

Intro. Res. No. 1752-2010
Introduced by Legislator Montano

Laid on Table 8/3/2010

**RESOLUTION NO. 885 -2010, ADOPTING LOCAL LAW
NO. 54 -2010, A CHARTER LAW TO PROVIDE NOTICE OF
APPOINTMENTS TO BOARDS AND COMMISSIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on August 3, 2010, a proposed local law entitled, "**A CHARTER LAW TO PROVIDE NOTICE OF APPOINTMENTS TO BOARDS AND COMMISSIONS**"; now, therefore be it

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

LOCAL LAW NO. 54 -2010, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO PROVIDE NOTICE OF APPOINTMENTS TO
BOARDS AND COMMISSIONS**

**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, in an effort to seek community input and utilize the knowledge and expertise of its residents, Suffolk County has established boards and commissions to perform specific functions and/or advise the County's elected officials on certain issues.

This Legislature also finds and determines that the membership and activities of the County's boards, commissions, task forces and advisory bodies should be open and transparent.

This Legislature further finds and determines that the public has a right to know the identity of persons who serve on County boards and commissions as these individuals may shape the formation of County policies and programs.

This Legislature determines that it would be prudent to require that County officials provide notice of their appointments to boards and commissions to one entity to ensure that this information is readily available to the public.

This Legislature finds that the Clerk of the Suffolk County Legislature can maintain up-to-date records of the membership of County boards and commissions and make such information publicly accessible.

Therefore, the purpose of this law is to require County officials to simultaneously notify the Clerk of the Suffolk County Legislature each time they make an appointment to a board, commission or task force.

Section 2. Amendment.

Article 23 of the SUFFOLK COUNTY CHARTER is hereby amended as follows:

Article XXIII. General Provisions

§C23-3. Unexcused absences by appointed members of boards and commissions; notification of vacancies and appointments.

A. Any appointed member of any board or commission who shall be absent from four consecutive regular meetings of such board or commission, unless excused by resolution thereof, shall be deemed to have vacated his office. Vacancies occurring in such office otherwise than by the expiration of the term shall be filled for the unexpired balance of the term.

B. Any appointee to any board or commission who vacates his or her position with the intention of no longer serving on the board or commission shall notify, in writing, the chairperson of the board or commission of his or her resignation. The chairperson shall file a copy of the resignation with the Clerk of the Legislature within 10 days of his or her receipt of same.

C. When a vacancy occurs for any reason on a board, commission, or agency, whose appointments are made by the Suffolk County Legislature or whose appointments are subject to legislative approval, including the Suffolk County Water Authority, the Suffolk County Industrial Development Agency, and the Suffolk Regional Off-Track Betting Corporation, the Chairperson of the board, commission, or agency shall notify the Clerk of the Suffolk County Legislature of said vacancy, in writing, within 10 days of such vacancy occurring. The Clerk shall notify each member of the Legislature of the vacancy within 10 days of his or her receipt of the notice.

D. When the County Executive or an individual County Legislator appoints a person to serve on a board, commission, advisory board or task force that is authorized under state law or by local law or resolution, the appointing authority shall simultaneously file a written notice with the Clerk of the Suffolk County Legislature setting forth the name, address and term of the appointee. Such appointment shall not be valid until such notification is received by the Clerk of the Suffolk County Legislature.

E. When any County official selects a person to serve as their designee on a board, commission, advisory board or task force that is authorized under state law or by local law or resolution, the official shall simultaneously file a written notice with the Clerk of the Suffolk County Legislature setting forth the name and address of the designee. Such designation shall not be valid until such notification is received by the Clerk of the Suffolk County Legislature.

Section 3. Applicability.

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

Section 4. Severability.

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

Section 5. SEQRA Determination.

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

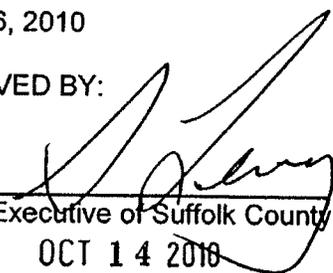
Section 6. Effective Date.

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

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

DATED: September 16, 2010

APPROVED BY:



County Executive of Suffolk County

Date:

OCT 14 2010

After a public hearing duly held on October 4, 2010
Filed with the Secretary of State on October 28, 2010

LEGAL NOTICE

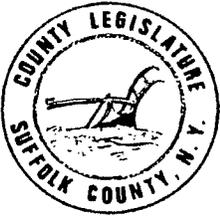
NOTICE IS HEREBY GIVEN that the Suffolk County Legislature has passed Introductory Resolution No. 1752 -2010 and presented to me for approval Local Law No. -2010, "A Charter Law to Provide Notice of Appointments to Boards and Commissions", which law requires that the chairperson of a County board or commission file a copy of the resignation of a board member with the Clerk of the County Legislature upon any resignation of a member of the board or commission, and that a written notice of appointment be filed with the Clerk of the Suffolk County Legislature each time an individual is appointed to a board, commission, advisory board or task force by a County Legislator, the County Executive or other County official.

NOTICE IS FURTHER GIVEN that the County Executive will hold a public hearing on the aforesaid Local Law at 9:30 a.m., prevailing time, on October 4, 2010 in the H. Lee Dennison Building , Media Room, 100 Veterans Memorial Highway, Hauppauge, New York, at which time all interested persons will be heard.

STEVE LEVY
Suffolk County Executive

DATED: Hauppauge, New York

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 September 16, 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. 1752

Res. No. 885

September 16, 2010

Motion:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, 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		18					

MOTION	
<input checked="" type="checkbox"/>	Approve
<input type="checkbox"/>	Table: _____
<input type="checkbox"/>	Send To Committee _____
<input type="checkbox"/>	Table Subject To Call _____
<input type="checkbox"/>	Lay On The Table _____
<input type="checkbox"/>	Discharge _____
<input type="checkbox"/>	Take Out of Order _____
<input type="checkbox"/>	Reconsider _____
<input type="checkbox"/>	Waive Rules _____
<input type="checkbox"/>	Override Veto _____
<input type="checkbox"/>	Close
<input type="checkbox"/>	Recess
<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	FAILED
<input type="checkbox"/>	No Motion
<input type="checkbox"/>	No Second

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote