Intro. Res. No. 1822-2010
Introduced by Presiding Officer Lindsay

Laid on Table 8/3/2010

RESOLUTION NO. 807 -2010, APPROVING THE APPOINTMENT OF A RELATIVE OF A COUNTY LEGISLATOR IN THE FIFTH LEGISLATIVE DISTRICT

WHEREAS, §A6-3(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE requires Legislative approval for the hiring or promotion of any relative of another County official as defined herein, or who is a relative of a County police official holding the rank of Captain or above, for a position not being filled pursuant to New York Civil Service Law competitive examinations or for promotional or supervisory positions in the Suffolk County Police Department, then such hiring or promoting shall not be effective unless or until it is approved by a resolution of the Suffolk County Legislature; and

WHEREAS, Stefanie Fisher, daughter of County Legislator Vivian Viloria-Fisher, has been offered employment in the Fifth Legislative District as a Legislative Aide; now, therefore be it

1st **RESOLVED**, that the appointment of Stefanie Fisher as a Legislative Aide for the Fifth Legislative District is hereby approved pursuant to §A6-3(B) of the SUFFOLK COUNTY ADMINISTRATIVE CODE; 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: AUG 17 2010

APPROVED BY:

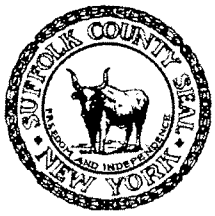
VETOED

County Executive of Suffolk County

Date: 8-31-2010

VETO OVERRIDE ADOPTED ON SEPTEMBER 16, 2010

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

August 31, 2010

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 NO. 807-2010 APPROVING THE APPOINTMENT OF A RELATIVE OF A COUNTY LEGISLATOR IN THE FIFTH LEGISLATIVE DISTRICT.

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **Resolution No. 807-2010; "Approving the appointment of a relative of a County Legislator in the Fifth Legislative District"** vetoed in its entirety.

The public is often leery of elected officials placing relatives anywhere on the public payroll. Such nepotism often leads to an erosion of public confidence in our system.

This recent resolution is now the second hiring of a relative by a Legislator in which there is a direct supervisory role in a district office. (The first resolution, 1184-2007, I returned to the Legislature unsigned.)

It is simply bad public policy in this day and age of heightened disclosure for an elected official to hire a relative to be in that official's office.

As you are aware, Legislators are responsible for monitoring the hours worked and approved time off for all employees of their district offices. The question remains: can taxpayers feel assured that an independent and unbiased accounting of time and performance is occurring when one relative is signing off on the time sheets of another?

There have been cases where non-elected, related employees have worked together in the same department; but this is a case where an elected official is promoting the hiring of a relative to work in her own office.

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

To stop this practice, I am simultaneously introducing legislation to strengthen the county's tough anti-nepotism statutes to remove this obvious, conflicted situation where a public official can seek approval to hire a relative under their own, direct supervision. I invite all legislators to join me in this effort to further openness and disclosure in our hiring practices and to enhance public trust.

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

Sincerely,

Steve Levy
County Executive of Suffolk County

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
Christopher Kent, Chief Deputy County Executive
Edward Dumas, Chief Deputy County Executive
Connie Corso, Deputy County Executive for Finance and Management
Ken Crannell, Deputy County Executive
Ben Zwirn, County Executive Assistant
Eric Naughton, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

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 17, 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.

Tim Laube

Clerk of the Legislature

Intro. Res. 1822 Res. No. 807 August 17, 2010

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

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

Second:
Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Viloria-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	17	—	—	—	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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature

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.

Clerk of the Legislature

Intro. Res. Veto 1822 Res. No. 807 September 16, 2010

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

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Romaine, Schneiderman, Browning, Muratore, Losquadro
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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	17				1

MOTION
____Approve
____Table:_____
____Send To Committee
____Table Subject To Call
____Lay On The Table
____Discharge
____Take Out of Order
____Reconsider
____Waive Rule
X Override Veto
____Close
____Recess
APPROVED X FAILED____
No Motion___ No Second___

RESOLUTION DECLARED
X ADOPTED
____NOT ADOPTED

Roll Call____Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature