

**RESOLUTION NO. 536 -2012, ADOPTING LOCAL LAW
NO. 42 -2012, A CHARTER LAW TO REAPPORTION
SUFFOLK COUNTY LEGISLATIVE DISTRICTS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on May 8, 2012, a proposed local law entitled, "**A CHARTER LAW TO REAPPORTION SUFFOLK COUNTY LEGISLATIVE DISTRICTS;**" and said local law in final form is the same as when presented and introduced; now, therefore be it

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

LOCAL LAW NO. 42 -2012, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO REAPPORTION SUFFOLK COUNTY
LEGISLATIVE DISTRICTS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature finds that population changes demonstrated by the 2010 official federal census make it necessary to reapportion County legislative districts.

This Legislature further finds that the County Legislature is empowered by the Suffolk County Charter to adopt a reapportionment plan.

This Legislature further finds that the reapportionment plan set forth herein conforms with all constitutional and statutory requirements in that it provides substantially equal representation for the voters of Suffolk County; provides substantially fair and effective representation for the people as organized in political parties; and creates districts that are of convenient and contiguous territory in as compact a form as is practicable.

Therefore, the purpose of this law is to adopt a reapportionment plan, as authorized by the Suffolk County Charter, for the County's legislative districts that ensures fair and equitable representation for all the people, constituencies and communities of Suffolk County.

Section 2. Amendments.

Section C21-4 of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows and Paragraph (B) of Section C21-4 is hereby repealed in its entirety and replaced with the following new Section C21-4(B) of the SUFFOLK COUNTY CHARTER:

Section C21-4. Legislative Districts.

A.) Intent.

- (1) It is intended that the County Legislative Districts herein provided shall result in a County Legislature which shall conform to the judicial and constitutional standards of equality of representation.
 - (2) It is further intended that the legislative districts herein described completely encompass all of the geographical area of Suffolk County, that they contain the total permanent population of Suffolk County as determined by the 2010 Official Decennial Census and that no legislative districts described herein shall include any geographical area of Suffolk County which is included within the description of any other district.
- B.) The County Legislative Districts, as set forth in the map attached hereto as Exhibit "A", are described, based on the official election districts on file in the Suffolk County Board of Elections, each of which election districts has an official map pursuant to § § 4-102 and 4-100(2) of the New York Election Law filed in the Office of the Suffolk County Board of Elections, as follows:
- 1.) District No. 1 shall consist of the Towns of Riverhead and Southold and that portion of the Town of Brookhaven represented by the following Election Districts: 9, 30, 31, 39, 40, 113, 141, 151, 154, 203, 227, 264, 265, 280, 281, 283, 290.
 - 2.) District No. 2 shall consist of the Towns of East Hampton, Southampton and Shelter Island and that portion of the Town of Brookhaven represented by the following Election Districts: 32, 272, 279.
 - 3.) District No. 3 shall consist of that portion of the Town of Brookhaven represented by the following Election Districts: 10, 26, 27, 28, 29, 38, 42, 46, 53, 67, 72, 73, 79, 80, 84, 104, 123, 139, 150, 156, 160, 184, 204, 207, 208, 213, 215, 228, 229, 234, 249, 266, 268, 269, 273, 274, 277, 278, 285, 287, 289, 291.
 - 4.) District No. 4 shall consist of that portion of the Town of Brookhaven represented by the following Election Districts: 13, 36, 43, 50, 54, 55, 58, 59, 71, 75, 76, 77, 78, 83, 85, 94, 99, 100, 106, 109, 120, 124, 125, 127, 130, 132, 133, 145, 146, 152, 157, 162, 174, 175, 176, 180, 183, 186, 206, 217, 230, 232, 235, 237, 238, 241, 242, 244, 250, 262, 276, 282, 294.
 - 5.) District No. 5 shall consist of that portion of the Town of Brookhaven represented by the following Election Districts: 1, 2, 3, 4, 5, 6, 7, 60, 61, 62, 86, 87, 88, 89, 90, 91, 95, 101, 102, 108, 110, 111, 112, 116, 117, 118, 121, 129, 134, 143, 147, 148, 161, 163, 165, 166, 170, 177, 178, 182, 191, 205, 209, 212, 223, 224, 225, 226, 233, 239, 251, 263, 288, 292.
 - 6.) District No. 6 shall consist of that portion of the Town of Brookhaven represented by the following Election Districts: 8, 33, 35, 37, 47, 63, 65, 66, 68, 93, 98, 122, 135, 136, 140, 153, 159, 167, 168, 169, 181, 185, 187, 188, 189, 190, 193, 195, 197, 198, 199, 201, 202, 216, 220, 236, 243, 245, 248, 252, 255, 256, 257, 258, 260, 267, 270, 284, 286, 293.

- 7.) District No. 7 shall consist of that portion of the Town of Brookhaven consisting of the following Election Districts: 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 41, 45, 49, 51, 52, 64, 69, 74, 82, 96, 97, 103, 115, 119, 128, 131, 137, 144, 149, 155, 171, 173, 192, 194, 196, 200, 210, 211, 214, 218, 240, 246, 247, 253, 254, 259, 261, 275.
- 8.) District No. 8 shall consist of that portion of the Town of Brookhaven consisting of the following Election Districts: 34, 48, 57, 107, 114, 138, 164, 271; and that portion of the Town of Islip represented by the following Election Districts: 18, 19, 20, 21, 23, 24, 37, 38, 39, 45, 52, 53, 61, 76, 78, 79, 81, 99, 101, 106, 116, 122, 126, 130, 131, 132, 137, 139, 140, 141, 144, 145, 155, 159, 161, 162, 165, 166, 172, 173, 179, 180, 201, 209, 216, 223.
- 9.) District No. 9 shall consist of that portion of the Town of Islip represented by the following Election Districts: 9, 16, 17, 29, 33, 36, 55, 59, 60, 63, 75, 77, 83, 85, 86, 96, 104, 113, 115, 117, 119, 124, 125, 150, 160, 168, 174, 175, 176, 181, 189, 194, 199, 200, 206, 207.
- 10.) District No. 10 shall consist of that portion of the Town of Islip represented by the following Election Districts: 10, 11, 13, 14, 22, 25, 30, 35, 40, 46, 49, 51, 54, 70, 71, 74, 87, 88, 91, 98, 100, 105, 108, 110, 112, 114, 118, 120, 128, 134, 135, 138, 142, 143, 149, 151, 152, 153, 154, 157, 158, 164, 177, 178, 182, 185, 187, 188, 191, 192, 197, 198, 202, 203, 213, 214, 215, 217, 218, 219, 220, 221, 222, 224, 225, 226; and that portion of the Town of Brookhaven represented by the following Election Districts: 44, 81, 231.
- 11.) District No. 11 shall consist of that portion of the Town of Islip represented by the following Election Districts: 1, 2, 3, 4, 5, 6, 7, 8, 12, 15, 26, 28, 31, 32, 34, 41, 42, 43, 47, 48, 50, 56, 57, 58, 62, 64, 65, 66, 67, 69, 80, 82, 89, 90, 97, 102, 103, 107, 109, 121, 123, 127, 129, 133, 136, 146, 147, 148, 163, 167, 170, 171, 183, 184, 186, 195, 196, 208, 210, 211, 212; and that portion of the Town of Babylon represented by the following Election Districts: 84, 99, 125, 148, 149.
- 12.) District No. 12 shall consist of that portion of the Town of Brookhaven represented by the following Election Districts: 12, 56, 70, 92, 105, 126, 142, 158, 172, 179, 219, 221, 222; and that portion of the Town of Smithtown represented by the following Election Districts: 5, 6, 10, 11, 13, 14, 16, 17, 19, 21, 22, 25, 28, 30, 34, 36, 37, 39, 41, 42, 45, 46, 48, 49, 51, 52, 53, 55, 58, 59, 62, 63, 65, 66, 67, 68, 69, 73, 75, 76, 77, 78, 80, 81, 86, 87, 89, 90, 91, 92.
- 13.) District No. 13 shall consist of that portion of the Town of Huntington represented by the following Election Districts: 17, 18, 19, 35, 39, 50, 57, 60, 66, 68, 74, 75, 86, 97, 103, 106, 115, 122, 127, 130, 142, 161, 169; and that portion of the Town of Smithtown represented by the following Election Districts: 1, 2, 3, 4, 7, 8, 9, 12, 15, 18, 20, 23, 24, 26, 27, 29, 31,

32, 33, 35, 38, 40, 43, 44, 47, 50, 54, 56, 57, 60, 61, 64, 70, 71, 72, 74, 79, 82, 83, 84, 85, 88.

- 14.) District No. 14 shall consist of that portion of the Town of Babylon represented by the following Election Districts: 1, 2, 3, 5, 6, 11, 13, 15, 16, 19, 20, 21, 22, 23, 24, 27, 32, 33, 41, 43, 49, 50, 51, 52, 54, 59, 61, 62, 64, 71, 75, 76, 77, 78, 83, 87, 88, 89, 91, 93, 94, 96, 101, 102, 104, 105, 107, 110, 111, 119, 121, 127, 128, 130, 131, 133, 142, 143.
- 15.) District No. 15 shall consist of that portion of the Town of Babylon represented by the following Election Districts: 7, 8, 9, 10, 12, 14, 17, 18, 25, 26, 28, 30, 31, 34, 35, 37, 39, 40, 42, 44, 48, 53, 56, 58, 63, 65, 66, 69, 70, 72, 74, 82, 92, 109, 113, 114, 115, 117, 122, 124, 129, 134, 135, 139, 140, 141, 144, 145, 146, 147, 150, 152, 153, 154.
- 16.) District No. 16 shall consist of that portion of the Town of Babylon represented by the following Election Districts: 4, 68, 97, 100, 118, 136; that portion of the Town of Huntington represented by the following Election Districts: 20, 21, 36, 41, 51, 52, 69, 76, 77, 78, 87, 91, 95, 98, 99, 100, 102, 105, 108, 117, 118, 120, 125, 131, 134, 135, 136, 137, 139, 144, 146, 147, 148, 157, 159, 165, 167, 170, 175; and that portion of the Town of Islip represented by the following Election Districts: 27, 44, 68, 72, 73, 84, 92, 93, 94, 95, 111, 156, 169, 190, 193, 204, 205.
- 17.) District No. 17 shall consist of that portion of the Town of Babylon represented by the following Election Districts: 29, 36, 38, 45, 46, 47, 55, 57, 60, 67, 73, 79, 80, 81, 85, 86, 90, 95, 98, 103, 106, 108, 112, 116, 120, 123, 126, 132, 137, 138, 151; and that portion of the Town of Huntington represented by the following Election Districts: 11, 12, 22, 23, 27, 33, 34, 42, 48, 56, 58, 59, 61, 62, 70, 71, 72, 79, 82, 83, 88, 92, 96, 101, 109, 133, 138, 143, 145, 151, 155, 162, 166, 171, 172, 176, 177, 178.
- 18.) District No. 18 shall consist of that portion of the Town of Huntington represented by the following Election Districts: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 24, 25, 26, 28, 29, 30, 31, 32, 37, 38, 40, 43, 44, 45, 46, 47, 49, 53, 54, 55, 63, 64, 65, 67, 73, 80, 81, 84, 85, 89, 90, 93, 94, 104, 107, 110, 111, 112, 113, 114, 116, 119, 121, 123, 124, 126, 128, 129, 132, 140, 141, 149, 150, 152, 153, 154, 156, 158, 160, 163, 164, 168, 173, 174

Section 3. Errors and Omissions.

If the districts described herein do not carry out the purposes thereof because of unintentional omissions, duplications, overlapping areas, erroneous nomenclature, lack of adequate maps or descriptions of political subdivisions, or other divisions thereof, or of their boundary lines, street closings, changes in names of streets, or other changes of public places, alteration of the boundary or courses of water or waterways, filling in of lands under water, accretion or other changes in shorelines, or alteration of courses, rights-of-way, or lines of public utilities or other conditions, the County Clerk shall, at the request of any person or candidate aggrieved thereby, by order, correct such omissions, overlaps, erroneous nomenclature, or

other defects in the description of districts so as to accomplish the purposes and objectives of this Charter law.

Section 4. Applicability.

The County Legislative Districts created by this law shall be filled at the general election to be held in the first odd numbered year subsequent to 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.

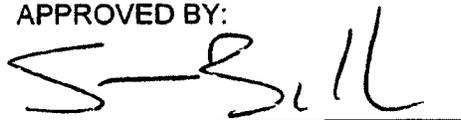
This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.13(d)(21) of the NEW YORK CODE OF RULES AND REGULATIONS (NYCRR) and within the meaning of Section 8-0109(2) of the NEW 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.

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 17, 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 June 19, 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

Clerk of the Legislature

Intro. Res.

1527

Res. No.

536

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	11	5	2	2	-

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
ADOPTED _____
NOT ADOPTED _____

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call Voice Vote _____