

Introduced by Presiding Officer, on request of the County Executive and Legislator Calarco

RESOLUTION NO. 515 -2014, AMENDING THE 2014 OPERATING BUDGET, TRANSFERRING FUNDS WITHIN THE TRAFFIC AND PARKING VIOLATIONS AGENCY AND AUTHORIZING THE REFUND OF ADMINISTRATIVE FEES IN ACCORDANCE WITH LOCAL LAW NO. 6-2014

WHEREAS, Resolution No. 1230-2013 (Local Law No. 6-2014), *A Local Law Amending Local Law No. 38-2013 To Clarify The Fee Structure For The Traffic And Parking Violations Agency*, was adopted on December 17, 2013; and

WHEREAS, Local Law No. 6-2014 amended Section 2 of Local Law No. 38-2013 and established that “[n]o fee shall be collected from any person who cannot be fined pursuant to New York State Vehicle and Traffic Law §§ 319, 376-a, 401, or 509 or who is found not guilty of committing a violation following an Agency hearing;” and

WHEREAS, it was also determined a refund of the proscribed fee would be made to any person who had previously paid such fee; and

WHEREAS, a review was conducted by the County Controller’s Office to determine the amount of administrative fees to be refunded; and

WHEREAS, it was found that the amount of \$263,950 was due to 4,663 persons; and

WHEREAS, sufficient funds exist to transfer funds within the Suffolk County Traffic and Parking Violations Agency budget in the 2014 Operating Budget to grant the \$263,950 in refunds; now, therefore be it

1st RESOLVED, that the 2014 County Operating Budget is hereby amended as follows and the County Controller and the County Treasurer be and they hereby are authorized to transfer the following funds and authorizations:

APPROPRIATIONS:

FROM:

Fund	Dept.	Unit	Object	Object Name	Amount
136	TVB	1130	3500	Other:Unclassified	\$263,950

To:

Fund	Dept.	Unit	Object	Object Name	Amount
136	TVB	1130	4752	Traffic Violation Agency Refunds	\$263,950

and be it further

2nd **RESOLVED**, that it shall be the policy of the County to refund to any person or entity who previously paid the fee now proscribed by Local Law No. 6-2014, and the County Executive, County Comptroller and/or the County Treasurer and/or their respective designees are hereby authorized, empowered and directed to implement this policy and to pay with alacrity such refunds to any person or entity who previously paid the fee now proscribed by Local Law No. 6-2014; and

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that this resolution 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 of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

[] Brackets denote deletion of language.

DATED: June 17, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: July 3, 2014