Intro. Res. No. 1486-2012 Laid on Table 5/8/2012
Introduced by Legislator Schneiderman

RESOLUTION NO. 543 -2012, ADOPTING LOCAL LAW NO. 43 -2012, A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on May 8, 2012, a proposed local law entitled, "**A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE**;" now, therefore be it

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

LOCAL LAW NO. 43 -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO INCREASE THE MEMBERSHIP AND CLARIFY JURISDICTION OF THE GABRESKI AIRPORT CONSERVATION AND ASSESSMENT COMMITTEE

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 Resolution No. 214-2012 formally created and codified the Gabreski Airport Conservation and Assessment Committee. This Committee is authorized to review and make advisory recommendations regarding proposed licenses and leases at the airport.

This Legislature also finds and determines that it is necessary to make several technical changes to Resolution No. 214-2012 (codified at § A34-2 of the Suffolk County Administrative Code) to ensure the proper functioning of this advisory group.

Therefore, the purpose of this law is to amend Section A34-2 of the Suffolk County Administrative Code to add one member to the Gabreski Airport Committee and clarify the Committee's jurisdiction.

Section 2. Amendments.

Section A34-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended as follows:

§ A34-2. Gabreski Airport Conservation and Assessment Committee

A. There is hereby established a Gabreski Airport Conservation and Assessment Committee ("Committee") which shall be composed of the following [eight] nine members:

* * * *

7. the County Legislator representing the 2nd Legislative District or his or her designee.

B. With the exception of the Legislator or designee representing the 2nd Legislative District, all members of the Committee shall be appointed for a term of three (3) years. The Chairman shall be appointed by the Committee at its first meeting of the year.

C. The Department of Economic Development and Planning shall forward to the Committee all applications for leases, lease renewals, lease extensions, lease modifications, licenses, license renewals, license extensions and license modifications at Gabreski Airport, which have a term that exceeds 30 days duration, for review by the Committee. Upon completing its review of an application, the Committee shall make its findings and recommendations, which shall be advisory in nature.

* * * *

J. The Department of Economic Development and Planning shall not refer to the Committee subleases in the Hamptons Business and Technology Park which are permissible under, and consistent with, the terms and provisions of the underlying lease.

Section 3. Applicability.

This law shall apply to actions 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: June 19, 2012

APPROVED BY:

County Executive of Suffolk County

Date: 7-19-2012

After a public hearing duly held on July 3, 2012
Filed with the Secretary of State on August 13, 2012

Intro. Res. 1486 Res. No. 543 June 19, 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
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
9	Ricardo MONTANO	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
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	17	—	—	1	—

MOTION
X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature