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Intro. Res. No. -2013
Introduced by Presiding Officer Lindsay

Laid on Table 1/2/2013

**RESOLUTION NO. -2013, APPOINTING MEMBER TO THE
JUDICIAL FACILITIES AGENCY (JOSEPH SAWICKI)**

WHEREAS, §2350-c(1) of the NEW YORK PUBLIC AUTHORITIES LAW established a Suffolk County Judicial Facilities Agency whose governing body consists of six (6) members, two of whom are appointed by the County Legislature; and

WHEREAS, the term of Mason Bryant, a legislative appointee has expired; now, therefore, be it

1st RESOLVED, that **Joseph Sawicki**, residing in Southold, New York, is hereby appointed as a member of the Suffolk County Judicial Facilities Agency for a term of office to commence February 17, 2013 and expire February 17, 2016; and be it further

2nd 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 (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:

EFFECTIVE PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER AND
§2350-c(1) OF THE NEW YORK PUBLIC AUTHORITIES LAW

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Intro. Res. No. -2013
Introduced by Presiding Officer Lindsay

Laid on Table 1/2/13

**RESOLUTION NO. - 2013, ADOPTING LOCAL LAW NO.
-2013, A LOCAL LAW TO ENLARGE QUALIFICATIONS FOR
MUSEUM DIRECTOR**

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 ENLARGE QUALIFICATIONS FOR MUSEUM DIRECTOR**" 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 ENLARGE QUALIFICATIONS FOR
MUSEUM DIRECTOR**

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 of Suffolk is the sole and exclusive owner of the real and personal property and the maintenance fund of the Suffolk County Vanderbilt Museum.

This Legislature also finds that the Museum's Board of Trustees are responsible for the use, operation and control of the Museum and Planetarium.

This Legislature further determines that pursuant to the Suffolk County Code, the Board of Trustees is required to appoint an Executive Director.

This Legislature finds that in the mid 1980's, the County of Suffolk established criteria and qualifications for the position of Museum Executive Director. Specifically, this criteria requires that a candidate for this position have extensive prior experience managing museums or historic properties.

This Legislature also finds that the criteria established thirty years ago is too narrow and unduly limits the flexibility of the Museum's Trustees.

This Legislature finds and determines that since the Museum's maintenance funds was decimated during the 2008 economic meltdown, the Museum's fiscal situation has been precarious. Since 2009, the County of Suffolk transferred monies to the Museum each year to pay operating expenses. Currently, the County transfers approximately \$700,000 of hotel/motel tax revenue annually to the Museum to support its operations.

This Legislature finds that the Vanderbilt Museum must regain its fiscal health and financial independence so that Suffolk County taxpayers will not have to subsidize its operations in perpetuity.

This Legislature further finds that Museum's Board of Trustees should have the authority to hire an Executive Director with a strong background in finances and budgeting who can help restore the Museum to fiscal health.

Therefore, the purpose of this law is local law is to broaden the qualifications for the position of Executive Director at the Vanderbilt Museum so that the Board of Trustees have the option of hiring a strong fiscal manager to oversee the Museum's operations.

Section 2. Amendments.

Section 250-5 of the SUFFOLK COUNTY CODE is hereby amended to read as follows:

§ 250-5. Appointment and term of Director and other employees.

- A. The Board of Trustees of the Suffolk County Vanderbilt Museum shall appoint and fix the term of office of the Executive Director of the Suffolk County Vanderbilt Museum and engage all employees of the museum and planetarium, and determine and fix salaries, retirement and other benefits.

- B. In selecting an Executive Director, the Board of Trustees shall require that the Executive Director have the appropriate professional qualifications and demonstrated administrative ability and experience, including, as a minimum, the following qualifications:
 - (1) An advanced degree (at least a masters degree) from an accredited college or university in a subject matter area compatible with the collections of the Suffolk County Vanderbilt Museum in the physical or biological sciences and at least seven years previous experience in an administrative position at a museum or at least seven years experience in managing or monitoring historic properties in either the public or private sector; or

 - (2) A bachelors degree in business, accounting, or finance and at least seven years previous experience at a not-for-profit, governmental or private sector institution or entity with budgeting and/or finance responsibilities and direct staff supervision.

- C. In the event that the Board of Trustees of the Suffolk County Vanderbilt Museum creates positions of Assistant or Deputy to the Executive Director of the Suffolk County Vanderbilt Museum for the purpose and with the power of discharging the duties and responsibilities of the Executive Director in his or her absence or in the event of his or her inability to discharge such duties and responsibilities, then, in selecting an individual to fill such position as the Board shall so designate to fulfill such duties and responsibilities, the Board of Trustees shall require that such individual have the appropriate professional qualifications and demonstrated administrative ability and experience, including, as a minimum, but not limited to, the following qualifications:
 - (1) An advanced degree (at least a masters degree) from an accredited college or university in a subject matter area compatible with the collections of the Suffolk County Vanderbilt Museum in the physical or biological sciences and at least five

years previous experience in an administrative position at a museum or at least five years experience in managing or monitoring historic properties in either the public or private sector; or

- (2) A bachelors degree in business, accounting, or finance and at least five years previous experience at a not-for-profit, governmental or private sector institution or entity with budgeting and/or finance responsibilities and direct staff supervision.

Section 3. Applicability.

This 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), (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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

GEORGE NOLAN
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DATE: JANUARY 2, 2013

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; A LOCAL LAW TO ENLARGE QUALIFICATIONS FOR MUSEUM DIRECTOR

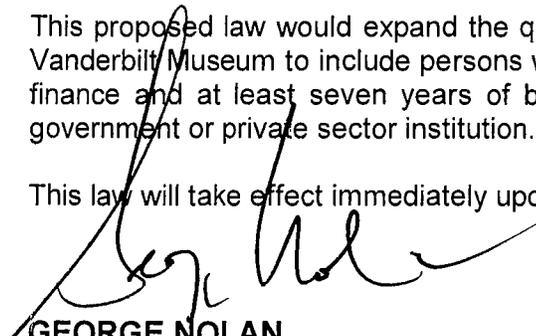
SPONSOR: PRESIDING OFFICER LINDSAY

DATE OF RECEIPT BY COUNSEL: 1/2/2013 PUBLIC HEARING: 2/5/2013

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

This proposed law would expand the qualifications for the position of Executive Director of the Vanderbilt Museum to include persons who have a bachelors degree in business, accounting or finance and at least seven years of budgeting and/or finance experience at a not-for-profit, government or private sector institution.

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


GEORGE NOLAN
Counsel to the Legislature

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