

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1257-2013**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1257-2013

**RESOLUTION NO. -2013, ADOPTING LOCAL LAW NO. -
2013, A LOCAL LAW TO AMEND REQUIREMENTS FOR
CONTRACT AGENCY FUNDING**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1257-2013, BECAUSE THERE WAS NEVER
AN INTENTION ON THE PART OF THE ADMINISTRATION TO
INADVERTENTLY SEQUESTER ALL OF THE FUNDS INTENDED TO FLOW TO
CONTRACT AGENCIES WHOSE CONTRACTS WERE FOR THE MINIMUM OF
FIVE THOUSAND DOLLARS.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 7th DAY OF
MAY, 2013.**



**JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE**

RECEIVED
SUFFOLK COUNTY, N.Y.
LEGISLATURE
MAYOR

2013 MAY - 7 A 10: 18

RECEIVED

**RESOLUTION NO. -2013, ADOPTING LOCAL LAW
NO. -2013, A LOCAL LAW TO AMEND REQUIREMENTS FOR
CONTRACT AGENCY FUNDING**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2013, a proposed local law entitled, "**A LOCAL LAW TO AMEND REQUIREMENTS FOR CONTRACT AGENCY FUNDING**;" now, therefore be it

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

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

**A LOCAL LAW TO AMEND REQUIREMENTS FOR CONTRACT
AGENCY FUNDING**

**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 Local Law No. 13-2007 established guidelines and requirements for County contracts with not-for-profit human service providers.

This Legislature further finds that Local Law No. 13-2007, now codified at Chapter 189, Article VIII, of the SUFFOLK COUNTY CODE, established a minimum contract amount of \$5,000 to avoid a proliferation of small contracts, to reduce unnecessary paperwork and to streamline the delivery of County services.

This Legislature determines that the minimum \$5,000 contract requirement was suspended in 2012 to allow smaller funding amounts to reach contract agencies serving Suffolk County residents.

This Legislature also determines that while the \$5,000 minimum contract requirement helps promote efficiency, some flexibility should be built into the law to allow this Legislature to deal with exceptional circumstances on a case-by-case basis.

Therefore, the purpose of this local law is to authorize the County of Suffolk to waive the minimum \$5,000 contract requirement for not-for-profit agencies by the enactment of a resolution approved by a super-majority vote of the County Legislature.

Section 2. Amendments.

Chapter 189 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 189. PURCHASING AND CONTRACTS

* * * * *

Article VIII. Guidelines and Requirements for Contract Agencies

* * * *

§ 189-41. Requirements.

- A. All County contracts with contract agencies shall be for an amount of at least \$5,000 unless a lower amount is authorized by a resolution of the County of Suffolk duly approved by a two-thirds (2/3) vote of the County Legislature. This requirement shall not apply to contracts funded through Sub-object 4981 of the County Operating Budget and administered by the Suffolk County Legislature. [This requirement shall not apply in fiscal year 2012.]

* * * *

Section 3. Applicability.

This law shall apply to contracts entered into with contract agencies on or after the effective date of the 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 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 5. 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 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

- [] Brackets denote deletion of existing language
- ___ Underlining denotes addition of new language

1257

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
email: george.nolan@suffolkcountyny.gov



WILLIAM H. ROGERS BUILDING
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

DATE: APRIL 18, 2018

TO: CLERK OF THE COUNTY LEGISLATURE

RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; LOCAL LAW TO AMEND REQUIREMENTS FOR CONTRACT AGENCY FUNDING

SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 3/21/13 **PUBLIC HEARING:** 5/7/13

DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

Chapter 189 of the SUFFOLK COUNTY CHARTER currently requires that all County contracts with "contract agencies"¹ be for an amount of at least \$5,000. This law would authorize contracts below \$5,000 if authorized by a supermajority vote of two-thirds of the County Legislature.

This law will take effect immediately upon its filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-contract agency funding

¹ Contract Agency is defined as any not-for-profit corporation or entity with which the County of Suffolk contracts to render human services directly to the residents of Suffolk County, including services related to health, welfare/social services, parks/recreation, economic development, cultural affairs, veterans' affairs, handicapped programs, public safety, youth, aging, senior citizens' programs, minority affairs, women's affairs, labor/employment services and education.

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION
OF INTRODUCTORY RESOLUTION NO. 1315-2013**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1315-2013

**RESOLUTION NO. -2013, ESTABLISHING A "DISCOVER
SUFFOLK COUNTY PARKS DAY" ON JUNE 27, 2013**

**WHEREAS, IT IS ESSENTIAL THAT SAID INTRODUCTORY
RESOLUTION BE CONSIDERED IMMEDIATELY,**

**NOW, I, JONATHAN SCHNEIDER, DEPUTY SUFFOLK COUNTY
EXECUTIVE CERTIFY PURSUANT TO ARTICLE II, SECTION 2-12(A), AND
ARTICLE III, SECTION 3-9 OF THE SUFFOLK COUNTY CHARTER, THAT
THERE EXISTS A NEED FOR THE IMMEDIATE CONSIDERATION OF
INTRODUCTORY RESOLUTION NO. 1315-2013, BECAUSE IMMEDIATE
ADOPTION IS NEEDED TO PROVIDE ENOUGH TIME TO PROPERLY
ADVERTISE THE PROGRAM AND PROVIDE AS MUCH OPPORTUNITY AS
POSSIBLE TO ENSURE THE SUCCESS OF THIS PILOT PROGRAM.**

**IN WITNESS THEREOF, I HAVE HERewith SET MY HAND AND
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 7th DAY OF
MAY, 2013.**



JONATHAN SCHNEIDER
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED
2013 MAY -7 PM 3:30
PRESIDING OFFICER
SUFFOLK COUNTY LEGISLATURE
SUFFOLK COUNTY, NY

**RESOLUTION NO. -2013, ESTABLISHING A "DISCOVER
SUFFOLK COUNTY PARKS DAY" ON JUNE 27, 2013**

WHEREAS, during these challenging economic times, many County residents are staying on Long Island instead of vacationing elsewhere during the summer months; and

WHEREAS, the County has a vast network of parks available to the public so they can enjoy the natural beauty of Long Island; and

WHEREAS, all County parks have parking fees for access; and

WHEREAS, residents who do not possess a valid Green Key card, pay non-resident card holder rates; and

WHEREAS, in order to attract new park patrons and publicize the attributes of the County's park system, the County should offer a discounted admission fee to County parks for one day only; now, therefore be it

1st RESOLVED, that June 27, 2013 is designated "Discover Suffolk County Parks Day"; and be it further

2nd RESOLVED, that the Department of Parks, Recreation and Conservation is hereby authorized, empowered and directed to reduce the non-resident vehicle use fees for parks with lifeguards and parks without lifeguards by approximately 50% on June 27, 2013 to reflect current resident Green Key card holder rate; and be it further

3rd RESOLVED, that the Department of Parks, Recreation and Conservation is further directed to publicize "Discover Suffolk County Parks Day" via the departmental website and through press releases; and be it further

4th RESOLVED, that the average non-resident vehicle fee collected at the parks covered in the pilot program for the previous 5 years when June 27th did not fall on a weekend was \$8,040; and be it further

5th RESOLVED, that while this is a pilot program intended to generate increased revenue due to increased interest, if it does not generate the average non-Green Key Card revenue collected over the previous 5 years (excluding weekends), the loss will be covered by using the following offset; and be it further

6th RESOLVED, that adequate surplus appropriations exist within the Legislature's permanent salaries line (001-LEG-1010-1100), at least a portion of which is attributable to a temporary vacancy in Legislator Schneiderman's Office, to offset any potential reductions in revenue from discounting non-resident vehicle fees on "Discover Suffolk County Parks Day"; and be it further

7th **RESOLVED**, that the Department of Parks, Recreation and Conservation will advise this Legislature and the County Executive whether "Discover Suffolk County Parks Day" achieved its goals by a written report no later than September 30, 2013; and be it further

8th **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), (21) and (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, and 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:

APPROVED BY:

County Executive of Suffolk County

Date:

Amended 5/03/2013

Statement of Financial Impact on Proposed Suffolk County Legislation

IR Number: 1315

IR Year: 2013

Introduced By: Jay Schneiderman

Title of Proposed Resolution:

Establishing a "Discover Suffolk County Parks Day" on June 27, 2013.

Purpose and Intent of Proposed Legislation:

This resolution serves to establish a "Discover Suffolk County Parks Day" on June 27, 2013 in order to attract new park patrons and publicize the attributes of the County's park system by reducing the non-resident vehicle use fees for parks with lifeguards and parks without lifeguards by approximately 50% on that day to reflect current resident Green Key card holder rates.

Detailed Explanation of Fiscal Impact:

- The non-resident vehicle use fee daily parking rate for parks with lifeguards is currently \$15 and for parks without lifeguards is \$13. The current Green Key card holder rate for vehicle use fee daily parking are \$8 for parks with lifeguards and \$6 for parks without lifeguards.
- Assuming no additional attendance, the fiscal impact to the County would be approximately a 50% reduction to the particular fee revenues collected on June 27, 2013 for which the precise dollar amount is indeterminate.
- The resolution provides an offset (001-LEG-101-1100) with adequate surplus appropriations in the event this action negatively impacts revenue collections.
- The average non-resident vehicle fees for daily parking collected at the parks covered in the pilot program for the previous 5 years when June 27th did not fall on a weekend was \$8,040
- The extent to which the lower fee encourages additional attendance, the revenue loss would be partially offset.
- Non-resident vehicle daily parking utilization on June 27, 2013 would need to increase approximately 100% for this action to be considered revenue neutral to the County.

If applicable, what is the comparison cost if this is undertaken in-house, compared to an outside contractor or vendor?

N/A

Total Financial Cost and timing over five years on each affected political or other subdivision:

Indeterminate

Proposed Source of Funding:

N/A

Total Estimated Financial Impact on all Funds, tax rates, and property tax:

Nominal positive General Fund impact possible

Total Estimated Financial Impact on Suffolk County's economy including the impact on goods or services, economic development, small business activity, employment opportunities and overall business activity:

Nominal

Authorized Signature

Date Completed

05/03/2013

Analyst Code

RD/RL

**Robert Lipp, Acting Director
Budget Review Office**