

**RESOLUTION NO. 29 -2011, ADOPTING LOCAL LAW  
NO. 12 -2011, A LOCAL LAW TO BROADEN  
QUALIFICATIONS FOR THE VANDERBILT MUSEUM  
TRUSTEES**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on December 7, 2010, a proposed local law entitled, "**A LOCAL LAW TO BROADEN QUALIFICATIONS FOR THE VANDERBILT MUSEUM TRUSTEES;**" now, therefore be it

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

**LOCAL LAW NO. 12 -2011, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO BROADEN QUALIFICATIONS FOR THE VANDERBILT  
MUSEUM 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 Board of Trustees has sole power over the development, maintenance and operation of the Museum and Planetarium and the conduct of its programs and activities.

This Legislature also determines that the Suffolk County Code contains narrow qualification requirements that greatly reduce the pool of persons eligible to serve on the Museum's Board of Trustees.

This Legislature also finds that as a result of these stringent qualification requirements, it has proven difficult, if not impossible, to fill all fifteen board positions.

This Legislature determines that the Vanderbilt Museum would benefit if its members reflected more diverse backgrounds and reflected experience in a wider set of disciplines.

This Legislature finds that the County Legislature has the ability to evaluate persons from diverse backgrounds and determine if a potential candidate will help the Vanderbilt Museum fulfill its mission.

Therefore, the purpose of this law is to expand the qualifications for membership on the Suffolk County Vanderbilt Museum Board of Trustees.

**Section 2. Amendments.**

Section 184-7 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**§ 184-7. Membership of Commission.**

A. The County Legislature shall appoint the 15 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 members 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 membership of said Commission, other than by expiration of term, shall henceforth be filled by the County Legislature for the unexpired term.

**[B.** No person shall be appointed or reappointed to a position under Subsection A of this section unless such person shall demonstrate:

(1) Relevant, previous, personal commitment to public education or expertise in a subject matter area reflected in the collection strength of the Suffolk County Vanderbilt Museum, including but not limited to history and natural history of Suffolk County, with particular emphasis in those areas directly affecting the collection of the museum and/or the historic and natural resources of Suffolk County historic trust and/or the Suffolk County nature preserve trust as per Article I of the Suffolk County Charter;

(2) A widely recognized and acknowledged record of cultural affairs philanthropy or related voluntarism; or

(3) At least five years' prior experience in fundraising for charitable, nonprofit organizations.]

**[C]B.** At least six months prior to any vacancy in the membership of said Commission, the Board of Trustees of the Suffolk County Vanderbilt Museum Commission shall meet with the Parks, Recreation and Cultural Affairs Committee of the Suffolk County Legislature, or any such successor committee, for the purpose of discussing the needs, if any, of the Board of Trustees in filling any such a vacancy.

**[D]C.** No person shall be appointed or reappointed to a position under Subsection A of this section who is an elected official of the State of New York or of any political subdivision thereof or who is a party officer. For the purposes of this section, "party officer" shall mean one who holds any party position or any party office, whether by election, appointment or otherwise, excluding committeeman, and "party" shall mean any political organization which at the last preceding election for governor polled at least 50,000 votes for its candidate for governor.

**[E]D.** No person shall be appointed or reappointed to a position under Subsection A of this section unless and until such person shall first appear at least once before the pertinent legislative committee of the County Legislature having primary jurisdiction over such resolution naming such person for approval to such appointment or reappointment and before such other legislative committees of the County Legislature as shall request an appearance by such person.

[F]E. No person shall be reappointed to a position under Subsection A of this section unless such person shall have attended at least 75% of the regular and/or special meetings held by said Board of Trustees of said museum. Absences from such meetings caused by death in the immediate family of the Trustee, viz., children, parents, brothers, sisters, in-laws and/or grandparents, or caused by a verifiable illness shall not be counted for the purposes of this calculation of attendance.

[G]E. Any person who has served as a member of the Board of Trustees of the Suffolk County Vanderbilt Museum Commission is prohibited from being employed in any position at the Suffolk County Vanderbilt Museum Commission or Planetarium for which any form of compensation or remuneration is granted for a period of five years subsequent to the expiration of such individual's service as a member of the Board of Trustees of the Suffolk County Vanderbilt Museum Commission.

**Section 3. Applicability.**

This law shall apply to appointments to the Vanderbilt Museum's Board of Trustees 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.

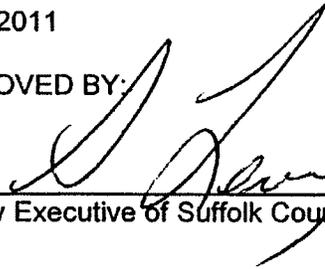
**Section 6. Effective Date.**

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

- [ ] Brackets denote deletion of existing language
- \_\_\_ Underlining denotes addition of new language

DATED: February 1, 2011

APPROVED BY:



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County Executive of Suffolk County

Date:

**MAR 03 2011**

After a public hearing duly held on February 15, 2011  
Filed with the Secretary of State on March 18, 2011

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 February 1, 2011 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.

2233-10

Res. No.

29

February 1, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore,  
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					
5	Jack EDDINGTON					
6	Ricardo MONTANO					
7	Thomas CILMI					
8	Thomas F. BARRAGA					
9	John M. KENNEDY, JR.					
10	Lynne C. NOWICK					
11	Wayne R. HORSLEY					
12	DuWayne GREGORY					
13	Steven H. STERN					
14	Lou D'AMARO					
15	Jon COOPER					
16	Vivian VILORIA-FISHER, D.P.O.					
17	William J. LINDSAY, P.O.					
	Totals	17				

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 Rule	
<input type="checkbox"/> Override Veto	
<input type="checkbox"/> Close	
<input type="checkbox"/> Recess	
APPROVED <input checked="" type="checkbox"/> FAILED <input type="checkbox"/>	
No Motion <input type="checkbox"/> No Second <input type="checkbox"/>	

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call  Voice Vote