

Intro. Res. No. 1726-2010

Laid on Table 07/7/2010

Introduced by Presiding Officer, on request of the County Executive and Legislators Losquadro, D'Amaro, Nowick, Stern

RESOLUTION NO. 724 -2010, ADOPTING LOCAL LAW NO. -2010, A LOCAL LAW AMENDING LOCAL LAW NO. 35-2010, TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW NO. 35-2010, AND PART A OF CHAPTER 105, LAWS OF 2010

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on July 7, 2010, a proposed Local Law entitled "**A LOCAL LAW AMENDING LOCAL LAW NO. 35- 2010 TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW 35-2010 AND PART A OF CHAPTER 105, LAWS OF 2010;**" 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. -2010, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW AMENDING LOCAL LAW NO. 35-2010, TO ENLARGE THE OPEN PERIOD AND THE NUMBER OF EMPLOYEES ELIGIBLE TO PARTICIPATE IN THE RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY LOCAL LAW NO. 35-2010, AND PART A OF CHAPTER 105, LAWS OF 2010

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

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 35-2010 was recently adopted by this Legislature authorizing county employees to participate in a retirement incentive program.

This Legislature further finds and determines that Introductory Resolution No. 1474-2010, "A Local Law Authorizing The County Executive To Execute Agreements For The Sale Of The John J. Foley Skilled Nursing Facility" is likely to be duly considered and voted upon by this Legislature on August 17, 2010.

This Legislature further finds and determines that the retirement incentive provided by Local Law No. 35-2010 should be enlarged to include eligible employees employed at the John J. Foley Skilled Nursing Facility in the event that Introductory Resolution is approved by this Legislature.

This Legislature further finds and determines that the deadline set by state law for final passage of local law authorizing participation in a retirement incentive program under Part A of Chapter 105 of the Laws of 2010 is on or before August 31, 2010.

Therefore, the purpose of this law is to enlarge the targeted incentive Part A as provided for in Chapter 105 of the Laws of 2010 of the State of New York and Local Law No. 35-2010 to include eligible employees employed at the John J. Foley Skilled Nursing Facility in the event that Introductory Resolution No. 1474-2010 is approved by this Legislature on August 17, 2010.

Section 2. Amendments.

A.) Local Law No. 35-2010 is amended as follows:

Section 2. Requirements.

C.) The open period during which eligible employees may retire and receive the additional retirement benefits, shall be [thirty] sixty days in length.

Section 3. Applicability.

The amendments set forth in § 2 of this law shall only apply if the Suffolk County Legislature approves Introductory Resolution No. 1474-2010, "A Local Law Authorizing The County Executive To Execute Agreements For The Sale Of The John J. Foley Skilled Nursing Facility" on or before August 17, 2010.

Section 4. SEQRA Determination.

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

Section 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. Effective Date.

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

DATED: August 3, 2010

EFFECTIVE PURSUANT TO SECTION 2-15(D) OF THE SUFFOLK COUNTY CHARTER,
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED SEPTEMBER 7, 2010

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on August 3, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

A handwritten signature in cursive script that reads "Tim Laube".

Clerk of the Legislature

Intro. Res. 1726 Res. No. 724

August 3, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amayo, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

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

Tim Laube

 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote