

STRICKEN AS OF 12/8/2010
AMENDED COPY AS OF 3/9/2010

Intro. Res. No. 1298-2010

Laid on Table 3/2/2010

Introduced by Presiding Officer Lindsay and Legislators Losquadro, Cooper

**RESOLUTION NO. -2010, ADOPTING LOCAL LAW
NO. -2010, A LOCAL LAW TO CHANGE THE
COMPOSITION OF THE VANDERBILT MUSEUM BOARD OF
TRUSTEES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2010, a proposed local law entitled, "**A LOCAL LAW TO CHANGE THE COMPOSITION OF THE VANDERBILT MUSEUM BOARD OF TRUSTEES**"; now, therefore be it

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

LOCAL LAW NO. -2010, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO CHANGE THE COMPOSITION OF THE
VANDERBILT MUSEUM BOARD OF TRUSTEES**

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 Suffolk County Vanderbilt Museum is the only publicly held accredited Museum in Suffolk County.

This Legislature also finds and determines that, for nearly sixty years, the Vanderbilt Museum's operations were funded solely from income derived from the Museum's maintenance fund and admissions to the Museum.

This Legislature determines that the Vanderbilt Museum's Maintenance Fund was severely impacted by the economic downturn in 2008 and, as a result, public monies have been used over the past two years to ensure the continued operation of the Vanderbilt Museum. Further, the Museum will continue to receive hundreds of thousands of taxpayer dollars from the County's Hotel-Motel tax for the next five years.

This Legislature finds that, since taxpayer dollars are being used to pay for the operating costs of the Vanderbilt Museum, this Legislature should have more direct oversight of the Museum's expenditures.

This Legislature determines that the interests of taxpayers will be best served having the Presiding Officer, the Majority Leader and the Minority Leader of this Legislature, or their designees, serve as Museum Trustees.

This Legislature also finds that such appointments will ensure greater accountability in the use of taxpayer dollars to support the Vanderbilt Museum.

Therefore, the purpose of this law is to provide that the Presiding Officer, the Majority Leader and the Minority Leader of the Suffolk County Legislature serve as trustees of the Vanderbilt Museum.

Section 2. Amendments.

Chapter 184 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

Chapter 184. VANDERBILT MUSEUM, SUFFOLK COUNTY

§ 184-7. Membership of Commission.

- A. The Suffolk County Vanderbilt Museum Commission shall consist of 15 members. The Presiding Officer, Majority Leader and the Minority Leader of the County Legislature, or their designees shall serve as members on the Commission. The County Legislature shall appoint [the 15] 12 members of the Suffolk County Vanderbilt Museum Commission. The Board of Trustees of the Suffolk County Vanderbilt Museum Commission shall appoint the Director of the museum. The appointment of the [15] members of the Suffolk County Vanderbilt Museum Commission[, which] is the device for appointment of the Trustees of the Suffolk County Vanderbilt Museum in accordance with the laws cited in § 184-6 and the provisions contained herein, and terms of the [15] 12 members appointed by the Legislature shall be staggered and shall be four years; such terms shall be deemed to have commenced upon the expiration date of the terms set forth in the laws stated in § 184-6; and any appointment shall be for the expired portion of such term. Any vacancies in the non-legislative membership of said Commission, other than by expiration of term, shall henceforth be filled by the County Legislature for the unexpired term.

- H. The Presiding Officer, Majority Leader and Minority Leader of the Suffolk County Legislature, or their designees, shall be exempt from the requirements set forth in subsections (B), (D), (E) and (F) of this section.

Section 3. Transition Provisions.

Three (3) seats that are vacant on the Suffolk County Vanderbilt Museum Commission as of the effective date of this resolution shall be filled by the Presiding Officer, the Majority Leader and the Minority Leader of the Suffolk County Legislature, or their designees.

Section 4. Applicability.

This law shall apply to appointments made to the Suffolk County Vanderbilt Museum Commission on or after the effective date of this law.

Section 5. Severability.

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

Section 6. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/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 7. Effective Date.

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

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

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: