

Intro. Res. No. 1693-2013
Introduced by Presiding Officer, on request of the County Executive

Laid on Table 7/30/2013

**RESOLUTION NO. 870 -2013, ADOPTING LOCAL LAW
NO. 40 -2013, A CHARTER LAW TO ACCELERATE
LEGISLATIVE CONSIDERATION OF RESOLUTIONS TO
ACCEPT AND APPROPRIATE GRANT FUNDS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on July 30, 2013 a proposed local law entitled, "**A CHARTER LAW TO ACCELERATE LEGISLATIVE CONSIDERATION OF RESOLUTIONS TO ACCEPT AND APPROPRIATE GRANT FUNDS**";

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

LOCAL LAW NO. 40 -2013, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO ACCELERATE LEGISLATIVE
CONSIDERATION OF RESOLUTIONS TO ACCEPT AND
APPROPRIATE GRANT FUNDS**

**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 County and its Agencies and Departments routinely apply for and receive grant funding from the state and federal government.

This Legislature further finds and determines that the period of time between an initial grant application and the County's acceptance and appropriation of grant funding is often lengthy.

This Legislature further finds that the New York State Comptroller has recently warned that a municipality's failure to timely process grant awards may result in forfeiture of said awards.

This Legislature further determines that it is necessary for the County to take appropriate steps to shorten the time period between the initial application for grant funding and the acceptance and appropriation of funds awarded in order to mitigate the risk of forfeiture.

Therefore, the purpose of this law is to amend the SUFFOLK COUNTY CHARTER to expedite the acceptance and appropriation of grant funding by permitting immediate legislative consideration of resolutions to accept and appropriate grant funds.

Section 2. Amendments.

Article II of the SUFFOLK COUNTY CHARTER is hereby amended to read as follows:

**Article II.
County Legislature**

§ C2-12. Legislative consideration of proposed local laws and resolutions.

- A. Immediate consideration may be given to a home rule message or any resolution which relates to the following: the annual adoption of the capital budget and program; the annual adoption of the operating budget; approving a Community College budget total; levying taxes, assessments, water rents, sewer rents and charges; approving assessment rolls and tax warrants; the acceptance and appropriation of grant funds; and approving the return of fund balances to taxpayers pursuant to Local Law No. 21-1983. Otherwise, no proposed local law or resolution may be enacted until it shall have been in its final form and laid on the table at a regular or special meeting of the County Legislature at least seven calendar days, exclusive of Sunday, prior to its final passage, unless the County Executive certifies in writing, which certificate shall state the specific reason(s) as to the necessity for its immediate passage, in which case such legislation may be passed only by the affirmative vote of 2/3 of the total membership of the County Legislature. The substance of the aforementioned stated specific reason(s) shall not constitute the basis for the Legislature to refuse to consider or entertain such certificate of necessity.

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 effect, 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 judgment or order shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environment 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) 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 not take effect until at least sixty (60) days after its adoption, nor until approved by the affirmative vote of a majority of the qualified electors of the County of Suffolk voting on a proposition for its approval if within sixty (60) days after its adoption there is filed with the Clerk of the County Legislature a petition protesting against this law in conformity with the provisions of Section 34(4) of the NEW YORK MUNICIPAL HOME RULE LAW and upon filing in the Office of the Secretary of State.

___ Underlining denotes addition of new language.

DATED: October 8, 2013

APPROVED BY:

/s/ Dennis M. Cohen
Chief Deputy County Executive of Suffolk County

Date: November 6, 2013

After a public hearing duly held on October 23, 2013
Filed with the Secretary of State on November 22, 2013