

**RESOLUTION NO. 116 -2017, TO CONFIRM AND APPROVE  
PROMOTION OF ELAINE BARRAGA**

**WHEREAS**, the appointment of Elaine Barraga to the Department of Law was confirmed via Legislative Resolution No. 743-2010 on August 3, 2010; and

**WHEREAS**, although Legislative Resolution No. 743-2010 confirmed appointment as a principal assistant county attorney, she was hired as a senior assistant county attorney; and

**WHEREAS**, having served with excellence since appointment, she has been promoted three times under two administrations from Senior Assistant County Attorney to Principal Assistant County Attorney on July 1, 2011, to Deputy Bureau Chief on June 14, 2013 and to Bureau Chief on December 19, 2016; and

**WHEREAS**, Elaine Barraga is related to another County official, Legislator Thomas F. Barraga; and

**WHEREAS**, Subsection A6-3(B) of the Suffolk County Administrative Code provides that whenever the County of Suffolk desires to promote a person who is a relative of another County official as defined therein, for a position not being filled pursuant to New York Civil Service Law competitive examinations, then such hiring or promoting shall not be effective unless or until it is approved by a resolution of the Suffolk County Legislature; and

**WHEREAS**, Subsection A6-3(D) of the Suffolk County Administrative Code provides that a County Executive; a County Legislator; any other elected official or official appointed to an elected County position or any department head with the power to hire, fire or promote; all Chief Deputy County Executives and Deputy County Executives; and all commissioners and deputy commissioners of County departments who have a relative hired or promoted in accordance with Subsection A6-3(B) of the Suffolk County Administrative Code shall file a verified statement with the Clerk of the County Legislature and the Suffolk County Board of Ethics, on January 31 of each year, identifying any relative hired or promoted in the prior calendar year in accordance with the provisions of Subsection A6-3(B) of the Suffolk County Administrative Code; and

**WHEREAS**, due to an oversight (unbeknownst to Elaine Barraga), resolutions to approve the promotions of Elaine Barraga within the Department of Law pursuant to Subsection A6-3(B) of the Suffolk County Administrative Code were not timely introduced to the Suffolk County Legislature at the time of her respective promotions; and

**WHEREAS**, due to an oversight (unbeknownst to Elaine Barraga), the documentation required by Section A6-3(D) of the Suffolk County Administrative Code was not filed timely; and

**WHEREAS**, based on her experience and qualifications, Elaine Barraga was and is well-qualified for the promotions received and positions held then and now; and

**WHEREAS**, the purpose of this resolution is to correct the above oversights by approving now as if approved then, the promotions of Elaine Barraga to the positions of senior assistant county attorney, deputy bureau chief and bureau chief, authorizing and directing the documentation required by Section A6-3 of the Suffolk County Administrative Code to be accepted for filing retroactively, and deeming such filings to be timely; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that the promotions of Elaine Barraga to the positions of principal Assistant County Attorney, Deputy Bureau Chief and Bureau Chief are each hereby now approved just as if approved at the time of each promotion pursuant to Subsection A6-3(B) of the Suffolk County Administrative Code; and be it further

**2<sup>nd</sup>** **RESOLVED**, that the above approvals of Elaine Barraga's promotions by this resolution shall be retroactive to July 1, 2011 (the initial date of promotion from Senior Assistant County Attorney to Principal Assistant County Attorney), to June 14, 2013 (the initial date of promotion from Principal County Attorney to Deputy Bureau Chief) to December 19, 2016 (the initial date of promotion from Deputy Bureau Chief to Bureau Chief) and that such resolutions shall be deemed timely and in full compliance with Subsection A6-3(B) of the Suffolk County Administrative Code by the County of Suffolk in order to make each respective promotion effective as of July 1, 2011 (the initial date of promotion from Senior Assistant County Attorney to Principal Assistant County Attorney), June 14, 2013 (the initial date of promotion from Principal County Attorney to Deputy Bureau Chief), and December 19, 2016 (the initial date of promotion from Deputy Bureau Chief to Bureau Chief); and be it further

**3<sup>rd</sup>** **RESOLVED**, that the Suffolk County Department of Civil Service, the Clerk of the County Legislature, and the Suffolk County Board of Ethics are hereby authorized, directed and empowered to accept for filing the appropriate documentation required by Subsections A6-3(C) and A6-3(D) of the Suffolk County Administrative Code; and be it further

**4<sup>th</sup>** **RESOLVED**, that the document filings authorized by this resolution shall be retroactive to the dates required by Section A6-3 of the Suffolk County Administrative Code and shall be deemed timely and in full compliance with Section A6-3 of the Suffolk County Administrative Code by the County of Suffolk; and be it further

**5<sup>th</sup>** **RESOLVED**, that the acceptance for retroactive filing of the documentation required by Subsections A6-3(C) and A6-3(D) of the Suffolk County Administrative Code shall be conclusive evidence of the authorization and direction thereof by this Legislature; and be it further.

**6<sup>th</sup>** **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. 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 resolution.

DATED: March 7, 2017

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: March 13, 2017