

1R 1486

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a local law entitled "A CHARTER LAW AMENDING ARTICLE XXXII RELATING TO THE TERM OF OFFICE OF THE MEDICAL EXAMINER" has been introduced in the Suffolk County Legislature.

This proposed law would amend the Suffolk County Charter and supersede provisions of New York Public Officers Law and County Law to authorize the County Executive and County Legislature to appoint a Medical Examiner to a full six-year term whenever the Medical Examiner's office becomes vacant.

NOTICE IS FURTHER GIVEN that the County Legislature will hold a public hearing in the Rose Y. Caracappa Auditorium of the Suffolk County Legislature, in the William H. Rogers Building, Hauppauge, New York, on the 13<sup>th</sup> day of May, 2014, at 2:30 P.M.

It is requested that speakers prepare a written statement to submit for the record.

Tim Laube  
Clerk of the County Legislature

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. 1486 - 2014**

**WHEREAS, INTRODUCTORY RESOLUTION NO. 1486 – 2014**

**RESOLUTION NO. Adopting Local Law No. -2014, A  
Charter Law amending Article XXXII relating to the  
term of Office of the Medical Examiner.**

**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. 1486 – 2014, BECAUSE THE  
IMMEDIATE ADOPTION OF THIS LEGISLATION IS NECESSARY TO CLARIFY  
THE TERM OF OFFICE WITH RESPECT TO THE FILLING OF VACANCIES IN  
THE OFFICE OF MEDICAL EXAMINER. SUCH ACTION WILL PROVIDE  
STABILITY APPROPRIATE TO THE POSITION AND HELP FACILITATE THE  
SECURING OF QUALIFIED CANDIDATES.**

**IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND  
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS  
13<sup>TH</sup> DAY OF MAY, 2014.**

  
\_\_\_\_\_  
**JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE**

**RECEIVED**  
**2014 MAY 13 A 9 45**  
**COUNTY LEGISLATURE**  
**SUFFOLK COUNTY, N.Y.**  
**HAUPTAUSSCHUSS**

**RESOLUTION NO. -2014, ADOPTING LOCAL LAW  
NO. -2014, A CHARTER LAW AMENDING ARTICLE XXXII  
RELATING TO THE TERM OF OFFICE OF THE MEDICAL  
EXAMINER**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a regular meeting held on , 2014, a proposed local law entitled, "**A CHARTER LAW AMENDING ARTICLE XXXII RELATING TO THE TERM OF OFFICE OF THE MEDICAL EXAMINER**"; 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:

**A CHARTER LAW AMENDING ARTICLE XXXII RELATING TO THE  
TERM OF OFFICE OF THE MEDICAL EXAMINER**

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

**Section 1. Legislative Intent.**

This Legislature finds and determines that the Office of the Chief Medical Examiner has been vacant since approximately September, 2013.

This Legislature further finds and determines that it is has been difficult to recruit a new Chief Medical Examiner and other medical professionals to the Office of the Medical Examiner. The County has had to significantly increase the compensation package to attract applicants for the position of Chief Medical Examiner. Similar upward adjustments in compensation also had to be made to attract medical professionals to staff other positions within the Office of the Medical Examiner.

This Legislature further finds and determines after a nationwide search for a Chief Medical Examiner, a qualified professional was found to hold the Office of Chief Medical Examiner but only upon condition of a higher compensation package and appointment to a full 6 year term.

This Legislature further finds that the Office of Chief Medical Examiner is a local office and that under the home rule powers vested in the County, the term of the Office of the Chief Medical Examiner was set for a 6 year term, however, no provision was made relating to filling a vacancy when the Office becomes vacant other than by expiration of the term.

Therefore, the purpose of this law is to amend the Charter relating to the term of office for the Office of the County Medical Examiner to provide for filling of vacancies when the Office becomes vacant other than by expiration of the term so that a new appointee can be appointed to fill a full 6 year term.

**Section 2. Amendment.**

Section 32-1 of the Suffolk County Charter is hereby amended as follows:

**Article XXXII.**  
**Office of the Medical Examiner**

§ C32-1. Office of the Medical Examiner established.

\*\*\*\*

**B.** The head of the Office of the Medical Examiner shall be the Chief Medical Examiner, who shall be appointed by the County Executive for a six-year term, subject to the confirmation of the County Legislature. The Chief Medical Examiner shall be a physician licensed to practice medicine in the State of New York and shall be a qualified pathologist and possess an adequate knowledge of forensic medicine. Notwithstanding the provisions of Public Officer's Law § 38 and County Law § 400, if the office of Chief Medical Examiner becomes vacant other than by expiration of term, the vacancy shall be filled by appointment by the County Executive for a six-year term, subject to the confirmation of the County Legislature.

**Section 3. Applicability.**

This local law shall apply to all 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 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) 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. 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.

\_\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date:

**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:** MAY 8, 2014

**TO:** CLERK OF THE COUNTY LEGISLATURE

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

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**PROPOSED LOCAL LAW YEAR 2014**

**TITLE:** I.R. NO. -2014; A CHARTER LAW AMENDING ARTICLE XXXII RELATING TO THE TERM OF OFFICE OF THE MEDICAL EXAMINER

**SPONSOR:** PRESIDING OFFICER, ON THE REQUEST OF THE COUNTY EXECUTIVE

**DATE OF RECEIPT BY COUNSEL:** 5/8/14      **PUBLIC HEARING:** 6/3/14

**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_      **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

This proposed charter law would supersede provisions of New York Public Officers Law and County Law and authorize the County Executive and County Legislature, in the event of a vacancy occurring in the Office of Medical Examiner in the middle of a term, to fill the vacancy with the appointment of a new Medical Examiner to a full six year term.

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-medical examiner

1486

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

<b>1. Type of Legislation</b> Resolution <input checked="" type="checkbox"/> Local Law <input type="checkbox"/> Charter Law <input type="checkbox"/>		
<b>2. Title of Proposed Legislation</b>  ADOPTING LOCAL LAW NO. -2014, A CHARTER LAW AMENDING ARTICLE XXXII RELATING TO THE TERM OF OFFICE OF THE MEDICAL EXAMINER		
<b>3. Purpose of Proposed Legislation</b>  To amend the Charter relating to the term of office for the Office of the County Medical Examiner to provide for filling of vacancies when the Office becomes vacant other than by expiration of the term so that a new appointee can be appointed to fill a full six year term.		
<b>4. Will the Proposed Legislation Have a Fiscal Impact?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<b>5. If the answer to item 4 is "yes", on what will it impact?</b> (circle appropriate category)		
<input checked="" type="checkbox"/> County  <input type="checkbox"/> Village  <input type="checkbox"/> Library District	<input type="checkbox"/> Town  <input type="checkbox"/> School District  <input type="checkbox"/> Fire District	<input type="checkbox"/> Economic Impact  <input type="checkbox"/> Other (Specify):
<b>6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact</b>  		
<b>7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.</b>  N/A		
<b>8. Proposed Source of Funding</b>  N/A		
<b>9. Timing of Impact</b> Upon approval		
<b>10. Typed Name &amp; Title of Preparer</b>  Beth A. Reynolds Assistant Budget Director	<b>11. Signature of Preparer</b>  	<b>12. Date</b>  05/06/14

**CERTIFICATE OF NECESSITY FOR THE IMMEDIATE CONSIDERATION  
OF INTRODUCTORY RESOLUTION NO. 1402 - 2014**

WHEREAS, INTRODUCTORY RESOLUTION NO. 1402 - 2014

**RESOLUTION NO. -2014, APPROPRIATING  
FUNDS IN CONNECTION WITH THE HEALTH  
AND SPORTS FACILITY - EASTERN CAMPUS (CP  
2120)**

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. -2014, BECAUSE THIS RESOLUTION  
AFFECTS A TIME-SENSITIVE PROJECT AND THERE IS NO OTHER  
MECHANISM TO AMEND AND ACT UPON THIS RESOLUTION TODAY.

IN WITNESS THEREOF, I HAVE HEREWITH SET MY HAND AND  
CAUSED TO BE AFFIXED THE SEAL OF SUFFOLK COUNTY THIS 13<sup>th</sup> DAY OF  
MAY 2014.

  
\_\_\_\_\_  
JONATHAN SCHNEIDER  
DEPUTY SUFFOLK COUNTY EXECUTIVE

RECEIVED  
2014 MAY 13 P 2:29  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, N.Y.  
HAUPPAUGE



<u>Project No.</u>	<u>JC</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-2120.310	30	Construction for the Health and Sports Facility - Eastern Campus	\$7,375,000
525-CAP-2120.510	30	Furniture and Equipment for the Health and Sports Facility - Eastern Campus	\$1,000,000

DATED:

APPROVED BY:

\_\_\_\_\_  
 County Executive of Suffolk County

Date:

# S U F F O L K

## C O M M U N I T Y C O L L E G E

OFFICE OF THE PRESIDENT • 533 COLLEGE ROAD • SELDEN, NEW YORK 11784-2899

1402

BOARD OF TRUSTEES MEETING

AUGUST 26, 1994

RESOLUTION NO. 94.145 ISSUING A NEGATIVE SEQRA DECLARATION UPON THE REVIEW OF THE COMPREHENSIVE MASTER PLAN - COLLEGE-WIDE

WHEREAS, the Board of Trustees has been granted authority to issue SEQRA determinations under the Plan C agreement between Suffolk County and the College, and

WHEREAS, a coordinated SEQRA review among involved agencies, with the Board of Trustees as lead agency, was conducted under the provisions of Part 617, Article 8 (State Environmental Quality Review Act), of the Environmental Conservation Law, and

WHEREAS, this review has indicated that the implementation and construction of the Comprehensive Master Plan - College-wide will not have a significant effect on the environment, be it therefore

RESOLVED, that the Board of Trustees hereby issues a Negative SEQRA Declaration for the Comprehensive Master Plan - College-wide.

s/s Charles Lauer  
Secretary



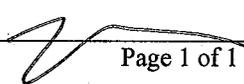
**EASTERN CAMPUS**  
Speonk-Riverhead Road  
Riverhead, N.Y. 11901  
(516) 548-2500

**AMMERMAN CAMPUS**  
533 College Road  
Selden, N.Y. 11784  
(516) 451-4110

**WESTERN CAMPUS**  
Crooked Hill Road  
Branford, N.Y. 11717  
(516) 434-6700

1402

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
Appropriating funds in connection with the Health and Sports Facility – Eastern Campus (CP2120)		
3. Purpose of the Proposed Legislation		
To appropriate funds necessary for the continuation and or completion of the project.		
4. Will the Proposed Legislation have a fiscal impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate Category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 4 is "yes", provide detailed explanation of impact.		
Appropriation of funds for Capital Project 2120.		
7. Total Financial cost of funding over 5 years on each affected political or other subdivision.		
8. Proposed source of funding		
County Serial Bonds and State Aid		
9. Timing of impact		
10. Typed Name and Title of Preparer	11. Signature of Preparer	12. Date
Jon DeMaio		April 4, 2014



Central Administration - Capital Projects/Facilities Department

April 4, 2014

Jon Schnieder  
Deputy County Executive  
H. L. Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Re: Proposed Capital Budget Resolution

Dear Mr. Schnieder:

The College respectfully requests that the proposed resolution enclosed herein be introduced at the next meeting of the Legislature:

- Appropriating funds in connection with the Health and Sports Facility – Eastern Campus (CP2120)

This draft resolution was e-mailed to the distribution list CE Reso Review saved under the title "Reso-SCCC- Health Sports Facility Constr.docx" on April 4, 2014.

Please feel free to call me at (451-4233) if any additional information is required.

Sincerely,

  
Jon DeMaio, P.E.  
Administrative Director of Educational Facilities

Enclosure

Cc: Gail Vizzini – Vice President for Business and Financial Affairs, SCCC  
Ben Zwirn – Intergovernmental Relations Coordinator, SCCC  
Paul Cooper, P.E. – Executive Director of Facilities/Technical Support, SCCC  
Sara Gorton – Principal Auditor, SCCC  
Dennis M. Cohen – Chief Deputy County Executive, Suffolk County  
Lisa Santeramo – Assistant Deputy County Executive, Suffolk County  
Tom Vaughn – Director of Intergovernmental Relations, Suffolk County

Central Administration  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4112

Ammerman Campus  
533 College Road  
Selden, NY 11784-2899  
(631) 451-4110

Grant Campus  
Crooked Hill Road  
Brentwood, NY 11717-1092  
(631) 851-6700

Eastern Campus  
121 Speonk-Riverhead Road  
Riverhead, NY 11901-3499  
(631) 548-2500

**BOND RESOLUTION NO.**

**-2014**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK,  
NEW YORK, AUTHORIZING THE ISSUANCE OF  
\$8,375,000 BONDS TO FINANCE THE COST OF THE  
HEALTH AND SPORTS FACILITY – EASTERN CAMPUS  
(CP 2120.310 and 510)**

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$8,375,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of the Health and Sports Facility – Eastern Campus, as authorized in the 2014 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$17,750,000. The plan of financing includes (a) the expenditure of \$500,000 in State Aid funds (for planning); (b) the issuance of \$500,000 (for planning) in bonds or bond anticipation notes authorized pursuant to Bond Resolution No. 199-2011; (c) the expenditure of \$8,375,000 in State Aid funds; (d) the issuance of \$8,375,000 (\$7,375,000 for construction and \$1,000,000 for furniture and equipment) in bonds or bond anticipation notes authorized pursuant to this resolution; and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a.12(a)(2) of the Law, is fifteen years, computed from October 25, 2012, the date of issuance of the first obligations issued pursuant to Bond Resolution No. 199-2011.

(b) It is hereby determined that the planning expenditures for this project shall be financed as part of the capital improvement and, pursuant to paragraph (b) of subdivision 62 (2<sup>nd</sup>) of Section 11.00 a. of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 199-2011 is hereby amended and restated to be fifteen (15) years pursuant to Section 11.00 a.12(a)(2) of the Law.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date: