

Intro. Res. No. 1919-2012  
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 9/13/2012

**RESOLUTION NO. 961 -2012, ADOPTING LOCAL LAW  
NO. 1 -2013, A LOCAL LAW TERMINATING THE SUFFOLK  
COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on September 13, 2012, a proposed local law entitled, "**A LOCAL LAW TERMINATING THE SUFFOLK COUNTY PUBLIC EMPLOYMENT RELATIONS BOARD**;" 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. 1 -2013, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TERMINATING THE SUFFOLK COUNTY  
PUBLIC EMPLOYMENT RELATIONS BOARD**

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

**Section 1. Legislative Intent.**

This Legislature finds that in 1978 it established the Suffolk County Public Employment Relations Board pursuant to the authority granted to it by the New York Public Employees' Fair Employment Act (Article 14 of the New York Civil Service Law).

This Legislature further finds that the New York Public Employees Fair Employment Act permits local governments to establish provisions and procedures with respect to the determination of the representation status of employees' organizations and the resolution of disputes in the course of the collective negotiations with such organizations.

This Legislature further finds that the New York State Public Employment Relations Board performs identical functions as the local Public Employment Relations Boards and that, as a result, several local governments have terminated their Boards

This Legislature finds that in light of the fact that the same services are being provided by the New York State Public Employment Relations Board, it is in the best interest of the residents of Suffolk County to terminate the Suffolk County Employment Relation Board.

Therefore, the purpose of this legislation is to repeal Suffolk County Local Law No. 4-1978, as last amended by Suffolk County Local Law No. 4-1999 and currently codified as Section 68-6 of the Suffolk County Administrative Code.

**Section 2. Repeal**

Section 68-6 of Chapter 68 of the Suffolk County Administrative Code is hereby repealed in its entirety.

**Section 3. Procedures Relating to the Termination of the Suffolk County Public Employment Relations Board**

The Suffolk County Department of Labor is hereby directed to take any and all actions necessary to ensure the cessation of the functions and the applicability of the local provisions and procedures of Suffolk County Employment Relation Board, including providing public notice of the termination of the local Suffolk County Public Employment Relation Board.

**Section 4. Applicability**

This law shall apply to all actions occurring on or after 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.**

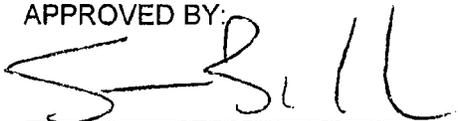
This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning 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 7. Effective Date.**

Pursuant to Section 203.6 of Title IV of the New York Rules and Regulations, this law shall not take effect until 60 days after filing a duly certified copy of this law with the New York State Public Employment Relations Board and upon filing in the Office of the Secretary of State.

DATED: November 20, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 12-11-2012

After a public hearing duly held on December 5, 2012  
Filed with the Secretary of State on January 14, 2013

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 November 20, 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. 1919

Res. No. 961

November 20, 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	15	1	1	2	

**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