

RESOLUTION NO. 543 -2011, ESTABLISHING STANDARD WORK DAY AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS

WHEREAS, the New York State Comptroller issued Regulation No. 315.4 (2 NYCRR 315.4) effective August 12, 2009 applicable to all local governments that have elected and appointed officials who are members of the New York State and Local Retirement System (“NYSLRS”), and the regulation enlarges the existing employer reporting requirements, and requires an official who is a member of the NYSLRS, but who is not included in the employer’s time keeping system, to prepare and submit to its employer a record of work day activities and the governing board of an employer participating in the NYSLRS to establish by formal resolution a standard work day for each elective or appointive position in order to ensure that the elected and appointed officials receive accurate service credit and retirement benefits; and

WHEREAS, 2 NYCRR 315.4 contains explicit items of information that must be included in such a resolution, and this resolution will satisfy those requirements; now, therefore be it

1st RESOLVED, that the following is adopted as Suffolk County’s standard work day and reporting resolution for the purpose of reporting days worked to the NYSLRS:

STANDARD WORK DAY AND REPORTING RESOLUTION

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer’s Time Keeping System	Days/ Month Based on Record of Activities
Elected Officials							
County Executive	Steve Levy			6.0	01/01/2008-12/31/2011	N	
County Clerk	Judith Pascale			6.0	01/01/2007-12/31/2010	N	
Comptroller	Joseph Sawicki			6.0	01/01/2007-12/31/2010	N	
County Treasurer	Angie Carpenter			6.0	01/01/2010-12/31/2013	N	
District Attorney	Thomas Spota			6.0	01/01/2010-12/31/2013	N	
Sheriff	Vincent DeMarcò			6.0	01/01/2010-12/31/2013	N	

Presiding Officer of the County Legislature	William Lindsay			6.0	01/01/2010-12/31/2011	N	
Deputy Presiding Officer of the County Legislature	Vivian Vilorio-Fisher			6.0	01/01/2010-12/31/2011	N	
County Legislator	Edward Romaine			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	Jay Schneiderman			6.0	01/01/2010-12/31/2011	N	
County Legislator	Kate Browning			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Muratore			6.0	01/01/2010-12/31/2011	N	
County Legislator	Sarah Anker			6.0	4/12/2011-12/31/2011	N	
County Legislator	Jack Eddington			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	Ricardo Montano			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Cilmi			6.0	01/01/2010-12/31/2011	N	
County Legislator	Thomas Barraga			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
County Legislator	John M. Kennedy, Jr.			6.0	01/01/2010-12/31/2011	N	
County Legislator	Lynne Nowick			6.0	01/01/2010-12/31/2011	N	
County Legislator	Wayne Horsley			6.0	01/01/2010-12/31/2011	N	
County Legislator	DuWayne Gregory			6.0	01/01/2010-12/31/2011	N	
County Legislator	Steven Stern			6.0	01/01/2010-12/31/2011	N	
County Legislator	Louis D'Amaro			6.0	01/01/2010-12/31/2011	N	

County Legislator	Jon Cooper			6.0	01/01/2010-12/31/2011	N	
-------------------	------------	--	--	-----	-----------------------	---	--

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: JUN 21 2011

APPROVED BY:
VETOED

County Executive of Suffolk County

Date: 7/7/11

****VETO OVERRIDE ADOPTED ON AUGUST 2, 2011****

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

RECEIVED
JUL 11 12 04
COUNTY CLERK
SUFFOLK COUNTY, N.Y.
C. VAUGHN

July 7, 2011

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. 543 – 2011, ESTABLISHING STANDARD WORK DAY
AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS.**

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **RESOLUTION NO. 543 – 2011, ESTABLISHING STANDARD
WORK DAY AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS;**
vetoed in its entirety.

Effective August 12, 2009 the New York State and Local Retirement System adopted new regulations to more clearly define the reporting requirements for elected and appointed officials. These changes included an expanded record of work activities, a more detailed standard work day resolution and specific time frames within which requirements must be completed.

I am vetoing Resolution 543 because I believe that this resolution does not adequately address the State requirements and establishes too short of a standard work day for elected officials.

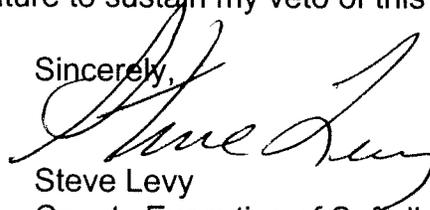
According to the Office of the State Comptroller, the governing board of a participating employer of an elected or appointed official shall establish, by resolution, a standard work day for each elective or appointive office or position. This resolution only addresses elected officials and does not address appointed officials with policy making authority, such as department heads, as required by regulation.

Also, State regulation gives the County Legislature flexibility to establish a standard workday of a minimum 6 hours to a maximum of 8 hours. Given that other employees of the county are required to work more than a 6 hour workday, I feel it's appropriate to ask our elected officials to meet similar standards.

Lastly, the resolution is also technically flawed as it does not accurately reflect all elected officials who are already receiving public pensions and are not eligible for further pension credits.

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
- Eric Naughton, Deputy County Executive for Finance and Management
- Ken Crannell, Deputy County Executive
- Connie Corso, Budget Director
- Eric Kopp, Assistant Deputy County Executive
- Dan Aug, Director of Communications
- Mark Smith, Deputy Director of Communications

Intro. Res.

1563

Res. No.

543

June 21, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
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	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	17	-	1	-	

MOTION

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 FAILED ___

No Motion ___ No Second ___

RESOLUTION DECLARED

ADOPTED

___ NOT ADOPTED

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote

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 Aug 2,2011 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.

1563

Res. No.

543

August 2, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneideman, 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	14	3	1		

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

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

Tim Laube

Roll Call Voice Vote _____