

**STRICKEN AS OF END OF YEAR 2011**

Intro. Res. No. 1970-2011  
Introduced by Legislator Romaine

Laid on Table 11/22/2011

**RESOLUTION NO. -2011, ADOPTING LOCAL LAW  
NO. -2011, A CHARTER LAW TO ENSURE APPROPRIATE  
REPRESENTATION OF THE TEN TOWNS ON THE SUFFOLK  
COUNTY PLANNING COMMISSION**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2011, a proposed local law entitled, "**A CHARTER LAW TO ENSURE APPROPRIATE REPRESENTATION OF THE TEN TOWNS ON THE SUFFOLK COUNTY PLANNING COMMISSION**"; now, therefore be it

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

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

**A CHARTER LAW TO ENSURE APPROPRIATE  
REPRESENTATION OF THE TEN TOWNS ON THE SUFFOLK  
COUNTY PLANNING COMMISSION**

**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 Planning Commission makes important land use decisions which impact a wide range of issues throughout Suffolk County, including environmental protection, population density, transportation, public health and economic growth.

This Legislature also finds and determines that the Planning Commission has a member appointed from each of the ten towns in Suffolk County to ensure that all communities are adequately represented. The County Executive appoints the Commission members subject to Legislative approval.

This Legislature further finds that past County Executives generally appointed the town members of the Commission based on recommendations from the Town Supervisors.

This Legislature further finds and determines that, as the elected executive of a town government, Supervisors are in a unique position to understand the qualities and background necessary for a candidate to best represent their town on the Planning Commission.

This Legislature determines that the County Executive should solicit recommendations from a Supervisor when filling his or her town's vacancy on the Planning Commission.

Therefore, the purpose of this law is to require the County Executive to solicit a recommendation from Town Supervisors when filling their towns' vacancies on the Planning Commission.

**Section 2. Amendment.**

Section C14-3 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**§ C14-3. Appointment of members of Planning Commission.**

- A. The members of the Planning Commission shall be appointed by the County Executive with the approval of the County Legislature. Prior to appointing a member to fill a town vacancy on the Commission, the County Executive shall solicit a recommendation for such vacancy from that Town's Supervisor. The County may accept or decline to appoint the person recommended by the Town Supervisor.
  
- B. Persons appointed by the County Executive to fill a town vacancy who have been recommended by their Town Supervisor shall require a simple majority vote of the County Legislature for confirmation. Persons appointed by the County Executive without the recommendation of their Town Supervisor shall require a two-thirds vote of the County Legislature for confirmation.

**Section 3. Applicability.**

This law shall apply to Planning Commission vacancies 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 its filing in the Office of the Secretary of State.

\_\_\_ Underlining denotes addition of new language.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: