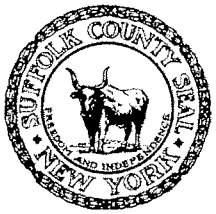
COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

July 8, 2008

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

RE: Resolution 540-2008 and Bond Resolution No. 541-2008

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **Resolution No. 540-2008, Appropriating Funds in Connection with Improvements to County Golf Courses (CP 7166) to Plan for the Replacement of the Obsolete Golf Cart Barn at the Suffolk County Timber Point Golf Course** and its associated bond resolution, **Resolution No. 541-2008** vetoed in their entirety.

This Resolution appropriates $80,000 in Suffolk County Serial Bonds for planning funds associated with the potential replacement of a golf cart barn at Timber Point Golf Course, which has a budgeted cost of $1 million. No, that was not a typo—that is $1 million for a barn to enclose golf carts.

I am returning this resolution vetoed as I find it terribly irresponsible to approve funding for the housing of golf carts while this County and its residents begin to face increasingly severe economic hardships.

This project must be categorized as ancillary while amidst a period of fiscal uncertainty and considering the high level of funding already afforded to the improvement of County Golf Courses, I cannot in good conscience approve this resolution and maintain my on going commitment to fiscal responsibility.

It is baffling to me as to why the sponsor, who has claimed to be opposed to the County's growing pipeline debt, would champion this low priority project that will increase our debt by over $1.5 million.

For these reasons, I strongly urge the Legislature sustain my veto of this resolution.

Sincerely,

Steve Levy
County Executive of Suffolk County

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY

MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099

OFFICE (631) 853-4000
FAX (631) 853-4818

SL:rm

cc: All Suffolk County Legislators
Tim Laube, Clerk of the Legislature
Christine Malafi, Esq., Suffolk County Attorney
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney
James A. Morgo, Chief Deputy County Executive
Frederick B. Pollert, Deputy County Executive for Finance and Management
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff
Ben Zwirn, Deputy County Executive
Connie Corso, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

Intro. Res. No. 1574-2008
Introduced by Legislator Alden

Laid on Table 6/10/2008

RESOLUTION NO. 540 -2008, APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO COUNTY GOLF COURSES (CP 7166) TO PLAN FOR THE REPLACEMENT OF THE OBSOLETE GOLF CART BARN AT THE SUFFOLK COUNTY TIMBER POINT GOLF COURSE

WHEREAS, the Parks Department continues to make golf course facility improvements that are anticipated to enhance the Department's revenues; and

WHEREAS, the County Golf Courses are one of the Department's major revenue collection areas; and

WHEREAS, the Department of Parks, Recreation and Conservation is in need of planning funds for the replacement of the obsolete golf cart barn located at the 27-hole Suffolk County Timber Point Golf Course in Great River with a larger new facility that will provide expanded indoor storage; and

WHEREAS, there are sufficient funds within the 2008 Capital Budget and Program to cover the cost of said planning funds under Capital Program Number 7166; and

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

WHEREAS, that this Legislature, by resolution of even date herewith, has authorized the issuance of $80,000 in Suffolk County Serial Bonds; now, therefore be it

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

2nd RESOLVED, that the proceeds of $80,000 in Suffolk County Serial Bonds be and they hereby are appropriated as follows:

Project Number	Project Title	Amount
525-CAP-7166.111	Improvements to County Golf Courses	$80,000

and be it further

3rd RESOLVED, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this law constitutes a Type II action, pursuant to Section 617.5 (C) (18), (21) and (27) of Title 6 of New York Code of Rules and Regulations ("NYCRR"), in that the law authorizes information collection, including basic data collection and research, and preliminary planning processes necessary to formulate a proposal for an action, but does not commit the County to commence or approve an action. Since this law is a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: JUN 24 2008

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 7-8-08

Intro. Res. 1574 Res. No. 540 June 24, 2008

Motion:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Stern, D'Amaro, Cooper

Co-Sponsors:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Stern, D'Amaro, Cooper

Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Brian BEEDENBENDER	✓				
6	Daniel P. LOSQUADRO	✓				
7	Jack EDDINGTON	✓				
9	Ricardo MONTANO	✓				
10	Cameron ALDEN	✓				
11	Thomas F. BARRAGA		✓			
12	John M. KENNEDY, JR.	✓				
13	Lynne C. NOWICK	✓				
14	Wayne R. HORSLEY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	Jon COOPER	✓				
15		✓				
5	Vivian VILORIA-FISHER, D.P.O.	✓				
8	William J. LINDSAY, P.O.	✓				
	Totals	16	1	—	—	—

MOTION
✓ Approve
____ Table:_____
____ Send To Committee
____ Table Subject To Call
____ Lay On The Table
____ Discharge
____ Take Out of Order
____ Reconsider
____ Waive Rule ____
____ Override Veto
____ Close
____ Recess
APPROVED ✓ FAILED____
No Motion___ No Second___

RESOLUTION DECLARED
✓ ADOPTED
____ NOT ADOPTED

Roll Call____ Voice Vote ✓

Tim Laube

Tim Laube, Clerk of the Legislature

I.R. 1574A-2008

BOND RESOLUTION NO. 541 -2008

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF $80,000 BONDS TO FINANCE A PART OF THE COST OF IMPROVEMENTS TO COUNTY GOLF COURSES, CONSISTING OF THE REPLACEMENT OF THE CART BARN AT THE TIMBER POINT GOLF COURSE (CP 7166.111)

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

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of $80,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of improvements to County golf courses, consisting of the replacement of the cart barn at the Timber Point Golf Course, as authorized in the 2008 Capital Budget and Program, as amended. The estimated maximum cost of the golf course improvement project, including preliminary costs and costs incidental thereto and the financing thereof, is $4,784,800. The plan of financing includes (a) the issuance of $250,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 140-1997, (b) the issuance of $500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 371-

1998, (c) the issuance of $1,400,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 463-1999, (d) the issuance of $190,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 190-2000, (e) the issuance of $905,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1281-2000, (f) the issuance of $500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 144-2001, (g) the issuance of $34,800 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 387-2002, (h) the issuance of $500,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 1252-2002, (i) the issuance of $75,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 379-2003, (j) the issuance of $200,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 396-2004, (k) the issuance of $50,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 966-2006, (l) the issuance of $100,000 bonds or bond anticipation notes authorized pursuant Bond Resolution No. 1389-2007, (m) the issuance of $80,000 bonds or bond anticipation notes authorized pursuant to this resolution and (n) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 54 of the Law, is fifteen (15) years, computed from August 4, 1998, the date of the first obligations issued for such purpose pursuant to Bond Resolution No. 140-1997.

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

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

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and

168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

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

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

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

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

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

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

Dated: JUN 24 2008

VETOED

7-8-08

Intro. Res. 1574A Res. No. 541 June 24, 2008

Motion:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Stern, D'Amaro, Cooper

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Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
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Second:
Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloria-Fisher, Barraga,
Kennedy, Nowick, Horsley, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Brian BEEDENBENDER	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO	/				
10	Cameron ALDEN	/				
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	Jon COOPER	/				
15						
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
	Totals	16	1	—	—	—

MOTION

X Approve
____ Table: _____
____ Send To Committee
____ Table Subject To Call
____ Lay On The Table
____ Discharge
____ Take Out of Order
____ Reconsider
____ Waive Rule ____
____ Override Veto
____ Close
____ Recess

APPROVED ✓ FAILED ____
No Motion ___ No Second ___

RESOLUTION DECLARED

✓ ADOPTED
____ NOT ADOPTED

Roll Call X Voice Vote ___

Tim Laube
Tim Laube, Clerk of the Legislature