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free

Daily rate	[$30.00]	$35.00
Deposit	$10.00	

Canoeing

Daily	[$2.00]	$5.00
[With park transport]	[$5.00]	
Discount rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free

Fishing

Freshwater d[D]aily [(Southaven/Blydenburgh)]	[$2.00]	$5.00
Freshwater seasonal permit		$35.00
Saltwater n[N]ight with outer beach permit	[$0.00]	Free
Saltwater n[N]ight, no outer beach permit	[$10.00]	$13.00
Saltwater n[N]ight non resident [tourist, no permit]	[$30.00]	$35.00
[Seasonal (Southaven/Blydenburgh)]	[$30.00]	
Walleye fish permit (Lake Ronkonkoma only)		$13.00
Cordwood Landing fishing permit (residents only)		$13.00
Discount rate for:		
Disabled veteran (all fees)		
Members and spouses and children of members of Armed Forces on active duty (daily fees)		Free

Duck/Scoter hunting season [shooting], daily

Resident	[$10.00]	$12.00
[Senior/handicapped, veteran or] [CERT volunteer (weekdays only)]	[$5.00]	
Discounted rate for (weekdays, excluding holidays):		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Junior (under 18)		
Auxiliary Police	[$5.00]	$7.00
Discount rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Non resident [Tourist]	[$20.00]	$30.00

Deer hunting (shotgun season), daily

Resident	[$15.00]	$17.00

[Senior/handicapped, veteran or]		
[CERT volunteer]	[$7.50]	
Discounted rate for:		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Junior (under 18)		
Auxiliary Police	[$7.50]	$9.00
Discount rate for:		
Disabled veteran		
Members and spouses and children of members of Armed Forces on active duty		Free
Non resident [Tourist]	[$30.00]	$35.00
Deer hunting (bow season) [, seasonal]		
Resident seasonal permit	[$30.00]	$35.00
[/senior/handicapped, veteran or]		
[CERT volunteer]		
Discount rate for:		
Disabled veteran		Free
Falconry season		
Resident seasonal permit		$35.00
Discount rate for:		
Disabled veteran		Free
[Duck hunting, daily]		
[Resident]	[$10.00]	
[Senior/handicapped, veteran or]		
[CERT volunteer (weekdays only)]	[$5.00]	
[Tourist]	[$20.00]	
Marina [dock] fees per foot seasonal contract		
Timber Point West, [per foot, seasonal contract]	[$39.00]	$45.00
Timber Point East [per foot, seasonal contract] and Shinnecock	[$43.00]	$50.00
Winter storage	[$16.50]	$20.00
Waiting list fee per year	[$15.00]	$20.00
[application fee, Seasonal Contract,]		
[Winter storage, per foot]	[$16.50]	
[Shinnecock:]		
[Per foot, seasonal contract]	[$43.00]	
[Waiting list application fee, Seasonal Contract]	[$15.00]	

[Winter storage, per foot]	[$16.50]	

Marina Transient [dock] fees per day, [weekdays]

In Season:		
Resident – weekday, excluding holidays	[$35.00]	$40.00
Resident – weekend & holidays	[$40.00]	$45.00
Non resident [Tourist] - weekday, excluding holidays	[$55.00]	$60.00
Non resident [Tourist] – weekend & holidays	[$65.00]	$70.00
[Resident, off-season]	[$25.00]	
[Tourist, off season]	[$45.00]	
Off season:		
Resident – weekday, excluding holidays	[$25.00]	$30.00
Resident – weekend & holidays	[$30.00]	$35.00
Non resident - weekday, excluding holidays	[$45.00]	$50.00
Non resident – weekend & holidays	[$55.00]	$60.00

[Transient dock, weekends and holidays]

[Resident]	[$40.00]	
[Tourist]	[$65.00]	
[Resident, off-season]	[$30.00]	
[Tourist, off-season]	[$55.00]	

Marina transient slip reservation fee

Per slip, per day (nonrefundable)	$5.00	

[Smith Point] Boat Launching [Ramp]

Resident, annual	[$25.00]	$30.00
Non resident annual		$75.00
[Senior citizens/handicapped, veteran or]		
[CERT volunteer, annual]	[$15.00]	
Discounted annual rate for:		
Senior citizen		
Veteran		
CERT volunteer		
Handicapped		
Auxiliary Police	[$15.00]	$20.00
Discounted annual rate for:		
Disabled veteran		Free
Commercial, annual	[$50.00]	$225.00
Resident-daily	[$5.00]	$10.00
Non resident [Tourist] -daily	[$10.00]	$20.00

Special facilities

Classrooms	$35.00
Conference rooms	$100.00
Auditorium/activity building	$250.00
[Kitchen use]	[$300.00]
Daily cabin and room rentals (groups only)	$35.00

[Meeting room (less than 3 hours)]	[$50.00]	
Commercial photography use	$1,000.00	
Commercial photography h[H]alf day	$500.00	
[Montauk trailer/storage]	[$550.00]	
Wood removal permit (- per cord)	$25.00	
Special equipment		
Showmobile:		
Up to 4 hours	[$450.00]	$500.00
Additional hours	[$100.00]	$125.00
Extended stage per day		$225.00
Generator per day [lights]:		$125.00
[Up to 4 hours]	[$225.00]	
[Additional hours]	[$60.00]	

and be it further

2nd **RESOLVED**, that the increase in said fee schedules shall apply to all park activities occurring on or after January 1, 2009; and be it further

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

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

DATED: December 2, 2008

VETOED BY COUNTY EXECUTIVE ON DECEMBER 15, 2008

VETO SUSTAINED ON DECEMBER 16, 2008

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

Intro. Res. No. 2007-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1011 -2008, RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, DELEGATING TO THE COUNTY COMPTROLLER THE AUTHORITY TO ISSUE AND SELL BONDS AND NOTES FOR THE FISCAL YEARS 2009, 2010 AND 2011 IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL FINANCE LAW

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

Section 1. The County Legislature hereby delegates to the County Comptroller the authority to issue and sell bonds and notes of the County of Suffolk for the Fiscal Years 2009, 2010 and 2011 in accordance with the provisions of the New York State Local Finance Law, including but not limited to the authority to issue and sell bonds having substantially level or declining annual debt service, as authorized under Section 21.00(d) of the Local Finance Law.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 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 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 _____, 2008, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on November 18, 2008 and approved by the County Executive on _____, 2008.

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

(SEAL)

_____

Tim Laube
Clerk of the Legislature

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

Intro. Res. No. 2086-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1012 -2008, AUTHORIZING THE COUNTY COMPTROLLER AND THE COUNTY TREASURER TO TRANSFER FUNDS TO COVER UNANTICIPATED EXPENSES IN THE 2008 ADOPTED MANDATED BUDGET FROM THE 2008 ADOPTED DISCRETIONARY BUDGET

WHEREAS, the County Executive and the County Legislature have adopted and approved the 2009 Operating Budget; and

WHEREAS, there exists certain departmental appropriations and sub-objects which reflect shortages that will occur in accounts necessary for the payment of debt service in Funds 133, 203 and 625; and

WHEREAS, insufficient appropriations exist within the 2008 Adopted Mandated Budget to transfer to cover said debt service expenses; and

WHEREAS, appropriations exist within the 2008 Adopted Discretionary Budget to transfer to cover said expenses; and

WHEREAS, the Director of the County Executive's Budget Office and the Director of the Legislative Office of Budget Review agree that there exists an appropriation shortfall to cover said debt service expenses; and

WHEREAS, said authorization would allow the County Comptroller to close financial accounting records for 2008 expeditiously; and

WHEREAS, in order to authorize said transfer of appropriations from the Discretionary Budget to the Mandated Budget a three-fourths affirmative vote of the entire membership of the County Legislature is required; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds to cover unanticipated expenses for fiscal year 2008, reflected on Schedule "A"; and be it further

2nd **RESOLVED**, that the County Comptroller be and hereby is authorized to take whatever steps are necessary to properly reflect these expenses in accordance with generally accepted accounting principles; and be it further

3rd **RESOLVED**, that the County Comptroller, or his designee, in consultation with the County Executive's Budget Office and the Legislature's Budget Review Office, is hereby authorized to execute transfers that are of a necessity to prevent accounts from lapsing into a negative balance during the close of fiscal year 2008; and be it further

4th **RESOLVED**, that the 2008 Operating Budget be and hereby is amended to transfer said funds on Schedule "A."

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Horsley made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 14-1-0-3-0. Legislator Alden voted no. Legislators Montano and Cooper were not present.

Intro. Res. No. 2087-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1013 -2008, AUTHORIZING THE COUNTY COMPTROLLER AND THE COUNTY TREASURER TO TRANSFER FUNDS TO COVER UNANTICIPATED EXPENSES IN THE 2008 ADOPTED MANDATED BUDGET

WHEREAS, the County Executive and the County Legislature have adopted and approved the 2009 Operating Budget; and

WHEREAS, certain departmental appropriations and sub-objects reflect shortages that will occur in accounts necessary for the payment of personal services, programs and other shortages; and

WHEREAS, there may be a need for internal transfers to be made within the Departments to cover other unanticipated expenses that have been included in the 2008 estimate column of the 2009 Adopted Budget; and

WHEREAS, said authorization would allow the County Comptroller to close financial accounting records for 2008 expeditiously; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds to cover unanticipated expenses for fiscal year 2008, reflected on Schedule "A"; and be it further

2nd **RESOLVED**, that the County Comptroller be and hereby is authorized to take whatever steps are necessary to properly reflect these expenses in accordance with generally accepted accounting principles; and be it further

3rd **RESOLVED**, that the County Comptroller, or his designee, in consultation with the County Executive's Budget Office and the Suffolk County Legislature's Budget Review

Office, is hereby authorized to execute transfers that are of a necessity to prevent accounts from lapsing into a negative balance during the close of fiscal year 2008; and be it further

4th **RESOLVED**, that the 2008 Operating Budget be and hereby is amended to transfer said funds on Schedule "A."

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Gregory. The resolution was passed 15-1-0-2-0. Legislator Alden voted no. Legislators Montano and Cooper were not present.

Intro. Res. No. 2088-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of County Executive

RESOLUTION NO. 1014 -2008, AUTHORIZING THE COUNTY COMPTROLLER AND THE COUNTY TREASURER TO TRANSFER FUNDS TO COVER UNANTICIPATED EXPENSES IN THE 2008 ADOPTED DISCRETIONARY BUDGET

WHEREAS, the County Executive and the County Legislature have adopted and approved the 2009 Operating Budget; and

WHEREAS, certain departmental appropriations and sub-objects reflect shortages that will occur in accounts necessary for the payment of personal services and other departmental shortages; and

WHEREAS, there may be a need for internal transfers to be made within the Departments to cover other unanticipated expenses that have been included in the 2008 estimated column of the 2009 Adopted Budget; and

WHEREAS, said authorization and transfer of funds would assist the County Comptroller to close financial accounting records for 2008 expeditiously; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and they are hereby authorized to transfer funds to cover unanticipated expenses for fiscal year 2008, reflected on Schedule "A"; and be it further

2nd **RESOLVED**, that the County Comptroller be and hereby is authorized to take whatever steps are necessary to properly reflect these expenses in accordance with generally accepted accounting principles; and be it further

3rd **RESOLVED**, that the County Comptroller, or his designee, in consultation with the County Executive's Budget Office and the Suffolk County Legislature's Budget Review Office is hereby authorized to execute transfers that are of a necessity to prevent accounts from lapsing into a negative balance during the close of fiscal year 2008; and be it further

4th **RESOLVED**, that the 2008 Operating Budget be and hereby is amended to transfer said funds on Schedule "A".

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 8, 2008

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

Intro. Res. No. 1505-2008 Laid on Table 6/10/2008
Introduced by Presiding Officer pursuant to Rule 3F13 of the Suffolk County Legislature

RESOLUTION NO. 1015 -2008, AUTHORIZATION OF ALTERATION OF RATES FOR FIRE ISLAND FERRIES, INCORPORATED

WHEREAS, Fire Island Ferries Incorporated has applied to the Suffolk County Legislature, by a Petition dated and verified October 6, 2008, pursuant to Article 8 of the Navigation Law and Section 71 of the Transportation Corporations Law and Section 131-g of The Highway Law of the State of New York and Local Law No. 7 of 1982 of Suffolk County; and

WHEREAS, the office of Legislative Budget Review has submitted its recommendations on said application to this Legislature as a whole; now, therefore be it

1st **RESOLVED**, that the Petition of Fire Island Ferries, Inc. dated and verified May 30, 2008 for rates are hereby approved as follows:

REGULAR SCHEDULED SERVICE BETWEEN BAY SHORE, TOWN OF ISLIP, COUNTY OF SUFFOLK AND STATE OF NEW YORK ACROSS THE GREAT SOUTH BAY AND THE FIRE ISLAND COMMUNITIES OF KISMET, FAIR HARBOR, DUNEWOOD, ATLANTIQUE, SEAVIEW AND OCEAN BAY PARK WITH INTERMITTENT STOPS BETWEEN SAID COMMUNITIES AND THE INCORPORATED VILLAGES OF OCEAN BEACH AND SALTAIRE, AND LATERAL SERVICE ALONG FIRE ISLAND BEACH BETWEEN:

KISMET **FAIR HARBOR**

ATLANTIQUE	**SEAVIEW**
OCEAN BAY PARK	**DUNEWOOD**
VILLAGE OF SALTAIRE	**VILLAGE OF OCEAN BEACH**

AND FOR ITS LATERAL SERVICE ALONG FIRE ISLAND BEACH BETWEEN:

KISMET	**OCEAN BAY PARK**
VILLAGE OF SALTAIRE	**FAIR HARBOR**
DUNEWOOD	**ATLANTIQUE**
VILLAGE OF OCEAN BEACH	**SEAVIEW**

	Current Rate	Proposed Rate
Adult One-Way	$8.00	$9.00
Adult Round Trip	$15.00	$17.00
Adult Multiple trip tickets of not less than 20, nor more than 40 trips, shall be 75% of the Adult One-Way Fare.	$233.00	$264.00
Senior Citizens displaying Suffolk County Senior Citizens' cards and Handicapped Persons displaying a Suffolk County Handicapped card	$6.00	$7.00
Children between the ages of two (2) twelve (12) and dogs. One-Way shall be one-half of the Adult One-Way fare.	$4.00	$4.50
Children Round-trip tickets.	$7.00	$7.50
Infants (under 2 years old) - No charge		
Children multiple trip tickets of not less than 20 nor more than 40 trips shall be 35% of the Adult One-Way fare. No charge for infants (under 2 years old).	$109.00	$125.00
A special one-way adult fare from Fire Island departing at or later then 1:00 AM.	$15.00	$16.00
Restricted Fire Island workers book for Monday through Saturday only (departing at approximately 7:00 AM to Fire Island and 4:30 PM to Bay Shore). Restricted to purchase at the Bay Shore main office only. Sold in books of forty only. Restricted exclusively for workers traveling to their principal place of employment on Fire Island.	$195.00	$210.00

Dunewood Property Owners Association may purchase 200 Adult 40 trip books beginning January 1 and prior to March 15, annually at a rate equal to a ten percent (10%) discount from the regular adult 40 trip book.

The **Incorporated Village of Ocean Beach**, for a single bulk purchase of not less than 750 and not more than 2,100 Adult 40 trip ticket books, which bulk purchase must be authorized by the Suffolk County Legislature, between January 2 and April 15 annually, during the lease term by the Village or an agent designated by the Village, to be sold at a reduced rate in accordance with the lease agreement that is effective the 1st day of January 2001 by and between the Incorporated Village of Ocean Beach and Fire Island Ferries, Incorporated. Additionally, the cost of each book shall increase 3% per year for each of the years 2005 through 2010, subject to the approval of the Suffolk County Legislature, as follows:

2008- $163.20
2009- $168.09
2010- $173.18

Payment for the single bulk purchase shall be made as follows: 80% due March 31 annually; 20% due as of April 15th annually.

The **Village of Saltaire** between January 1 and the last business day in February annually during the term hereof, the Village may make a single bulk purchase of not less than 500 nor more than 900 adult 40 trip books of tickets, at Village's option at rate equal to a ten percent

(10%) discount from the regular adult 40 trip book.

Additionally, any Fire Island group, village, community or organization between January 1 and the last business day in February annually may make a single bulk purchase of not less than 500 nor more than 900 adult 40 trip books of tickets, at a rate equal to a ten percent (10%) discount from the regular adult 40 trip book.

LATERAL SERVICE ALONG FIRE ISLAND BEACH

Adult One-Way maximum fare between any two (2) points not to exceed 150% of the Adult One-Way fare.

Child One-Way maximum fare between any two (2) points not to exceed 75% of Adult One-Way fare.

Group and charter discounts and other multiple trip rates not to exceed the Adult One-Way rate per trip, at the discretion of the Petitioner; and

SPECIAL WINTER SERVICE:

Fire Island Ferries reserves the right to establish Special Winter Service between December 26th and February 28th, annually, with the option to charge cash only Adult One-Way fares with no multiple trip tickets being accepted.

FREIGHT TARIFF

ITEM	Current		Proposed
AMUSEMENTS:			
Bowling game	$17.70	*	$20.35
Cigarette machine	$10.65	*	$12.25
Foosball game	$14.15	*	$16.25
Juke box	$14.15	*	$16.25
Pin-ball machine	$17.70	*	$20.35
Video game	$15.35	*	$17.65
Pool table	$23.55	*	$27.10
APPLIANCES:			
Dishwasher	$8.80		$10.00
Dishwasher front panel	$1.50		$1.75
Dryer	$8.80		$10.00
Freezer, residential	$21.70		$25.00
Freezer, comm'l.	$36.20	*	$41.65
Microwave oven	$4.75	*	$5.50
Range	$12.95	*	$14.00
Range top	$3.55		$4.10
Refrigerator	$21.20	*	$25.00
Refrigerator, comm'l.	$34.50	*	$39.70
Soda machine	$27.15		$31.20
Stove: coal, Franklin, etc	$11.80	*	$13.60
Trash compactor	$7.30		$8.40

Walk-in box	$86.65	*	$99.65
Washer	$12.95	*	$15.00

BULK SHIPMENTS-liq,oil (price includes return)

55-gallon drum containing kero, sand, gravel, grease	$8.80		$10.10
Gasoline tank, 6-gallon & lower (rd-trip)	$3.60	*	$4.25
Gas cylinder, lg. (Chlorine,CO2)	$5.60		$6.50
Gas cylinder, small (CO2,propane)	$4.15		$5.00
Propane cylinder, 100 lbs. (rd-trip)	$6.50		$7.50
Acid drums	$4.15		$4.80

FURNITURE:

Beds & Bedding:			
Bed end	$1.50		$1.75
Bed frame	$1.80	*	$2.10
Bed, folding	$3.55	*	$4.10
Mattress or box spring:			
Single	$3.55		$4.00
Double	$5.30		$6.00
Queen	$7.05		$8.00
King	$9.50		$10.95
Chair, folding	$1.50	*	$1.75
Chair	$1.50	*	$1.75
Chaise, aluminum	$3.00	*	$3.45
Chaise, folding	$1.50		$1.75
Chaise, redwood	$5.10	*	$5.90
Cabinets, kitchen, per foot			
Lower units	$3.75	*	$4.30
Upper units	$2.75	*	$3.15
Dresser	$2.90	*	$3.35
Hi-riser	$11.80	*	$13.60
Hutch	$8.80	*	$10.10
Lamp, floor style	$2.20	*	$2.55
Lamp, table style	$1.50	*	$1.75
Love seat	$5.10	*	$5.90
Piano	$29.45	*	$33.90
Play pen	$1.80	*	$2.10
Recliner	$5.10	*	$5.90
Rocker	$2.10	*	$2.40
Rug or padding, roll	$2.70	*	$3.10
Sofa	$5.10	*	$5.90
Sofa, convertible	$29.45	*	$33.90
Table, cocktail	$1.90	*	$2.20
Table, dining	$4.40	*	$5.10
Table, end	$1.50	*	$1.75
Table, picnic	$5.10	*	$5.90
TV set, cabinet	$6.05	*	$7.00
TV set, console	$8.80	*	$10.10

TV set, portable	$4.40	*	$5.10
Stereo component, per piece	$2.40	*	$2.75

GARDEN SUPPLIES

Bush	$1.50	*	$1.75
Chain saw	$2.40		$2.75
Fertilizer:			
25 lbs. bag	$1.00		$1.15
40-50 lbs. bag	$1.05		$1.20
75-80 lbs. bag	$1.50		$1.75
100 lbs. bag	$1.80		$2.10
Flat of plants or flowers	$1.50		$1.75
Hand tool	$1.25	*	$1.45
Hay, bale	$1.90		$2.20
Mower	$4.15	*	$4.75
Peat moss, 2 c.f. bale	$1.50		$1.75
Peat moss, 4 c.f. bale	$1.80		$2.10
Peat moss, 6 c.f. bale	$2.40		$2.75
Pine bark (chips), bag	$1.50		$1.75
Plant, single small container	$1.10		$1.25
Roto-tiller	$4.40	*	$5.10
Sprayer	$4.40	*	$5.10
Table saw	$8.80	*	$10.10
Tree	$2.90	*	$3.35

GROCERIES - Bulk, rest.

Cans, case of	$0.80		$0.90
Bottles, case of	$0.90		$1.00
Beer, deposit case w/return	$1.50		$1.75
Beer Ball w/return	$4.15		$4.80
Beer Keg w/return	$5.90		$6.80
Bread or cake, box or bag	$0.90		$1.00
Cigs, case of cigarettes	$1.80		$2.10
Cones, carton	$0.90		$1.05
Cookies, carton	$1.80		$2.10
Dairy products, per piece	$0.75		$0.90
Deli products, per piece	$0.75		$0.90
Eggs, case	$1.80		$2.00
Box fish	$3.00		$3.45
Fish, carton, bag or bushel	$1.80		$2.00
Frozen food, per carton	$0.55		$0.65
Groceries, per carton, bulk	$0.80		$0.90
Groceries, individual car	$2.10	*	$2.40
IC, ctn ice cream	$3.00		$3.45
Ice cream, small carton	$2.30		$2.65
Liquor, case	$2.40		$2.75
Meat, large carton, crate	$1.80		$2.00
Meat, small carton	$1.25		$1.45

Milk, case w/return	$0.90		$1.00
Papers, mags	$0.90		$1.00
Pickle barrel w/return	$5.10		$5.90
Soda, case of cans	$0.80		$0.90
Soda, case of bottles	$0.90		$1.00
Soda, deposit case w/return	$1.50		$1.75
Soda syrup, 4-gal. carton	$1.50		$1.75
Cyl syrup	$4.15		$4.75
Supplies, general, per ctn	$1.50		$1.75
Vegetables & produce, ctn	$0.90		$1.00
Water, 5-gal. bottle water	$3.55		$4.00
HARDWARE			
Hardware, package or cart	$1.05		$1.25
Paint, case	$1.50		$1.75
Paint, gallon can	$1.50		$1.75
Paint, 5-gallon pail	$3.55		$4.00
LUMBER & BUILDING SUPPLIES			
Asphalt tub	$3.55		$4.10
Bricks, 1-100, per piece	$0.20		$0.25
Bricks, 100-999, per 100	$5.90		$6.80
Bricks, per 1000 bulk	$37.70		$43.35
Cement, bag	$1.80		$2.10
Cement block, 8" std. or	$0.50		$0.60
Cement block, 12' std.	$0.75		$0.90
Cement covers, 5' x 2'	$13.55		$15.60
Cement covers, 2' round	$6.80		$7.80
Cement mixer	$8.80	*	$10.10
Cement tub	$1.50		$1.75
Clay (tennis court), bag	$1.25		$1.45
DOORS:			
Combo & exterior	$5.90		$6.80
Interior & louver	$3.55		$4.10
Jalousie, w/glass	$5.90		$6.80
Pre-hung & shower	$5.90		$6.80
Sliding glass set	$11.80	*	$13.60
Door frame, set	$9.80		$11.30
Door jambs, set	$0.90		$1.05
Flagstone, per piece, bulk	$0.75		$0.90
Felt, roll	$1.00		$1.15
Fiberglass panel, 2' x 8'	$0.80		$0.90
Flue pipe, 8" x8", piece	$0.90		$1.05
Flue pipe, 12', piece	$1.40		$1.60
Formica, 4' x 8' or roll	$3.10		$3.60
Glass, minimum per piece	$3.55	*	$4.10
Gravel, bag	$0.90		$1.05
Homosote, 4' x 8' sheet	$1.00		$1.15
Insulation, bundle	$1.80		$2.00
Insulation, single roll	$1.50		$1.75

Ladder, step	$3.00	*	$3.45
Ladder, 20' extension	$4.75	*	$5.45
Ladder, 40' extension	$7.70	*	$8.85
Lath, 2' x 8' wire	$0.80		$0.95
Leader or gutter, 10' piece	$0.90		$1.00
Leader or gutter, 20' piece	$2.10		$2.40
LOCUST POSTS, per foot:			
3" to 6" diameter	$0.30		$0.35
8" diameter	$0.35		$0.40
12" diameter	$0.50		$0.60
LUMBER, per 1000 bd. ft.	$46.45		$53.40
LUMBER, CCA, per 1000 bd.ft.	$65.25		$75.05
LUMBER, lengths over 16',add	$8.90		$10.25
LUMBER, minimum order	$1.85		$2.15
Masonite, 4' x 8' panel	$1.10		$1.30
Molding, bundle, per foot	$0.35		$0.40
Nails, 50 lbs. box	$1.80		$2.10
Plywood, 4' x 8' sheet	$1.00		$1.15
Plywood, 4' x 9' sheet	$1.40		$1.60
Plywood, 4' x 10' sheet	$1.50		$1.75
POLES, CCA;			
6" x 8'	$3.55		$4.10
6" x 20'	$6.50		$7.50
6" x 25'	$8.25		$9.50
8" x 20'	$9.15		$10.50
8" x 25'	$11.80		$13.60
10" x 20'	$13.55		$15.60
over 20', add per foot	$1.25		$1.45
R.R. ties, creosote	$3.85		$4.45
Landscape ties, CCA	$2.65		$3.05
Roof deck, 2' x 8' panel	$1.00		$1.15
Roofing, roll or split sheet	$1.25		$1.45
Scaffold, w/return	$8.90	*	$10.25
Screens	$1.50	*	$1.75
Sheetrock, 4' x 8' sheet	$1.25		$1.50
Sheetrock, 4' x 10' sheet	$1.50		$1.75
Sheetrock, 4' x 12' sheet	$1.80		$2.10
Shingles, all types, per	$1.50		$1.75
Siding break w/return	$8.50		$9.80
Skylight	$3.55	*	$4.10
Slate, per piece, bulk	$0.90		$1.05
Siding, bundle	$1.50	*	$1.75
Snow fence, 50' roll	$3.00		$3.45
Snow fence posts, bdl. Of	$1.80		$2.10
Split rail fence, per piece	$0.90		$1.05
Stockade fence, 6' x 8' s	$4.15	*	$4.80
Stockade fence post, each	$0.75		$0.90
Styrofoam, 2' x 8' sheet	$0.50		$0.60
Tile, ceiling, box	$1.50		$1.75
Tile, floor, box	$1.80		$2.10

Tile, ceramic, box	$1.80		$2.10
WINDOWS:			
Single unit	$3.55	*	$4.10
Mullion	$5.90	*	$6.80
Triple or picture	$11.80	*	$13.60
Bay or bow	$17.70	*	$20.40
Wonderboard, 2' x 4' piece	$3.00		$3.45
MISCELLANEOUS:			
Air conditioner	$3.00	*	$3.45
Battery, std. size	$2.10		$2.40
Bicycle, small	$2.40		$2.75
Bicycle, medium	$3.55		$4.00
Bicycle, large	$4.75		$5.50
Bicycle, carton, bulk	$3.25		$3.75
Boats, per foot	$2.40	*	$2.75
Boat trailer	$14.15	*	$16.30
Cash register	$4.15	*	$4.75
CARTON, minimum	$1.50		$1.75
Coal, per bag	$1.50		$1.75
Copy machine	$7.05	*	$8.10
Dry cleaning, box or bund	$1.50		$1.75
Film case w/return	$3.00	*	$3.50
Fire extinguisher	$1.80	*	$2.10
Garbage can, empty	$1.50		$1.75
Laundry, bag or bundle, w/return	$3.00		$3.45
Laundry hamper w/return	$7.05		$8.10
Motor, outboard	$13.55	*	$15.60
Phone booth	$47.10		$54.20
Scooter	$2.40		$2.75
Sunfish sailboat	$30.65		$35.25
Surfboard	$3.55	*	$4.10
Tar kettle w/return	$35.35		$40.65
Tricycle, small	$1.50		$1.75
Wagon	$2.40		$2.75
Wagon, carton, bulk	$1.50		$1.75
Windsurfer	$15.30	*	$17.60
Firewood, face cord	$88.30		$101.55
PLUMBING SUPPLIES:			
Basin	$1.50		$1.75
Boiler	$17.40	*	$20.00
Cast iron fittings	$1.25	*	$1.45
Closet set	$4.75		$5.45
Fire hydrant	$18.90		$21.75
PIPE:			
C.I. 6' length	$1.50		$1.75
C.I. 8' length	$1.85		$2.15
C.I. 10' length	$2.30		$2.65
Copper, bdl. 10' length	$3.00	*	$3.45

Copper, DWV, 20' length	$0.90	*	$1.05
PVC or vinyl, 10' length	$0.65		$0.75
PVC or vinyl, 20' length	$1.25		$1.45
PVC, 4" & 6", 20' length	$2.40	*	$2.75
Steel, B.I. or galv. P	$1.55		$1.80
Transite, 4' x 10'	$1.85		$2.15
Transite, 6' x 10'	$2.30		$2.65
Vinyl, coil	$1.80		$2.10
Shower base	$5.10		$5.90
Shower door	$4.40		$5.10
Shower unit, fiberglass	$21.20	*	$24.40
Tank, steel or fbgls. 275	$23.55		$27.10
Tank, steel or fbgls. 550	$41.20		$47.40
Tub, C.I.	$17.70	*	$20.40
Tub, fbgls	$8.90		$10.25
Tub, steel	$10.05		$11.55
Tub, complete fbgls. Unit	$29.45		$33.90
Water heater, 5-10 gallon	$2.10		$2.40
Water heater, per 10 gals	$1.80		$2.10
Well pump, residential	$4.40	*	$5.10

VEHICLES:

In operating condition:			
Cushman-type scooter	$35.35	*	$40.65
Golf cart	$23.55	*	$27.00
Payloader, small Bobcat	$58.85	*	$67.70
Pick-up truck	$88.30	*	$101.55
Truck	$88.30	*	$101.55
Vehicles not in operating condition, add to price	$23.55		$27.10
Golf Cart - not running - additional	$11.80		$13.60

BULK DELIVERY – Large Vehicle, Heavy Equipment, Bulk Lumber
Bulk Masonry, Pre-Fabs, Etc.

Price includes vessel & 2 man crew for a maximum of 8 hours - including loading time, sailing time and unloading time and return trip w/ any unloading time.	$941.60	$1,082.85
Same as above but including crane operation	$1,045.00	$1,201.75
Second round trip within 8 hour period additional	$176.55	$203.05
Overtime after 8 hour period, per hour or any part thereof	$176.55	$203.05
Each additional crewman needed for loading or unloading	$176.55	$203.05
Forklift and operator - 1st hour	$176.55	$176.55
Each additional hour or any part	$88.30	$88.30

Round trip for large construction vehicle - drive-on drive-off	$470.80	$541.00

ADDITIONAL CHARGES
* This symbol denotes minimum price for standard sized unit
Price may be higher depending on size and/or weight

Items not listed on this table will be charged for at the rate of:
$4.00 per hundredweight, or
$2.00 per cubic foot, whichever is greater

Minimum charge per individual shipment	$2.00	$2.00

All freight shipped on vessels other than regularly scheduled freight boats will be charged at double the rates shown in the Freight Tariff Schedule.

A service fee of $2.50 or 1½% of the account balance, which ever is greater, will be charged monthly on all accounts where charges remain unpaid 30 days from the date of billing.

LIMITATION OF LIABILITY

All items of personal baggage, freight and express matter which are permitted to be carried aboard passenger ferries are carried at the sole risk of the passenger.

Liability on the part of Fire Island Ferries, Inc. shall be limited to $50.00 maximum per shipment for items shipped aboard regularly scheduled freight ferries.

DATED: December 2, 2008

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

RETURNED BY THE COUNTY EXECUTIVE UNSIGNED DECEMBER 16, 2008

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

Intro. Res. No. 1903-2008 Laid on Table 10/14/2008
Introduced by Legislator Barraga, Presiding Officer Lindsay, and Legislator Romaine

RESOLUTION NO. 1016 -2008, ADOPTING LOCAL LAW NO. 54 -2008, A LOCAL LAW TO PROHIBIT THE SALE OF OLD VEHICLE TIRES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on October 14, 2008, a proposed local law entitled, "**A LOCAL LAW TO PROHIBIT THE SALE OF OLD VEHICLE TIRES**;" now, therefore be it

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

LOCAL LAW NO. 54 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROHIBIT THE SALE OF OLD VEHICLE TIRES

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 tires have a limited service life regardless of tread depth and use.

This Legislature also finds and determines that aged tires are often unsuspectingly put into service after having served as a spare tire, been stored in garages or warehouses, or simply used on a vehicle that is infrequently driven. In many instances, these tires show no visible signs of deterioration.

This Legislature further finds and determines that a National Highway Transportation Safety Administration field study concluded that tires continue to degrade throughout their service lives, whether used on the road on in the full-size spare position. The field study also showed structural degradation of the tires in terms of internal cracks and separations. This internal degradation and damage was nearly all internal to the tire and impossible to detect from a visual inspection alone, creating what has been described as “an invisible hazard.”

This Legislature finds that Ford Motor Company recently led the way in warning customers that tires should be scrapped after six years or drivers risk injury and death.

This Legislature also determines that Suffolk County Consumers should be protected against retailers who are willing to sell old tires.

Therefore, the purpose of this law is to prohibit the sale of tires for passenger vehicles, multi-purpose passenger vehicles, or light trucks that were manufactured more than six years ago.

Section 2. Definitions.

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

“CONSUMER” shall mean a natural person who is solicited to purchase or who purchases tires.

“LIGHT TRUCKS” shall mean a motor vehicle with a gross vehicle weight rating of less than twenty-six thousand pounds which is either designed for off-highway operation or designed to perform at least one of the following functions: transport more than ten persons, provide temporary living quarters, transport property in an open bed, provide greater cargo-carrying than

passenger carrying volume, or permit expanded use of a passenger vehicle for cargo-carrying purposes through the removal of seats.

"MULTI-PURPOSE PASSENGER VEHICLE" shall mean a motor vehicle designed to carry ten persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation.

"PASSENGER VEHICLE" shall mean any motor vehicle designed to carry ten persons or less.

"RETAIL TIRE DEALER" shall mean any natural person, individual, corporation, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind engaged in the business of selling tires to consumers.

"TIRE" shall mean a covering for a wheel, usually made of rubber reinforced with cords of nylon, fiberglass, or other materials and filled with compressed air.

Section 3. Prohibitions.

Pursuant to Article 9, Section 2(C)10 of the NEW YORK STATE CONSTITUTION, governing protection, health, safety, and well-being of persons, no retail tire dealer shall sell or offer for sale any vehicle tire manufactured for light trucks, multi-purpose passenger vehicles, and passenger vehicles which was manufactured more than six years prior to the date of sale.

Section 4. Enforcement.

A. This law shall be enforced by the Suffolk County Office of Consumer Affairs.

B. The Suffolk County Director of Consumer Affairs is hereby authorized and empowered to issue and promulgate such rules and regulations, as he or she deems necessary to implement and carry out the provisions of this law.

Section 5. Penalties.

1. Any retail tire dealer who violates any provision of Section 3 of this law shall be subject to a civil penalty of five hundred dollars ($500).

2. No fine shall be imposed until after a hearing has been held before the Director of the Suffolk County Office of Consumer Affairs upon at least seven business days' notice to the person upon whom such fine is to be levied. Such notice shall be served either personally or by certified mail, return receipt requested, to the last known address of said person and shall state the date and place of the hearing as well as enumerate the grounds constituting the allegations against such person. Said person may be represented by counsel and may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For purposes of such hearing, the Director of the Suffolk County Office of Consumer Affairs may administer oaths, take testimony, subpoena witnesses and compel the

production of books, papers, records or other documents deemed pertinent to the subject of the hearing.

Section 6. Applicability.

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

Section 7. Reverse Preemption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Suffolk. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 8. 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 9. 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 10. Effective Date.

This law shall take effect one hundred eighty (180) days subsequent to its filing in the Office of the Secretary of State.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 19, 2008

After a public hearing duly held on December 16, 2008
Filed with the Secretary of State on January 12, 2009

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

Intro. Res. No. 1964-2008 Laid on Table 10/14/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1017 -2008, ADOPTING LOCAL LAW NO. 51 -2008, A LOCAL LAW TO REQUIRE DISCLOSURE OF THE IDENTITY OF USERS OF CLOTHING DONATION BINS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on October 14, 2008, a proposed local law entitled, **"A LOCAL LAW TO REQUIRE DISCLOSURE OF THE IDENTITY OF USERS OF CLOTHING DONATION BINS;"** 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. 51 –2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO REQUIRE DISCLOSURE OF THE IDENTITY OF USERS OF CLOTHING DONATION BINS

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

Section 1. Legislative Intent.

The Legislature finds and determines that unidentified Clothing Donation Bins need to be regulated. The Legislature further finds that residents are easily misled to think that clothing dropped in an unmarked bin is going to charity, when, in fact, that is not the case, and oftentimes, bins are set up by for-profit enterprises that take the discarded clothing and resell it for profit.

Therefore, the purpose of this law is to provide transparency to the residents of the County regarding their gifts of clothing to charity.

Section 2. Definitions.

Clothing Donation Bin – A large container (usually metal) customarily used by people to deposit unwanted clothing.

Person – Any individual, partnership, firm, company, association, society public or private corporation or group, or institution.

Section 3. Prohibitions.

It shall be unlawful for any person to place, use or employ a Clothing Donation Bin that does not display the following information:

A.) the name, location of the principal place of business and the telephone number of the person placing, using or employing a Clothing Donation Bin; and

B.) the charity registration number assigned by the Charities Bureau of the Office of the New York State Attorney General to the person placing, using or employing a Clothing Donation Bin.

Section 4. Display Requirements.

The information required by section 3 of this law shall at all times be conspicuously displayed on the exterior of all planes forming the perimeter sides of every Clothing Donation Bin in upper case type size of no less than 3 inches and in a color that contrasts with the color of the Clothing Donation Bin.

Section 5. Exception.

In the event that a person placing, using or employing a Clothing Donation Bin does not have a charity registration number, such person shall display, or shall cause to be displayed, in the same manner as required by section 4 of the law, the following statement:

"THIS IS A FOR-PROFIT CLOTHING BIN."

Section 6. Penalties.

The Director of the Suffolk County Office of Consumer Affairs shall have the power to impose a fine not to exceed $750 for a first violation and $1,500 for any subsequent violation of this law or any rule or regulation promulgated thereunder.

Section 7. Promulgation of Rules and Regulations.

The Director of the Suffolk County Office of Consumer Affairs is hereby authorized, empowered and directed to promulgate such rules and regulations as it deems necessary for the implementation and enforcement of the provisions of this law. Such rules shall govern the conduct of adjudicatory proceedings and appeals taken pursuant to a proceeding commenced under Article 78 of the Civil Practice Law and Rules relating to the assessment of civil penalties herein authorized. Such rules shall further provide for due process procedural mechanisms and any other mechanisms deemed necessary by the Suffolk County Attorney.

Section 8. Applicability.

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

Section 9. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person 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 hereof, 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 or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 10. 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 11. Effective Date.

This law shall take effect no sooner than one hundred twenty (120) days after filing in the Office of the Secretary of State.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 16, 2008

After a public hearing duly held on December 16, 2008
Filed with the Secretary of State on December 30, 2008

Legislator Nowick made motion for the following resolution, seconded by Legislator Kennedy. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 1965-2008 Laid on Table 10/14/2008
Introduced by Legislators Nowick and Losquadro

RESOLUTION NO. 1018 -2008, ADOPTING LOCAL LAW NO. 52 -2008, A LOCAL LAW REQUIRING RESTAURANTS TO DISCLOSE PRICES OF SPECIALS

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on October 14, 2008, a proposed local law entitled, "**A LOCAL LAW REQUIRING RESTAURANTS TO DISCLOSE PRICES OF SPECIALS**;" now, therefore be it

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

LOCAL LAW NO. 52 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW REQUIRING RESTAURANTS TO DISCLOSE PRICES OF SPECIALS

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the key to effective consumer protection is ensuring consumers have access to all information necessary to make informed decisions.

This Legislature further determines that consumers have an absolute right to know the price of goods and services offered for sale by businesses operating in Suffolk County.

This Legislature also finds that certain restaurants in Suffolk County do not recognize this “right to know” when it comes to their policy for so-called “daily specials”. Restaurants offer their patrons “specials” which do not appear on their regular menu but, in many cases, fail to voluntarily apprise their customers how much these specials cost.

This Legislature further finds that all too often consumers learn when their bill arrives that the special they ordered costs far more than they anticipated.

Therefore, the purpose of this local law is to require all restaurants in Suffolk County to give their patrons adequate notice of the prices of all food items offered for sale, including those items known as “daily specials”.

Section 2. Definitions.

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

“Daily Special” shall mean any food item, other than beverages, that is not listed on a restaurant’s regular menu and is offered for sale only on certain days.

“Director” shall mean the Director of the Suffolk County Office of Consumer Affairs.

“Restaurant” shall mean an establishment that is open to the public in which the primary business is the sale of prepared food to consumers for consumption on premises.

"Restaurant Operator" shall mean the owner, operator or manager or any other person supervising the operations of a restaurant

Section 3. Price Notice Requirements.

A. Restaurants shall notify their patrons of the price of all food items, other than beverages, served at their restaurant, including the price for desserts and daily specials.

B. The price of food items shall be set forth on a restaurant's regular printed menu, on a printed daily specials page and/or posted in a manner and location so the price of food items is readily observable by patrons.

Section 4. Enforcement.

A. This law shall be enforced by the Suffolk County Office of Consumer Affairs.

B. The Director of the Office of Consumer Affairs shall promulgate rules and regulations necessary to implement this law.

Section 5. Penalties for Violations.

A. Any restaurant operator who violates the provisions of this law shall be subject to a civil penalty of not less than $50 nor more than $500 for each such violation.

B. No civil penalty shall be imposed under this law until after a hearing has been held before the Director, or his designee, upon at least seven business days notice to the restaurant operator. Such notice shall be served either personally or by certified mail, return receipt requested, to the address of the restaurant and shall state the date, time and place of the hearing as well as enumerate the grounds constituting the alleged violation by the operator. The restaurant operator may produce witnesses in his or her own behalf. A record of the hearing shall be taken and preserved. For the purpose of such hearing, the Director or his designee may administer oaths, subpoena witnesses and compel the production of books, papers, records and other documents deemed pertinent to the subject of the hearing.

Section 6. Applicability.

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

Section 7. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of 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 8. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 9. Effective Date.

This law shall take effect on the ninetieth (90th) day immediately subsequent to filing in the Office of the Secretary of State.

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 16, 2008

After a public hearing duly held on December 16, 2008
Filed with the Secretary of State on December 30, 2008

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

Intro. Res. No. 2065-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1019 -2008 AUTHORIZING A LEASE AGREEMENT WITH THE OUTER MARKER, LLC FOR USE OF PROPERTY AT FRANCIS S. GABRESKI AIRPORT

WHEREAS, Suffolk County owns and through its Department of Economic Development and Workforce Housing operates and maintains Francis S. Gabreski Airport in Westhampton; and

WHEREAS, The Outer Marker, LLC (formerly known as Mailand Hangars, Inc.) has submitted an application to develop three (3) acres of property for the purpose of constructing aircraft hangars; 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 Update Implementation Strategies Plan 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, the Airport Conservation and Assessment Panel reviewed the proposed development and recommends that the lease be approved as noted in the Panel's written recommendations attached as Exhibit "A"; and

WHEREAS, through resolution 790-2007 the Suffolk County Legislature as SEQRA Lead Agency determined that the proposed development by the Outer Marker, LLC (formerly known as Mailand Hangars, Inc.) constitutes a Type I action for which they issued a determination of non-significance and therefore SEQRA is complete; and

WHEREAS, the lease agreement, for 30 years at an initial annual lease rate of $21,600, is submitted for legislative consideration; now, therefore be it

1st **RESOLVED**, that the County Executive or his designee, is authorized to execute a license agreement for the use of the above described property between the The Outer Marker, LLC and the County of Suffolk, in substantial accordance with the agreement annexed as Exhibit "B".

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Stern made motion for the following resolution, seconded by Legislator Cooper. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2095-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer Lindsay and Legislator Cooper

RESOLUTION NO. 1020 -2008, APPOINT MEMBER TO THE SUFFOLK COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES (SAUL R. FENCHEL)

WHEREAS, the term of office of Frank Trotta as a member of the Suffolk County Community College Board of Trustees expired on June 30, 2007; now, therefore be it

1st **RESOLVED**, that Saul R. Fenchel, residing in Lloyd Harbor, New York, is hereby appointed as a member of the Board of Trustees of the Suffolk County Community College, pursuant to Section 6306(1) of the NEW YORK EDUCATION LAW, said term of office to expire on June 30, 2014; 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: December 2, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND SECTION 6306(1) OF THE NEW YORK EDUCATION LAW.

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

Intro. Res. No. 1812-2008 Laid on Table 9/16/2008
Introduced by Legislators Browning and Schneiderman

RESOLUTION NO. 1021 -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – MARIST PROPERTY – TOWN OF BROOKHAVEN (SCTM NO. 0200-976.10-03.00-027.001)

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, two (2) acres of the 9.6 acre parcel will be purchased by the Post Morrow Foundation; and

WHEREAS, the Town of Brookhaven has adopted Resolution No. 931-08, dated November 13, 2008, whereby the Town has agreed to partner in this acquisition; 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 the balance 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 9.6 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0200	7.6 of 9.6	Marist of the Schools, Inc.
	Section	976.10		Mount Saint Michaels Academy
	Block	03.00		4300 Murdock Avenue
	Lot	027.001 (p/o)		Bronx, NY 10466

EXHIBIT "A"

Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 1993-2008 Laid on Table 11/18/2008
Introduced by Legislator Cooper

RESOLUTION NO. 1022 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(a)] – FOR THE RIKER PROPERTY – FROEHLICH/WICKS ADDITION - TOWN OF HUNTINGTON - (SCTM NOS. 0400-090.00-07.00-005.000 & 0400-090.00-07.00-006.000)

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

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

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

WHEREAS, Resolution No. 1239-2007, authorized planning steps for the acquisition of the subject property; and

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

1st RESOLVED, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(a), as amended and effective as of November 30, 2000, for a total purchase price of Two Million Four Hundred Seventy Thousand Dollars ($2,470,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
No. 1	District:	0400		Charles & Shirley Riker
	Section	090.00		472 Woodbury Road
	Block	07.00		Cold Spring Harbor, NY 11724
	Lot	005.000		

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
No. 2	District:	0400		Charles & Shirley Riker
	Section	090.00		472 Woodbury Road
	Block	07.00		Cold Spring Harbor, NY 11724
	Lot	006.000		

Total Acres 5.11±

and be it further

2nd RESOLVED, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Million Four Hundred Seventy Thousand Dollars ($2,470,000.00), 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 $2,470,000.00, subject to a final survey, from previously appropriated funds in MY-176-LAW-GDI1 under the Old Drinking Water Protection Program, Section C12-5(E)(1)(a) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

2. the proposed use of the subject parcel(s) will be passive recreation; and
3. if not acquired, the property will most likely be developed for residential purposes, incurring far greater environmental impact that the proposed acquisition and preservation of the site would have;

and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2045-2008 Laid on Table 11/18/2008
Introduced by Legislator Romaine

RESOLUTION NO. 1023 -2008, AUTHORIZING PLANNING STEPS FOR THE ACQUISITION OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007 – NAFTAL ASSOCIATES PROPERTY – TOWN OF BROOKHAVEN – (SCTM NO. 0200-297.00-01.00-013.000)

WHEREAS, the Suffolk County Drinking Water Protection Program, as amended by Local Law 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated

each year for specific environmental protection, including the acquisition of 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 6.5 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Losquadro made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 17-0-1-0-0. Legislator Alden abstained.

Intro. Res. No. 2046-2008 Laid on Table 11/18/2008
Introduced by Legislators Losquadro and Deputy Presiding Officer Viloria-Fisher

RESOLUTION NO. 1024 -2008, APPOINTING PAUL TENYENHUIS AS A MEMBER OF THE LOWER HUDSON-LONG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT AREA COUNCIL

WHEREAS, the United Stated Department of Agriculture ("USDA") Resource Conservation and Development Program is a national program designed to help communities improve their economies through better use and development of natural resources; and

WHEREAS, through this program, communities can receive funding for a variety of projects, including the development of regional outlets for agricultural products, redevelopment of maritime centers, restoration of degraded wetlands and protection and enhancement of natural resources; and

WHEREAS, County Soil and Water Conservation Districts have a similar function and often provide assistance to this program; and

WHEREAS, the Suffolk County Legislature endorsed the application to USDA for the establishment of the Resource Conservation and Development Area through County Resolution No. 312-2000; and

WHEREAS, the retirement of Thomas McMahon as a member of the Lower Hudson-Long Island Resource Conservation and Development Area Council has created a vacancy on the Board; now, therefore be it

1st **RESOLVED**, that Paul TeNyenhuis, residing in Holtsville N.Y., hereby is appointed as a member of the Lower Hudson-Long Island Resource Conservation and Development Area Council, for a term to expire when a new appointment is made, said appointment having been made pursuant to the provisions of Article 8 of the Constitution and

By-Laws of the Lower Hudson-Long Island Resource Conservation and Development Council; 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: December 2, 2008

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND ARTICLE 8 OF THE CONSTITUTION AND BY-LAWS OF THE LOWER HUDSON-LONG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

PARCEL	SUFFOLK COUNTY TAX MAP NUMBER		ACRES	REPUTED OWNER AND ADDRESS
1	District:	0200	±6.5	Naftal Associates, LP
	Section	297.00		300 Wheeler Road
	Block	01.00		Hauppauge, NY 11788
	Lot	013.000		

EXHIBIT "A"

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

Intro. Res. No. 2051-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1025 -2008, AUTHORIZING THE ACQUISITION OF FARMLAND DEVELOPMENT RIGHTS UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) FOR THE CASTLE COURT LLC PROPERTY – TOWN OF RIVERHEAD – (SCTM NO. 0600-134.00-01.00-008.003 p/o)

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. 235-2008, authorized planning steps for the acquisition of farmland development rights of the subject property; and

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

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

WHEREAS, based upon the Environmental Trust Review Board approved value, an offer to acquire the rights to subject property was made to and accepted by the owner of said property; and

WHEREAS, contracts to acquire said rights were prepared by the Office of the County Attorney, executed by the owner of the subject property and the Director of Real Property Acquisition and Management and approved as to legality by the Office of the County Attorney; now, therefore be it

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the farmland development rights of the subject property set forth below under the New Suffolk County Drinking Water Protection Program, effective December 1, 2007, farmland component, for a total purchase price of One Million Two Hundred Sixty One Thousand Dollars ($1,261,000.00±), at Sixty Five Thousand Dollars ($65,000.00) per acre for 19.4± acres, subject to a final survey; and hereby authorizes additional expenses, which shall include, but not be limited to, the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments for inclusion in the Suffolk County Farmland Development Rights Program:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0600	19.4±	Castle Court LLC
	Section	134.00		446 Remsen Road
	Block	01.00		P.O. Box 534
	Lot	008.003 p/o		Wading River, NY 11792

and be it further

2nd **RESOLVED**, that the Director of the Division of Real Property Acquisition and Management and/or his designee, is hereby authorized, empowered, and directed, pursuant to Section C42-2(C)(3) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed

herein above from the reputed owner, the funding for which shall be provided under the New Suffolk County Drinking Water Protection Program, effective as of December 1, 2007, farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for the County's purchase price of One Million Two Hundred Sixty One Thousand Dollars ($1,261,000.00±), at Sixty Five Thousand Dollars ($65,000.00) per acre for 19.4± acres, subject to a final survey; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer are hereby authorized to reserve and to pay $1,261,000.00±, 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 December 1, 2007, farmland component, Section C12-2(A)(1)(f) of the SUFFOLK COUNTY CHARTER, for this acquisition; and be it further

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2052-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1026 -2008, AUTHORIZING ACQUISITION OF LAND UNDER THE OLD SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM [C12-5(E)(1)(b)] FOR THE ANYTHING YOU WANT, LLC PROPERTY – PINE BARRENS CORE – TOWN OF BROOKHAVEN (SCTM NO. 0200-456.00-01.00-007.001)

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

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

1st **RESOLVED**, that the County of Suffolk hereby approves the acquisition of the subject property set forth below under Article XII of the SUFFOLK COUNTY CHARTER, Section C12-5(E)(1)(b), as amended and effective as of November 30, 2000, for a total purchase price of Two Hundred Twenty Thousand Dollars ($220,000.00), subject to a final survey; and hereby authorizes additional expenses, which shall include but not be limited to the cost of surveys, appraisals, environmental audits, title reports and insurance, and tax adjustments:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0200	1.935+	Anything You Want, LLC
	Section	456.00		45 Ashton Road
	Block	01.00		Middle Island, NY 11953
	Lot	007.001		

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 C42-2(C)(3)(d) of the SUFFOLK COUNTY CHARTER, to acquire the parcel(s) listed herein above from the reputed owner, the funding for which shall be provided under the Old Suffolk County Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for a purchase price of Two Hundred Twenty Thousand Dollars ($220,000.00), 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 $220,000.00, subject to a final survey, from previously appropriated funds in MY-475-MSC-1940, under the Old Drinking Water Protection Program, Section C12-5(E)(1)(b) of the SUFFOLK COUNTY CHARTER, as amended and effective as of November 30, 2000, for this acquisition; and be it further

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

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

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

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

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

2.) the proposed use of the subject parcel(s) will be passive recreation; and

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

and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2053-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Nowick

RESOLUTION NO. 1027 -2008, AUTHORIZING THE ACQUISITION OF LAND UNDER THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM (EFFECTIVE DECEMBER 1, 2007) – OPEN SPACE COMPONENT - FOR THE SZURNICKI PROPERTY – KINGS PARK GREENBELT – TOWN OF SMITHTOWN – (SCTM NO. 0800-026.00-06.00-003.000 p/o)

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. 877-2005, 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 Real Property Acquisition and Management to negotiate the acquisition; and

WHEREAS, on November 20, 20007, Suffolk County, as SEQRA Lead Agency, in Resolution No. 1083-2007, issued a SEQRA negative declaration in connection with the proposed future acquisitions of properties for the preservation of open space for passive park purposes as set forth in Resolution No. 625-2004 – Mastic/Shirley Conservation Area Phase I and Resolution Nos. 621-2004 and/or 877-2005 – Master Lists I and II Reports, respectively; and

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

1st **RESOLVED**, that the County of Suffolk hereby 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 One Million Two Hundred Twenty Thousand Dollars ($1,220,000.00±), at Two Hundred Thousand Dollars ($200,000.00) per acre, for 6.1± 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:

PARCEL:	SUFFOLK COUNTY TAX MAP NUMBER:		ACRES:	REPUTED OWNER AND ADDRESS:
No. 1	District	0800	6.1±	Gregor Szurnicki
	Section	026.00		119 Indian Head Road
	Block	06.00		Kings Park, NY 11754
	Lot	003.000 p/o		and
				Jeffrey B. Szurnicki
				337 Old Indian Head Road
				Kings Park, NY 11754

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 One Million Two Hundred Twenty Thousand Dollars ($1,220,000.00±), 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 $1,220,000.00±, 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 Seven (7) 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:

g.) Open Space

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2083-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Nowick

RESOLUTION NO. 1028 -2008, ADOPTING THE STATE ENVIRONMENTAL QUALITY REVIEW ACT STATEMENT OF FINDINGS FOR THE FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON THE SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

WHEREAS, the State of New York, through Environmental Conservation Law § 13-0302, ceded all rights, title and interest to the lands under water of Peconic and Gardiners Bays, except those underwater lands within one thousand feet of the high water mark to the County of Suffolk for the purposes of shellfish cultivation; and

WHEREAS, for the purposes of Environmental Conservation Law § 13-0302, the term "Peconic and Gardiners Bays" shall mean the waters of Peconic and Gardiners Bays and the tributaries thereof between the westerly shore of Great Peconic Bay and an easterly line running from the most easterly point of Plum Island to Goff Point at the entrance of Napeague Harbor; and

WHEREAS, Suffolk County may lease lands under water ceded to it by the State for the purposes of shellfish cultivation. If no such leases have been executed by December 31, 2010, such authority to lease pursuant to Environmental Conservation Law § 13-0302 shall terminate; and

WHEREAS, Resolution No. 150-2005 amended the Adopted 2005 Operating Budget to transfer funds from Water Quality Protection Fund 477 and appropriate said funds in connection with the Suffolk County Shellfish Aquaculture Lease Program (CP 7180.110); and

WHEREAS, the Aquaculture Lease Program Advisory Committee (ALPAC) was established by Executive Order Nos. 44-2005 and 45-2005 to provide guidance on the development of the leasing program; and

WHEREAS, this Legislature, in Resolution No. 241-2007 under the State Environmental Quality Review Act (hereinafter "SEQRA", N.Y. Environmental Conservation Law Article 8 and its implementing regulations), classified the action as Type I, and adopted a Positive Declaration for the Leasing Program, causing a Generic Environmental Impact Statement (hereinafter "GEIS") to be prepared; and

WHEREAS, this Legislature adopted the Final Scope for the GEIS, pursuant to Resolution No. 780-2007; and

WHEREAS, the GEIS was prepared in a public and open process with extensive input and guidance from ALPAC members, as well as the Council on Environmental Quality (hereinafter the "CEQ"), interested citizens of the County, and Local, State, and Federal agencies; and

WHEREAS, the Suffolk County Department of Planning caused the preparation of a Draft GEIS in accord with the procedures and rules of SEQRA as defined in 6 NYCRR Part 617; and

WHEREAS, pursuant to Chapter 279 of the Suffolk County Code the CEQ evaluated the Draft GEIS and found it to be satisfactory according to the standards set forth under SEQRA; and

WHEREAS, the CEQ then solicited public comments on the Draft GEIS, including holding a public hearing on April 17, 2008; and

WHEREAS, this Legislature, on the advice of the CEQ, found that comments received on the Draft GEIS were substantive in nature, requiring the preparation of a Final GEIS, as per Resolution No. 477-2008; and

WHEREAS, the Suffolk County Department of Planning therefore caused the preparation of a Final GEIS in accordance with the procedures and rules of SEQRA as defined in 6 NYCRR Part 617; and

WHEREAS, the Final GEIS was filed with the CEQ, a Notice of Completion of the FGEIS, in accordance with Article 8 of the ECL was prepared, and all documents were made available to the general public on September 3, 2008; and

WHEREAS, the CEQ forwarded the Final GEIS, together with its comments and recommendations and those received from the public to this Legislature, for consideration at the October 6, 2008 meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature, as part of CEQ Resolution No. 40-2008; and

WHEREAS, the Suffolk County Department of Planning caused to be prepared, a Statement of Findings; now, therefore be it

1st **RESOLVED**, that pursuant to 6 NYCRR Part 617 and Chapter 279 of the Suffolk County Code, the Legislature hereby adopts the Statement of Findings annexed hereto, as Exhibit "A", incorporated by reference and made a part thereof; certifies that the requirements of SEQRA have been met; and certifies that, consistent with social, economic and other essential considerations, the proposed Suffolk County Shellfish Aquaculture Lease Program will be developed from among the reasonable alternatives available, as the choice that avoids or minimizes potential adverse, environmental impacts, to the maximum extent practicable; and be it further

2nd **RESOLVED**, that the Legislature certifies that the adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporation, as conditions within the Statement of Findings, those mitigative measures that have been identified as practicable; and be it further

3rd **RESOLVED**, that the Legislature finds that it is in the best interest of the County to develop a shellfish aquaculture leasing program in Peconic Bay and Gardiners Bay to secure title to approximately 110,000 acres of underwater land and buttress a regionally significant industry; and be it further

4th **RESOLVED**, that the Legislature supports the program concepts described in the Statement of Findings, as a means to provide access to underwater lands for shellfish

cultivation and establish a framework for future leasing of said property, consistent with applicable laws.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

EXHIBIT "A"

SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM IN PECONIC BAY AND GARDINERS BAY

GENERIC ENVIRONMENTAL IMPACT STATEMENT

STATEMENT OF FINDINGS

Preparation Date:	September 22, 2008
Issuance Date:	As of adoption by the Suffolk County Legislature
SEQRA Classification:	Type I
Lead Agency:	County of Suffolk H. Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, New York 11788
Contact Name:	DeWitt S. Davies, Ph.D. Chief Environmental Analyst Suffolk County Department of Planning H. Lee Dennison Building 100 Veterans Memorial Highway Hauppauge, New York 11788
Prepared by:	Cashin Associates, P.C. 1200 Veterans Memorial Highway Hauppauge, New York 11788

Location:	Underwater lands in Peconic Bay and Gardiners Bay, seaward of 1,000 feet from the high water mark, within the jurisdiction of Suffolk County

1.0 Introduction

This Statement of Findings is issued pursuant to the State Environmental Quality Review Act ("SEQRA"), New York. Environmental Conservation Law (NYS ECL) Article 8, and its implementing regulations adopted by the New York State Department of Environmental Conservation ("NYSDEC") and codified at Title 6 of the New York Code of Rules and Regulations ("NYCRR") Part 617 (the "SEQRA Regulations"). This statement sets forth the findings of the Suffolk County (the County), with respect to the development of the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay as summarized in the Draft Generic Environmental Impact Statement (DGEIS), dated March 19, 2008 and further addressed in the Final Generic Environmental Impact Statement (FGEIS), dated September 3, 2008. Although, Suffolk County, as Lead Agency, has the authority to approve the proposed action, implementation will require additional permitting from all relevant local, state, and federal agencies as more fully described in Section 3.0 of the DGEIS.

This Statement of Findings has been prepared to demonstrate that:

1. the procedural requirements of SEQRA have been met;
2. the proposed Lease Program was selected from among the reasonable alternatives as the choice that minimized potential adverse impacts;
3. as required by 6 NYCRR Section 617.11(d), consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and,
4. the comments and concerns submitted by the public as well as the Suffolk County Council on Environmental Quality have been addressed and mitigated to the maximum extent practicable.

2.0 Location of Proposed Action

The proposed Shellfish Aquaculture Lease Program study area is located in the Peconic Estuary system which comprises the coastal waters between the north and south forks of eastern Long Island, Suffolk County, New York (DGEIS, Figure 1). These coastal waters are within the boundaries of Suffolk County's five eastern towns: Riverhead, Southold, Southampton, East Hampton, and Shelter Island. The extent of County jurisdiction for shellfish aquaculture leasing purposes encompasses approximately 110,000 acres and extends from the western shore of Great Peconic Bay easterly to a line running from the easternmost point of Plum Island to Goff Point at the entrance to Napeague Harbor, excluding those underwater lands within 1,000 feet from the high water mark.

3.0 Description of Proposed Action

Pursuant to New York State Environmental Conservation Law §13-0302 (2004 Leasing Law), the State of New York ceded to Suffolk County all underwater lands of Peconic and Gardiners Bays seaward of 1,000 feet from the high water mark for the purposes of shellfish cultivation. The Peconic Estuary has approximately 158,000 acres of surface water area. However, the project study area consists of approximately two-thirds of the open water within the estuary, roughly 110,000 acres, which is naturally divided by peninsulas (necks) and islands into a series of interconnected embayments. The 2004 Leasing Law also requires that the County adopt

regulations governing: applications for leases; notices to be given; the form and term of leases; standards for the approval or denial of leases; administration of leases; the transfer or renewal of leases; marking grounds and testing; fees; recording of leases; and other matters as are appropriate to the Lease Program. If no leases for shellfish aquaculture are executed by December 31, 2010, the authority of Suffolk County to issue such leases shall terminate and the County will forfeit any of its title to the underwater lands.

The County is proposing an action to institute a shellfish aquaculture lease program in Peconic and Gardiners Bays that will support existing aquaculture activities, and promote a moderate growth of the industry. The program components have been designed to ensure that any negative impacts on the environmental, socio-economic, and historic resources have been identified and either mitigated or eliminated entirely.

The Shellfish Aquaculture Lease Program proposed by the County has been designed to provide access to public lands for the purpose of shellfish aquaculture. Implementation of this program does not obviate the need to comply with all other relevant regulatory and permit requirements. In particular, shellfish harvesting activities are closely regulated under New York State Environmental Conservation Law by NYSDEC. As the regulatory agency, the NYSDEC issues permits for shellfish aquaculture and establishes conditions on aquaculture activities that must be met as part of permit requirements. The conditions can include, but are not limited to, types of shellfish to be cultured, number of shellfish to be cultured, number and types of equipment (e.g., cages), harvesting methods, and siting of aquaculture operations. NYSDEC also regulates shellfish harvesting activities relating to sanitary quality and species size limits. It is not the intent of the Suffolk County Lease Program, nor is it within the authority of the County, to regulate the specific activities and requirements that have been established under the Environmental Conservation Law. As stated above, the leasing program will be established to provide access to underwater lands for shellfish aquaculture within the area ceded to the County by the 2004 Leasing Law. Obtaining and renewing a lease with the County will be contingent upon possession of a valid aquaculture permit from the NYSDEC; the specific conditions of that permit must be established by the NYSDEC. The dual function of the County and NYSDEC will help to ensure that the Lease Program is carried out in accordance with proper environmental mitigation measures to protect existing resources and marine activities in areas of Peconic and Gardiners Bays included in the program.

4.0 Procedural History

As per 6 NYCRR Section 617, the Suffolk County Department of Planning, on behalf of Suffolk County, conducted a coordinated review with NYSDEC and all East End Towns and Villages, sought SEQRA lead agency status and issued its Notice of Intent to serve as lead agency on February 5, 2007. In its role as lead agency, Suffolk County prepared and distributed an Environmental Assessment Form (EAF). The County was subsequently designated the SEQRA lead agency for the action. Based on the information contained in the EAF, Suffolk County, in Resolution #241-2007 determined that the project could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration on April 11, 2007. In addition to the Positive Declaration, Suffolk County also issued a Draft Scoping Document for the GEIS. The Draft Scoping Document was posted on the Suffolk County Department of Planning web site and widely distributed to public officials and agencies and other interested parties. A combined Notice of Positive Declaration, Public Scoping, and Intent to Prepare a Draft Environmental Impact Statement was published in the *Environmental Notice Bulletin* on April 18, 2007.

A public scoping meeting was held on May 3, 2007, at the Suffolk County Community College, Eastern Campus; at 121 Speonk-Riverhead Road. Written comments were accepted through May 17, 2007, and a Final Scoping Document dated August 23, 2007, reflecting consideration of comments made during the scoping process, was adopted by Suffolk County through Resolution #780-2007, and a Notice of Completion of the Final Scoping Document on the Draft GEIS was issued on September 6, 2007.

The DGEIS was then prepared in accordance with the Final Scoping Document. On March 19, 2008, pursuant to Chapter 279 of the Administrative Code, the Suffolk County Council on Environmental Quality, in Resolution 03-08, determined that the DGEIS was satisfactory with respect to its scope, content, and adequacy, and a Notice of Completion was issued. Copies of the DGEIS were posted on the Suffolk County Department of Planning web site and were widely distributed to public officials and agencies and other interested parties. Copies were also sent to East End libraries for convenient local viewing. A Notice of Completion and Public Hearing was published in the March 26, 2008 issue of the *Environmental Notice Bulletin.* Hearing notices were also published according to SEQRA Regulations in the *Smithtown News* and the *Long Island Business News*. All notices also invited written comments with respect to the DGEIS, and established a comment period extending to May 1, 2008.

On April 17, 2008, the Suffolk County Council on Environmental Quality in conjunction with the Suffolk County Department of Planning, Legislature and County Executive held a public hearing on the DGEIS at Riverhead Town Hall, 200 Howell Avenue, Riverhead.

On June 24, 2008, Suffolk County reviewed all substantive comments on the DGEIS and authorized the preparation of a FGEIS through Resolution 477-2008.

A FGEIS has been prepared to address all substantive comments that were raised during the public review process of the DGEIS and was presented at the September 17, 2008 meeting of the Suffolk County Council on Environmental Quality. The FGEIS was also posted on the Suffolk County Department of Planning web site and copies were widely distributed to public officials and agencies and other interested parties. Copies were also sent to East End libraries for convenient local viewing. A Notice of Completion of Final GEIS was issued on September 3, 2008.

The remaining steps of the process for the proposed action, including completion of SEQRA review and subsequent actions, are as follows:

- Based on the information and analysis contained in the DGEIS and FGEIS, the County will adopt a Statement of Findings, which is the final environmental basis for the County decision, and will: (a) establish whether the proposed action avoids or mitigates significant adverse environmental impacts to the maximum extent practicable, consistent with social, economic, and other essential considerations from among the reasonable alternatives available (Positive Findings); or (b) establish that the proposed action does not satisfy this prerequisite for approval (Negative Findings). Adoption of this Findings Statement completes the SEQRA process.
- Using Positive Findings, the County can proceed with the official adoption of the Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay and associated management techniques, which comprise the proposed action.

5.0 Alternatives Considered

Alternative 1A - Minimum Lease

The minimum lease alternative as described in the DGEIS would allow for all existing aquaculture activities currently operating in Peconic and Gardiners Bays that comply with the requirements set forth in the 2004 Lease Law to become part of the County's Lease Program. Private land grants would be eligible, as well as the NYSDEC Temporary Marine Area Use Assignments (TMAUAs) located within those areas identified as to avoid environmentally or socio-economically sensitive areas. There would be no provision for additional leases on underwater lands not previously used for shellfish aquaculture.

Alternative 1B - Proposed Action (Minimum Lease with Moderate Growth)
Under this preferred alternative, Suffolk County would allow for the inclusion of existing aquaculture activities seaward of the 1,000 feet from high water mark, and provide for a moderate growth of the aquaculture industry. Portions of oyster grants that are currently permitted to cultivate species other than oysters, or have been so between January 1, 1999 and December 31, 2008, would be allowed to convert to a Suffolk County aquaculture lease. Fallow grants and those that have been used to cultivate oysters only in the above-mentioned time period would be allowed up to two 10-acre leases within grant boundaries. TMAUAs that fall within the environmentally/socio-economically sensitive area must remain 5-acre circular plots. Those that lie outside this area have the opportunity to expand to 10-acre square sites. Furthermore, in keeping with the intent of the 2004 Lease Law, Suffolk County would also allow for up to 60 acres of new leases a year for the first 10 years of the program. These leases would be square in shape and located in areas that have been previously identified so as to minimize environmental and/or socio-economic impacts to the greatest extent possible.

Alternative 2 - No Action
As described by 6 NYCRR § 617.9(b)(5)(iii)(v), "Preparation and Content of Environmental Impact Statements," the No-Action alternative "evaluate(s) the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action." The No-Action alternative is the primary frame of reference for evaluation whether the proposed components of this lease program conform to the requirements of SEQRA. Should the County decide not to proceed with the development and adoption of the proposed lease program, aquaculture in the Peconic Estuary would remain limited to use of existing oyster grants and the TMAUAs. The County would not comply with the 2004 Leasing Law and would subsequently lose all rights, title and interest to approximately 110,000 acres of underwater lands for the purposes of shellfish cultivation.

Alternative 3 - Elimination of Existing Aquaculture Activities
This alternative suggests that the County will not support any shellfish aquaculture activities in the Peconic Bay System. This alternative assumes the hypothetical case that the TMAUAs and grant lands will also no longer be available for aquaculture. In addition, this alternative suggests an action that will intentionally create a negative impact to certain environmental and socio-economic resources and, although addressed as an alternative in the DGEIS, would not be practicable or meet the intent of the 2004 Leasing Law.

Alternative 4 - Unlimited Lease Growth
An unlimited growth alternative would not only allow the continuance of the TMAUAs program and aquaculture on private oyster grants, but would also allow for the unbridled addition of new lease areas within the Peconic Bay System. Allowing for the unlimited growth potential of private aquaculture practices could potentially have a severe negative effect on other East End maritime industries, as well as pose a possible threat to the environmental integrity of the bays. Although evaluated as part of the SEQRA process, the unlimited growth alternative would not

be practicable, and should be avoided to prevent unavoidable environmental and socio-economic impacts.

6.0 Findings Concerning Relevant Environmental Impacts

6.1 Natural Resources

6.1.1 Amplification of Native and Exotic Shellfish Diseases

Shellfish diseases naturally occur in the marine environment, and some of them are known to affect both wild and cultured populations of shellfish. When introduced or amplified by aquaculture, diseases and parasites could theoretically be a threat to wild shellfish populations. While the proposed lease program will not cause or create new shellfish diseases, the potential for disease outbreaks in limited density natural populations as a result of seed importation cannot be dismissed.

Mitigation

Regulatory requirements under the jurisdiction of NYSDEC already provide for the reduction of risk from introduced shellfish diseases. To minimize the potential for disease introduction, local sources of shellfish seed should be used for cultivation. Information on disease history for each lot and site of origin should be provided. A certificate certifying each lot to be disease-free will be required.

In addition, the NYSDEC is currently working on adopting a "Policy of Acceptable Origin of Shell and Shellstock for Introduction in New York." Criteria identified include: the use of native species only; restriction on the source of shellfish to locations north of New York with no known disease presence (specific exceptions apply); health certification required prior to the issuance of a permit; Shellfish Importation Permit required prior to importing shellfish from locations outside of New York; and altered strains generally not permitted to be introduced into state waters with the exception of disease resistant stocks. These requirements will serve to avoid adverse impacts associated with the use of non-native species.

6.1.2 Shellfish Harvest Techniques

On-bottom harvesting of cultivated shellfish is typically done through either manually operated devices or mechanical equipment, such as dredges. Although any type of disturbance to the bay bottom, mechanical or not, could be considered to adversely impact benthic flora and fauna, mechanical harvest methods seem to be the major issue of concern for the proposed action. Effects are generally related to the intensity of the operation, the time scale within which the operations are undertaken, and the bottom type of the area being harvested. For example, structured and vegetated bottoms are more likely to be adversely affected by mechanical harvesting than flat, un-vegetated bottoms.

Mitigation

Limiting the number and area of leases and using a conservative growth rate of new leases, will provide for the opportunity to learn from experience what the impacts of aquaculture would be at selected sites. A limit on the total area of underwater lands committed to aquaculture will limit the extent of potential adverse impacts to ecological and socio-economic conditions in the bay system.

The program will provide for the placement of leases in areas where conflicts with existing users of the estuary, and environmental impacts to sensitive marine and coastal environments will both be minimized.

If the use of mechanical devices is permitted by the NYSDEC on a lease under the County's program, impacts to environmentally-sensitive areas (i.e., eelgrass beds, natural and historic shellfish beds) would be minimized, as new leases would not be issued in such areas. Because of the limits on the number and area of leases mentioned above, the amount of lease area that would be actually subject to mechanical harvest would be minimal, and therefore, the estuary bottom that would be affected would also be minimal. The actual authorization of mechanical harvesting on a lease must be approved by the NYSDEC through the existing regulatory permit process under NYS ECL.

6.1.3 Impacts to Sediment Characteristics and Benthic Fauna

Shellfish aquaculture structures can lower current velocities or alter current patterns in growing areas which may increase sediment deposition through bio-deposition from bivalve feeding. This could have a significant impact in areas that already have limited current velocity. The increase in sedimentation can change the infaunal community structure to one dominated by deposit-feeding species.

Another impact associated with shellfish aquaculture structures is sediment scouring. Aquaculture gear may present obstructions to local tidal flow with flow increasing around and underneath the structure. Tidal flow restrictions from a large grouping of submerged gear may result in strong tidal flow underneath, possibly resulting in localized scouring and a coarsening of the bottom sediments.

<u>Mitigation</u>

Several different mitigation measures to avoid any adverse impacts to the sediment and benthic fauna are listed in the DGEIS and FGEIS which include, but are not limited to: controlling lease size; limiting the number of leases; limiting the type of culture; limiting the biomass of shellfish; and monitoring of environmental conditions. These mitigation measures will allow the County to diversify the placement of shellfish leases and the NYSDEC to modify activities on such leases to ensure that minimal impacts are sustained in any given environment found within the project area.

By utilizing one or more of the above-mentioned mitigation methods, the County believes that any impact associated with the proposed action, such as increased sediment deposition or changes to benthic fauna, can be mitigated. For example, by limiting the number or leases and/or limiting biomass of shellfish on a lease in areas with limited velocity, any significant impacts to that area from the proposed action can be reduced or eliminated.

Impacts from the proposed action that may result in sediment scouring can also be mitigated utilizing one or more of the methods mentioned above. For example, by limiting the type of culture activity (i.e., not allowing off-bottom structures in areas prone to high sediment scouring), sediment scouring that could result from the proposed action can be eliminated or mitigated.

6.1.4 Impact to Phytoplankton Composition and Nutrient Cycling

Shellfish bivalves feed by filtering particulate matter including phytoplankton and zooplankton from the water column. Introduction of additional numbers of filtering shellfish will theoretically affect the abundance and composition of plankton communities which, in turn, will affect nutrient cycling in the bays.

Mitigation

The level of any impact on plankton composition and nutrient cycling is scale dependent, and the small increase in shellfish populations proposed under the aquaculture program will not have significant adverse impacts. Aquaculture may have beneficial effects by increasing the numbers of shellfish in the bays, which historically had greater shellfish populations, and by providing additional filtering capacity for moderating plankton populations. Additional mitigation of potential impacts to phytoplankton composition and nutrient cycling will be brought about by program components that limit the size of aquaculture sites, provide buffer areas between sites, limit the numbers and biomass of cultured species, distribute leases throughout the bay system, and provide for monitoring of environmental conditions.

The environmental monitoring program should include water quality and ecological analyses necessary to assess both possible adverse and beneficial effects of aquaculture for Peconic Bay and Gardiners Bay.

6.1.5 Displacement and Attraction of Species

Aquaculture infrastructure can alter benthic communities by providing both substrate for attachment and forage/refuge areas. These alterations have the potential to increase secondary productivity and may impact local species through shading, sedimentation, and erosion, by disturbances associated with gear set-up and harvesting.

Mitigation

The displacement and attraction of species, like many other impacts that could potentially develop from the proposed action, are scale-dependent. In other words, an impact's severity will be dependent upon the size of the action. For this reason, several of the mitigation methods discussed in the DGEIS and FGEIS about this impact relate to limiting lease numbers, lease sizes, types of culture activity, and biomass of shellfish. Plot rotation by individual aquaculture operations is also another method discussed. Including this impact as another parameter to be monitored will help to assess any potential issues as the County's aquaculture program grows in accordance with its moderate growth potential.

Much of data acquired during the research portion of this project suggested that submerged aquaculture gear, in general, increases species diversity and improves nursery habitat for mobile invertebrates and juvenile fish. It is suggested that the gear creates underwater structure that provides refuge from predation, reduces physical and physiological stress, enhances settlement and recruitment, and increases food supply. This improved habitat can be potentially beneficial to native species, especially in areas devoid of any relief or hard substrate. This would also hold true with areas that have been impacted by anthropogenic actions, such as over-harvesting.

6.1.6 Suspended Sediment/Turbidity

The concern expressed over the potential for the proposed action to suspend sediments and create turbidity is linked to mechanical harvesting methods. There is a fear that

large-scale harvesting by mechanical dredges will create extensive turbidity plumes that will significantly impact the bay system.

Mitigation

The method of shellfish harvest is regulated and controlled by the NYSDEC. The County is prepared to coordinate with NYSDEC to implement a best management practice (BMP) approach that will help to avoid any significant impacts within the project area. As discussed in Section 3.0, the County Lease Program will provide for access to underwater lands, while the NYSDEC maintains regulatory authority over aquaculture operations under NYS ECL.

As discussed in the DGEIS and the FGEIS documents, few aquaculture operations exist that meet the documentation of existing activity requirements set forth by the NYSDEC that make them eligible to conduct mechanical harvesting on their sites.

6.1.7 Carrying Capacity-Phytoplankton/Nutrients Depletion

The suggested adverse impact is that shellfish associated with increased aquaculture operations could overly deplete the plankton resources through filter feeding, and adversely affect competing species.

Mitigation

As discussed under item 6.1.4, the scale of the proposed alternative provides for only a moderate increase in shellfish populations. The potential increase in shellfish populations is not expected to have significant impacts on bay-wide plankton populations. Several different mitigation measures to avoid any adverse impacts to the carrying capacity and nutrient depletion are listed in the DGEIS and FGEIS which include, but are not limited to: controlling the lease size; limiting the number of leases; limiting the type of lease; limiting the biomass of shellfish; and monitoring of environmental conditions. These mitigation measures will allow the County to diversify the aquaculture program to ensure minimal impacts occur in any given environment within the project area.

Based on the above, it is concluded that there will be no significant impact to the carrying capacity of the bay system because of the program's small scale commitment of resources (a maximum potential use of less than 3% of the total bay system).

6.1.8 Enhanced Recruitment

It is believed that the proposed action will not have a significant adverse impact on recruitment. In fact, the data acquired during the information gathering part of the program development seems to indicate that shellfish aquaculture has a positive impact on wild stock populations. Aquacultured shellfish provide a breeding stock that can serve to increase shellfish spawning, setting, and recruitment in the surrounding areas. It should be noted that the NYSDEC regulates aquaculture activities through a permitting process that helps to ensure that impacts to the wild shellfish stock of the Peconic Bay system are minimized.

6.1.9 Site Impacts and Down-drift Impacts

It is believed that the proposed action will not have significant adverse site and down-drift impacts. As stated previously, because the proposed action will only involve less than a maximum of 3 percent of the Peconic Bay system, any site or down-drift impacts

that may occur will most likely be localized and no more severe than those impacts caused by commercial fishery activities currently occurring in the bay.

6.1.10 Accidental Release of Shellfish

It is believed that the proposed action will not have a significant adverse impact related to the accidental release of non-native or exotic shellfish. Several mitigation methods discussed in the DGEIS and FGEIS are designed to eliminate or mitigate this impact, including the use of local seed stock. In addition, the NYSDEC regulates importation through its permitting process.

6.1.11 Genetic Changes

It is believed that the proposed action will not have any significant adverse impacts on the genetics of wild stock. As stated in the DGEIS, because there is the potential for the comingling of genes between selectively bred and wild shellfish stocks, one of the County's mitigation recommendations is to use local varieties of shellfish stock in culture operations. The NYSDEC also regulates the use of shellfish stock in aquaculture programs.

6.1.12 Impacts to Protected and Important Species

It is believed that the proposed action will not have any significant adverse impacts to protected and important species. As part of the program's design, significant research was performed to delineate environmental and socio-economic sensitive areas. Such areas were not included in the area where leases could be issued (i.e., the Shellfish Cultivation Zone) in order to ensure minimal impacts to protected and important species. Should additional information indicating the presence of protected and/or important species arise during the public review process, an alternative site will have to be selected.

6.2 Socio-Economic and Cultural Impacts

6.2.1 Loss of Harvest Area

Off-bottom shellfish aquaculture structures could preclude the use of the water column and underwater land for commercial and recreational fisherman. In addition, if a lease site becomes abandoned, aquaculture gear could impact fishing vessels and associated gear.

<u>Mitigation</u>

Under the proposed program, the area in which a lease may be placed has been delineated to reduce impacts to commercial and recreational fisherman. This includes naturally productive finfish and shellfish areas. The application process also provides for the opportunity for the public to object to a chosen site for productivity reasons which would, in turn, require either a benthic survey or the selection of an alternative location. The lease program also has an administrative mechanism that provides for the identification of gear owners and the removal of aquaculture gear in the event that a lease is terminated or abandoned.

6.2.2 Loss of Maritime Traditions

As early as the mid 1800s, aquaculture has been utilized as a means to sustain shellfisheries on Long Island. Therefore, as a maritime tradition in itself, it is believed that the proposed action will not have a significant adverse impact on the loss of maritime traditions, but instead promote them.

6.2.3 Changes in Employment Opportunities/Incomes

As fishery opportunities decline and state/federal catch and license regulations increase, the ability to earn a sustainable income by harvesting wild marine life has become more difficult. Although there are mixed opinions among baymen about possibly entering the aquaculture industry, the proposed action will provide the opportunity for a displaced fisherman to remain employed in a maritime industry, if he or she wishes to do so. Therefore, the proposed action will not have a significant adverse impact on employment opportunities, but instead may increase them.

6.2.4 Value of Fishery Resources

It is possible that increased production of cultured shellfish may result in a higher demand for cultured shellfish than those harvested from wild stocks. However, shellfish prices are currently governed by out-of-state suppliers, and the shellfish industry on Long Island is losing ground to out-of-state aquaculture operations, not local aquaculture businesses. Therefore, it is believed that the proposed action will not have a significant adverse impact on the value of fishery resources and, in fact, may help keep the Long Island shellfish industry competitive.

6.2.5 Potential Supplemental Income

Any increased activity in the maritime industries in Peconic Bay and Gardiners Bay has the potential to supplement East End residents' incomes. Therefore, it is believed that the proposed action will not have a significant adverse impact on potential supplemental income, but instead, it may provide opportunities to increase such income.

6.2.6 Shoreline Facilities

It is believed that the proposed action will not have a significant adverse impact on shoreline facilities, but instead may provide opportunities for restoring local waterfronts by increasing the demand for seafood processing areas, marine mechanics and boat repair businesses, aquaculture gear manufacturing, and related water-dependent activities.

6.2.7 Conflicts over Lease Boundaries

Conflicts between users of public resources are not uncommon, and are sometimes unavoidable. However, it is believed that the proposed action will not have a significant adverse impact related to conflicts over lease boundaries.

<u>Mitigation</u>

The County has several different mitigation methods included in the DGEIS and FGEIS to address conflicts over lease boundaries. Most importantly, the boundaries of all leases will be properly marked in a standardized fashion that clearly identifies the corners of the lease plots. Lease boundaries must be surveyed and marked by a New York State licensed surveyor. Lease plots will be surrounded by substantial buffer zones. Therefore, it is believed that the proposed action will not have a significant adverse impact on conflicts over lease boundaries.

6.3 Transportation

6.3.1 Hazards to Navigation

Underwater structures or gear associated with the proposed action could have the potential to adversely impact navigation. In addition, an increase in the number of

shellfish aquaculture leases would also increase the number of buoys marking the sites, and locating gear, thus possibly creating navigational hazards.

Mitigation
By requiring standards for marking lease areas; notifying the public, towns, and government agencies during the public comment period of the leasing process; and limiting the placement of structures and requiring lease buffer zones, the County believes that any potential adverse impact from the proposed action on navigation will be minimized/mitigated.

6.3.2 Restrictions on Use

The placement of gear in public water will preclude the use of the water column and underwater land by commercial and recreational fishermen. Floating gear could impact recreational activities, such as boating, windsurfing, and waterskiing.

Mitigation
The mitigation methods described in Section 6.3.1 above, would also apply when mitigating impacts from the proposed action on restricting use. Because of the scaled down level of leasing (a maximum potential use of less than 3 percent of entire system), restrictions on use are expected to be minimal. Therefore, it is believed that the proposed action will not have a significant adverse impact on restricting use of the bay system.

6.4 Visual

6.4.1 Loss of Aesthetic Values/Qualities

Boundary markers for lease sites, as well as individual gear markers, may interfere with the visual resources of the estuary. Some off-bottom culture gear involves numerous markers or floatation devices that intrude upon the visual resources/seascape views.

Mitigation
The 1,000-foot shoreline buffer will minimize the view of floating markers and buoys associated with submerged aquaculture gear from the shoreline and important scenic vistas. Visual impacts from large floating structures or gear can be mitigated by restricting the use of such gear where aesthetic values would be significantly impacted. Markers or buoys associated with submerged gear should be visually unobtrusive, standardized, and deployed in a minimum amount per lease site. In addition, underwater lands in high traffic areas, mooring areas, and popular fishing areas have been excluded from leasing as part of the process to develop the proposed program.

6.5 Use and Conservation of Energy

It is believed that the proposed action will not impact the use and conservation of energy.

6.6 Solid Waste Management

While shellfish aquaculture operations may generate some solid waste, it is not expected to have a significant impact on solid waste management.

6.7 Acquisition of Land

It is believed that the proposed action will not have a significant impact on the acquisition of land.

6.8 Groundwater Resources

It is believed that the proposed action will not impact groundwater resources.

6.9 Air Quality

It is believed that the proposed action will have no impact on air quality.

7.0 Cumulative and Growth Inducing Impacts

Shellfish aquaculture leasing in the Peconic Estuary will be limited. Given that the magnitude of aquaculture activity proposed is not extensive, and that cumulative on and off-site impacts are proportional to both the number and spatial extent of culture operations, it follows that growth inducing impacts will also be limited.

7.1 Existing Aquaculture, Fishing/Shellfishing

The adoption and implementation of the *Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay* is likely to increase the area of the estuary utilized for aquaculture operations. However, a carefully considered and controlled expansion under the program can help protect sensitive habitats, avoid immediate and cumulative adverse impacts on present finfishing and/or shellfishing activities, and prevent unacceptable industry growth. While some areas of bottom and surface water will become unavailable for finfishing or shellfishing, the lease program is designed to avoid currently and potentially productive areas.

7.2 Shore-side Requirements

For the proposed project, it is anticipated that existing shoreline facilities can accommodate the increase in shellfish aquaculture activities likely to occur over the next 10 years or more. Certain commercial facilities associated with fishing of wild stocks have declined in use as wild stocks have declined (e.g., bay scallops), and aquaculture activities may help to off-set some of this loss.

8.0 Unavoidable Adverse Impacts

Although most of the potential adverse impacts associated with the proposed action can be mitigated, few unavoidable impacts remain. However, the magnitude of these unavoidable impacts, like cumulative effects, is scale-related and are expected to be minimal.

8.1 Restriction on Navigation

In some areas, aquaculture activities on leases will restrict vessel navigation, and boaters will be required to navigate around lease boundary markers and gear buoys. The degree of this impact is likely to be minimal, since leases will be limited in number and size, and the scale of operations will also be limited.

8.2 Loss of Access to Bottomlands

The New York State Environmental Conservation Law prohibits others from taking shellfish from licensed aquaculture operations and from tampering or damaging aquaculture equipment. Cultured shellfish cannot be taken by other commercial fishermen, and the placement of aquaculture gear will restrict certain commercial fishing activities as well as recreational activities within the aquaculture sites. These impacts will be very limited due to the scale down nature of the proposed alternative.

8.3 Loss of Access to Water Column

Commercial and recreational fisherman and other recreational uses may be restricted in some areas where submerged aquaculture gear would pose a hazard to such uses. However, the degree of this impact is likely to be minimal, since leases will be limited in number and size, and the scale of operations will also be limited.

8.4 Loss of Bottomland to Other Species

Benthic species and submerged aquatic vegetation (SAV) beds may be impacted by the placement of aquaculture gear on the bottom, or from shading effects from suspended gear. The degree of impact to eelgrass is expected to be non-existent, since leases will not be issued in areas where eelgrass beds exist. In addition, no lease will be permitted within 1,000 feet of the shoreline where the majority of the historic and current eelgrass beds are known to occur. The degree of impacts to bottom-dwelling finfish is expected to be minimal, since leases will be limited in number and size, and the scale of operations will also be limited.

8.5 Utilization of Shoreline Areas

Off-loading and staging efforts associated with aquaculture will most likely take place at existing shoreline facilities, such as marinas and public boat ramps. This increase in usage may affect other users of these shoreline areas. However, since the number of leases is limited, and because they will be dispersed throughout the estuary, the degree of this impact is expected to be minimal. Use of shoreline areas for aquaculture operations may tend to offset declines in usage from diminished wild stock fisheries.

8.6 Escape of Cultured Bivalves

On-bottom hard clam culture involves a technique known as broadcasting (i.e., planting) seed on the bay bottom. During the broadcasting process, it is not uncommon for some seed to intermittently escape into the wild. However, the NYSDEC policy requires the use of native shellfish species only; therefore any escape of seed would pose minimal if any risk to native populations or the environment. In fact, spawning activity of cultured shellfish may help to restore/augment native shellfish populations.

9.0 Irreversible and Irretrievable Commitments of Resources

It is believed that the proposed action will not result in an irreversible and irretrievable commitment of resources.

10.0 Alternatives

10.1 Overview of Alternatives Analysis

A discussion of alternatives to the proposed action is required by SEQRA. It is important to discuss reasonable alternatives to the project, or portions of the project, that achieve the same or similar objectives of the project sponsor (i.e., Suffolk County). The purpose of the alternatives analysis is to provide comparative assessment of the impacts of each alternative. A “no action” alternative must always be discussed and is especially relevant for governmental actions involving the expenditure of public funds. For the preparation of Generic EISs, the alternatives analysis must address alternative actions at the conceptual stage, and because of the broad scope of future site specific actions following a Generic EIS, hypothetical scenarios are appropriate for the alternatives analysis.

During the scoping process and follow-up development of the proposed alternative, several alternatives were identified for consideration in the Draft GEIS. As a Generic EIS, the use of specific types of equipment, technologies and other site related activities could not be

performed. Site selection under the proposed aquaculture plan will be performed at a later stage through a lease application review process by the County, and the process will be subject to public and agency review. Furthermore, specific lease sites will be subject to permit application review, most importantly by the NYSDEC, which is the issuing agency for aquaculture permits.

As required by SEQRA, alternatives to the proposed County Lease Program (Alternative 1B) were identified and are addressed below in this section. The alternatives considered include a minimum lease program (1A), a no action alternative (2), an elimination of aquaculture alternative (3), and an unlimited growth alternative (4). These alternatives represent the range of hypothetical alternatives to the proposed action.

As part of the analysis, the potential maximum acreages of underwater land committed to shellfish aquaculture have been calculated for each alternative including the recommended alternative. The results of this calculation demonstrate that the total amount of underwater land potentially committed to shellfish aquaculture under the program is a very small (approximately 2.9 percent) portion of the total area.

10.2 Alternative 1A – Minimum Lease

Alternative 1A represents a reduced scale shellfish aquaculture lease program. It provides for the establishment of leases only on sites where aquaculture is presently or has recently been conducted (i.e., grants and TMAUAs). The restrictions of the 2004 Leasing Law still apply, specifically the exclusion of areas 1,000 feet from the shore, areas identified as productive for other fisheries, and areas where significant conflicts with other users of the estuary cannot be avoided.

This alternative allows the conversion of all existing NYSDEC TMAUAs and private oyster grants that meet the 2004 Leasing Law requirements into leases issued under the Suffolk County Aquaculture Lease Program.

<u>Aquaculture 1A Components</u>

- Currently the combined acreage of these two entities (grants and TMAUAs) that meet the 2004 Leasing Law requirements is a total of approximately 2553.5 acres, which is approximately 2.3 percent of the 110,000 acres of underwater land within the project area.
- Those TMAUAs that appear to be within the 1,000 ft. shoreline buffer are not within the jurisdiction of this program and will not be considered for leasing. However, the area directly offshore of 1,000 ft. in the same general area of the TMAUAs (within the cultivation zone) will be made available for leasing.
- Some of the grants have a portion of their acreage located within the 1,000 ft. shoreline buffer. Those portions of the grants that are within the 1,000 ft. shoreline buffer zone will be excluded from the lease program. However, all of the remaining acreage of those grants that is located in the cultivation zone will be permitted to participate in the County Lease Program.
- Private grant owners will be allowed to apply for an aquaculture lease for species other than oysters and, dependent on past and current activities, will be permitted into the program on a case-by-case basis as applicable under the 2004 Lease Law.

Expansion of aquaculture operations on grants will also be subject to NYSDEC regulatory process as well.

Assessment

This alternative is similar to Alternative 1B (Proposed Action) in that it will provide for establishment of County leases for grants and TMAUAs. It differs in one important way – it does not provide for any expansion of aquaculture into new areas of the estuary. With the exception of moderate growth in Alternative 1B, the impacts of this alternative would be comparable to the impacts of the proposed action because the total acreage of underwater lands committed to aquaculture is comparable under both scenarios. This alternative would provide an increased level of security and business stability to existing grant and TMAUAs holders. Although impacts of this alternative are comparable to that of the proposed action, Alternative 1A is deemed to be unacceptable because it does not satisfy an important mandate of the 2004 Leasing Law, which is to provide for an expansion of aquaculture in the Peconic/Gardiners Bay system.

Also in contrast to Alternative 1B, this alternative would not have a provision for educational/experimental leases and municipal leases for shellfish resource restoration, which represent beneficial impacts associated with the proposed action. This alternative was not considered further because it did not meet the primary objective of the 2004 Leasing Law.

10.3 Alternative 1B – Proposed Action (Minimum Lease with Moderate Growth)

This alternative includes all areas being considered in Alternative 1A and also provides for future growth of the industry by permitting additional use of underwater lands for aquaculture within defined limits. This alternative would make available approximately an additional 300 acres of bottom land for new entities at the end of the first five-year period, and another approximately 300 acres at the end of 10 years. This alternative is the proposed action. The full description of this alternative, its program components, and associated impacts are given in Sections 1 through 4 of the DGEIS document, and modified in the FGEIS. Currently this alternative will include all TMAUAs and underwater land grants seaward of the 1,000 ft. buffer zone that will meet the County's program requirements. This alternative includes the acreage discussed in Alternative 1A and allows for an additional 600 acres during the first 10 years of the program. This total potential acreage to be committed to shellfish aquaculture under this alternative after 10 years is approximately 3,153.5 acres (2.9 percent of 110,000 acres available).

10.4 Alternative 2 – No Action

Under this No Action Alternative, Suffolk County would not institute a Shellfish Aquaculture Lease Program for Peconic Bay and Gardiners Bay and no Shellfish Cultivation Zone Map would be adopted. Access to bottom lands for aquaculture would be obtained under current practices. These current practices include the existing NYSDEC TMAUAs and all 65 of the underwater land grants that have the right to cultivate oysters. Under this alternative, between the NYSDEC TMAUAs and privately owned oyster grants there is a total conceivable area of approximately 5,977 acres of underwater land available for aquaculture activity. No leases would exist under this alternative.

No ecological or physical impacts associated with the proposed action would be expected under the No Action alternative. It would not provide any further stability or security to

existing aquaculture activities, and it would not provide a program for expansion of aquaculture. The TMAUAs would be subject to annual approval by the NYSDEC, and growth would be limited by the constraints of the TMAUA program and permitted activities on existing privately owned oyster grants. Socio-economic benefits of an expanded and improved aquaculture program would not be realized. The beneficial impacts of expanded aquaculture on the ecology of the estuary, such as those related to water quality and improved spawning stock, would not be realized. A positive impact of this alternative is that there would be no expenditure of County funds required to implement and manage a lease program; conversely, there would be no revenue generated by lease fees and economic activity. Although this alternative would not have significant environmental impact beyond that of current conditions, the No Action alternative was deemed unacceptable because it does not meet the fundamental objectives of the 2004 Leasing Law.

10.5 Alternative 3 – Elimination of Existing Aquaculture Activities

Under Alternative 3, Suffolk County would not institute a Shellfish Aquaculture Lease Program for Peconic and Gardiners Bays and no Shellfish Cultivation Zone Map would be adopted. In addition, under this hypothetical alternative, TMAUAs would no longer be issued by NYSDEC in the Peconic Estuary, all existing TMAUAs would be terminated, and shellfish aquaculture would be eliminated on oyster grants. Under this alternative there would be no acreage available for shellfish cultivation in the County's program.

Existing shellfish aquaculture businesses currently operating under TMAUAs would be forced to cease operations. The termination of the existing shellfish aquaculture businesses would have adverse economic impacts on existing aquaculture operations and companies/individuals who provide supplies to those operators, including hatcheries that provide seed. This alternative would not have beneficial impacts to the bays' ecology, or to socio-economic conditions of the area that are associated with an expansion of aquaculture. Furthermore, this alternative is not viable due to the fact that Suffolk County does not have legal authority to terminate the NYSDEC TMAUA program if no County Lease Program is adopted.

This alternative was deemed unacceptable because it does not meet the objectives of the 2004 Leasing Law, it would have adverse socio-economic impacts, and would not have the beneficial impacts associated with aquacultural activity.

10.6 Alternative 4 – Unlimited Lease Growth

This alternative would provide for the unlimited growth of aquaculture throughout the Peconic Bay/Gardiners Bay system. Allowing this alternative would make available the entire 110,000 acres of underwater land ceded to the County.

This alternative would involve the conversion of all NYSDEC TMAUAs and private oyster grants into leases issued under the Suffolk County Aquaculture Lease Program and would allow for the addition of new leases throughout the entire estuary without excluding areas that are environmentally or socio-economically sensitive (in conflict with the 2004 Leasing Law). Under this alternative, the amount of new leases would not be restricted to a defined growth rate, and a cap on new leases would not be implemented. This alternative would have significant adverse impacts in numerous areas:

- Impacts on ecological resources would be greater than that of the proposed action because the amount of underwater land committed to aquaculture would be potentially many times larger than that associated with the proposed action.
- Lessons learned from a phased program would be unavailable, and the potential for the occurrence of irreversible ecological effects would be magnified.
- Impacts to other users of the estuary would be intensified because aquaculture would expand into areas presently used by other groups including commercial fishermen, recreational boaters, and other commercial operations. In contrast, the proposed action is designed to minimize conflict with other users of the estuary.
- This alternative could have adverse impacts to economic conditions if expanded aquaculture suppressed product value because of overproduction.
- This alternative would conflict with other jurisdictions, such as those associated with town and village Local Waterfront Revitalization Plans (LWRPs) because leases could potentially be placed in areas deemed by LWRPs as environmentally or socio-economically important.
- Enforcement needs would be substantially greater than those for the proposed alternative, because of the greater potential for user conflicts, gear conflicts, abandoned gear, vandalism and theft, and unauthorized activity by aquaculture operations.
- Alternative 4 would meet the objectives of the 2004 Leasing Law by providing for an expansion of aquaculture, but would be in contradiction of the law by not providing for protection of existing fisheries and environmental conditions in the estuary. Alternative 4 has been deemed unacceptable because it would not comply with all the objectives of the 2004 Leasing Law and would potentially have adverse impacts to environmental and socio-economic conditions.

This alternative is not considered feasible since it is an extreme alternative that would likely cause conflicts with other commercial and recreational users of the estuary.

10.7 Summary of Impact Analysis of Alternatives

Alternatives 1A, 1B and 2 have the least potential for significant adverse environmental, socio-economic, and cultural impacts. The expansion of aquaculture activities under the proposed action, Alternative 1B, will reduce the potential of significant adverse impacts through specific mitigation measures, as discussed in detail in Section 5. The potential for significant adverse impacts associated with Alternatives 1A and 2 would also be minimal since the extent of shellfish aquaculture operations would be equal to or less than what currently exists. The elimination of aquaculture activities under Alternative 3 would result in potential significant adverse socio-economic impacts to the local shellfish industry and to baymen currently earning their income from the industry. The greatest amount of significant adverse impacts would occur under Alternative 4, based on the extreme scale of aquaculture activities. Table 1 shows the total acreage conceivable for each alternative and the potential impacts that would likely occur for each.

11.0 Conclusion

The County has fully considered the relevant environmental impacts, facts, and conclusions disclosed in the DGEIS and FGEIS for the Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay, Suffolk County, New York. Having analyzed the relevant socio-economic and environmental impacts and other considerations set forth in this Statement of Findings,

Suffolk County, as the Lead Agency, hereby certifies that: the requirements of 6 NYCRR Part 617 have been met; the findings are consistent with social, economic, and other essential considerations from among the reasonable alternatives available in such a way to minimize or avoid the adverse environmental impacts disclosed in the EIS to the maximum extent practicable; and adverse environmental effects revealed in the SEQRA process will be minimized or avoided to the maximum extent practicable through the mitigation methods that were identified as practicable in DGEIS, FGEIS, and Statement of Findings.

In addition, the implementation of the *Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay* is expected to yield the following benefits:

- Provide people with the opportunity to obtain access to underwater lands for raising shellfish.
- Encourage private investment in aquaculture businesses and the establishment of shellfish farms at secure locations that do not pose conflicts with commercial fishermen and other bay users.
- Expand the marine-based economy and create related job opportunities.
- Augment the spawning potential of native shellfish populations and exert positive influence on water quality by helping to control nutrient cycling and to prevent noxious plankton blooms as a result of the increase in the number of shellfish.
- Provide other potential positive impacts related to the establishment of aquaculture leases such as increasing suitable substrate for both flora and fauna on bottom structures as well as commensal relationships between commercial fishing activities and culture activities.
- Provide additional opportunity for commercial fisherman to maintain their economic viability.
- Help to re-establish and strengthen traditional shellfish farming activities which have experienced decline since the early 1900s.
- Establish a monitoring program that will help to provide data and information about the shellfish aquaculture activities in Peconic Bay and Gardiners Bay.
- Provide a mechanism for the establishment of educational/experimental shellfish aquaculture operations which will enable valuable scientific and operational information to be collected.

Table 1. Total Conceivable Acreage and Potential Impact Outcomes for Each Alternative

ALTERNATIVE	Alt. 1A Minimum Lease	Alt. 1B Minimum Lease Moderate Growth	Alt. 2 No Action	Alt. 3 Elimination of Aquaculture	Alt. 4 Unlimited Lease Growth
Potential Major Negative Impacts					
Geology	N	N	N	N	Y
Benthos	N	N	N	N	Y
Water column	N	N	N	N	Y
Water quality	N	N	N	N	Y
Submerged Aquatic Vegetation	N	N	N	N	Y
Sediment transport	N	N	N	N	Y
CNRAs	N	N	N	N	Y
Protected species	N	N	N	N	Y
User activities	N	N	N	N	Y
Potential Minor Negative Impacts					
Introduction of shellfish pathogens/diseases	N	N	N	N	Y
Harvest method impacts	N	N	N	N	Y
Sediment characteristics & benthos impacts	N	N	N	N	Y
Phytoplankton composition & nutrient cycling	N	N	N	N	Y
Restrictions on public access	N	N	N	N	Y
Maritime traditions	N	N	N	Y	Y
Employment / incomes	N	N	N	Y	Y
Wild fishery industry	N	N	N	N	Y
Navigation	N	N	N	N	Y
Aesthetic values	N	N	N	N	Y
Energy	N	N	N	N	Y
Beneficial Impacts					
Economy (direct and support sectors)	N	Y	N	N	Y
Employment opportunities	N	Y	N	N	Y
Maritime traditions	N	Y	N	N	Y
Ecology	N	Y	N	N	N
Seafood production	N	Y	N	N	Y
Total Conceivable Acreage of Leased Underwater Lands	**2,553.5**[(1)]	**3,153.5**[(1)]	**5,977**[(1,2)]	**0**	**110,000**

Notes: Y=Yes N=No
([1]) Please note that these estimated acreages do not include a possible total of 20 acres associated with the Winergy Power LLC site near Plum Island, which was added to the Shellfish Cultivation Zone during the FGEIS process.

([2]) Leases would not exist, but aquaculture would be performed on TMAUAs and grants.

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

Intro. Res. No. 2090-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1029 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE BROWNFIELDS PROGRAM, FORMER WALLPAPER FACTORY SITE IN LAKE RONKONKOMA (CP 8223)

WHEREAS, the Commissioner of Health Services has requested the appropriation of funds in connection with the Brownfields Program; and

WHEREAS, these funds will be used to investigate contamination and remediate County owned sites returning them to productive use; and

WHEREAS, remediation in the form of construction and site improvements for an estimated cost of $103,000 is needed for the former wallpaper factory site in Lake Ronkonkoma; and

WHEREAS, there are sufficient funds within the 2008 Adopted Capital Budget and Program to cover the cost of said request under Capital Program Number 8223; and

WHEREAS, this project will be conducted under the New York State Department of Environmental Conservation Brownfields Voluntary Cleanup Program; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $103,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, Introductory Resolution No. 1912-2008 titled, "Making a SEQRA determination in connection with the Proposed Suffolk County Brownfield – Former Ronkonkoma Wallpaper Facility – Town of Islip" was laid on the table October 14, 2008; and be it further

2nd **RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 278 of the Suffolk County Code, hereby finds and determines that this resolution

constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617. This legislation further finds and determines that implementation of this 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;

2.) The project entails investigation and remediation of the site in accordance with NYSDEC Brownfield programs;

3.) All toxic and hazardous materials remediated will be disposed of in accordance with State and Federal regulations;

4.) The action only involves clean up of the site and no new development is proposed; and

5.) The project will result in beneficial environmental impacts; and

the Legislature has no further responsibilities under the State Environmental Quality Review Act ("SEQRA"); and be it further

3rd **RESOLVED**, 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; and be it further

4th **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 and as amended by Resolution No. 461-2006; and be it further

5th **RESOLVED**, that the County Department of Health Services is hereby authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as may be deemed necessary relating to the investigation and remediation of the former wallpaper factory site in Lake Ronkonkoma; and be it further

6th **RESOLVED**, that the proceeds of $103,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	J.C.	Project Title	Amount
525-CAP-8223.312 (Fund 001-Debt Service)	40	Brownfields Program (wallpaper factory site)	$100,000
525-CAP-8223.410 (Fund 001-Debt Service)	40	Brownfields Program (wallpaper factory site)	$3,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1988-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer Lindsay and Legislator Schneiderman

RESOLUTION NO. 1035 -2008, REAPPOINTING RICHARD F. WHITE, JR., AS A MEMBER OF THE SUFFOLK COUNTY BOARD OF TRUSTEES OF PARKS, RECREATION AND CONSERVATION

WHEREAS, Richard F. White, Jr., representing the Town of East Hampton, is currently a member of the Suffolk County Board of Trustees of Parks, Recreation and Conservation, and his term will expire on November 30, 2008; and

WHEREAS, the Supervisor of the Town of East Hampton has recommended the reappointment of Richard F. White, Jr., representing the Town of East Hampton, to said Board; now, therefore be it

1st **RESOLVED**, that Richard F. White, Jr., currently residing in Montauk, New York, be and he hereby is reappointed, 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 East Hampton for a term of office to expire on November 30, 2013.

DATED: December 2, 2008

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

Legislator Cooper made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 2047 -2008 Laid on Table 11/18/2008
Introduced by Legislator Cooper

RESOLUTION NO. 1036 -2008, CREATING A VANDERBILT MUSEUM OVERSIGHT COMMITTEE

WHEREAS, William K. Vanderbilt, III, in his will, bequeathed to the County of Suffolk his estate in the Town of Huntington, together with all furnishings, exhibits, works of art, artifacts and memorabilia found there; and

WHEREAS, in accordance with the terms of the Vanderbilt will, the County of Suffolk agreed to maintain the estate as a park and museum; and

WHEREAS, the County of Suffolk has operated the Vanderbilt Museum for nearly 60 years; and

WHEREAS, pursuant to the terms of the Vanderbilt will, the County of Suffolk also received a maintenance fund, the income from which was to be used to maintain and operate the museum; and

WHEREAS, while the Suffolk County Legislature has sole power and control over the museum property and maintenance fund, the Board of Trustees of the Vanderbilt Museum has power and control over the development, maintenance and operation of the museum and planetarium; and

WHEREAS, the County of Suffolk has traditionally made provision for extensive capital improvements at the museum but has never funded the museum's operating expenses; and

WHEREAS, since the museum's opening, income from the maintenance fund and other museum revenues have covered operating expenses; in recent years, $1.2 million has been paid from the maintenance fund annually to offset operating expenses; and

WHEREAS, the recent sharp decline in the financial markets caused the Vanderbilt Museum's maintenance fund to fall to a level just above the original amount of principal, making it impossible for the museum to derive substantial revenue from the maintenance fund in 2009; and

WHEREAS, faced with the potential closure of the Vanderbilt Museum and Planetarium, this Legislature made an emergency allocation of $800,000 in the 2009 Operating Budget to fund the operation of the museum during 2009; and

WHEREAS, the administrators and trustees of the Vanderbilt Museum must immediately develop a plan to increase revenues and reduce expenses to ensure the survival of the museum; and

WHEREAS, the Suffolk County Legislature and the Suffolk County Executive must ensure that the necessary changes and new policies are implemented without delay; now, therefore be it

1st **RESOLVED**, that there is hereby created a Vanderbilt Museum Oversight Committee; and be it further

2nd **RESOLVED**, that this Oversight Committee shall work with, and act as a liaison to, the Vanderbilt Museum Board of Trustees and the museum's administrators to analyze new ideas that will increase revenues and cut costs; and be it further

3rd **RESOLVED**, that Oversight Committee will work to ensure that new policies are implemented in a timely fashion so the County of Suffolk may avoid an unenviable choice between closing the museum or making another large cash transfer to the museum in 2010; and be it further

4th **RESOLVED**, that the Oversight Committee shall consist of:

1. the County Executive, or his or her designee;
2. the Chairman of the Suffolk County Legislature Parks and Recreation Committee; or his or her designee;
3. the Presiding Officer of the Suffolk County Legislature; or his or her designee;
4. the Minority Leader of the Suffolk County Legislature, or his or her designee;
5. the Director of the County Legislature's Office of Budget Review; or his or her designee;
6. the Director of the County Executive's Budget Office; or his or her designee;

and be it further

5th **RESOLVED**, that this Oversight Committee shall send a representative to each meeting of the Vanderbilt Museum's Board of Trustees; and be it further

6th **RESOLVED**, that the Oversight Committee shall send a representative to the County Legislature's Parks and Recreation Committee meetings on a regular basis to report on the progress being made by the Vanderbilt Board of Trustees and the museum administrators to increase revenues and eliminate the museum's dependence on income from the maintenance fund; and be it further

7th **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: December 2, 2008

VETOED BY COUNTY EXECUTIVE ON DECEMBER 18, 2008

VETO OVERRIDE ADOPTED ON JANUARY 5, 2009

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

Intro. Res. No. 1999-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1037 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $87,330 FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, TO ENFORCE MOTOR VEHICLE PASSENGER RESTRAINT REGULATIONS WITH 85.07% SUPPORT

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded $87,330 in Federal Highway Safety pass-through funds to the Suffolk County Police Department to continue a Buckle Up program targeting enforcement of motor vehicle passenger restraint regulations; and

WHEREAS, the operational period for this program will be from October 1, 2008, through September 30, 2009; and

WHEREAS, said grant funds totaling $87,330 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:

REVENUE:	AMOUNT
115-4378-Federal Aid: Buckle Up	$87,330

ORGANIZATIONS:

Police Department (POL)
Buckle Up 2009
115-POL-3203

1000-Personal Services	$87,330
1120-Overtime Salaries	$87,330

and be it further

2nd **RESOLVED**, that the employee benefits associated with the overtime salaries for this grant are included in the 2008 Suffolk County Operating Budget; and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York Governor's Traffic Safety Committee.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2000-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1038 –2008, ACCEPTING AND APPROPRIATING FEDERAL FUNDING IN THE AMOUNT OF $3,500 FROM THE UNITED STATES MARSHALS SERVICE FOR THE SUFFOLK COUNTY POLICE DEPARTMENT'S PARTICIPATION IN OPERATION FALCON WITH 85.05% SUPPORT

WHEREAS, the United States Marshals Service has made $3,500 in Federal funding available to Suffolk County for participation of the Suffolk County Police Department in Operation FALCON; and

WHEREAS, said project was part of a multi-agency fugitive task force enforcement operation; and

WHEREAS, the operational period of the program was from June 23, 2008, through June 27, 2008; and

WHEREAS, said reimbursement 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 reimbursement funding as follows:

REVENUES:	AMOUNT
001-4339-Federal Aid: Operation FALCON	$3,500

ORGANIZATIONS:

Police Department (POL)
Operation FALCON
001-POL-3286

1000 – Personal Services	$3,500
1120 – Overtime Salaries	$3,500

and be it further

2nd **RESOLVED**, that the non-reimbursable fringe benefits of approximately $615 associated with the overtime salaries for this program are included in the 2008 Suffolk County Operating Budget; and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute the reimbursement agreement between Suffolk County and the United States Marshals Service.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2001-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1039 -2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $250,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, FOR THE SUFFOLK COUNTY POLICE DEPARTMENT TO PARTICIPATE IN A HUMAN TRAFFICKING TASK FORCE WITH 86.74% SUPPORT

WHEREAS, the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, has made $250,000 in grant funds available to Suffolk County to allow the Suffolk County Police Department to continue to participate in a Human Trafficking Task Force; and

WHEREAS, this program will provide for a multi-agency task force designed to combat human trafficking by increased identification of evidence of human trafficking, identification of victims, comprehensive case investigation and community outreach; and

WHEREAS, the operational period of the program will be from September 1, 2008 through February 28, 2010; and

WHEREAS, the monies for the matching funds 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:

REVENUE:	AMOUNT
001-4342-Federal Aid: Human Trafficking Task Force Supplemental	$250,000

ORGANIZATIONS:

Police Department (POL)
Human Trafficking Task Force Supplemental
001-POL-3296

1000-Personal Services	$237,356
1120-Overtime Salaries	$237,356
4300-Travel	$2,960
4340-Travel, Other Contracts	$2,960
4900 Contracted Services	$6,242
4980 Contracted Agencies	$6,242

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits	$3,442
8330-Social Security	$3,442

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Justice, Office of Justice Programs.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2005-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Gregory

RESOLUTION NO. 1040 -2008, ACCEPTING AND APPROPRIATING $7,794.50 IN SUB-GRANTED FUNDS FROM THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., FOR THE WYANDANCH WEED AND SEED PROGRAM SPONSORED BY THE U.S. DEPARTMENT OF JUSTICE WITH 85.6% SUPPORT

WHEREAS, the Economic Opportunity Council of Suffolk, Inc., as the designated Weed and Seed Coordinator for the Wyandanch Weed and Seed Program, has been awarded $149,992.00 in grant funding by the United States Department of Justice; and

WHEREAS, the program is designed to coordinate delivery of criminal justice services to eliminate violent crime, drug-trafficking, and drug-related crime, and to provide a safe environment for law abiding citizens to live, work and raise a family; and

WHEREAS, the project requires local law enforcement commitment as a sub-grantee for expanded law enforcement activities ("weeding") and prevention services ("seeding") in the target area; and

WHEREAS, the Department of Probation will receive $7,794.50 under this grant for overtime to support surveillance and search operations of offenders potentially violating their conditions of probation; and

WHEREAS, the operational period of this program will be from August 1, 2008 to September 30, 2009; and

WHEREAS, said sub-granted funds in the amount of $7,794.50 for the Suffolk County Probation Department overtime expenses, have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, $1,305.58 in fringe benefits, associated with overtime, have been included in the Suffolk County 2008 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 sub-grant funds as follows:

REVENUES:	***AMOUNT***
001- 4320 -Federal Aid: Crime Control	***$7,794.50***

APPROPRIATIONS:	**AMOUNT**

Suffolk County Probation Department

Wyandanch Weed & Seed

001-PRO-3155

1000 Personal Services	***$7,794.50***
1120-Overtime	$7,794.50

and be it further

2nd **RESOLVED**, County Executive be and hereby is authorized to execute the sub-grant agreement between Suffolk County and the Economic Opportunity Council of Suffolk, Inc.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2060-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1041 -2008, ACCEPTING AND APPROPRIATING 75% FEDERAL EMERGENCY MANAGEMENT AGENCY PASS-THROUGH GRANT FUNDS FROM THE NYS EMERGENCY MANAGEMENT OFFICE TO THE SUFFOLK COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES FOR A PUBLIC EDUCATION GRANT UNDER THE U.S. HAZARD MITIGATION GRANT PROGRAM (HMGP) AND TO EXECUTE GRANT RELATED AGREEMENTS FOR THE SUFFOLK COUNTY MITIGATION EDUCATION FOR NATURAL DISASTERS (MEND) PROGRAM

WHEREAS, the NYS Office of Emergency Management has awarded 75% Federal grant funds to the Department of Fire, Rescue and Emergency Services for a Public Education Grant under the Hazard Mitigation Grant Program (HMGP) application 1692-0025 in the amount of $82,980.00; and

WHEREAS, these funds will be used to educate the Suffolk County Public residing in hurricane category 1-4 flood zones of mitigation initiatives; and

WHEREAS, Suffolk County and its town and villages have experienced numerous natural and man-made losses including seven (7) presidential declared disasters costing over $39 million dollars since 1985 and according to the National Flood Insurance Program, Suffolk County ranks second in New York State in repetitive losses; and

WHEREAS, the County of Suffolk in conformance with the United States Disaster Mitigation Act of 2000, which calls for each municipality within the United States to have a pre-approved mitigation plan prior to federal mitigation fund awards; and

WHEREAS, having such a plan approved in 2008, Suffolk County was eligible to compete for Hazard Mitigation Grant Program (HMGP) funds resulting from the April 2007 Nor'easter (Presidential Declaration 1692); and

WHEREAS, this HMGP grant has a performance period running through September 15, 2009 in which the County will receive 75% funding in the amount of $82,980.00; and

WHEREAS, the remaining 25% local match in the amount of $27,660.00 is identified as pre-existing costs ($21,956 are existing salary items and $5,704 indirect costs), leaving no additional costs to the County; and

WHEREAS, $67,434.00 of said funds have not been included in the 2008 Operating Budget, and $15,546.00 has been included in the 2008 Operating Budget; now, therefore be it

1st **RESOLVED**, that the County Comptroller and County Treasurer be and that they hereby are authorized to accept $82,980.00 including $5,755.00 in 001-IT-8020-110 and fringes and appropriate said grant funds as follows:

REVENUES:	AMOUNT
001-FRE-4359 Public Education Grant	$77,225.00
001-IT -4359 Public Education Grant	$5,755.00

ORGANIZATIONS:

Department of Fire, Rescue and Emergency Services
Public Education Grant
001-FRE-3415 - $67,434.00

1000 – Personal Services	$2,770.00
1120 – Employee Overtime	$2,770.00
4000 – Contractual Expenses	$64,200.00
4560 – Fees for Services-Non Employees	$64,200.00

Employee Benefits

Social Security
001-EMP - 9030 - $212.00

Employee Benefits	$212.00
8330 – Social Security	$212.00

Employee Benefits
Retirement
001-EMP-9010 – $252.00

Employee Benefits	$252.00
8280 – Retirement	$252.00

and be it further

2nd **RESOLVED**, that the County Executive be and hereby is authorized to execute related agreements as necessary; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2063-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Horsley, Gregory

RESOLUTION NO. 1042 -2008, ACCEPTING AND APPROPRIATING $21,598.00 IN SUB-GRANTED FUNDS FROM THE ECONOMIC OPPORTUNITY COUNCIL OF SUFFOLK, INC., FOR THE WYANDANCH WEED AND SEED PROGRAM SPONSORED BY THE U.S. DEPARTMENT OF JUSTICE WITH 85.07% SUPPORT

WHEREAS, the Economic Opportunity Council of Suffolk, Inc., as the designated Weed and Seed Coordinator for the Wyandanch Weed and Seed Program, has been awarded $149,992.00 in grant funding by the United States Department of Justice; and

WHEREAS, the Program is designed to coordinate delivery of criminal justice services to eliminate violent crime, drug-trafficking, and drug-related crime, and to provide a safe environment for law abiding citizens to live, work and raise a family; and

WHEREAS, the project requires local law enforcement commitment as a sub-grantee for expanded law enforcement activities ("weeding") in the target area; and

WHEREAS, the operational period of this program will be from August 1, 2008 to September 30, 2009; and

WHEREAS, said sub-granted funds for law enforcement totaling $21,598.00 for the Suffolk County Police Department, have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, $3,790.00 in fringe benefits, associated with overtime, have been included in the Suffolk County 2008 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 sub-grant funds as follows:

REVENUES:	AMOUNT
115-4344 – Federal Aid: Wyandanch Weed and Seed III	$21,598.00

ORGANIZATIONS:

Police Department (POL)
Wyandanch Weed and Seed III
115-POL-3213

1000 – Personal Services	$21,598.00
1120 – Overtime Salaries	$21,598.00

and be it further

2nd **RESOLVED**, County Executive be and hereby is authorized to execute the sub-grant agreement between Suffolk County and the Economic Opportunity Council of Suffolk, Inc.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2064-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1043 - 2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $380,098 FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, TO FUND A COMPUTER CRIMES AND IDENTITY THEFT INITIATIVE FOR THE SUFFOLK COUNTY POLICE DEPARTMENT WITH 89.59% SUPPORT

WHEREAS, the United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, has made $380,098 in grant funds available to Suffolk County to allow the Suffolk County Police Department's Computer Crimes Unit to enhance its efforts to prevent internet crimes against children and to allow the Suffolk County Police Department's Identity Theft Unit to enhance its efforts to prevent identity theft crimes; and

WHEREAS, this project will provide for enhanced investigations of internet crimes against children, purchase of equipment for forensic analysis of computers to improve case prosecution, and community outreach programs to educate parents concerning Internet Safety for their children; and

WHEREAS, this project will also provide for enhanced community outreach designed to prevent victimization of the public through the crime of identity theft by providing community presentations on the elements of this type of crime; and

WHEREAS, the operational period of the project will be from April 1, 2008 through March 31, 2010; 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:

REVENUE:	Amount
001-4343-Federal Aid: Computer Crimes and ID Theft Initiative	$380,098

ORGANIZATIONS:

Police Department (POL)
Computer Crimes and ID Theft Initiative
001-POL-3298

1000-Personal Services	$275,178
1120-Overtime Salaries	$275,178

2000 Equipment	$40,763
2020 Office Machines	$22,000
2500 Other Equipment Not Otherwise	$18,763
3000 Supplies Materials & Others	$34,545
3040 Printing	$ 6,500
3160 Computer Software	$28,045
4300 Travel	$25,485
4340 Travel Other Contracts	$25,485

Employee Benefits
Social Security
001-EMP-9030

8000-Employee Benefits	$4,127
8330-Social Security	$4,127

and be it further

2nd **RESOLVED**, that the non-reimbursable fringe benefits of $44,149 associated with the overtime salaries for this grant are included in the 2008 Suffolk County Operating Budget; and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1769-2008 Laid on Table 8/19/2008
Introduced by Legislators Horsley, Romaine, Losquadro, Gregory, Stern and D'Amaro

RESOLUTION NO. 1044 -2008, ADOPTING LOCAL LAW NO. 53 -2008, A LOCAL LAW TO PROVIDE PARKING FOR "CLEAN PASS" VEHICLES AT COUNTY FACILITIES (THE GREEN SPACES PROGRAM)

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 19, 2008, a proposed local law entitled, "**A LOCAL LAW TO PROVIDE PARKING FOR "CLEAN PASS" VEHICLES AT COUNTY FACILITIES (THE GREEN SPACES PROGRAM)**;" now, therefore be it

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

LOCAL LAW NO. 53 -2008, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO PROVIDE PARKING FOR "CLEAN PASS" VEHICLES AT COUNTY FACILITIES (THE GREEN SPACES PROGRAM)

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 for most of the 20th Century the United States was the world's largest producer of petroleum, producing enough oil to meet domestic needs and provide a surplus for export.

This Legislature hereby finds and determines that United States oil production peaked in the early 1970s and has declined ever since, while our oil consumption has continued to climb steeply. As of 2001, imported oil accounted for 55% of United States consumption, while projections indicate that as of 2020 imported oil will account for 70% of United States consumption.

This Legislature also finds and determines that remaining oil reserves are concentrated in a few giant reservoirs, over 80% of which are found in developing countries. In fact, nearly two-thirds of remaining oil reserves are located in six Persian Gulf nations: Saudi Arabia, Iraq, the United Arab Emirates, Kuwait, Iran and Qatar.

This Legislature also finds and determines that a member of Long Island's congressional delegation has named schools and local government as the ideal starting point for the transformation of America from a country dependent on its enemies for fuel, to a country that can regain its position as a world leader by reclaiming its economy, maintaining a self-sustaining military and restoring its environment.

This Legislature also finds and determines that because the need for energy independence is a matter of national security, local governments must take all steps necessary to contribute to a nation-wide effort to break our oil-addiction.

This Legislature finds and determines that the use of low-emission and energy-efficient vehicles contributes to the effort to break the grip of oil addiction, while vastly reducing greenhouse gases.

This Legislature also finds and determines that New York State has instituted the "Clean Pass" Program to allow eligible low-emission, energy-efficient vehicles to use the forty (40) mile Long Island Expressway High Occupancy Vehicle (LIE/HOV) lanes in an effort to reduce greenhouse gas emissions by 6,000 tons and save more than 500,000 gallons of gasoline a year.

This Legislature further finds that Suffolk County government may contribute to national energy security by offering residents incentives to make smart energy decisions, such as offering priority parking to "Clean Pass" qualified vehicles.

This Legislature determines that Suffolk County can and should adapt this environmentally and security conscious, forward-looking policy to County-owned and operated facilities.

Therefore, the purpose of this local law is to set aside parking spaces at all County facilities for "Clean Pass" certified vehicles.

Section 2. Definitions.

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

COMMISSIONER – the Commissioner of the Suffolk County Department of Public Works.

COUNTY FACILITY - any building or facility owned by the County of Suffolk or under the jurisdiction of the County of Suffolk, including buildings and facilities owned by the County or leased by the County and otherwise under the control of the County of Suffolk.

"CLEAN PASS" VEHICLE – any vehicle that displays a "Clean Pass" Vehicle sticker issued by the New York State Department of Motor Vehicles certifying that the vehicle is certified to the California Super Ultra Low Emission Vehicle (SULEV) standard and achieves a US EPA highway fuel economy rating of 45 miles per gallon or more; or a pre-model year 2005 hybrid vehicle which is certified to the California Ultra Low Emission Vehicle (ULEV) standard and achieves a US EPA highway fuel economy rating of 45 miles per gallon or more.

Section 3. Parking for "Clean Pass" Vehicles.

A. Notwithstanding any provision of law to the contrary, the Commissioner is hereby authorized, empowered and directed to designate a minimum of 2% of parking spaces at all County facilities for the exclusive use of parking by the owner/operators of "Clean Pass" vehicles.

B. Such spaces shall be clearly marked for use by owner/operators of "Clean Pass" vehicles. The Commissioner shall cause such appropriate signs to be erected and pavement markings to be made to clearly mark these parking spaces and allow for the enforcement of this local law.

C. To the extent practicable, spaces designated for parking by the owner/operators of "Clean Pass" vehicles shall be located in the immediate vicinity of an entrance to each County facility. In no event, however, shall "Clean Pass" parking spaces be

located closer to a facility entrance than those spaces designated for the use by the handicapped.

D.) If the Commissioner determines it is impossible or impracticable to designate 2% of parking spaces for "Clean Pass" vehicles at a specific County facility, he or she shall so advise the County Executive and each member of the County Legislature, in writing, and enumerate the reasons why "Clean Pass" spaces cannot be designated at a County facility. The County Legislature may override the Commissioner's determination by a duly enacted resolution.

Section 4. Parking in Designated Parking Spaces Prohibited.

Any person who parks a non-Clean Pass vehicle in a parking space reserved for "Clean Pass" vehicles shall be deemed to be in violation of this local law.

Section 5. Enforcement.

Provisions of this local law shall be enforced by the Suffolk County Police Department and the Suffolk County Sheriff.

Section 6. Penalties for Offenses.

Any person violating the provisions of this law shall be guilty of an offense and be punishable by a fine not to exceed $100.

Section 7. Applicability.

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

Section 8. 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 9. 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 10. Effective Date.

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 19, 2008

After a public hearing duly held on December 16, 2008
Filed with the Secretary of State on January 12, 2009

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

Intro. Res. No. 1845-2008 Laid on Table 9/16/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1045 -2008, REQUIRING IDENTIFICATION OF COUNTY PURCHASING PERSONNEL TO THE COUNTY'S PROCUREMENT POLICIES AND PROCEDURES

WHEREAS, Section 104-b of New York General Municipal Law requires that local governments develop procurement policies and procedures, applicable to non-bid purchases; and

WHEREAS, Section 104-b has recently been amended by adding sub-division (f), effective January 1, 2009, requiring that local governments include within their procurement policies and procedures, identification of the individual or individuals responsible for purchasing and their respective titles, and that such information be updated biennially; and

WHEREAS, such formal policies and procedures assist in guarding against favoritism, improvidence, extravagance, fraud and corruption, and the identification of the individuals responsible for purchasing decisions will increase awareness of purchasing practices and increase accountability; and

WHEREAS, the County has adopted procurement policies and procedures; now, therefore be it

1st **RESOLVED**, that the following County personnel are hereby authorized, empowered and directed to implement the foregoing County procurement policies and procedures:

a.) Kathleen Koppenhoefer, General Services Manager, Department of Public Works;

b.) Gilbert Anderson, Commissioner, Department of Public Works;

c.) Anita S. Katz, Commissioner Board of Elections;

d.) Cathy L. Richter Geier, Commissioner Board of Elections; and

e.) Craig M. Harris, Administrative Director of Business Operations, Suffolk County Community College.

and be it further

2nd **RESOLVED**, County purchasing personnel information shall be updated biennially; and be it further

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

4th **RESOLVED**, that this authorization shall take effect immediately.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1850-2008 Laid on Table 9/16/2008
Introduced by Presiding Officer Lindsay and Legislator Losquadro

RESOLUTION NO. 1046 -2008, AUTHORIZING A REQUEST FOR PROPOSALS FOR SALE OF OBSOLETE AND SURPLUS COUNTY PERSONAL PROPERTY

WHEREAS, the County of Suffolk has accumulated and is storing numerous motor vehicles at the BOMARC facility in Westhampton; and

WHEREAS, the price of recyclable scrap metal has increased greatly in recent years; and

WHEREAS, at a time when the County of Suffolk is trying to close a projected deficit in fiscal year 2009, every potential revenue stream must receive serious consideration; and

WHEREAS, the sale of discarded and surplus motor vehicles is one such potential source of revenue; now, therefore be it

1st **RESOLVED**, that the Commissioner of the Department of Public Works is hereby authorized, empowered and directed to develop and issue a Request for Proposals (RFP) for the sale of motor vehicles, presently stored at the BOMARC facility in Westhampton, which vehicles are not otherwise suitable to be sold at a County auction; and be it further

2nd **RESOLVED**, that the RFP shall seek proposals for the bulk of sale of all vehicles stored at the BOMARC facility; and be it further

3rd **RESOLVED**, that the Department of Public Works shall issue the above described Request for Proposals within 60 days after it is provided with a listing of vehicles available for disposal by the Suffolk County Police Department and District Attorney's Office; and be it further

4th **RESOLVED**, that the Department of Public Works shall report the results of the RFP to the County Legislature within sixty (60) days of the issuance of the RFP, for further action by this Legislature; be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 1994-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1047 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST OUTFALL (CP 8108)

WHEREAS, the district discharges treated sewage through a 6 ½ mile by 72 inch pre stressed, concrete, cylinder pipe to the Atlantic Ocean; and

WHEREAS, a portion of this outfall is beneath the Great South Bay; and

WHEREAS, it has been determined that the Bay section of the pipeline is in need of rehabilitation or replacement; and

WHEREAS, the planning steps to evaluate the alternatives, obtain permit, and an environmental determination, complete a final design and develop an emergency response plan are needed; and

WHEREAS, funds identified for this work had been included in the 2007 Adopted Capital Budget and Program with those funds being appropriated and placed in CP 8170 by resolution Nos. 1419 and 1420-2007; and

WHEREAS, the Administrative Head of Sewer District No. 3 has requested that these funds be transferred from CP 8170 to CP 8108 to cover the planning and emergency response plan costs associated with this project and provide the offset required under the Suffolk County Charter Section C-4(13); and

WHEREAS, a public hearing in accordance with resolution 405-2008 was held on June 10th and a findings resolutions submitted to proceed with this work; 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 even date herewith, has authorized the issuance of $3,400,000 in Sewer District Sewer Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project with a priority ranking of seventy-five (75), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that this Legislature being a 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 in accordance with Resolution No. 479-2008, the Legislature has no further responsibilities under SEQRA; and be it further

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

Project No: 8170
Project Title: Improvements to Sewer District 3 – Southwest

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$80,138,723	$9,200,000 X	$5,800,000 X
TOTAL	$86,425,051	$9,200,000	$5,800,000

Project No: 8108
Project Title: Outfall at Sewer District 3 – Southwest

Cost Elements	Total Estimated Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
Planning, Design & Supervision	$6,052,052	0	$2,900,000 X
Construction	$ 500,000	0	$ 500,000 X
TOTAL	$6,552,052	0	$3,400,000

and be it further

4th **RESOLVED**, that the proceeds of $3,400,000 in Sewer District Sewer Bonds be and hereby appropriated as follows:

Project No.	Project Title	Amount
528-CAP-8108.112 (Fund 203-Debt Service)	Outfall at Sewer District 3 – Southwest - Planning, Design & Supervision	$2,900,000

528-CAP-8108.310 (Fund 203-Debt Service)	Outfall at Sewer District 3 – Southwest - Construction	$500,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 1994A-2008

BOND RESOLUTION NO. 1048 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $3,400,000 BONDS TO FINANCE THE COST OF PLANNING, DESIGN AND SUPERVISION, AND ACQUISITION OF EMERGENCY REPLACEMENT PIPE, IN CONNECTION WITH IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 - SOUTHWEST OUTFALL (CP 8108.112 and .310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $3,400,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning, design and supervision, and acquisition of emergency replacement pipe, in connection with improvements to Suffolk County Sewer District No. 3 - Southwest Outfall, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $3,400,000. The plan of financing includes the issuance of $3,400,000 bonds or bond anticipation notes ($2,900,000 for planning, design and supervision and $500,000 for acquisition of emergency replacement pipe) 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 objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 and 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2004-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1049 -2008, DONATING EXCESS LOAM SOIL MATERIAL TO THE TOWN OF BROOKHAVEN

WHEREAS, excavation and grading operations at the construction site of the New Addition to the Yaphank Jail has generated in excess of 23,000 (twenty-three thousand) cubic yards of loam soil material; and

WHEREAS, the Commissioner of Public Works has determined that 10,000 (ten thousand) cubic yards is excess material not required by this or any other current County project; and

WHEREAS, the Town of Brookhaven (Town) has indicated a need for soil material to be used in the continued capping of the Town landfill located in Yaphank; and

WHEREAS, the Town has the capability to load, transport, and distribute said soil material at the site of the landfill; and

WHEREAS, the Town has requested the donation of excess soil material from the County; now, therefore be it

1st **RESOLVED**, that in keeping with the Town's request, the County hereby donates a maximum of 10,000 (ten thousand) cubic yards of excess loam material presently located at the construction site of the New Addition to the Yaphank Jail; and be it further

2nd **RESOLVED**, that the Town will load, transport, and distribute said soil material at the site of the landfill utilizing Town labor and equipment; 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 an

unlisted action which will not have a significant effect on the environment for the following reasons:

1. The proposed action will not exceed any of the criteria in Section 617.7(c) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) which sets forth thresholds for determining significant effect on the environment;

2. The donated material will only be used for the purpose of capping an existing landfill;

and be it further

4th **RESOLVED**, that a copy of this Resolution shall be filed with the Suffolk County Clerk, and with CEQ; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 2009-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1050 -2008, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SERIAL BONDS FOR THE IMPROVEMENTS TO THE SEWER COLLECTION SYSTEM OF SUFFOLK COUNTY SEWER DISTRICT NO. 1 – PORT JEFFERSON (CP 8122)

WHEREAS, the Sewer District No. 1 – Port Jefferson Sewer System requires improvements; and

WHEREAS, there are sufficient funds identified in the 2008 Capital Budget and Program for the improvement of Suffolk County Sewer District 1 – Port Jefferson; and

WHEREAS, the Administrative Head of Sewer District No. 1 – Port Jefferson has requested that funds be appropriated to cover planning costs associated with the sewer improvement project; and

WHEREAS, a resolution authorizing the issuance of $200,000 in serial bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $200,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of seventy-six (76), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $200,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
527-CAP-8122.110	Improvements to Sewer District 1- Port Jefferson, Planning, Design and Supervision	$200,000

and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

4th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the sewer system improvements to SD 1 – Port Jefferson.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator Horsley. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 2009A-2008

BOND RESOLUTION NO. 1051 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $200,000 BONDS TO FINANCE THE COST OF PLANNING AND DESIGN FOR IMPROVEMENTS TO THE SEWER SYSTEM OF SUFFOLK COUNTY SEWER DISTRICT NO. 1 - PORT JEFFERSON (CP 8122.110)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $200,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of planning and design for improvements to the sewer system of Suffolk County Sewer District No. 1 - Port Jefferson, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $200,000. The plan of financing includes the issuance of $200,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy

County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2010-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1052 -2008, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR THE ENGINEERING PHASE OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (SLUDGE) (CP 8180)

WHEREAS, the Bergen Point Wastewater Treatment Plant requires sludge treatment process improvements; and

WHEREAS, consultant assistance is required, in connection with the proposed improvements; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for assistance in improving Suffolk County Sewer District No. 3 – Southwest; and

WHEREAS, the Administrative Head of Sewer District No. 3 - Southwest has requested that planning funds be appropriated to cover costs associated with the improvement 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, it is proposed that $100,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the planning phase of the project; now, therefore be it

1st **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

2nd **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of $100,000 for the purpose of implementing the planning and environmental phase of the project; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2008 Adopted Operating Budget, transfer funds and accept proceeds as follows:

Interfunds:	Amount
404-IFT-E528-Transfer to Fund 528	$100,000
REVENUES:	
528-IFT-R404-Transfer from Fund 404	$100,000

and be it further

4th **RESOLVED**, that the funds in the amount of $100,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
528-CAP-8180.113	Sewer District No.3 – Southwest Sludge Treatment and Disposal Project	$100,000

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, to the Capital Sewer Fund required to finance this Capital Project; and be it further

6th **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; and be it further

7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the planning and environmental phase of the recharge facility improvements to SD 3 - Southwest.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2011-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1053 -2008, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SERIAL BONDS FOR THE IMPROVEMENTS TO THE YAPHANK COUNTY CENTER WASTEWATER TREATMENT PLANT (CP 8158)

WHEREAS, the Yaphank County Center Wastewater Treatment Plant requires improvements to the nitrogen removal process; and

WHEREAS, NYSDEC has issued a schedule of compliance to make improvements; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for the improvement of the Yaphank County Center Wastewater Treatment Plant; and

WHEREAS, the Commissioner of Public Works has requested that funds be appropriated to cover construction costs associated with improvement 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, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 515 of 2007 determined that the proposed sewerage facility improvement and/or rehabilitation to the Yaphank County Center Wastewater Treatment Plant constitutes a Type II action pursuant to the provisions of NYCRR Part 617.5(c); and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $500,000 in Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	AMOUNT
527-CAP-8158.310 (Fund 001-Debt Service)	Improvements to the Yaphank County Center Wastewater Treatment Plant - Construction	$500,000

and be it further

3rd **RESOLVED**, that the Commissioner of Public Works be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the improvements to the Yaphank County Center Wastewater Treatment Plant.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2011A-2008

BOND RESOLUTION NO. 1054 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $500,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO THE YAPHANK COUNTY CENTER WASTEWATER TREATMENT PLANT (CP 8158.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to the Yaphank County Center Wastewater Treatment Plant, 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 $660,000. The plan of financing includes (a) the expenditure of $160,000 transferred from the Assessment Stabilization Reserve Fund pursuant to Resolution No. 854-2007, (b) the issuance of $500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 2014 -2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1055 -2008, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SERIAL BONDS FOR THE IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 3 – SOUTHWEST (INFILTRATION/INFLOW) (CP 8181)

WHEREAS, the Sewer District No. 3 – Southwest requires improvements; and

WHEREAS, there are sufficient funds identified in the 2008 Capital Budget and Program for the improvement of Suffolk County Sewer District 3 – Southwest; and

WHEREAS, the Administrative Head of Sewer District No. 3 – Southwest has requested that funds be appropriated to cover planning costs associated with the sewer improvement 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 $2,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **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

2nd **RESOLVED**, that the proceeds of $2,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
528-CAP-8181.112	Planning for an infiltration and inflow Study/Rehabilitation in Sewer District 3 - Southwest	$2,000,000

and be it further

3rd **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, and pursuant to Resolution 902-2003 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; and be it further

4th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the sewer system improvements to SD 3 – Southwest.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Stern. The resolution was passed 17-1-0-0-0. Legislator Barraga voted no.

Intro. Res. No. 2014A-2008

BOND RESOLUTION NO. 1056 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $2,000,000 BONDS TO FINANCE THE COST OF THE PLANNING, DESIGN AND INVESTIGATION FOR AN INFILTRATION AND INFLOW STUDY/REHABILITATION IN SEWER DISTRICT NO. 3 - SOUTHWEST (CP 8181.112)

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 $2,000,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the planning, design and investigation for an infiltration and inflow study/rehabilitation in Sewer District No. 3 - Southwest, 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 $2,000,000. The plan of financing includes the issuance of $2,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Presiding Officer Lindsay 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. 2055-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1057 -2008, APPROPRIATING FUNDS IN CONNECTION WITH CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048)

WHEREAS, the Commissioner of Public Works has requested funds for design and construction in connection with Construction and Rehabilitation of Highway Maintenance Facilities; and

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

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $500,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1),(2) and (25) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind, as well as the purchase of equipment; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

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

4th **RESOLVED**, that the proceeds of $500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5048.314 (Fund 016-Debt Service)	50	Construction and Rehabilitation of Highway Maintenance Facilities	$500,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Presiding Officer Lindsay 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. 2055A-2008

BOND RESOLUTION NO. 1058 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $500,000 BONDS TO FINANCE THE COST OF THE CONSTRUCTION AND REHABILITATION OF HIGHWAY MAINTENANCE FACILITIES (CP 5048.314)

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 $500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the construction and rehabilitation of highway maintenance facilities, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000. The plan of financing includes the issuance of $500,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years.

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

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2056-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1059 -2008, APPROPRIATING FUNDS IN CONNECTION WITH MOVEABLE BRIDGES – NEEDS ASSESSMENT AND REHABILITATION (CP 5806)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Moveable Bridges – Needs Assessment and Rehabilitation; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $475,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C), (1) and (2) and of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site. 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 forty-nine (49) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Moveable Bridges – Needs Assessment and Rehabilitation, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th RESOLVED, that the proceeds of $475,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5806.310 (Fund 001 Debt Service)	50	Moveable Bridges – Needs Assessment and Rehabilitation --Construction	$475,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2056A-2008

BOND RESOLUTION NO. 1060 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $475,000 BONDS TO FINANCE A PART OF THE COST OF THE MOVEABLE BRIDGES NEEDS ASSESSMENT AND REHABILITATION PROJECT (CP 5806.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $475,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the Moveable Bridges Needs Assessment and Rehabilitation Project, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $775,000. The plan of financing includes (a) the issuance of $300,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1387-2006, (b) the issuance of $475,000 bonds or bond anticipation notes authorized pursuant to this resolution and (c) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years, computed from May 15, 2008, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 1387-2006.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 1387-2006 is hereby amended and restated to be twenty (20) 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2057-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1061 -2008, APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF SHINNECOCK CANAL JETTIES AND BULKHEADS (CP 5348)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Reconstruction of Shinnecock Canal Jetties and Bulkheads; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, Resolution No. 550-2005 approved by the County Legislature issued a SEQRA Negative Declaration for the project, therefore, the provisions of SEQRA have been complied with and no further environmental review is necessary; and be it further

2nd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-two (52) 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 Reconstruction of Shinnecock Canal Jetties and Bulkheads, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

4th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5348.310 (Fund 001-Debt Service)	50	Reconstruction of Shinnecock Canal Jetties and Bulkheads	$300,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2057A-2008

BOND RESOLUTION NO. 1062 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $300,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF THE SHINNECOCK CANAL BULKHEAD, TOWN OF SOUTHAMPTON (CP 5348.310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $300,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of the Shinnecock Canal Bulkhead, Town of Southampton, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $1,175,000. The plan of financing includes (a) the issuance of $175,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 795-2000, (b) the issuance of $175,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 180-2002 (c) the issuance of $350,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 929-2005, (d) the issuance of $175,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1021-2007, (e) the issuance of $300,000 bonds or bond anticipation notes authorized pursuant to this resolution and (f) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 (a) of the Law, is thirty (30) years, computed from June 15, 2001, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 795-2000.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance

of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2059-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1063 -2008, APPROPRIATING FUNDS IN CONNECTION WITH THE RECONSTRUCTION OF CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512)

WHEREAS, the Commissioner of Public Works has requested funds for engineering and construction in connection with the Reconstruction of CR 97, Nicolls Road; and

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

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $1,750,000 in Suffolk County Serial Bonds; now, therefore, be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1), (2), (4), (20), and (21) and 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. The law also authorizes repaving of existing highways not involving the addition of new travel lanes and replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, as well. 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 sixty-two (62) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary, pursuant to Section C8-2 (A) of the Suffolk County Charter to complete the Reconstruction of CR 97, Nicolls Road; and be it further

4th **RESOLVED**, that the proceeds of $1,750,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5512.112 (Fund 001 Debt Service)	50	Reconstruction of CR 97, Nicolls Road – Engineering	$250,000

Project No.	J.C.	Project Title	Amount
525-CAP-5512.310 (Fund 001 Debt Service)	50	Reconstruction of CR 97, Nicolls Road – Construction	$1,500,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2059A-2008

BOND RESOLUTION NO. 1064 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,750,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 97, NICOLLS ROAD, TOWN OF BROOKHAVEN (CP 5512.112 and .310)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,750,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the reconstruction of CR 97, Nicolls Road, Town of Brookhaven, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $6,540,000. The plan of financing includes (a) the issuance of $1,290,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 751-2003, (b) the issuance of $3,500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 114-2008, (c) the issuance of $1,750,000 bonds or bond anticipation notes authorized pursuant to this resolution and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from May 1, 2004, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 751-2003.

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

respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2066-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1065 -2008, PERMITTING THE HAUPPAUGE SCHOOL DISTRICT TO PURCHASE FUEL FROM THE COUNTY

WHEREAS, the School District wishes to purchase fuel from the County under the County's Fuel Management/Preventive Maintenance Inventory Control System which was authorized by Resolution No. 1233-1997; and

WHEREAS, the County agrees to provide the services requested by the School District; and

WHEREAS, the School District agrees to pay for all costs associated with retrofitting their vehicles to conform to the County's Fuel Management/Preventive Maintenance Inventory Control System; and

WHEREAS, the School District will reimburse the County for the cost of fuel used by School District vehicles, in addition to a fifteen percent (15%) administrative fee; and

WHEREAS, the County and the School District are permitted to enter into joint cooperation agreements; now, therefore be it

1st **RESOLVED**, that the School District at their own expense, will conform with the County's Fuel Management/Preventive Maintenance Inventory Control System and reimburse the County for the cost of fuel used by their vehicles, plus a fifteen percent (15%) administrative fee; and be it further

2nd **RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all agreements with the School District on behalf of the County of Suffolk providing for the municipality's participation in the above referenced program; and be it further

3rd **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 Vol. 6 of the New York Code of Rules and Regulations (NYCRR) Section 617.5 (c) (20) (27) in that the resolution concerns purchase or sale of furnishings, equipment and supplies, other than land, radioactive material, pesticides, herbicides or other hazardous materials and adoption of a local legislative decision in connection with the same; as a Type II action, the Legislature has no further responsibility under SEQRA.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2068-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1066 -2008, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR THE ENGINEERING PHASE OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 20 – WILLIAM FLOYD (RIDGEHAVEN) (CP 8147)

WHEREAS, the Ridgehaven Wastewater Treatment Plant requires treatment process improvements; and

WHEREAS, planning and environmental assistance is required, in connection with the proposed improvements; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for assistance in improving Suffolk County Sewer District No. 20 – William Floyd (Ridgehaven); and

WHEREAS, the Administrative Head of Sewer District No. 20 – William Floyd has requested that planning and environmental funds be appropriated to cover costs associated with the improvement 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, it is proposed that $50,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the planning and environmental phase of the project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of $50,000 for the purpose of implementing the planning and environmental phase of the project; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2008 Adopted Operating Budget, transfer funds and accept proceeds as follows:

Interfunds	Amount
404-IFT-E527-Transfer to Fund 527	$50,000
REVENUES:	
527-IFT-R404-Transfer from Fund 404	$50,000
(Ref. 527-CAP-IFTR-R404)	

and be it further

4th **RESOLVED**, that the funds in the amount of $50,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
527-CAP-8147.110	Improvements to Sewer District 20 – William Floyd (Ridgehaven), Planning, Design and Supervision	$50,000

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, to the Capital Sewer Fund required to finance this capital project; and be it further

6th **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; and be it further

7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the planning and environmental phase of the facility improvements to SD 20 – William Floyd.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2069-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1067 - 2008, TRANSFERRING ASSESSMENT STABILIZATION RESERVE FUNDS TO THE CAPITAL FUND, AND APPROPRIATING FUNDS FOR THE ENGINEERING PHASE OF IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 5 – STRATHMORE HUNTINGTON (CP 8115)

WHEREAS, the Strathmore Huntington Wastewater Treatment Plant requires treatment process and odor control improvements; and

WHEREAS, planning and environmental assistance is required, in connection with the proposed improvements; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for assistance in improving Suffolk County Sewer District No. 5 – Strathmore Huntington; and

WHEREAS, the Administrative Head of Sewer District No. 5 – Strathmore Huntington has requested that planning and environmental funds be appropriated to cover costs associated with the improvement 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, it is proposed that $75,000 of the Assessment Stabilization Reserve Fund be appropriated for the purpose of implementing the planning and environmental phase of the project; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking of sixty-six (66), is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the Assessment Stabilization Reserve Fund shall provide the sum of $75,000 for the purpose of implementing the planning and environmental phase of the project; and be it further

3rd **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to amend the 2008 Adopted Operating Budget, transfer funds and accept proceeds as follows:

Interfunds	Amount
404-IFT-E527-Transfer to Fund 527	$75,000

REVENUES:	
527-IFT-R404-Transfer from Fund 404 (REF. 527-CAP-IFTR-R404)	$75,000

and be it further

4th **RESOLVED**, that the funds in the amount of $75,000 from the Assessment Stabilization Reserve Fund be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
527-CAP-8115.110	Improvements to Sewer District 5 – Strathmore Huntington, Planning, Design and Supervision	$75,000

and be it further

5th **RESOLVED**, that the County Treasurer and County Comptroller are hereby authorized and directed to accept these interfund revenues and effectuate these interfund transfers, including the associated cash transfers, to the Capital Sewer fund required to finance this Capital Project; and be it further

6th **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; and be it further

7th **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the planning and environmental phase of the recharge facility improvements to SD 5 – Strathmore Huntington.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2082-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1068 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH INTERSECTION IMPROVEMENTS ON CR 35, PARK AVENUE, TOWN OF HUNTINGTON (CP 5519)

WHEREAS, the Commissioner of Public Works has requested funds for land acquisition in connection with intersection improvements on CR 35, Park Avenue, from the Vicinity of Old Country Road to CR 86, Broadway-Greenlawn Road; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

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

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

1st **RESOLVED**, Resolution No. 683 of 1995 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 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

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 Intersection Improvements on CR 35, Park Avenue, 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.: 5128
Project Title: Intersection Improvements on CR 19, Patchogue-Holbrook Road at Furrows Road, Town of Islip

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

	Cost	Program	Program
3. Construction	$ 0	$700,000	$0
TOTAL	$270,000	$700,000	$0

Project No.: 5561
Project Title: Reconstruction of CR 59, Long Lane, Town of East Hampton

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$210,000	$485,000	$210,000
TOTAL	$535,000	$485,000	$210,000

Project No.: 5850
Project Title: Rehabilitation of Various Bridges and Embankments

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$5,095,000	$525,000	$0
TOTAL	$5,095,000	$525,000	$0

Project No.: 5519
Project Title: Intersection Improvements on CR 35, Park Avenue, Town of Huntington

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
2. Land Acquisition	$5,670,000	$0	$1,500,000
TOTAL	$7,870,000	$0	$1,500,000

and be it further

5th **RESOLVED**, that the proceeds of $1,500,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5519.211 (Fund 001-Debt Service)	50	Intersection Improvements on CR 35, Park Avenue, from the Vicinity of Old Country Road to CR 86, Broadway-Greenlawn Road, Town of Huntington	$1,500,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2082A-2008

BOND RESOLUTION NO. 1069 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $1,500,000 BONDS TO FINANCE A PART OF THE COST OF THE ACQUISITION OF LAND FOR THE RECONSTRUCTION OF CR 35, PARK AVENUE, IN THE VICINITY OF OLD COUNTRY ROAD TO CR 86, BROADWAY-GREENLAWN ROAD, TOWN OF HUNTINGTON (CP 5519.211)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $1,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the acquisition of land for the reconstruction of CR 35, Park Avenue, in the vicinity of Old Country Road to CR 86, Broadway-Greenlawn Road, Town of Huntington, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $5,620,000. The plan of financing includes (a) the issuance of $300,000 bonds or bond anticipation notes heretofore authorized for pursuant to Bond Resolution No. 1215-1996, (b) the issuance of $100,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1214-2001, (c) the issuance of $350,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 773-2002, (d) the issuance of $1,870,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 1038-2003, (e) the issuance of $1,500,000 bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 937-2007, (f) the issuance of $1,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (g) the levy and collection of

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

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 (a) of the Law, is thirty (30) years, computed from June 15, 1997, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 1215-1996.

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

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2084-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1070 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH GROUNDWATER IMPROVEMENT AND DRAINAGE MODIFICATIONS TO CR 48, MIDDLE ROAD (CP 5184)

WHEREAS, the Commissioner of Public Works has requested funds for engineering in connection with Groundwater Improvement and Drainage Modifications to CR 48, Middle Road; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said request under Capital Program Number 5184; 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 2007 Capital Budget, as the basis for funding capital projects such as this project; and

WHEREAS, this resolution constitutes an amendment to change the method of financing thereby requiring a three-fourths vote of the full membership of the County Legislature, rather than an offset, under Section C4-13 of the Suffolk County Charter; and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $300,000 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) and 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 (50) 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 Groundwater Improvement and Drainage Modifications to CR 48, Middle Road, 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.: 5184
Project Title: Groundwater Improvement and Drainage Modifications to CR 48, Middle Road

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design and Supervision	$ 300,000	$300,000 W	$300,000 B
TOTAL	$1,300,000	$300,000	$300,000

and be it further

4th **RESOLVED**, that the proceeds of $300,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-5184.110 (Fund 001-Debt Service)	50	Groundwater Improvement and Drainage Modifications to CR 48, Middle Road	$300,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2084A-2008

BOND RESOLUTION NO. 1071-2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $300,000 BONDS TO FINANCE THE COST OF ENGINEERING IN CONNECTION WITH GROUNDWATER IMPROVEMENT AND DRAINAGE MODIFICATIONS TO CR 48, MIDDLE ROAD (CP 5184.110)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $300,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of engineering in connection with groundwater improvement and drainage modifications to CR 48, Middle Road, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $300,000. The plan of financing includes the issuance of $300,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2089-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Romaine

RESOLUTION NO. 1072 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH RECONSTRUCTION OF CR 58, OLD COUNTRY ROAD, TOWN OF RIVERHEAD (CP 5529)

WHEREAS, CR 58, Old Country Road suffers from severe congestion delays, which contribute to poor air quality and increased travel times for both the adjacent owners and all those who utilize the corridor, and safety issues; and

WHEREAS, Resolution No. 1421-2007 appropriated funds for the Reconstruction of CR 58, Old Country Road, from Ostrander Avenue to a point approximately 700 feet west of the existing Traffic Circle, Town of Riverhead (Phase I); and

WHEREAS, that prior to the adoption of any bond resolution authorizing the issuance of bonds to finance the construction of CR 58, Old Country Road, from Ostrander Avenue to a point approximately 700 feet west of the existing Traffic Circle, Town of Riverhead (Phase I), an environmental review of the project had to be undertaken and completed in accordance with SEQRA; and

WHEREAS, upon adoption of SEQRA by the County Legislature, the companion bond resolution authorizing the issuance of bonds to finance the construction of CR 58, Old Country Road, from Ostrander Avenue to a point approximately 700 feet west of the existing Traffic Circle, Town of Riverhead (Phase I), needs to be adopted and will be issued in conjunction with this resolution; and

WHEREAS, the Commissioner of Public Works has requested funds for engineering and construction in connection with Reconstruction of CR 58, Old Country Road, Town of Riverhead, Phase II; and

WHEREAS, these funds are required to make a contiguous 5 lane section (2 eastbound lanes, 2 westbound lanes, 1 center turn lane) from Ostrander Avenue to the Long Island Expressway, which will include the widening within the existing Right Of Way (ROW) where necessary to facilitate the 5 lane section, and rehabilitating sections where the 5 lane

section presently exists and to accomplish the realignment of Pulaski Street at Mill Road, this intersection being within 100 feet of CR 58 creates additional congestion and safety issues, and must be realigned, as part on the CR 58 project; and

WHEREAS, Phase I and Phase II are to be done in tandem to address the severe congestion delays, which contribute to poor air quality and increased travel times for both the adjacent owners and all those who utilize the corridor, and to make needed safety improvements, and will progress these required improvements years before federal funding may become available; and

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C-4-13, an offsetting authorization must be provided from another capital project; and

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

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $8,150,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that Introductory Resolution No. 1907-2008 proposes that CR 58 Reconstruction – Early Implementation Project (CP 5529), Town of Riverhead constitutes an unlisted action, pursuant to the provisions of Title 6 NYCRR, Part 617 and Chapter 279 of the Suffolk County Code, since the 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.) Existing drainage problems will be alleviated; and

4.) Traffic safety will be improved and traffic congestion mitigated;

and be it further

2nd **RESOLVED**, upon adoption of Introductory Resolution No. 1907-2008 with a SEQRA determination of an unlisted action for this project, the provisions of SEQRA have been complied with and no further action is required by the Legislature; and be it further

3rd **RESOLVED**, that it is hereby determined that this project, with a priority ranking of fifty-two (52) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

4th **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete reconstruction of CR 58, Old Country Road, Town of Riverhead, pursuant to Section C8-2 (A) of the Suffolk County Charter; and be it further

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

Project No.: 5172
Project Title: Reconstruction of CR 67, Phase I, Motor Parkway Bridge

	Total Est'd Cost	Current 2008 Capital Budget & Program	Modified 2008 Capital Budget & Program
3. Construction	$10,750,000	$2,000,000B	$0
		$8,000,000F	$1,850,000F
		$1,500,000S	$1,500,000S
Total	$16,550,000	$12,750,000	$ 4,600,000

Project No.: 5529
Project Title: Reconstruction of CR 58, Old Country Road, Town of Riverhead

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning, Design and Supervision	$3,025,000	$0	$150,000B
3. Construction	$9,102,000	$0	$8,000,000B
Total	$22,777,000	$0	$8,150,000

and be it further

6th **RESOLVED**, that the proceeds of $8,150,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5529.113 Fund 001 Debt Service	50	Reconstruction of CR 58, Old Country Road, Town of Riverhead, Phase II	$150,000

Project No.	J.C.	Project Title	Amount
525-CAP-5529.311 Fund 001 Debt Service	50	Reconstruction of CR 58, Old Country Road, Town of Riverhead, Phase II	$8,000,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2089A-2008

BOND RESOLUTION NO. 1073 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $12,150,000 BONDS TO FINANCE A PART OF THE COST OF THE RECONSTRUCTION OF CR 58, OLD COUNTRY ROAD, TOWN OF RIVERHEAD (PHASE I AND PHASE II) (CP 5529.113 and .311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $12,150,000 ($4,000,000 for Phase I and $8,150,000 for Phase II) 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 58, Old Country Road, Town of Riverhead as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $12,650,000. The plan of financing includes (a) the issuance of $500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1422-2007, (b) the issuance of $4,000,000 bonds or bond anticipation notes authorized pursuant to this resolution for Phase I, (c) the issuance of $8,150,000 bonds or bond anticipation notes authorized pursuant to this resolution for Phase II and (d) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years, computed from November 1, 2008, the date of issuance of the first obligations issued therefor pursuant to Bond Resolution No. 1422-2007.

(b) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 1442-2007 is hereby amended and restated to be fifteen (15) years.

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

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

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Losquadro 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. 2091-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1074 -2008, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014)

WHEREAS, the Commissioner of Public Works has requested funds for construction in connection with Strengthening and Improving County Roads; and

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

WHEREAS, sufficient funds are not included in the 2008 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section 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 $2,285,000 in Suffolk County Serial Bonds; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (1) and (4), of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes maintenance or repair involving no substantial changes in an existing structure or facility as well as repaving of existing highways not involving the addition of new travel lanes. 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 forty-one (41) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

3rd **RESOLVED**, that the County Department of Public Works is hereby authorized, empowered and directed to take such action as may be necessary to complete Strengthening and Improving County Roads, 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.: 5543
Project Title: Drainage and Road Improvements on CR 58

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
2. Land Acquisition	$6,500,000	$2,000,000B	$0
TOTAL	$7,425,000	$2,000,000	$0

Project No.: 5566
Project Title: CR 4, Commack Road Traffic Flow Improvements at LIE Service Road

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
1. Planning	$ 100,000	$ 100,000O	$ 100,000O
2. Land Acquisition	$ 900,000	$ 50,000B	$0

3. Construction	$ 200,000	$ 135,000B	$0
		$ 200,000O	$ 200,000O
TOTAL	$1,365,000	$ 485,000	$ 300,000

Project No.: 5510
Project Title: County Share For the Reconstruction of CR 3, Pinelawn Road Town of Huntington

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
2. Land Acquisition	$2,200,000	$ 500,000B	$ 400,000B
TOTAL	$18,194,000	$2,300,000	$2,200,000

Project No.: 5014
Project Title: Strengthening and Improving County Roads

	Total Est'd Cost	Current 2008 Capital Budget & Program	Revised 2008 Capital Budget & Program
3. Construction	$62,720,000	$6,920,000B	$9,205,000B
TOTAL	$62,720,000	$6,920,000	$9,205,000

and be it further

5th **RESOLVED**, that the proceeds of $2,285,000 in Suffolk County Serial Bonds be and they are hereby appropriated as follows:

Project No.	J.C.	Project Title	Amount
525-CAP-5014.348 (Fund 001-Debt Service)	50	Strengthening and Improving County Roads	$2,285,000

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Losquadro 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. 2091A-2008

BOND RESOLUTION NO. 1075 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $2,285,000 BONDS TO FINANCE THE COST OF STRENGTHENING AND IMPROVING COUNTY ROADS (CP 5014.348)

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 $2,285,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of strengthening and improving County roads, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is $2,285,000. The plan of financing includes the issuance of $2,285,000 bonds or bond anticipation notes authorized pursuant to this resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

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

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

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

any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2096-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislators Romaine, Montano, Horsley,

RESOLUTION NO. 1076 -2008, APPROPRIATING FUNDS THROUGH THE ISSUANCE OF SEWER DISTRICT SERIAL BONDS FOR THE EXPANSION AND IMPROVEMENTS TO SUFFOLK COUNTY SEWER DISTRICT NO. 18 - HAUPPAUGE INDUSTRIAL (CP 8126)

WHEREAS, the Hauppauge Industrial Wastewater Treatment Plants require expansion and infrastructure improvements; and

WHEREAS, Public Hearings were held on June 28, 2005, November 20, 2007 and April 29, 2008 at the regularly scheduled meeting of the County Legislature in Riverhead and Hauppauge, New York, respectively, in connection with the proposed expansion and improvements; and

WHEREAS, a resolution authorizing the issuance of $29,000,000 in serial bonds and this resolution which appropriates funds have been submitted to the Legislature for approval; and

WHEREAS, an application has been submitted to the New York State Comptroller requesting approval of the funding and the proposed expansion and improvements for the District stated herein; and

WHEREAS, the Administrative Head of Sewer District No. 18 - Hauppauge Industrial has requested that funds be appropriated to cover construction costs associated with the expansion and improvement project; and

WHEREAS, there are sufficient funds in the 2008 Capital Budget and Program for the expansion and improvement of Suffolk County Sewer District No. 18 - Hauppauge Industrial; 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, pursuant to State Environmental Quality Review Act Environmental Conservation Law Article 8 (hereinafter "SEQRA") Resolution No. 716-2004 determined that the proposed sewerage facility improvement and/or rehabilitation to the Sewer District No. 18 - Hauppauge Industrial constitutes a Type I action pursuant to the provisions of NYCRR Part 617.5(b); and

WHEREAS, the County Legislature, by resolution of even date herewith, has authorized the issuance of $29,000,000 in Sewer District Serial Bonds; now, therefore be it

1st **RESOLVED**, that it is hereby determined that this project, with a priority ranking

of sixty-six (66) is eligible for approval in accordance with the provisions of Resolution No. 471-1994 as revised by Resolution No. 461-2006; and be it further

2nd **RESOLVED**, that the proceeds of $29,000,000 in Sewer District Serial Bonds be and they hereby are appropriated as follows:

Project No.	Project Title	Amount
527-CAP-8126.311 (Fund 218-Debt Service)	Improvements to Sewer District No. 18 - Hauppauge Industrial - Construction	$29,000,000

and be it further

3rd **RESOLVED**, that the Administrative Head of the Sewer District be and he hereby is authorized, directed and empowered to enter into contracts and agreements upon such terms and conditions as he may deem necessary relating to the expansion and improvements to Sewer District No. 18 - Hauppauge Industrial.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2096A-2008

BOND RESOLUTION NO. 1077 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $29,000,000 BONDS TO FINANCE A PART OF THE COST OF THE EXPANSION AND IMPROVEMENT OF SUFFOLK COUNTY SEWER DISTRICT NO. 18-HAUPPAUGE INDUSTRIAL (CP 8126.311)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $29,000,000 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 expansion and improvement of Suffolk County Sewer District No. 18-Hauppauge Industrial, 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 $67,908,311. The plan of financing includes (a) the expenditure of $708,311 for planning, design and engineering ($108,311 Escrow Funds and $600,000 from the Assessment Stabilization Reserve Fund) as authorized pursuant to Resolution No. 1240-2002, (b) the transfer of $100,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 1169-2003, (c) the transfer of $500,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 1155-2005, (d) the issuance of $2,800,000 bonds or bond anticipation notes ($2,300,000 for planning and design and $500,000 for land acquisition) heretofore authorized pursuant to Bond Resolution No. 1395-2006, (e) the transfer of $800,000 from the Assessment Stabilization Reserve Fund as authorized pursuant to Resolution No. 571-2007, (f) the issuance of $34,000,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1281-2007, (g) the issuance of $29,000,000 bonds or bond anticipation notes authorized pursuant to this resolution and (h) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of 11.00 a. 4 of the Law of the Law, is forty (40) years, computed from November 1, 2007, the date of issuance of the first obligations issued therefore pursuant to Bond Resolution No. 1395-2006.

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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro Res. No. 2097-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive and Legislator Horsley

RESOLUTION NO. 1078 -2008 AUTHORIZING THE CONVEYANCE OF COUNTY-OWNED SURPLUS UNUSED

RIGHT OF WAY FRONTING A PARCEL OF LAND (SCTM NO. 0100-230.00-01.00-054.000) PURSUANT TO SECTION 125 OF THE NEW YORK STATE HIGHWAY LAW

WHEREAS, the County of Suffolk is the fee owner of a certain portion of unused right of way situated in the Town of Babylon, Suffolk County, New York as more fully described in the map and description attached as Exhibit "A" ; and

WHEREAS, said unused portion of right of way is surplus to the needs of the County of Suffolk; and

WHEREAS, Section 125 of the New York State Highway Law strictly limits the sale of surplus unused right of way to the property owner fronting said unused right of way at fair market value; and

WHEREAS, Paul Galinson, the present owner of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 054.000 has requested to purchase from the County of Suffolk, at fair market value, the surplus and unused right-of-way fronting said tax map parcel; and

WHEREAS, the County of Suffolk did commission appraisals for the requested conveyance that were performed by an independent, outside appraiser selected in accordance with established Suffolk County procedures; and

WHEREAS, upon review of said appraisals in accordance with established Suffolk County procedures, the County of Suffolk determined that the fair market value of the unused and surplus right of way fronting the privately owned parcel of real property having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 054.000 was Twenty Three Thousand Eight Hundred Dollars ($23,800.00); and

WHEREAS, Paul Galinson, the present owner of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 054.000 has agreed to pay to the County of Suffolk the sum of Twenty Three Thousand Eight Hundred Dollars ($23,800.00), said sum representing the fair market value of the surplus and unused right of way fronting said tax map parcel; now, therefore be it

1st **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency hereby finds and determines that the adoption of this law is not an action within the meaning of the State Environmental Quality Review Act and the regulations adopted thereto (NYCRR Section 617.2(b)(2)). The Legislature 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 a major re-ordering of priorities (NYCRR Section 617.13(d)(15),(21)). As a Type II action, the Legislature has no further responsibilities under SEQRA (6 NYCRR Section 617.5(a)(1)); and be it further

2nd **RESOLVED**, said parcel is surplus to the needs of the County of Suffolk; and be it further

3rd **RESOLVED**, that this purchase is authorized pursuant to Section 125 of the New York State Highway Law; and be it further

4th **RESOLVED**, the Suffolk County Department of Public Works is directed to convey said surplus and unused right of way described herein shall be conveyed to Paul Galinson the present owner or his successors in interest of the parcel having a Suffolk County Tax Map Identification Number of District 0100 Section 230.00 Block 01.00 Lot 054.000, or to all heirs, successors and assigns in interest for the total sum of Twenty Three Thousand Eight Hundred Dollars ($23,800.00) plus the pro-rata share of the current tax adjustments due at closing; and be it further

5th **RESOLVED**, that the Suffolk County Department of Public Works, will receive and deposit the sum of Twenty Three Thousand Eight Hundred Dollars ($23,800.00), plus the pro-rata share of the current tax adjustments pursuant to said purchase offer; and be it further

6th **RESOLVED**, that the Commissioner of the Suffolk County Department of Public Works, or his Deputy, be and hereby is authorized to execute and acknowledge a quitclaim/bargain and sale deed to transfer the interest of Suffolk County in the above-described property and upon the above-described terms and conditions to said party or their heirs, successors and assigns in interest.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

SCHEDULE "A"
County of Suffolk – Department of Public Works

Tax Map Index Number Adjacent to: 0100-23000-0100-054000

County Road Number: 96 Map Number: 4872

Name of Road: Old Bergen Ave Parcel: 54

To be declared surplus by Suffolk County

All that piece or parcel of land situate in the Town of Babylon, County of Suffolk, and State of New York as shown on the Map and described as follows:

Commencing at a point on the Southerly terminus of an arc connecting the Easterly boundary of Old Bergen Avenue with the Southerly boundary of Angelica Court, thence along the Easterly boundary of Old Bergen Avenue South 33º29'55" East a distance of 77.94 feet to a point on the division line between the lands of William J. and Mary C. DeGrocco reputed owners on the North and Paul Galinson reputed owner on the South said point being the point of beginning. Thence along the last mentioned Easterly boundary the following two (2) courses and distances:

1.) South 33º 29'55" East a distance of 59.45 feet to a point, and

2.) South 29º 10'05" West a distance of 36.42 feet to a point on the division line between the lands of Mary Ann Conguista reputed owner on the East and the lands of County of Suffolk reputed owner on the west, thence through the lands of the County of Suffolk, the following six (6) courses and distances.

1.) South 75º 3'17" West a distance of 78.40 feet to a point

2.) North 81º 17'11" West a distance of 13.95 feet to a point and

3.) Along a curve to the left having a radius of 46.38 feet an arc distance of 28 feet.

4.) Along a curve to the left having a radius of 63.39 feet an arc distance of 32.93 feet to the point of reverse curve

5.) Along a curve to the right having a radius of 43.88 an arc distance of 15.89 feet and

6.) North 64º 41'35" East a distance 66.06 to the point or place of beginning, being 6472± SQ.FT or 0.148± acre more or less.

Excepting also and reserving to any and all utilities, the right of access at all times for the update, maintenance and service of their facilities.

Legislator D'Amaro made motion for the following resolution, seconded by Legislator Alden. The resolution was passed 18-0.

Intro. Res. No. 1902-2008 Laid on Table 10/14/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1079 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976 SNZ HOLDING CORP. (SCTM NO. 0200-229.00-02.00-012.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Brookhaven, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0200 Section 229.00 Block 02.00 Lot 012.000 and acquired by Tax Deed on February 21, 2003 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on March 7, 2003 in Liber 12239 at Page 108 and described as follows, Town of Brookhaven, known and designated as Lot Nos. 186 through 188 on a certain map entitled "Map of Clairmont Park, Section 2B" filed in the Office of the Clerk of the County of Suffolk on September 3, 1910 as Map No. 421; 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, SNZ Holding Corp., has made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $12,001.00. 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 $11,500.00, 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 $12,001.00, 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 SNZ Holding Corp., 344 Portion Road, Ronkonkoma, New York 11779.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 1975-2008 Laid on Table 11/18/2008
Introduced by Legislators Horsley, Romaine, Schneiderman, Alden, Nowick, Gregory, Browning and Lindsay

RESOLUTION NO. 1080 -2008, AUTHORIZING THE DEPARTMENT OF INFORMATION TECHNOLOGY TO IMPLEMENT A CRIME STOPPERS TIP LINE CAPABLE OF RECEIVING TEXT AND EMAIL MESSAGES

WHEREAS, the Suffolk County Police Department ("Police Department") seeks to protect Suffolk County residents by preventing crime when possible and investigating crimes as they occur to find those responsible for the crime's commission; and

WHEREAS, crimes are not always committed in places where Suffolk County police officers are present or surveillance video is available to aid in capturing the perpetrator; and

WHEREAS, Suffolk County residents may witness crimes as they occur and have valuable information for the police department; and

WHEREAS, it is in the best interests of Suffolk County residents that the Police Department receive information on crimes as quickly as possible; and

WHEREAS, the New York City Police Department ("NYPD") established a Crime Stoppers tip line in September, 2008 which accepts tips in the format of cell phone text messages as well as cell phone pictures; and

WHEREAS, the NYPD found the text message tip line sufficiently successful to expand the Crime Stoppers tip line in October, 2008 to accept tips via email containing text, photos or videos of crimes; and

WHEREAS, other police departments across the country, including the Cincinnati Police Department, have begun establishing Crime Stoppers tip lines which take advantage of new technology such as text messaging; now, therefore be it

1st **RESOLVED**, that pursuant to §20-3 of the SUFFOLK COUNTY CHARTER, the Suffolk County Police Department and the Department of Information Technology are hereby authorized, empowered and directed to work cooperatively to establish and implement a Crime Stoppers tip line capable of receiving text messages and emails within ninety (90) days of the effective date of this resolution; and be it further

2nd **RESOLVED**, that pursuant to §20-3 of the SUFFOLK COUNTY CHARTER, the Suffolk County Police Department is hereby authorized, empowered and directed to create and produce a brochure publicizing the above described Crime Stoppers tip line and emails to be distributed to all school districts, high schools, and institutions of higher education within Suffolk County; 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: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 18-0.

Intro. Res. No. 1978-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1081 -2008, SALE OF COUNTY-OWNED REAL ESTATE PURSUANT TO LOCAL LAW NO. 13-1976 ALY AND MANAL DAOUD AS HUSBAND AND WIFE (SCTM NO. 0500-272.00-01.00-117.000)

WHEREAS, the COUNTY OF SUFFOLK had acquired an interest in the following described parcel that is surplus to the needs of the County of Suffolk:

ALL, that certain plot, piece or parcel of land, with any buildings and improvements thereon erected, situate, lying and being in the Town of Islip, County of Suffolk, and State of New York, described on the Tax Map of the Suffolk County Real Property Tax Service Agency as District 0500 Section 272.00 Block 01.00 Lot 117.000 and acquired by Tax Deed on July 15, 1998 from John C. Cochrane, the County Treasurer of Suffolk County, New York, and recorded on July 22, 1998 in Liber 11906 on Page 324 and described as follows, Town of Islip, known and designated as Part of Lot Nos. 1320, 1321, 1322, 1323 on a certain map entitled "Map of Columbus Park, Section 2" filed in the Office of the Clerk of the County of Suffolk on March 19, 1918 as Map No. 248; 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, ALY and MANAL DAOUD, as husband and wife, have made an offer to Suffolk County, for the purchase of said above described parcel for the sum of $6,000.00. At closing the purchaser will be responsible for the pro rata share of the current taxes which amount will be due upon receipt of the deed; and

WHEREAS, the real property above described has been appraised at $6,000.00, which property is surplus to the needs of the County of Suffolk; and

WHEREAS, the Director of the Division of Real Property Acquisition and Management, and/or his designee, has received and deposited the sum of $6,000.00, pursuant to said purchase offer; and

WHEREAS, the Suffolk County Department of Planning has reviewed this parcel and recommends that said parcel be sold to adjacent owners with certain restrictive covenants so as to prevent further development of the land; now, therefore be it

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

2nd **RESOLVED**, that the deed shall include the following language: AND the premises described herein shall not be independently improved by the erection of any structure, and can be merged with grantee's adjoining parcel if applicable so as to form one single lot. There can be no further subdivision of the merged parcel unless it is consistent with local town and/or village zoning codes and standards of the Suffolk County Department of Health Services, applicable at the time application is made. This restrictive covenant shall be enforceable by the County of Suffolk by injunctive relief or by any other remedy, in equity, or at law. The failure of the County of Suffolk or any agency thereof to enforce this covenant, shall not be deemed to impose any liability whatsoever upon the County of Suffolk or any officer, employee or agent thereof. THIS covenant and restriction shall run with the land and shall be binding upon the grantee, its successor and assigns, and upon all persons claiming under them.

3rd **RESOLVED**, that the Director, hereby is authorized to execute and acknowledge a Quit Claim Deed, without Covenants to transfer the interest of SUFFOLK COUNTY in the above described property and on the above described terms to said Aly and Manal Daoud, as husband and wife, 56 Tamarack St., Islip, New York 11751.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator Alden made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.

Intro. Res. No. 1986-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1082 -2008, AUTHORIZING THE ACQUISITION AND APPROVING AND ACCEPTING THE CONVEYANCE OF A PORTION OF CERTAIN PARCELS OF REAL PROPERTY HAVING SUFFOLK COUNTY TAX MAP IDENTIFICATION NUMBERS OF DISTRICT 0400 SECTION 104.00 BLOCK 01.00 LOT 045.005 AND DISTRICT 0400 SECTION 104.00 BLOCK 01.00 LOT 045.006 FOR PUBLIC HIGHWAY PURPOSES FROM THE TOWN OF HUNTINGTON, SUFFOLK COUNTY, NEW YORK PURSUANT TO GENERAL MUNICIPAL LAW SECTION 72-H

WHEREAS, certain parcels of real property presently owned by the Town of Huntington, County of Suffolk, New York, and having Suffolk County Tax Map Identification Numbers of District 0400 Section 104.00 Block 01.00 Lot 045.005 and District 0400 Section 104.00 Block 01.00 Lot 045.006, are situated within the geographical boundaries of the Town of Huntington, Suffolk County, New York, maps and descriptions of same being attached hereto as Exhibit "A"; and

WHEREAS, the County of Suffolk, New York is interested in acquiring said parcel of real property for the purpose of using said parcel for public highway purposes; and

WHEREAS, the Town Board of the Town of Huntington, Suffolk County, New York, by resolution dated May 20, 2008 has already authorized the conveyance of said parcel(s) to the County of Suffolk, a copy of said resolution being attached hereto and marked as Exhibit "B"; and

WHEREAS, acquisition of said parcel(s) pursuant to General Municipal Law Section 72-h, as an intergovernmental transfer is a Type II action pursuant to 6 NYCRR 617.5(c)(19) and, therefore, no further SEQRA review is required; now, therefore be it

1st **RESOLVED**, that the County of Suffolk does hereby authorize the acquisition and approve and accept the conveyance of that portion of the parcels having Suffolk County Tax Map Identification Numbers of District 0400 Section 104.00 Block 01.00 Lot 045.005 and District 0400 Section 104.00 Block 01.00 Lot 045.006, more particularly described in Exhibit "A" attached hereto, pursuant to New York State General Municipal Law Section 72-h for a consideration not to exceed Ten & 00/100 ($10.00) Dollars (to be waived) plus pro-rata taxes at the time of closing; and be it further

2nd **RESOLVED**, that the Commissioner Suffolk County Department of Public Works or his designee is hereby authorized to execute all necessary documents in connection with the acquisition of the above-described parcel(s).

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Legislator D'Amaro made motion for the following resolution, seconded by Deputy Presiding Officer Viloria-Fisher. The resolution was passed 18-0.

Intro. Res. No. 2023-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1083 -2008, AUTHORIZING THE SALES OF SURPLUS PROPERTY SOLD AT THE OCTOBER 23, 2008 AUCTION PURSUANT TO LOCAL LAW NO. 13-1976 AS PER EXHIBIT "A" (OMNIBUS RESOLUTION)

WHEREAS, in accordance with Suffolk County Local Law No. 13-1976, provision is made for disposition by auction of certain County owned real property which is surplus to the needs of said County; and

WHEREAS, pursuant to Section 9 of said Local Law the Department of Environment and Energy, Division of Real Property Acquisition and Management, on October 23, 2008, offered at auction certain parcels at the minimum upset price set opposite their tax map designation and accepted the highest bid for such parcel set next to said respective upset prices as shown on listing annexed hereto and made a part hereof as Exhibit "A"; and

WHEREAS, pursuant to Section 11 of said Local Law No. 13-1976, the Department of Environment and Energy, Division of Real Property Acquisition and Management is authorized to deliver, by a Bargain and Sale Deed, without covenants or such deed as further restricted by the parcel listings in the auction booklet, any deeds which are the subject matter of said Local Law, subject to Legislative approval; and

WHEREAS, section A42-4(G) of the Suffolk County Administrative Code provides that the County Director of Planning shall deliver to the County Legislature, in resolution for approval, a list of properties proposed to be sold, together with the bid price; and

WHEREAS, the Department of Environment and Energy, Division of Real Property Acquisition and Management, requests authority to execute a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, on the said designated parcels to the successful bidder thereon; now, therefore be it

1st **RESOLVED**, that the said described parcels are surplus to the needs of Suffolk County; and be it further

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

3rd **RESOLVED**, that the Director of the Department of Environment and Energy, Division of Real Property Acquisition and Management, be and hereby is authorized to execute and deliver a Bargain and Sale Deed, without Covenants, or such deed as further restricted by the parcel listing in the auction booklet, to each of the listed successful bidders for the tax map parcel, for the bid price set opposite their names, plus or minus usual closing adjustments.
DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2024-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1084 -2008, RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK RESCINDING RESOLUTION NO. 377 – 2008 ADOPTED MAY 28, 2008 WHICH APPROPRIATED $700,000 IN CONNECTION WITH THE STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY

WHEREAS, the County Legislature of the County of Suffolk, New York, has heretofore Adopted Res. No. 377-2008 dated May 13, 2008 appropriating $700,000 to finance a part of the cost of the Stormwater remediation to Green Creek at County Road 85, Montauk Highway; and

WHEREAS, Res. No. 377-2008 is a duplicate of Adopted Res. No. 267-2008, entitled **"AMENDING THE 2008 OPERATING BUDGET TO TRANSFER FUNDS FROM FUND 477 WATER QUALITY PROTECTION, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY (CP 8240.319)"** dated April 29, 2008; and

WHEREAS, the County Legislature has determined that Resolution No. 377-2008 should therefore be rescinded; now, therefore be it

1st **RESOLVED**, Res. No. 377–2008 of the County of Suffolk, New York, entitled: **"AMENDING THE 2008 OPERATING BUDGET TO TRANSFER UNEXPENDED FUNDS FROM FUND 477 WATER QUALITY PROTECTION PROGRAM FUND BALANCE-WATER QUALITY PROTECTION COMPONENT FROM THE PROGRAM ENDING NOVEMBER 30, 2007, AMENDING THE 2008 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH STORMWATER REMEDIATION TO GREEN CREEK AT COUNTY ROAD 85, MONTAUK HIGHWAY"** is hereby rescinded, no obligations of the County have been used or issued pursuant to such resolution; and be it further

2nd **RESOLVED**, this resolution shall take effect immediately upon adoption.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

Deputy Presiding Officer Viloria-Fisher made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 18-0.

Intro. Res. No. 2085-2008 Laid on Table 11/18/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1085 - 2008, ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF $64,164 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND A 10% LOCAL MATCH, TO PROVIDE ENHANCED DEFENSE REPRESENTATION FOR CASES REFERRED TO THE LEGAL AID SOCIETY OF SUFFOLK COUNTY BY THE SEX OFFENDER COURT WITH 90% SUPPORT

WHEREAS, the State of New York Division of Criminal Justice Services has made $64,164 in Federal pass-through monies from the Byrne Justice Assistance Grant

Program to Suffolk County for the enhancement of defense representation for cases assigned to the Legal Aid Society of Suffolk County by the Sex Offender Court, and

WHEREAS, this is the second year in which this grant has been awarded, with the first year grant award of $153,770 accepted and appropriated by Resolution No. 886-2007 to cover the operational period of the Program from January 1, 2007 through December 31, 2007 with an extension granted through September 30, 2008, and

WHEREAS, the operational period of this second year of the Program will be from August 1, 2008, through July 31, 2009, and

WHEREAS, said grant funds totaling $64,164 have not been included in the 2008 Suffolk County Operating Budget; and

WHEREAS, the local matching funds totaling $7,129 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 amend the 2008 County Operating Budget to provide the 10% local match of $7,129 as follows:

EXPENDITURES:

Law Department (LAW)
Bar Association Indigent Defenders
001-LAW-1171

	2008 Adopted	2008 Modified	Difference
4000 - Contractual Expenses	$3,900,000	$3,892,000	($7,129)
4770 - Special Services	$3,900,000	$3,892,000	($7,129)

and be it further

2nd **RESOLVED**, that the County Comptroller and County Treasurer be and they hereby are authorized to accept and appropriate said grant funds in the sum of $64,164 and the 10% local match in the sum of $7,129 as follows;

REVENUES:	AMOUNT
001-4317 Federal Aid: DCJS Sex Offender Program	$64,164

EXPENDITURES:

Legal Aid Society (LAS)
DCJS Sex Offender Program
001-LAS-1177

	2008 Adopted	2008 Modified	Difference
4000 - Contractual Expenses	$0	$71,293	$71,293
4770 - Special Services	$0	$71,293	$71,293

and be it further

3rd **RESOLVED**, that the County Executive be and hereby is authorized to execute the grant agreement between Suffolk County and the State of New York; and be it further

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

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2173-2008 Laid on Table 12/2/2008
Introduced by Presiding Officer

RESOLUTION NO. 1086 -2008, AMENDING RESOLUTION NO. 972-2008 FOR APPROVING THE RETURN OF THE FUND BALANCE OF THE GENERAL FUND, POLICE DISTRICT FUND, AND DISTRICT COURT DISTRICT TO THE TAXPAYERS OF THE TOWNS OF SUFFOLK COUNTY

WHEREAS, Resolution No. 972-2008, which approved the return of the Fund Balance of the General Fund, Police District fund and District Court District to the taxpayers of the towns of Suffolk County, contained errors; now, therefore be it

1st **RESOLVED**, that the 4th Resolved clause in Resolution No. 972-2008 be amended to read as follows:

> **4th** **RESOLVED**, that the allocation of the general fund balance for the Suffolk County Operating Budget to Suffolk County Taxpayers, based upon the equalized full valuations for 2007-2008 as established by the Legislature by Resolution No. 1061-2007 be and hereby is fixed as follows:

Towns	Amount
Babylon	$6,351,148
Brookhaven	15,914,063
East Hampton	6,659,383
Huntington	10,172,651
Islip	10,548,913
Riverhead	1,802,053
Shelter Island	732,674
Smithtown	5,268,080
Southampton	12,610,753
Southold	2,639,732
TOTALS	**$72,699,450**

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2174-2008 Laid on Table 12/2/2008
Introduced by Presiding Officer

RESOLUTION NO. 1087 -2008, AMENDING RESOLUTION NO. 974-2008, APPROVING THE TABULATION OF TOWN CHARGES AND FIXING THE TAX LEVIES AND CHARGES TO THE TOWNS UNDER THE COUNTY BUDGET FOR FISCAL YEAR 2009

WHEREAS, Resolution No. 974-2008, which approved the tabulation of town charges and fixed the tax levies and charge to the towns under the County Budget for fiscal year 2009 contained errors; now, therefore be it

1st **RESOLVED**, that the 2nd Resolved clause in Resolution No. 974-2008 be amended to read as follows:

2nd **RESOLVED**, that the amount of tax levies and charges to the towns for the Suffolk County Operating Budget as shown by the budget adopted for fiscal year 2009 in the amounts as follows:

SCHEDULE	TAX DISTRICTS	AMOUNT
B	County General	$133,153,408
C	Community College	$5,250,467
D	Police District	$464,454,410
E	District Court District	$8,058,049

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and tax districts, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto; and be it further

SCHEDULE B

COMPUTATIONS OF 2008-2009 GENERAL FUND TAX LEVIES AND RATES

TOWNS	TAX LEVY EXCLUDING ADJUSTMENT FOR DEPT. OF HEALTH SERV.,BUREAU OF VECTOR CONTROL	ADJUSTMENT FOR HEALTH SERVICE BUREAU OF VECTOR CONTROL	ADJUSTED TAX LEVY ON FULL VALUATION	TAX LEVY FOR SCHOOL SUPERINTENDENT'S SALARY	TAX RATE PER M OF TAXABLE ASSESSED VALUATION	TAXABLE ASSESS VALUE (OFFICE USE)
Babylon	$11,328,436	$790	$11,329,226	$1,786	44.4867	254,647,643
Brookhaven	28,319,279	1,974	$28,321,253	3,829	60.1024	471,184,152
East Hampton	13,759,595	959	$13,760,554	1,677	68.6411	200,457,233
Huntington	19,204,390	1,339	$19,205,729	3,028	56.8516	337,798,374
Islip	19,756,796	1,377	$19,758,173	2,671	4.4730	4,416,942,827
Riverhead	3,226,814	225	$3,227,039	394	4.0989	787,230,159
Shelter Island	1,461,671	102	$1,461,773	178	0.4431	3,298,924,303
Smithtown	9,424,553	657	$9,425,210	1,486	37.3446	252,366,923
Southampton	22,182,963	1,546	$22,184,509	2,704	0.4203	52,779,429,056
Southold	4,488,911	(8,969)	$4,479,942	547	41.2590	108,798,400
TOTALS	$133,153,408	$0	$133,153,408	$18,300		62,907,779,070

School Superintendent's Salary

Tax Rate Per M Full Value 1st Supt. Dist.- 0.0000502709254

Tax Rate Per M of Taxable Full Value- 0.4312

Tax Rate Per M Full Value 2nd Supt. Dist.- 0.0000557580009

Tax Rate Per M Full Value 3rd Supt. Dist.- 0.0000650229095

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2175-2008 Laid on Table 12/2/2008

Introduced by Presiding Officer

RESOLUTION NO. 1088 -2008, AMENDING RESOLUTION NO. 1188-2007, IMPLEMENTING BUDGET, STAFF AND TAXES FOR THE FISCAL YEAR 2008 (DISCRETIONARY) FOR THE TOWN OF SOUTHOLD

1st **RESOLVED**, that the taxes and levies as extended on the 2007-2008 tax assessment rolls for the Town of Southold are hereby amended to correct the amounts reported and the same are hereby ratified and confirmed in the revised amounts set forth in the Exhibit "A" attached hereto and made a part hereof; and be it further

2nd **RESOLVED**, that the amended tax warrant for the Town of Southold for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Southold under the seal of the County and signed by the Presiding Officer and the Clerk of the

TOWN OF SOUTHOLD

School Districts	$	67,839,495.57
Highway (Town Wide)		4,311,595.00
Fire Districts		6,287,043.00
Fire Protection Districts - East/West		541,463.00
Refuse and Garbage Districts - Fishers Island		563,800.00
Southold Solid Waste		1,506,945.00
Park Districts		976,009.00
Fishers Island Ferry		590,000.00
Orient Mosquito		86,900.00
Fishers Island Sewer - Unpaid		1,614.38
Southold Waste Water		3,245.00
Orient by the Sea Road District		4,500.00
Farm Building Penalty		**7,454.21**
General (Town Wide)		17,391,288.00
General (Town Outside Village)		809,977.00
TOTAL TOWN PURPOSES	$	100,921,329.16
County Tax - General		6,400,348.00
2006 Actual Surplus – County Tax General	$	(5,800,863.00)
2007 Estimated Deficit – County Tax General		1,061,776.00
County Tax – Suffolk Community College		190,645.00
District Superintendent of Schools		594.00
Total	$	1,852,500.00
Less Credits		(519.42)
Total Payable to County Treasurer for County General Purposes	$	1,851,980.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		22,904.29
Erroneous Assessments & Tax Refunds - College		2,311.06
Erroneous Assessments & Tax Refunds - Town Only		416,985.10
Total Adjustments Mandated by Law for		
Town of Southold - $		
TOTAL COUNTY PURPOSES	$	2,294,181.03
TOTAL AMOUNT OF LEVY	$	103,215,510.19

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2176-2008 Laid on Table 12/2/2008
Introduced by Presiding Officer

RESOLUTION NO. 1089 -2008, AMENDING RESOLUTION NO. 1189-2007, IMPLEMENTING BUDGET, STAFF AND TAXES FOR THE FISCAL YEAR 2008 (MANDATED) FOR THE TOWN OF SOUTHOLD

1st **RESOLVED**, that the taxes and levies as extended on the 2007-2008 tax assessment rolls for the Town of Southold are hereby amended to correct the amounts reported and the same are hereby ratified and confirmed in the revised amounts set forth in the Exhibit "A" attached hereto and made a part hereof; and be it further

2nd **RESOLVED**, that the amended tax warrant for the Town of Southold for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Southold under the seal of the County and signed by the Presiding Officer and the Clerk of the County Legislature.

TOWN OF SOUTHOLD		
School Districts	$	67,839,495.57
Highway (Town Wide)		4,311,595.00
Fire Districts		6,287,043.00
Fire Protection Districts - East/West		541,463.00
Refuse and Garbage Districts - Fishers Island		563,800.00
Southold Solid Waste		1,506,945.00
Park Districts		976,009.00
Fishers Island Ferry		590,000.00
Orient Mosquito		86,900.00
Fishers Island Sewer - Unpaid		1,614.38
Southold Waste Water		3,245.00
Orient by the Sea Road District		4,500.00
Farm Building Penalty		**7,454.21**
General (Town Wide)		17,391,288.00
General (Town Outside Village)		809,977.00
TOTAL TOWN PURPOSES	$	100,921,329.16
County Tax - General		6,400,348.00
2006 Actual Surplus – County Tax General	$	(5,800,863.00)
2007 Estimated Deficit – County Tax General		1,061,776.00
County Tax – Suffolk Community College		190,645.00
District Superintendent of Schools		594.00
Total	$	1,852,500.00
Less Credits		(519.42)
Total Payable to County Treasurer for County General Purposes	$	1,851,980.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		22,904.29
Erroneous Assessments & Tax Refunds - College		2,311.06
Erroneous Assessments & Tax Refunds - Town Only		416,985.10
Total Adjustments Mandated by Law for		
Town of Southold - $		
TOTAL COUNTY PURPOSES	$	2,294,181.03
TOTAL AMOUNT OF LEVY	$	103,215,510.19

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2177-2008 Laid on Table 12/2/2008
Introduced by Presiding Officer

RESOLUTION NO. 1090 -2008, AMENDING RESOLUTION NO. 1190-2007, AUTHORIZING THAT THE TAX WARRANTS BE SIGNED BY THE PRESIDING OFFICER AND CLERK OF THE COUNTY LEGISLATURE AND THAT THEY BE ANNEXED TO THE TAX ROLLS FOR THE COLLECTION OF TAXES (FOR THE TOWN OF SOUTHOLD)

1st **RESOLVED**, that the taxes and levies as extended on the 2007-2008 tax assessment rolls for the Town of Southold are hereby amended to correct the amounts reported and the same are hereby ratified and confirmed in the revised amounts set forth in the Exhibit "A" attached hereto and made a part hereof; and be it further

2nd **RESOLVED**, that the amended tax warrant for the Town of Southold for the collection of such taxes as are provided by law be annexed to the tax rolls of the Town of Southold under the seal of the County and signed by the Presiding Officer and the Clerk of the County Legislature.

TOWN OF SOUTHOLD		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	67,839,561.45
Highway (Town Wide)		4,311,595.00
Fire Districts		6,287,111.99
Fire Protection Districts - East/West Fire		541,463.00
Refuse and Garbage Districts - Fishers Island		563,800.00
Southold Solid Waste		1,506,945.00
Park Districts		976,009.00
Fishers Island Ferry		590,000.00
Orient Mosquito		86,900.00
Fishers Island Sewer - Unpaid		1,614.38
Southold Waste Water		3,245.00
Orient by the Sea Road District		4,500.00
Farm Building Penalty		**7,454.21**
General (Town Wide)		17,391,288.00
General (Town Outside Village)		809,977.00
TOTAL PAYABLE TO SUPERVISOR	$	100,921,464.03
TO THE TREASURER OF SAID COUNTY:		
County Tax - General		6,400,348.00
2006 Actual Surplus – County Tax General	$	(5,800,863.00)
2007 Estimated Deficit – County Tax General		1,061,776.00
County Tax – Suffolk Community College		190,645.00
District Superintendent of Schools		594.00
Total	$	1,852,500.00
Less Credits		(519.42)
Total Payable to County Treasurer for County General Purposes	$	1,851,980.58
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		22,904.29
Erroneous Assessments & Tax Refunds - College		2,311.06
Erroneous Assessments & Tax Refunds - Town Only		416,985.10
Total Adjustments Mandated by Law for		
Town of Southold - $ 442,200.45		
Excess Due to Tax Extension		239.37
TOTAL PAYABLE TO COUNTY TREASURER	$	2,294,420.40
TOTAL AMOUNT OF WARRANT	$	103,215,884.43

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2193-2008 Laid on Table 12/2/2008
Introduced by the Presiding Officer

RESOLUTION NO. 1091 -2008, LEVYING UNPAID WATER RENTS

WHEREAS, there has been transmitted to this Legislature the statement required by Section 198, Subdivision 3 of the Town Law, showing unpaid water rents as follows:

Babylon	$	10,701.52
Brookhaven	$	3,637.50
Huntington	$	412,150.41
Riverhead	$	113,496.12
Smithtown	$	202,503.58
Southampton	$	216,518.50

now, therefore be it

RESOLVED, that the Suffolk County Legislature hereby levies the amount of unpaid water rents, as above stated, against the properties liable therefore, and directs the amount of tax be stated in a separate column in the annual tax rolls of the Towns of Babylon, Brookhaven, Huntington, Riverhead, Smithtown, and Southampton under the name of "Unpaid Water Rents".

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

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

Intro. Res. No. 2194-2008 Laid on Table 12/2/2008
Introduced by the Presiding Officer

RESOLUTION NO. 1092 -2008, IMPLEMENTING BUDGET, STAFF, AND TAXES FOR THE FISCAL YEAR 2009 (DISCRETIONARY)

WHEREAS, the County Executive's Proposed Operating County Budget for fiscal year 2009 was filed with the Clerk of this County Legislature on September 19, 2008 and the County Executive and the County Legislature have each duly held two (2) public hearings thereon pursuant to Article IV of the Suffolk County Charter; and

WHEREAS, said proposed budget includes exhibits representing authorized staff for each of the divisions, units, and departments of the County for the fiscal year commencing January 1, 2009; and

WHEREAS, said proposed budget has been amended by the County Legislature; now, therefore be it

1st **RESOLVED**, that the proposed County budget, for the discretionary portion, including such authorized staff exhibits for the fiscal year 2009 so filed with the Clerk of the County Legislature on September 19, 2008, together with such changes, revisions, modifications and amendments duly enacted by the County Legislature, is hereby approved; and be it further

2nd **RESOLVED**, that the several amounts for each of the general and special sub-objects of expense for the several units for the discretionary portion, in the column marked "Recommended", and a summary of sub-objects into appropriate objects of expense, as the same may have been changed and revised, shall be entered and extended into a column entitled "Adopted"; and be it further

3rd **RESOLVED**, that the authorized staff shown as recommended for each of the divisions, units, and departments of the County on the several pages of the discretionary portion of said proposed budget, as the same has been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

4th **RESOLVED**, that the several amounts so extended in the column entitled "Adopted" be and the same hereby are adopted as the authorized staff of the County departments, divisions and units and as the official budget of the County of Suffolk for the discretionary portion, for the conduct of County government for the ensuing fiscal year beginning January 1, 2009, and that said budget, as so adopted, shall be entered into the minutes of this County Legislature and printed in the annual volume of printed proceedings thereof; and be it further

5th **RESOLVED**, that the several amounts specified in such budget in the column entitled "Adopted", be and they hereby are appropriated for the sub-object, object and/or purpose specified and are adopted as the authorized staff of the County departments, divisions and units for the discretionary portion of said budget, for the ensuing fiscal year effective January 1, 2009; and be it further

6th **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in Resolution No. 868–2008, or subsequently enacted Budget Amendment Resolutions, directly to the pertinent line item, object, sub-object, or revenue account in the discretionary portion of the Adopted 2008 Operating Budget; shall place all personnel changes (including the revised columns, as adjusted by Resolution No. 868–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 868–2008 in the Adopted 2008 Operating Budget; shall place and post all appropriation and revenue changes or adjustments (including the revised columns, as adjusted by Resolution No. 868–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 868–2008 pertaining to the fiscal year 2008 Estimated Column for the purpose of calculating the effect on the 2009 tax levy and tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments (including the revised columns, as adjusted by Resolution No. 868–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 868–2008 in the pertinent line item, object, and sub-object for fiscal years 2008 and/or 2009, all as set forth in Resolution No. 868–2008 all of which increases, decreases, changes, modifications, restatements, and/or adjustments shall be loaded into the budget system mainframe for merely printing in a format that totals expenses, revenues, and staffing by appropriation object, sub-object, and pertinent category, inclusive of the organizational charts and narratives specific to the Adopted 2009 Operating Budget, none of which ministerial actions shall be construed as amending the Adopted 2009 Operating Budget because the 2008 Estimated Column contained in the Recommended 2009 Operating Budget shall be construed as informational in nature in connection with the calculation of the 2009 tax levy and tax warrant and shall be of no legal force or effect; and be it further

7th **RESOLVED**, that nothing contained herein shall be construed as approving or ratifying the 2008 Estimated Column, as revised or restated, contained in the discretionary portion of the Recommended 2009 Operating Budget, which column was only presented for informational purposes in connection with the calculation of the 2009 tax levy and tax warrant which tax levy and tax warrant were adopted and set by separate resolution; and be it further

8th **RESOLVED**, that the estimated revenues as shown and recommended for each of the revenue items of the several funds, as the same may have been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

9th **RESOLVED**, that the several amounts of federal and state grants for the several units in the column marked "Recommended" for the discretionary portion of the County Operating Budget, as the same may have been changed and revised, be entered and extended into the column marked "Adopted" and that the amounts are accepted by the County and appropriated for the purposes intended, provided, however, that the expenditure of funds hereunder shall be subject to the availability of such federal and state funds; and be it further

10th **RESOLVED**, that the Clerk of the County Legislature, with the assistance of the County Executive and the County Comptroller, is hereby authorized to convert the appropriation

and revenue account numbers in the County Budget to the New York State Municipal Standard Coding System, as promulgated by the Comptroller of the State of New York; and be it further

11th **RESOLVED**, that taxes for the year 2008-2009 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

Intro. Res. No. 2194-2008		
TOWN OF BABYLON		
School Districts	$	389,933,690.00
Highway (Town Outside Village)		17,590,978.00
Fire Districts		9,523,319.00
Fire Protection Districts		13,124,954.00
Water Districts		102,199.00
Lighting Districts		2,109,320.00
Garbage Improvement Area		35,123,249.00
Commercial Garbage District		6,792,370.00
Ambulance Districts		1,240,923.00
Unpaid Water Rents		10,701.52
Relevy Prior Years Unpaid Commercial Garbage		377,316.01
Relevy Prior Years Unpaid Garbage Improvement Area		519,388.75
Clean-Up Program		386,456.21
General (Town Wide)		22,011,743.00
General (Town Outside Village)		668,511.00
TOTAL TOWN PURPOSES	$	499,515,118.49
County Tax - General	$	11,329,226.00
2007 Actual Surplus – County Tax General		(13,644,739.00)
2008 Estimated Deficit – County Tax General		6,351,148.00
County Tax – Suffolk Community College		446,700.00
District Superintendent of Schools		1,786.13
Sub Total	$	4,484,121.13
Relevy of Unpaid Sewer Rents & Charges- SD No. 3		1,403,281.70
Total	$	5,887,402.83
Less Credits:		(1,212,379.91)
Total Payable to County Treasurer for County General Purposes	$	4,675,022.92
County Police District		58,652,530.00
2007 Actual Deficit - Police District		(771,731.00)
2008 Estimated Surplus - Police District		(1,547,041.00)
District Court District		1,036,936.00
2007 Actual Deficit - District Court District		(79,221.00)
2008 Estimated Surplus - District Court District		(18,127.00)
County Sewer District No. 3 , District Wide Levy		25,118,102.65
County S.D. No. 3, per parcel charge on 45,993 parcels		1,416,124.47
County S.D. No. 3, S-1 (NYS Dept. Transportation)		24,040.80
County S.D. No. 3, S-2 (NYS Dept. Transportation)		563,523.39
County S.D. No. 3, S-7 (SUNY Farmingdale)		51,837.59
County S.D. No. 3, S-10 (Belmont State Park		75,072.49
County S.D. No. 3, S-15 (NYS Maintenance)		14,492.77
(Continued)		

Intro. Res. No. 2194-2008		
TOWN OF BABYLON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		173,551.19
Erroneous Assessments & Tax Refunds - Community College		7,821.68
Erroneous Assessments & Tax Refunds - Town Only		13,911,521.85
Erroneous Assessments & Tax Refunds - Police District		1,068,300.42
Erroneous Assessments & Tax Refunds - District Court District		20,873.54
Erroneous Assessments & Tax Refunds - Sewer District No. 3		485,626.60
Total Adjustments Mandated by Law for		
Town of Babylon - $15,667,695.28		
TOTAL COUNTY PURPOSES	$	104,879,258.36
TOTAL AMOUNT OF LEVY	$	604,394,376.85

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

Intro. Res. No. 2195-2008 Laid on Table 12/2/2008
Introduced by the Presiding Officer

RESOLUTION NO. 1093 -2008, IMPLEMENTING BUDGET, STAFF, AND TAXES FOR THE FISCAL YEAR 2009 (MANDATED)

WHEREAS, the County Executive's Proposed Operating County Budget for fiscal year 2009 was filed with the Clerk of this County Legislature on September 19, 2008 and the County Executive and the County Legislature have each duly held two (2) public hearings thereon pursuant to Article IV of the Suffolk County Charter; and

WHEREAS, said proposed budget includes exhibits representing authorized staff for each of the divisions, units, and departments of the County for the fiscal year commencing January 1, 2009; and

WHEREAS, said proposed budget has been amended by the County Legislature; now, therefore be it

1st **RESOLVED**, that the proposed County budget for the mandated portion, including such authorized staff exhibits for the fiscal year 2009 so filed with the Clerk of the County Legislature on September 19, 2008, together with such changes, revisions, modifications and amendments duly enacted by the County Legislature, is hereby approved; and be it further

2nd **RESOLVED**, that the several amounts for each of the general and special sub-objects of expense for the several units for the mandated portion, in the column marked

"Recommended", and a summary of sub-objects into appropriate objects of expense, as the same may have been changed and revised, shall be entered and extended into a column entitled "Adopted"; and be it further

3rd **RESOLVED**, that the authorized staff shown as recommended for each of the divisions, units, and departments of the County on the several pages of the mandated portion of said proposed budget, as the same has been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

4th **RESOLVED**, that the several amounts so extended in the column entitled "Adopted" be and the same hereby are adopted as the authorized staff of the County departments, divisions and units and as the official budget of the County of Suffolk for the mandated portion, for the conduct of County government for the ensuing fiscal year beginning January 1, 2009, and that said budget, as so adopted, shall be entered into the minutes of this County Legislature and printed in the annual volume of printed proceedings thereof; and be it further

5th **RESOLVED**, that the several amounts specified in such budget in the column entitled "Adopted", be and they hereby are appropriated for the sub-object, object and/or purpose specified and are adopted as the authorized staff of the County departments, divisions and units for the mandated portion of said budget, for the ensuing fiscal year effective January 1, 2009; and be it further

6th **RESOLVED**, that the County Comptroller and County Executive shall post all revenue increases, revenue decreases, appropriation increases, or appropriation decreases contained in Resolution No. 867–2008, or subsequently enacted Budget Amendment Resolutions, directly to the pertinent line item, object, sub-object, or revenue account in the mandated portion of the Adopted 2009 Operating Budget; shall place all personnel changes (including the revised columns, as adjusted by Resolution No. 867–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 867–2008 in the Adopted 2009 Operating Budget; shall place and post all appropriation and revenue changes or adjustments (including the revised columns, as adjusted by Resolution No. 867–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 867–2008 pertaining to the fiscal year 2008 Estimated Column for the purpose of calculating the effect on the 2009 tax levy and tax warrant; and shall place, post, and make all appropriation, revenue, personnel, and programmatic changes or adjustments (including the revised columns, as adjusted by Resolution No. 867–2008 or subsequently enacted Budget Amendment Resolutions) contained in Resolution No. 867–2008 in the pertinent line item, object, and sub-object for fiscal years 2008 and/or 2009, all as set forth in Resolution No. 867–2008 all of which increases, decreases, changes, modifications, restatements, and/or adjustments shall be loaded into the budget system mainframe for merely printing in a format that totals expenses, revenues, and staffing by appropriation object, sub-object, and pertinent category, inclusive of the organizational charts and narratives specific to the Adopted 2009 Operating Budget, none of which ministerial actions shall be construed as amending the Adopted 2009 Operating Budget because the 2008 Estimated Column contained in the Recommended 2009 Operating Budget shall be construed as informational in nature in connection with the calculation of the 2009 tax levy and tax warrant and shall be of no legal force or effect; and be it further

7th **RESOLVED**, that nothing contained herein shall be construed as approving or ratifying the 2008 Estimated Column, as revised or restated, contained in the mandated portion of the Recommended 2009 Operating Budget, which column was only presented for

informational purposes in connection with the calculation of the 2009 tax levy and tax warrant which tax levy and tax warrant were adopted and set by separate resolution; and be it further

8th **RESOLVED**, that the estimated revenues as shown and recommended for each of the revenue items of the several funds, as the same may have been changed and revised, be entered and extended into the column headed "Adopted"; and be it further

9th **RESOLVED**, that the several amounts of federal and state grants for the several units in the column marked "Recommended" for the mandated portion of the County Operating Budget, as the same may have been changed and revised, be entered and extended into the column marked "Adopted" and that the amounts are accepted by the County and appropriated for the purposes intended, provided, however, that the expenditure of funds hereunder shall be subject to the availability of such federal and state funds; and be it further

10th **RESOLVED**, that the Clerk of the County Legislature, with the assistance of the County Executive and the County Comptroller, is hereby authorized to convert the appropriation and revenue account numbers in the County Budget to the New York State Municipal Standard Coding System, as promulgated by the Comptroller of the State of New York; and be it further

11th **RESOLVED**, that taxes for the year 2008-2009 be levied against the taxable property in the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton and Southold for the purposes outlined as follows, to wit:

Intro. Res. No. 2195-2008		
TOWN OF BABYLON		
School Districts	$	389,933,690.00
Highway (Town Outside Village)		17,590,978.00
Fire Districts		9,523,319.00
Fire Protection Districts		13,124,954.00
Water Districts		102,199.00
Lighting Districts		2,109,320.00
Garbage Improvement Area		35,123,249.00
Commercial Garbage District		6,792,370.00
Ambulance Districts		1,240,923.00
Unpaid Water Rents		10,701.52
Relevy Prior Years Unpaid Commercial Garbage		377,316.01
Relevy Prior Years Unpaid Garbage Improvement Area		519,388.75
Clean-Up Program		386,456.21
General (Town Wide)		22,011,743.00
General (Town Outside Village)		668,511.00
TOTAL TOWN PURPOSES	$	499,515,118.49
County Tax - General	$	11,329,226.00
2007 Actual Surplus – County Tax General		(13,644,739.00)
2008 Estimated Deficit – County Tax General		6,351,148.00
County Tax – Suffolk Community College		446,700.00
District Superintendent of Schools		1,786.13
Sub Total	$	4,484,121.13
Relevy of Unpaid Sewer Rents & Charges- SD No. 3		1,403,281.70
Total	$	5,887,402.83
Less Credits:		(1,212,379.91)
Total Payable to County Treasurer for County General Purposes	$	4,675,022.92
County Police District		58,652,530.00
2007 Actual Deficit - Police District		(771,731.00)
2008 Estimated Surplus - Police District		(1,547,041.00)
District Court District		1,036,936.00
2007 Actual Deficit - District Court District		(79,221.00)
2008 Estimated Surplus - District Court District		(18,127.00)
County Sewer District No. 3 , District Wide Levy		25,118,102.65
County S.D. No. 3, per parcel charge on 45,993 parcels		1,416,124.47
County S.D. No. 3, S-1 (NYS Dept. Transportation)		24,040.80
County S.D. No. 3, S-2 (NYS Dept. Transportation)		563,523.39
County S.D. No. 3, S-7 (SUNY Farmingdale)		51,837.59
County S.D. No. 3, S-10 (Belmont State Park		75,072.49
County S.D. No. 3, S-15 (NYS Maintenance)		14,492.77
(Continued)		

Intro. Res. No. 2195-2008		
TOWN OF BABYLON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		173,551.19
Erroneous Assessments & Tax Refunds - Community College		7,821.68
Erroneous Assessments & Tax Refunds - Town Only		13,911,521.85
Erroneous Assessments & Tax Refunds - Police District		1,068,300.42
Erroneous Assessments & Tax Refunds - District Court District		20,873.54
Erroneous Assessments & Tax Refunds - Sewer District No. 3		485,626.60
Total Adjustments Mandated by Law for		
Town of Babylon - $15,667,695.28		
TOTAL COUNTY PURPOSES	$	104,879,258.36
TOTAL AMOUNT OF LEVY	$	604,394,376.85

Intro. Res. No. 2195-2008		
TOWN OF BROOKHAVEN		
School Districts	$	982,951,820.00
STAR Exemption		(123,248,398.21)
Library District		2,764,145.00
Highway (Town Wide)		12,223,031.00
Highway (Part Town)		47,190,836.00
Fire Districts		75,998,186.00
Fire Protection Districts		474,912.00
Water Districts		370,000.00
Lighting Districts		7,332,309.00
Sewer Districts (Town Only)		165,000.00
Ambulance Districts		9,050,665.00
Park Districts		44,500.00
Dock Districts		235,000.00
Unpaid Sewer and Water Rents		3,637.50
Demolition Unsafe Structures		149,026.14
Erosion Control Districts		1,177,000.00
Clean-Up of Premises		295,491.19
$100M Bond Act of 2004		7,300,000.00
Real Property Tax Law - Article 7		4,591,257.00
Refuse and Garbage District		47,193,707.90
General (Town Wide)		21,070,000.00
General (Part Town)		5,734,000.00
TOTAL TOWN PURPOSES	$	1,103,066,125.52
County Tax - General	$	28,321,253.00
2007 Actual Surplus – County Tax General		(34,466,173.00)
2008 Estimated Deficit – County Tax General		15,914,063.00
County Tax – Suffolk Community College		1,116,678.00
District Superintendent of Schools		3,829.00
Sub Total	$	10,889,650.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		18,046.58
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		10,237.52
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		701.10
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		91,545.78
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 12		55,376.24
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		12,579.92
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		2,856.49
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		43,101.60
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		28,632.16
Total	$	11,152,727.39
Less Credits		(28,870.33)
Total Payable to County Treasurer for County General	$	11,123,857.06
County Police District		155,336,682.00
2007 Actual Deficit - Police District		(2,064,234.00)
2008 Estimated Surplus - Police District		(4,103,512.00)
District Court District		2,592,175.00
2007 Actual Deficit - District Court District		(200,109.00)
2008 Estimated Surplus - District Court District		(45,420)
(Continued)		

Intro. Res. No. 2195-2008		
TOWN OF BROOKHAVEN (Continued)		
County Sewer District No 1, Port Jefferson		719,816.00
County Sewer District No. 7 – Medford		1,313,965.00
County Sewer District No. 8 – Strathmore Ridge		103,668.00
County Sewer District No. 9 – College Park		89,414.00
County Sewer District No. 10 – Stony Brook		1,003,995.00
County Sewer District No. 10, Construction Cost Only		0.00
County Sewer District No. 11, Selden, Zone A		560,270.00
County Sewer District No. 11, Selden, Zone B		1,416,765.00
County Sewer District No. 11, Zone B, Construction Cost Only		0.00
County Sewer District No. 12 – Birchwood/Holbrook		140,058.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		293,015.82
Erroneous Assessments & Tax Refunds - Community College		19,589.99
Erroneous Assessments & Tax Refunds - Town Only		19,233,431.94
Erroneous Assessments & Tax Refunds - Police District		2,840,783.31
Erroneous Assessments & Tax Refunds - District Court District		52,414.37
Erroneous Assessments & Tax Refunds - S.D. #1 (T10)		2,856.54
Erroneous Assessments & Tax Refunds - S.D. #1 (T12)		1,073.50
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		9,826.45
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		125.88
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		154.11
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		372.98
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		13,337.75
Total Adjustments Mandated by Law for		
Town of Brookhaven - $ 22,466,982.64		
TOTAL COUNTY PURPOSES	$	190,454,372.70
TOTAL AMOUNT OF LEVY	$	1,293,520,498.22

Intro. Res. No. 2195-2008		
TOWN OF EAST HAMPTON		
School Districts	$	88,241,225.14
Highway (Town Outside Village)		4,947,298.71
Fire Districts		3,248,972.88
Fire Protection Districts		2,481,383.39
Lighting Districts		212,000.00
Sewer Districts		489,585.67
Refuse and Garbage Districts		5,022,522.84
Airport		0.00
Merchants Path		46,163.13
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		7,811.26
So. Durham Road		0.00
General (Town Wide)		22,803,779.29
General (Town Outside Village)		17,879,273.46
TOTAL TOWN PURPOSES	$	145,380,015.77
County Tax - General	$	13,760,554.00
2007 Actual Surplus – County Tax General		(13,421,759.00)
2008 Estimated Deficit – County Tax General		6,659,383.00
County Tax – Suffolk Community College		542,564.00
District Superintendent of Schools		1,677.26
Total	$	7,542,419.26
Less Credits		(46,413.75)
Total Payable to County Treasurer for County General	$	7,496,005.51
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		70,233.46
Erroneous Assessments & Tax Refunds - Community College		8,188.60
Erroneous Assessments & Tax Refunds - Town Only		743,785.75
Total Adjustments Mandated by Law for		
Town of East Hampton - $ 822,207.81		
TOTAL COUNTY PURPOSES	$	8,318,213.32
TOTAL AMOUNT OF LEVY	$	153,698,229.09

Intro. Res. No. 2195-2008

TOWN OF HUNTINGTON

School Districts	$	647,143,558.50
School Districts STAR Exemptions		(51,959,990.50)
Highway (Town Outside Village)		31,689,041.00
Fire Districts		28,246,921.00
Fire Protection Districts		1,295,242.00
Water Districts		8,651,423.00
Lighting Districts		3,855,474.00
Sewer Districts (Town Only)		4,345,622.00
Refuse and Garbage District		22,841,438.00
Ambulance Districts		2,457,087.00
Business Improvement District		186,500.00
Unpaid Water Rents		
Dix Hills		135,857.23
Greenlawn		158,843.13
South Huntington		117,450.05
Unpaid Property Clean-Up		37,864.31
Unpaid Demolition		0.00
Environmental Open Space		4,500,000.00
Zoning Violations Board		0.00
General (Town Wide)		29,458,282.00
General (Town Outside Village)		4,332,963.00
TOTAL TOWN PURPOSES	$	737,493,575.72
County Tax - General	$	19,205,729.00
2007 Actual Surplus – County Tax General		(22,933,614.00)
2008 Estimated Deficit – County Tax General		10,172,651.00
County Tax – Suffolk Community College		757,262.00
District Superintendent of Schools		3,027.92
Sub Total	$	7,205,055.92
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		192,694.11
Total	$	7,397,750.03
Less Credits		(56,807.70)
Total Payable to County Treasurer for County General	$	7,340,942.33
County Police District		95,433,161.00
2007 Actual Deficit - Police District		(1,245,569.00)
2008 Estimated Surplus - Police District		(2,377,097.00)
District Court District		1,757,854.00
2007 Actual Deficit - District Court District		(133,151.00)
2008 Estimated Surplus - District Court District		(29,034.00)
County Sewer Dist. No. 3, S-6 (SUNY Farmingdale)		77,431.35
County Sewer Dist. No. 5, Zone A (Strathmore)		623,114.00
County Sewer Dist. No. 5, Zone B (Strathmore)		73,795.00

(Continued)

Intro. Res. No. 2195-2008		
TOWN OF HUNTINGTON (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		117,770.91
Erroneous Assessments & Tax Refunds - Community College		12,529.00
Erroneous Assessments & Tax Refunds - Town Only		10,403,291.39
Erroneous Assessments & Tax Refunds - Police District		1,649,727.88
Erroneous Assessments & Tax Refunds - District Court District		33,607.52
Erroneous Assessments & Tax Refunds - Sewer District No. 3		13,429.39
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone A		4,557.96
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone B		67.42
Total Adjustments Mandated by Law for		
Town of Huntington - $ 12,234,981.47		
TOTAL COUNTY PURPOSES	$	113,756,428.15
TOTAL AMOUNT OF LEVY	$	851,250,003.87

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

Intro. Res. No. 2196-2008 Laid on Table 12/2/2008
Introduced by the Presiding Officer

RESOLUTION NO. 1094 -2008, AUTHORIZING THAT THE TAX WARRANTS BE SIGNED BY THE PRESIDING OFFICER AND CLERK OF THE COUNTY LEGISLATURE AND THAT THEY BE ANNEXED TO THE TAX ROLLS FOR THE COLLECTION OF TAXES

1st **RESOLVED**, that the taxes and levies as extended on the 2008-2009 tax and assessment rolls of the Towns of Babylon, Brookhaven, East Hampton, Huntington, Islip, Riverhead, Shelter Island, Smithtown, Southampton, and Southold, and the tax districts therein are hereby ratified and confirmed in accordance with the displays attached; and be it further

2nd **RESOLVED**, that the tax warrants for the collection of such taxes as are provided by law be annexed to the tax rolls of the several said towns, under the seal of the County, and shall be signed by the Presiding Officer and Clerk of the County Legislature.

Intro. Res. No. 2196-2008		
TOWN OF BABYLON		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	389,933,900.88
Highway (Town Outside Village)		17,590,978.00
Fire Districts		9,523,394.67
Fire Protection Districts		13,124,954.00
Water Districts		102,199.00
Lighting Districts		2,109,320.00
Garbage Improvement Area		35,123,249.00
Commercial Garbage District		6,792,370.00
Ambulance Districts		1,240,923.00
Unpaid Water Rents		10,701.52
Relevy Prior Years Unpaid Commercial Garbage		377,316.01
Relevy Prior Years Unpaid Garbage Improvement Area		519,388.75
Clean-Up Program		386,456.21
General (Town Wide)		22,011,743.00
General (Town Outside Village)		668,511.00
TOTAL PAYABLE TO SUPERVISOR	$	499,515,405.04
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	11,329,226.00
2007 Actual Surplus – County Tax General		(13,644,739.00)
2008 Estimated Deficit – County Tax General		6,351,148.00
County Tax – Suffolk Community College		446,700.00
District Superintendent of Schools		1,786.13
Sub Total	$	4,484,121.13
Relevy of Unpaid Sewer Rents & Charges- SD No. 3		1,403,281.70
Total - County General	$	5,887,402.83
Less Credits		(1,212,379.91)
Total Payable to County Treasurer for County General Purposes	$	4,675,022.92
(Continued)		

TOWN OF BABYLON (Continued)		
County Police District		58,652,530.00
2007 Actual Deficit - Police District		(771,731.00)
2008 Estimated Surplus - Police District		(1,547,041.00)
District Court District		1,036,936.00
2007 Actual Deficit - District Court District		(79,221.00)
2008 Estimated Surplus - District Court District		(18,127.00)
County Sewer District No. 3 , District Wide Levy		25,118,102.65
County S.D. No. 3, per parcel charge on 45,993 parcels		1,416,124.47
County S.D. No. 3, S-1 (NYS Dept. Transportation)		24,040.80
County S.D. No. 3, S-2 (NYS Dept. Transportation)		563,523.39
County S.D. No. 3, S-7 (SUNY Farmingdale)		51,837.59
County S.D. No. 3, S-10 (Belmont State Park)		75,072.49
County S.D. No. 3, S-15 (NYS Maintenance)		14,492.77
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		173,551.19
Erroneous Assessments & Tax Refunds - Community College		7,821.68
Erroneous Assessments & Tax Refunds - Town Only		13,911,521.85
Erroneous Assessments & Tax Refunds - Police District		1,068,300.42
Erroneous Assessments & Tax Refunds - District Court District		20,873.54
Erroneous Assessments & Tax Refunds - Sewer District No. 3		485,626.60
Total Adjustments Mandated by Law for		
Town of Babylon - $ 15,667,695.28		
Excess Due to Tax Extension		698.57
TOTAL PAYABLE TO COUNTY TREASURER	$	104,879,956.93
TOTAL AMOUNT OF WARRANT	$	604,395,361.97

Intro. Res. No. 2196-2008		
TOWN OF BROOKHAVEN		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	859,708,598.74
Library District		2,764,145.00
Highway (Town Wide)		12,223,031.00
Highway (Part Town)		47,190,836.00
Fire Districts		76,000,650.32
Fire Protection Districts		474,912.00
Water Districts		370,000.00
Lighting Districts		7,332,309.00
Sewer Districts (Town Only)		165,000.00
Ambulance Districts		9,050,665.00
Park Districts		44,500.00
Dock Districts		235,000.00
Unpaid Sewer and Water Rents		3,637.50
Demolition Unsafe Structures		149,026.14
Erosion Control Districts		1,177,000.00
Clean-Up of Premises		295,491.19
$100M Bond Act of 2004		7,300,000.00
Real Property Tax Law - Article 7		4,591,257.00
Refuse and Garbage District		47,193,707.90
General (Town Wide)		21,070,000.00
General (Part Town)		5,734,000.00
TOTAL PAYABLE TO SUPERVISOR	$	1,103,073,766.79
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	28,321,253.00
2007 Actual Surplus – County Tax General		(34,466,173.00)
2008 Estimated Deficit – County Tax General		15,914,063.00
County Tax – Suffolk Community College		1,116,678.00
District Superintendent of Schools		3,829.00
Sub Total	$	10,889,650.00
Relevy of Prior Years Unpaid Taxes		
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		18,046.58
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		10,237.52
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		701.10
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		91,545.78
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 12		55,376.24
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		12,579.92
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		2,856.49
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		43,101.60
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		28,632.16
Total	$	11,152,727.39
Less Credits		(28,870.33)
Total Payable to County Treasurer for County General	$	11,123,857.06
(Continued)		

Intro. Res. No. 2196-2008		
TOWN OF BROOKHAVEN (Continued)		
County Police District		155,336,682.00
2007 Actual Deficit - Police District		(2,064,234.00)
2008 Estimated Surplus - Police District		(4,103,512.00)
District Court District		2,592,175.00
2007 Actual Deficit - District Court District		(200,109.00)
2008 Estimated Surplus - District Court District		(45,420)
County Sewer District No 1, Port Jefferson		719,816.00
County Sewer District No. 7 – Medford		1,313,965.00
County Sewer District No. 8 – Strathmore Ridge		103,668.00
County Sewer District No. 9 – College Park		89,414.00
County Sewer District No. 10 – Stony Brook		1,003,995.00
County Sewer District No. 10, Construction Cost Only		0.00
County Sewer District No. 11, Selden, Zone A		560,270.00
County Sewer District No. 11, Selden, Zone B		1,416,765.00
County Sewer District No. 11, Zone B, Construction Cost Only		0.00
County Sewer District No. 12 – Birchwood/Holbrook		140,058.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		293,015.82
Erroneous Assessments & Tax Refunds - Community College		19,589.99
Erroneous Assessments & Tax Refunds - Town Only		19,233,431.94
Erroneous Assessments & Tax Refunds - Police District		2,840,783.31
Erroneous Assessments & Tax Refunds - District Court District		52,414.37
Erroneous Assessments & Tax Refunds - S.D. #1 (T10)		2,856.54
Erroneous Assessments & Tax Refunds - S.D. #1 (T12)		1,073.50
Erroneous Assessments & Tax Refunds - S.D. #7 (T21)		9,826.45
Erroneous Assessments & Tax Refunds - S.D. #9 (T20)		125.88
Erroneous Assessments & Tax Refunds - S.D. #10 (T22)		154.11
Erroneous Assessments & Tax Refunds - S.D. #11A (T31)		372.98
Erroneous Assessments & Tax Refunds - S.D. #11B (T25)		13,337.75
Total Adjustments Mandated by Law for		
Town of Brookhaven - $ 22,466,982.64		
Excess Due to Tax Extension		20,771.73
TOTAL PAYABLE TO COUNTY TREASURER	$	190,475,144.43
TOTAL AMOUNT OF WARRANT	$	1,293,548,911.22

Intro. Res. No. 2196-2008

TOWN OF EAST HAMPTON

TO THE SUPERVISOR OF SAID TOWN:

School Districts	$	88,263,689.28
Highway (Town Outside Village)		4,947,298.71
Fire Districts		3,249,479.61
Fire Protection Districts		2,481,383.39
Lighting Districts		212,000.00
Sewer Districts		489,585.67
Refuse and Garbage Districts		5,022,522.84
Airport		0.00
Merchants Path		46,163.13
Goodfriend Park Road Improvement		0.00
Goodfriend Park Water Improvement		7,811.26
So. Durham Road		0.00
General (Town Wide)		22,803,779.29
General (Town Outside Village)		17,879,273.46
TOTAL PAYABLE TO SUPERVISOR	$	145,402,986.64

TO THE TREASURER OF SAID COUNTY:

County Tax - General	$	13,760,554.00
2007 Actual Surplus – County Tax General		(13,421,759.00)
2008 Estimated Deficit – County Tax General		6,659,383.00
County Tax – Suffolk Community College		542,564.00
District Superintendent of Schools		1,677.26
Total	$	7,542,419.26
Less Credits		(46,413.75)
Total Payable to County Treasurer for County General	$	7,496,005.51
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		70,233.46
Erroneous Assessments & Tax Refunds - Community College		8,188.60
Erroneous Assessments & Tax Refunds - Town Only		743,785.75
Total Adjustments Mandated by Law for Town of East Hampton - $822,207.81		
Excess Due to Tax Extension		32,163.84
TOTAL PAYABLE TO COUNTY TREASURER	$	8,350,377.16
TOTAL AMOUNT OF WARRANT	$	153,753,363.80

Intro. Res. No. 2196-2008

TOWN OF HUNTINGTON

TO THE SUPERVISOR OF SAID TOWN:

School Districts	$	647,146,867.83
School Districts STAR Exemptions		(51,959,990.50)
Highway (Town Outside Village)		31,689,041.00
Fire Districts		28,248,957.16
Fire Protection Districts		1,295,242.00
Water Districts		8,651,423.00
Lighting Districts		3,855,474.00
Sewer Districts (Town Only)		4,345,622.00
Refuse and Garbage District		22,841,438.00
Ambulance Districts		2,457,087.00
Business Improvement District		186,500.00
Unpaid Water Rents		
Dix Hills		135,857.23
Greenlawn		158,843.13
South Huntington		117,450.05
Unpaid Property Clean-Up		37,864.31
Unpaid Demolition		0.00
Environmental Open Space		4,500,000.00
Zoning Violations Board		0.00
General (Town Wide)		29,458,282.00
General (Town Outside Village)		4,332,963.00
TOTAL PAYABLE TO SUPERVISOR	$	737,498,921.21

TO THE TREASURER OF SAID COUNTY:

County Tax - General	$	19,205,729.00
2007 Actual Surplus – County Tax General		(22,933,614.00)
2008 Estimated Deficit – County Tax General		10,172,651.00
County Tax – Suffolk Community College		757,262.00
District Superintendent of Schools		3,027.92
Sub Total	$	7,205,055.92
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		192,694.11
Total	$	7,397,750.03
Less Credits		(56,807.70)
Total Payable to County Treasurer for County General	$	7,340,942.33
County Police District		95,433,161.00
2007 Actual Deficit - Police District		(1,245,569.00)
2008 Estimated Surplus - Police District		(2,377,097.00)
District Court District		1,757,854.00
2007 Actual Deficit - District Court District		(133,151.00)
2008 Estimated Surplus - District Court District		(29,034.00)

(Continued)

Intro. Res. No. 2196-2008		
TOWN OF HUNTINGTON (Continued)		
County Sewer Dist. No. 3, S-6 (SUNY Farmingdale)		77,431.35
County Sewer Dist. No. 5, Zone A (Strathmore)		623,114.00
County Sewer Dist. No. 5, Zone B (Strathmore)		73,795.00
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		117,770.91
Erroneous Assessments & Tax Refunds - Community College		12,529.00
Erroneous Assessments & Tax Refunds - Town Only		10,403,291.39
Erroneous Assessments & Tax Refunds - Police District		1,649,727.88
Erroneous Assessments & Tax Refunds - District Court District		33,607.52
Erroneous Assessments & Tax Refunds - Sewer District No. 3		13,429.39
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone A		4,557.96
Erroneous Assessments & Tax Refunds - Sewer District No. 5, Zone B		67.42
Total Adjustments Mandated by Law for		
Town of Huntington - $ 12,234,981.47		
Excess Due to Tax Extension		15,907.34
TOTAL PAYABLE TO COUNTY TREASURER	$	113,772,335.49
TOTAL AMOUNT OF WARRANT	$	851,271,256.70

Intro. Res. No. 2196-2008		
TOWN OF ISLIP		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts		611,481,528.46
	$	
Highway (Part Town)		13,748,998.00
Fire Districts		40,621,313.17
Fire Protection Districts		1,667,799.00
Water Districts		2,216,972.00
Lighting Districts		4,147,921.00
Omitted Star		49,139.09
Demolitions		21,407.69
Refuse/Garbage/EPA		41,011,612.00
Joint Garbage		87,752.00
Fehr Way Drainage		0.00
Ambulance Districts		5,283,799.00
Erosion Control Disticts		1,583,046.00
Dock Districts		21,945.00
Bay Shore Business Districts		98,225.00
Medical District		39,653.00
Kismet Street Improvement		175,350.00
Bay Towne Drainage		9,712.00
Lifeguard Districts		407,755.00
General (Town Wide)		25,712,214.00
General (Town Outside Village)		1,682,211.00
TOTAL PAYABLE TO SUPERVISOR	$	750,068,352.41
TO THE TREASURER OF SAID COUNTY:		
County Tax - General		19,758,173.00
2007 Actual Surplus - County Tax General		(22,266,368.00)
2008 Estimated Deficit - County Tax General		10,548,913.00
County Tax - Suffolk Community College		779,044.00
District Superintendent of Schools		2,671.17
Sub Total	$	8,822,433.17
Relevy of Unpaid Sewer Rents and Charges, Dist. #3		797,951.80
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		14,204.67
Relevy of Unpaid Sewer Rents and Charges, Dist. #14		89,650.29
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		16,776.59
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		28,907.78
Total	$	9,769,924.30
Less Credits		(54,039.39)
Total Payable to County Treasurer for County General Purposes	$	9,715,884.91
County Police District		106,133,133.00
2007 Actual Deficit - Police District		(1,306,248.00)
2008 Estimated Surplus - Police District		(2,664,130.00)
District Court District		1,808,417.00
2007 Actual Deficit - District Court District District		(129,278.00)
2008 Estimated Surplus - District Court District		(30,108.00)
(Continued)		

Intro. Res. No. 2196-2008		
TOWN OF ISLIP (Continued)		
County Sewer District No. 3 , District Wide Levy		18,337,599.13
S.D. #3 per parcel charge on 29,605 parcels		911,537.95
Sewer Dist. #3, S-8 (C.I. State Hospital)		45,628.52
Sewer Dist. #3, S-9 (NYS DPW)		15,285.98
Sewer Dist. #3, S-11 (Hecksher State Park)		551,484.28
Sewer Dist. #3, S-12 (NYS Park)		8,428.20
Sewer Dist. #3, S-13 (NYS Sagtikos Park)		8,665.71
Sewer Dist. #3, S-14 (NYS Armory)		6,592.72
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		184,391.07
Erroneous Assessments & Tax Refunds-Suffolk Community College		12,985.42
Erroneous Assessments & Tax Refunds-Town Only		16,477,694.07
Erroneous Assessments & Tax Refunds-Police District		1,842,984.09
Erroneous Assessments & Tax Refunds-District Court District		34,688.55
Erroneous Assessments & Tax Refunds - S.D. #3		335,067.34
Total Adjustments Mandated by Law for		
Town of Islip - $18,887,810.54		
Excess Due to Tax Extension		66,740.98
TOTAL PAYABLE TO COUNTY TREASURER	$	152,367,444.92
TOTAL AMOUNT OF WARRANT	$	902,435,797.33

Intro. Res. No. 2196-2008

TOWN OF RIVERHEAD

TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	66,339,456.87
Library District		2,767,632.64
Highway (Town Wide)		6,055,582.00
Fire Districts		5,812,533.51
Water Districts		1,489,500.00
Lighting Districts		1,011,240.00
Public Parking District		158,850.00
Sewer Districts (Town Only)		2,690,230.00
Scavenger Waste District		157,300.00
Refuse and Garbage Districts		4,999,298.50
Unpaid Water Rents		113,496.12
Business Improvement District		136,345.00
Ambulance District		984,025.00
Demolition & Clean-Up of Property		15,829.97
General (Town Wide)		26,311,100.00
TOTAL PAYABLE TO SUPERVISOR	$	119,042,419.61
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	3,227,039.00
2007 Actual Surplus – County Tax General		(3,746,371.00)
2008 Estimated Deficit – County Tax General		1,802,053.00
County Tax – Suffolk Community College		127,239.00
District Superintendent of Schools		393.34
Sub Total	$	1,410,353.34
Less Credits		(4,686.54)
Total Payable to County Treasurer for County General Purposes	$	1,405,666.80
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		39,407.52
Erroneous Assessments & Tax Refunds - College		2,219.42
Erroneous Assessments & Tax Refunds - Town Only		1,402,072.51
Total Adjustments Mandated by Law for		
Town of Riverhead - $1,443,699.45		
Excess Due to Tax Extension		3,246.11
TOTAL PAYABLE TO COUNTY TREASURER	$	2,852,612.36
TOTAL AMOUNT OF WARRANT	$	121,895,031.97

Intro. Res. No. 2196-2008		
TOWN OF SHELTER ISLAND		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	8,709,586.89
Highway (Town Wide)		746,898.00
Highway (Town Outside Village)		299,764.00
Fire Districts		862,936.56
General (Town Wide)		5,108,640.00
General (Town Outside Village)		67,014.00
TOTAL PAYABLE TO SUPERVISOR	$	15,794,839.45
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	1,461,773.00
2007 Actual Surplus - County Tax General		(1,474,191.00)
2008 Estimated Deficit - County Tax General		732,674.00
County Tax - Suffolk Community College		57,636.00
District Superintendent of Schools		178.17
Total	$	778,070.17
Less Credits		(531.27)
Total Payable to County Treasurer for County General Purposes	$	777,538.90
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		6,323.27
Erroneous Assessments & Tax Refunds - Community College		903.88
Erroneous Assessments & Tax Refunds - Town Only		10,232.95
Total Adjustments Mandated by Law for		
Town of Shelter Island - $17,460.10		
Excess Due to Tax Extension		784.85
TOTAL PAYABLE TO COUNTY TREASURER	$	795,783.85
TOTAL AMOUNT OF WARRANT	$	16,590,623.30

Intro. Res. No. 2196-2008		
TOWN OF SMITHTOWN		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	291,639,433.66
Highway (Town Wide)		4,651,000.00
Highway (Town Outside Village)		19,750,000.00
Fire Districts		14,091,002.03
Hauppauge Hydrant		41,500.00
Water Districts		45,650.00
Lighting Districts - Street		985,000.00
Lighting Districts - Arterial		1,070,000.00
Refuse Pick Up and Disposal		11,100,345.00
Ambulance Districts		1,118,000.00
Unpaid Water Rents		202,503.58
Unpaid Refuse and Garbage		344,026.98
Omitted Assessments		21,020.28
Special Assessments		4,912.80
Library		12,058,228.00
General (Town Wide)		22,000,000.00
General (Town Outside Village)		4,400,000.00
TOTAL PAYABLE TO SUPERVISOR	$	383,522,622.33
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	9,425,210.00
2007 Actual Surplus - County Tax General		(11,397,925.00)
2008 Estimated Deficit - County Tax General		5,268,080.00
County Tax - Suffolk Community College		371,626.00
District Superintendent of Schools		1,485.95
Sub Total	$	3,668,476.95
Relevy of Unpaid Sewer Rents and Charges, Dist. #6		123,773.25
Relevy of Unpaid Sewer Rents and Charges, Dist. #13		290.40
Relevy of Unpaid Sewer Rents and Charges, Dist. #15		3,723.55
Relevy of Unpaid Sewer Rents and Charges, Dist. #18		70,895.52
Relevy of Unpaid Sewer Rents and Charges, Dist. #22		18,398.99
Relevy of Unpaid Sewer Rents and Charges, Dist. #28		4,407.70
Total	$	3,889,966.36
Less Credits		(1,738.19)
Total Payable to County Treasurer for County General Purposes	$	3,888,228.17
County Police District		48,898,904.00
2007 Actual Deficit - Police District		(645,920.00)
2008 Estimated Surplus - Police District		(1,284,914.00)
District Court District		862,667.00
2007 Actual Deficit - District Court District		(66,176.00)
2008 Estimated Surplus - District Court District		(15,036.00)
County Sewer Dist. No. 6 - (Kings Park)		17,587.00
(Continued)		

Intro. Res. No. 2196-2008		
TOWN OF SMITHTOWN (Continued)		
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds-County		87,509.54
Erroneous Assessments & Tax Refunds-Suffolk Community College		6,488.23
Erroneous Assessments & Tax Refunds-Town Only		5,824,692.59
Erroneous Assessments & Tax Refunds-Police District		892,462.14
Erroneous Assessments & Tax Refunds-District Court District		17,391.97
Total Adjustments Mandated by Law for		
Town of Smithtown - $6,828,544.47		
Excess Due to Tax Extension		1,433.72
TOTAL PAYABLE TO COUNTY TREASURER	$	58,485,318.36
TOTAL AMOUNT OF WARRANT	$	442,007,940.69

Intro. Res. No. 2196-2008		
TOWN OF SOUTHAMPTON		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	198,469,824.56
Highway (Town Outside Village)		7,247,874.46
Highway - Road Repairs		1,563,831.47
Fire Districts		11,157,711.45
Fire Protection Districts		879,157.30
Water Districts		1,391,031.00
Lighting Districts		542,825.00
Ambulance Districts		2,584,088.28
Unpaid Water Rents		216,518.50
Road Improvement Districts		69,705.51
E-911		1,630,453.00
Tiana Beach Coastal Erosion District		0.00
Debris Removal		16,798.25
Unpaid Security Alarms		35,150.00
Water Mill Park District		172,000.00
Dune Road Donation		20,000.00
Penalties on Agricultural Agreement		28,426.78
Hampton Bays Park District		80,519.00
Bridgehampton Park District		196,751.00
Bridgehampton Parking District		50,694.00
Hampton Bays Parking District		26,820.00
Omitted Assessment		68,867.51
Sagaponack Village Highway		495,836.94
Sagaponack Village Highway Debt Service		126,400.00
General (Town Wide)		22,566,467.00
General (Town Outside Village)		449,345.00
Part Town - Police		19,805,382.00
TOTAL PAYABLE TO SUPERVISOR	$	269,892,478.01
(Continued)		

Intro. Res. No. 2196-2008		
TOWN OF SOUTHAMPTON (Continued)		
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	22,184,509.00
2007 Actual Surplus - County Tax General		(25,822,984.00)
2008 Estimated Deficit - County Tax General		12,610,753.00
County Tax - Suffolk Community College		874,712.00
District Superintendent of Schools		2,704.04
Total	$	9,849,694.04
Less Credits		(320,270.93)
Total Payable to County Treasurer for County General Purposes	$	9,529,423.11
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		136,514.89
Erroneous Assessments & Tax Refunds - College		15,518.07
Erroneous Assessments & Tax Refunds - Town Only		5,926,829.37
Total Adjustments Mandated by Law for		
Town of Southampton - $6,078,862.33		
Excess Due to Tax Extension		14,602.09
TOTAL PAYABLE TO COUNTY TREASURER	$	15,622,887.53
TOTAL AMOUNT OF WARRANT	$	285,515,365.54

Intro. Res. No. 2196-2008

TOWN OF SOUTHOLD

TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	71,406,666.37
Highway (Town Wide)		4,133,186.00
Fire Districts		5,801,434.20
Fire Protection Districts - East/West		589,163.00
Refuse and Garbage Districts - Fishers Island		399,800.00
Southold Solid Waste		1,507,540.00
Park Districts		972,761.00
Fishers Island Ferry		590,000.00
Orient Mosquito		70,000.00
Fishers Island Sewer - Unpaid		2,421.56
Southold Waste Water		4,500.00
Orient by the Sea Road District		4,560.00
Demo Charge		34,742.44
General (Town Wide)		20,165,953.00
General (Town Outside Village)		713,928.00
TOTAL PAYABLE TO SUPERVISOR	$	106,396,655.57
TO THE TREASURER OF SAID COUNTY:		
County Tax - General		4,479,942.00
2007 Actual Surplus – County Tax General	$	(5,586,783.00)
2008 Estimated Deficit – County Tax General		2,639,732.00
County Tax – Suffolk Community College		177,006.00
District Superintendent of Schools		547.19
Total	$	1,710,444.19
Less Credits		(605.97)
Total Payable to County Treasurer for County General Purposes	$	1,709,838.22
Adjustments Mandated by Law		
Erroneous Assessments & Tax Refunds - County		20,437.71
Erroneous Assessments & Tax Refunds - College		3,248.59
Erroneous Assessments & Tax Refunds - Town Only		479,978.37
Total Adjustments Mandated by Law for Town of Southold - $ 503,664.67		
Excess Due to Tax Extension		371.74
TOTAL PAYABLE TO COUNTY TREASURER	$	2,213,874.63
TOTAL AMOUNT OF WARRANT	$	108,610,530.20

DATED: December 2, 2008

APPROVED BY:

/s/ Jim Morgo
Chief Deputy County Executive of Suffolk County

Date: December 4, 2008

Presiding Officer Lindsay made motion for the following resolution, seconded by Legislator D'Amaro. The resolution was passed 15-3-0-0-0. Legislators Romaine, Alden and Kennedy voted no.

Intro. Res. No. 1970-2008 Laid on Table 10/14/2008
Introduced by Presiding Officer, on request of the County Executive

RESOLUTION NO. 1095 -2008, ADOPTING LOCAL LAW NO. 50 -2008, A CHARTER LAW CREATING A COUNTY DEPARTMENT OF CONSUMER AFFAIRS

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held October 14, 2008 a proposed local law entitled, "**A CHARTER LAW CREATING A COUNTY DEPARTMENT OF CONSUMER AFFAIRS**;" 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. 50 -2008, SUFFOLK COUNTY, NEW YORK

A CHARTER LAW CREATING A COUNTY DEPARTMENT OF CONSUMER AFFAIRS

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 a Department of Consumer Affairs is necessary to protect consumers against unfair, deceptive, or fraudulent practices in the marketplace. A well organized and run Department conducts investigations, enforces laws, rules and regulations against companies and people who violate the law. It develops rules to protect and educate consumers and businesses about their rights and responsibilities. It collects complaints about consumer fraud and identity theft and can make them available to law enforcement agencies across the country.

This Legislature further finds and determines that this can best be accomplished as a Department within Suffolk County Government. As a Department, it would be headed by a Commissioner with the power to appoint, within appropriations, a deputy, and staff offices and

positions in such a manner that would best facilitate the County's consumer protection laws. As a Department, its Commissioner would also be able to prepare and transmit budget estimates best suited to carry out effective and efficient enforcement of consumer protection laws.

This Legislature further finds and determines that in these troubled economic times a strong and independent Department of Consumer Affairs is more important than ever to assure that those who are at a disadvantage because of the adverse turn of fiscal events are not further preyed upon by price gougers, scam artists and felons looking to make a quick buck off another's financial worries.

Therefore, the purpose of this law is to create within the Suffolk County Government a Department of Consumer Affairs endowed with enough discretion and authority to serve the needs of the residents of Suffolk County by diligent enforcement of consumer protection laws.

Section 2. Repealed.

Article XXXI of the SUFFOLK COUNTY CHARTER is hereby repealed.

Section 3. Creation of Department.

A new Article XXXI of the SUFFOLK COUNTY CHARTER, creating a Suffolk County Department of Consumer Affairs, is hereby enacted to read as follows:

ARTICLE XXXI
DEPARTMENT OF CONSUMER AFFAIRS

§C31-1. Definitions.

A.) "Commissioner" shall mean the head of the Department.

B.) "Department" shall mean the Suffolk County Department of Consumer Affairs.

§C31-2. Department established; commissioner; organization of department.

A.) There shall be a Department of Consumer Affairs, the head of which shall be the Commissioner. The Commissioner shall be appointed by the County Executive, subject to the approval of the County Legislature, to serve at the pleasure of the County Executive.

B.) The Commissioner shall have the powers and duties set forth herein and shall be in the unclassified service of the civil service. The Commissioner shall be a resident of the County. Within the appropriations provided therefor, the Commissioner may appoint a Deputy Commissioner, who shall act generally for and in place of the Commissioner, and such other officers and employees as may be provided for by the County Legislature, as well as employ such special consultants as may be necessary. The contracts with special consultants shall be subject to County Executive approval. The Commissioner shall be deemed the appointing authority for all employees within the Department.

C.) The Department shall be organized into four divisions for the purposes of performing the functions, duties and responsibilities of the Department. These divisions shall be named the Bureau of Administration, the Bureau of Consumer Complaints, the Bureau of Licensing and the Bureau of Weights and Measures.

1.) The Commissioner may also be designated as the Director of Weights and Measures, appointed in accordance with, and having all the powers and duties set forth in, the Agriculture and Markets Law of New York. No additional compensation shall be extended to the Commissioner holding this position.

§ C31-3. Powers and duties.

A.) The Department shall have the following powers, duties and responsibilities:

1.) To receive and investigate complaints and to initiate investigations of unfair or deceptive practices against consumers.

2.) To hold hearings, to subpoena witnesses, to administer oaths, to take the testimony of any person under oath and, in connection therewith, to compel the production of any evidence relating to any matter under investigation by the Department, provided, however, that the Commissioner shall obtain the written consent of the County Executive or the County Attorney before issuing a subpoena or subpoena duces tecum. At any hearing, a witness shall have the right to have present and be advised by counsel during the conduct of such hearing.

3.) To initiate and encourage consumer education programs and to prepare and disseminate, through publication or otherwise, consumer educational and informational materials to the consumers of Suffolk County.

4.) To represent the interests of consumers before federal, state and local administrative and regulatory agencies and legislative bodies.

5.) To study the operation of federal, state and local laws for consumer protection and to recommend amendments of such laws, where needed, for the protection of the consumer.

6.) To undertake activities to encourage businesses and industries in the county to maintain high standards of honesty, business practices and business responsibilities in the manufacture, distribution and sale of consumer goods and services.

7.) To establish facilities for the voluntary mediation of consumer disputes arising out of transactions which take place in the County.

8.) To initiate and conduct investigations, research, studies and analysis of matters affecting the interests of the consumers of Suffolk County.

9.) To report to the appropriate law enforcement agency information with respect to the violation of any federal, state or local consumer protection law.

10.) To cooperate and assist any agency, public or private, in the development of standards of quality for consumer goods and services.

11.) To assist, advise and cooperate with local, state and federal agencies to protect and promote the interests of the consumers of Suffolk County.

12.) To render each year to the County Executive and to each member of the County Legislature a written report of the activities, investigations, complaints and recommendations of the Department.

13,) To perform such other responsibilities and duties as may be assigned by the County Executive or the County Legislature.

§ C31-4. Transfer of personnel.

Those employees in the Office of Consumer Affairs in the County Executive's Office who are employed in positions in the office and the divisions thereof on the effective date of this Article shall be transferred to the Department.

§ C31-5. Transfer of records, property and equipment.

All records, property and equipment currently associated with and utilized in connection with the powers, functions and duties of the Office of Consumer Affairs in the County Executive's Office shall be transferred to the Department.

Section 4. Severability.

If any clause, sentence, paragraph, section or part of this law shall be adjudged by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair or invalidate the remainder of this law but shall be confined in its operation to the clause, sentence, paragraph, section or part of this law that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 5. SEQRA Determination.

A.) This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes an unlisted action pursuant to Section 617.2 of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and will not have a significant adverse impact on the environment within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW for the following reasons:

1.) The proposed law will not exceed any of the criteria in Section 617.11 of Title 6 NYCRR which sets forth thresholds for determining significant effect on the environment;

2.) This law basically performs the administrative function of establishing a department to consolidate certain environment and energy functions currently carried out by several county departments, offices, and agencies.

3.) Individual actions by the department, once established, or by personnel will be subject to separate comprehensive SEQRA review; and

4.) The actual creation of the department has no direct impact on anything except County policy making and the County budget.

B.) 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 sixty (60) days after filing with the Secretary of State; provided however, that if within such sixty days electors of the County, duly registered to vote therein either for the last preceding or the next following general election in number equal to at least five per centum of the total number of votes cast in the County for governor at the last gubernatorial election, shall file a petition with the County Clerk protesting against this law, it shall become effective only if approved in conformity with section 34(4) of the New York Municipal Home Rule Law.

___ Underlining denotes addition of new language.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 16, 2008

After a public hearing duly held on December 16, 2008
Filed with the Secretary of State on December 30, 2008

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

Intro. Res. No. 2031-2008 Laid on Table: 11/18/2008
Introduced by Presiding Officer pursuant to Rule 3F-13 of the Suffolk County Legislature

RESOLUTION NO. 1096 -2008, APPROVING EXTENSION

OF LICENSE FOR THE SOUTH FERRY COMPANY, INCORPORATED

WHEREAS, The South Ferry Company, Inc. has applied to the Suffolk County Legislature, by a Petition dated and verified, November 2008, pursuant to Article 8 of the NAVIGATION LAW and Local Law No. 7 of 1982 of Suffolk County; and

WHEREAS, a request for extension of the Ferry License heretofore granted to The South Ferry Company, Inc. shall be on the agenda of the Regular General Meeting of the Suffolk County Legislature on December 2, 2008 at Hauppaugue, New York; and

WHEREAS, The South Ferry Company, Inc. has heretofore filed with the Clerk of the Suffolk County Legislature its undertaking with a surety all pursuant to Article 8 of the NAVIGATION LAW of the State of New York; now, therefore be it

1st **RESOLVED**, that the Petition of THE SOUTH FERRY COMPANY, INCORPORATED, dated and verified November 2008, is hereby approved; and be it further

2nd **RESOLVED**, the undertaking heretofore filed with the Clerk of the Suffolk County Legislature in the sum of $15,000 is hereby approved; and be it further

3rd **RESOLVED**, the Ferry License heretofore granted to THE SOUTH FERRY COMPANY, INC. to operate a public ferry service over and upon the waters of the Shelter Island Sound for service between Shelter Island, New York and North Haven, New York on the mainland of Long Island, all within the County of Suffolk is hereby extended commencing on the date of approval hereof up to, and including, the anniversary date of enactment of this Resolution in 2013; and be it further

4th **RESOLVED**, this Ferry License is granted subject to all existing laws, rules and regulations of all Federal, State, County and municipal governments and agencies having jurisdiction thereover; and be it further

5th **RESOLVED**, the rates and fares to be charged for transportation pursuant to this License shall not exceed the rates authorized to the said South Ferry Company, Inc. from time to time by the Suffolk County Legislature pursuant to Article 8 of the NAVIGATION LAW, Section 71 of the TRANSPORTATION CORPORATIONS LAW, Section 131-g of the HIGHWAY LAW, and LOCAL LAW No. 7 of 1982 of Suffolk County; and be it further

6th **RESOLVED**, the said rates, fares and schedules, if any, shall be posted at each entrance of the ferry pursuant to Section 113 of the NAVIGATION LAW and Section 72 of the TRANSPORTATION CORPORATIONS LAW.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 8, 2008

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

Intro. Res. No. 2105-2008 Laid on Table 12/2/2008
Introduced by Legislator Schneiderman

RESOLUTION NO. 1097 -2008, AMENDING THE 2008 OPERATING BUDGET TO ASSIST ISLAND HARVEST IN ENDING HUNGER AND REDUCING FOOD WASTE IN SUFFOLK COUNTY

WHEREAS, the mission of Island Harvest is to end hunger and reduce food waste on Long Island; and

WHEREAS, Island Harvest serves as a bridge between those who have surplus food and those who need it; and

WHEREAS, Island Harvest volunteers and staff collect surplus food from over 600 local restaurants, caterers, farms, and other food-related businesses and distribute it to a network of approximately 500 soup kitchens, food pantries, and other locations where those in need can access it; and

WHEREAS, Island Harvest also conducts educational programs to increase hunger awareness and inform the public on how they can get involved in its mission to end hunger and reduce food waste on Long Island; and

WHEREAS it is the desire of this Legislature to assist Island Harvest in its efforts in ending hunger and reducing food waste in Suffolk County; and

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	DSS	6004	HVZ1	4980	Human Resources Program of Southampton	-$10,000
001	ECD	6410	GXE1	4980	Shakespeare Festival	-$5,000
001	EXE	7320	JCL1	4980	Coast 2 Coast Basketball, Inc.	-$5,000

TO:

FD	AGY	UNIT	ACT	OBJ	ACTIVITY NAME	AMOUNT
001	DSS	6004	HNC1	4980	Island Harvest	+$20,000

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 Island Harvest.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2107-2008 Laid on Table 12/2/2008
Introduced by Legislator Montano

RESOLUTION NO. 1098 -2008, AMENDING THE 2008 OPERATING BUDGET TO ASSIST ISLAND HARVEST IN ENDING HUNGER AND REDUCING FOOD WASTE IN SUFFOLK COUNTY

WHEREAS, the mission of Island Harvest is to end hunger and reduce food waste on Long Island; and

WHEREAS, Island Harvest serves as a bridge between those who have surplus food and those who need it; and

WHEREAS, Island Harvest volunteers and staff collect, surplus food from over 600 local restaurants, caterers, farms, and other food-related businesses; and distribute it to a network of close to 500 soup kitchens, food pantries, and other places where those in need can access it; and

WHEREAS, Island Harvest also conducts educational programs to increase hunger awareness and inform the public how they can get involved in its mission to end hunger and reduce food waste on Long Island; and

WHEREAS, it is the desire of this Legislature to assist Island Harvest in its efforts in ending hunger and reducing food waste in Suffolk County; and

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

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

APPROPRIATIONS:

FROM:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	ECD	6410	HBT1	4980	Traveling Hispanic Theater Inc.	-$10,000

TO:

FD	AGY	UNIT	ACT	OBJ	UNIT/ACTIVITY & OBJECT NAME	AMOUNT
001	DSS	6004	HNC1	4980	Island Harvest	+$10,000

and be it further

2nd **RESOLVED**, that the monies appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding Island Harvest.

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

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

Intro. Res. No. 2181-2008 Laid on Table 12/2/2008
Introduced by Presiding Officer

RESOLUTION NO. 1099 -2008, AUTHORIZING CERTAIN TECHNICAL CORRECTIONS TO ADOPTED RESOLUTION NO. 877-2008

WHEREAS, the County Legislature has adopted and the County Executive has signed Resolution No. 877-2008; and

WHEREAS, this resolution when adopted contained technical errors; and

WHEREAS, the County Legislature 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. 877-2008

In the 1st RESOLVED paragraph change the Revenues:

FROM:

Revenues

FD	AGNY	REV	REVENUE DESCRIPTION		2009 Rec	2009 Ado	2009 Diff Adopt - Rec	D/M/O
001	DSS	3610	Social Services Administration	STATE AID	$41,646,216	$42,004,887	$358,671	Disc
001	DSS	4610	Social Services Administration	FEDERAL AID	$28,176,407	$28,535,078	$358,671	Disc

TO:

Revenues

FD	AGNY	REV	REVENUE DESCRIPTION		2009 Rec	2009 Ado	2009 Diff Adopt - Rec	D/M/O
360	DSS	3610	Social Services Administration	STATE AID	$14,576,541	$14,935,212	$358,671	Mand
360	DSS	4610	Social Services Administration	FEDERAL AID	$15,791,253	$16,149,924	$358,671	Mand

DATED: December 2, 2008

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: December 15, 2008

MEETING ADJOURNED 7:04PM
TIM LAUBE, CLERK OF THE LEGISLATURE

TOWN OF BROOKHAVEN		
TO THE SUPERVISOR OF SAID TOWN:		
School Districts	$	822,703,390.79
Library District		2,818,869.00
Highway (Town Wide)		13,530,887.00
Highway (Town Outside Village)		43,607,228.00
Fire Districts		72,308,184.58
Fire Protection Districts		451,233.00
Water Districts		368,862.00
Lighting Districts		7,579,866.00
Sewer Districts (Town Only)		112,469.00
Ambulance Districts		8,576,865.00
Park Districts		44,350.00
Dock Districts		256,864.00
Unpaid Sewer and Water Rents		2,584.69
Demolition Unsafe Structures		87,829.39
Erosion Control Districts		1,043,324.00
Clean-Up of Premises		286,726.87
$100M Bond Act of 2004		6,906,000.00
Real Property Tax Law - Article 7		4,801,199.00
Refuse and Garbage District		44,705,436.48
General (Town Wide)		21,256,246.00
General (Town Outside Village)		5,658,714.00
TOTAL PAYABLE TO SUPERVISOR	$	1,057,107,128.80
TO THE TREASURER OF SAID COUNTY:		
County Tax - General	$	38,652,039.00
2006 Actual Surplus – County Tax General		(35,365,880.00)
2007 Estimated Deficit – County Tax General		6,550,345.00
County Tax – Suffolk Community College		1,149,338.00
District Superintendent of Schools		3,909.00
Sub Total	$	10,989,751.00
Relevy of Prior Years Unpaid Taxes		
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 1		11,691.93
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 7		8,865.78
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 10		5,544.00
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 11		66,109.51
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 14		10,484.96
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 19		3,117.47
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 20		38,813.04
Relevy of Unpaid Sewer Rents & Charges -Sewer Dist No. 23		26,894.78
Total	$	11,161,272.47
Less Credits		(27,686.06)
Total Payable to County Treasurer for County General	$	11,133,586.41