

**RESOLUTION NO. 862 -2011, INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2012 FOR EMPLOYEES IN BARGAINING UNITS 21 AND 30 (MANAGEMENT AND CONFIDENTIAL EMPLOYEES, RESPECTIVELY AND EXCLUSIVE OF THE SUFFOLK COUNTY COMMUNITY COLLEGE AND EMPLOYEES OF THE BOARD OF ELECTIONS) TO ADDRESS REVENUE SHORTFALLS AND AVOID A REDUCTION IN WORKFORCE**

**WHEREAS**, the Legislative Office of Budget Review projects that the County will experience a budgetary shortfall in 2012; and

**WHEREAS**, the County faces the prospect of employee layoffs and drastic service cuts to close this projected shortfall; and

**WHEREAS**, a "lag payroll", by which employees defer two week's salary until they leave County service, is preferable to layoffs; now, therefore be it

**1st RESOLVED**, that a lag payroll for employees in Bargaining Units 21 and 30, except those listed for Suffolk County Community College and the Board of Elections, is hereby authorized; and be it further

**2nd RESOLVED**, that the Department of Audit and Control is hereby authorized, empowered and directed to take all necessary steps to institute a two week "lag payroll" for Bargaining Units 21 and 30 (Management and Confidential employees, exclusive of Suffolk County Community College employees and Board of Elections employees) consistent with this resolution, deferring the equivalent of ten days of pay over 26 consecutive pay periods beginning with the first full payroll week in January, 2012; and be it further

**3rd RESOLVED**, that those employees who participate in the two week "lag payroll" as specified herein shall be entitled to receive reimbursement upon separation from employment with the County for such lagged time; and be it further

**4th RESOLVED**, that the reimbursement rate for such lag time shall be at the rate of pay at the time of his or her separation from the County, except that in the event an employee's rate of pay at the time of separation is less than it was at the time the lag payroll was imposed, the employee shall be reimbursed for the actual amount of wages withheld; and be it further

**5th 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: November 9, 2011

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED NOVEMBER 21, 2011

Intro. Res.

1458

Res. No.

862

November 9, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
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	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	13	1			4

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 ___

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

*Tim Laube*

Roll Call \_\_\_ Voice Vote \_\_\_

Tim Laube, Clerk of the Legislature

**RESOLUTION NO. 41 -2012, AUTHORIZING TECHNICAL CORRECTION TO RESOLUTION NO. 862-2011, INSTITUTING A LAG PAYROLL IN FISCAL YEAR 2012 FOR EMPLOYEES IN BARGAINING UNITS 21 AND 30**

**WHEREAS**, Resolution No. 862-2011 authorized a lag payroll for employees in Bargaining Units 21 and 30 (Management and Confidential Employees, exclusive of the Suffolk County Community College and employees of the Board of Elections) in 2012; and

**WHEREAS**, the Department of Audit and Control has requested technical changes to Resolution No. 862-2011 to ease the administration of the lag payroll; now, therefore be it

**1st RESOLVED**, that the 2<sup>nd</sup> RESOLVED clause of Resolution No. 862-2011 is hereby amended as follows:

**2nd RESOLVED**, that the Department of Audit and Control is hereby authorized, empowered and directed to take all necessary steps to institute a two week "lag payroll" for Bargaining Units 21 and 30 (Management and Confidential employees, exclusive of Suffolk County Community College employees and Board of Elections employees) consistent with this resolution, deferring the equivalent of ten days of pay over ~~[26]~~ 20 consecutive pay periods beginning with the ~~[first full payroll week]~~ second payroll in January, 2012; and be it further

and be it further

**2nd RESOLVED**, that all other provisions of Resolution No. 862-2011 shall remain in full force and effect; and be it further

**3rd 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.

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

DATED: February 7, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 2-21-2012

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 7, 2012 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*

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Clerk of the Legislature

Intro. Res.

1002

Res. No.

41

February 7, 2012

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
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3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
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13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, 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

Roll Call \_\_\_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature