

**RESOLUTION NO. 404 -2011, ADOPTING LOCAL LAW
NO. 25 -2011, A CHARTER LAW TO STRENGTHEN COUNTY
LEGISLATURE OVERSIGHT OF DEPARTMENTS, OFFICES
AND AGENCIES**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 8, 2011, a proposed local law entitled, "**A CHARTER LAW TO STRENGTHEN COUNTY LEGISLATURE OVERSIGHT OF DEPARTMENTS, OFFICES AND AGENCIES**;" now, therefore be it

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

LOCAL LAW NO. 25 -2011, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO STRENGTHEN COUNTY LEGISLATURE
OVERSIGHT OF DEPARTMENTS, OFFICES AND AGENCIES**

**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 CHARTER empowers the County Legislature to oversee and investigate the performance of the various departments, offices and agencies of Suffolk County Government.

This Legislature also finds that certain County departments and functions are also subject to oversight and regulation by the federal or state government; however, this Legislature is often unaware of the reports, audits and findings produced by these agencies.

This Legislature also determines that the County Legislature can exercise its oversight authority more effectively and institute necessary changes in County Government in a more timely manner if it has ready access to the information produced by state and federal agencies.

Therefore, the purpose of this law is to require all County departments, offices and agencies subject to federal or state oversight, to forward copies of reports, audits and findings generated by these entities to the Suffolk County Legislature.

Section 2. Amendment.

Article 23 of the SUFFOLK COUNTY CHARTER is hereby amended by the addition of a new Section C23-18, to read as follows:

**ARTICLE XXIII,
General Provisions**

* * * *

§ C23-18. Filing of Audits and Reports.

Any County department, office or agency subject to oversight and/or regulation by a federal or state agency, shall file with the Clerk of the County Legislature any final audit, report, inspection finding or determination generated by such federal or state agency within thirty (30) days of their receipt of said audit, report, inspection finding or determination. The Clerk of the County Legislature shall provide an electronic copy of all final audits, reports, inspection findings and determinations to each County Legislator.

Section 3. Exemptions.

The provisions of this law shall not apply to any document or record which cannot be disclosed pursuant to federal or state law, or to any document or record, which if disclosed, would interfere with a law enforcement investigation or a judicial proceeding.

Section 4. Applicability.

This law shall apply to actions occurring 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.

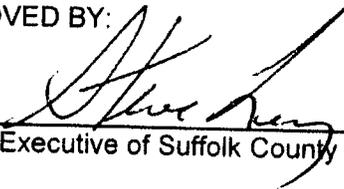
Section 7. Effective Date.

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

___ Underlining denotes addition of new language.

DATED: May 10, 2011

APPROVED BY:


County Executive of Suffolk County

Date: **JUN 0 2 2011**

After a public hearing duly held on May 24, 2011
Filed with the Secretary of State on June 10, 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 May 10, 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.

1133

Res. No.

404

May 10, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
Eddington, Montano, Cilmi, Lindsay, Vilorio-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	Sarah S. ANKER					
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
___ 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 <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote