

**PROCEDURAL MOTION NO. 16-2009, AUTHORIZING
RETENTION OF COUNSEL IN RELATION TO THE SUFFOLK
COUNTY VANDERBILT MUSEUM**

WHEREAS, Procedural Motion 2-2009 authorized the Parks and Recreation Committee of the Suffolk County Legislature to interview qualified attorneys or law firms specializing in Trust and Estates and recommend to the full Legislature the selection of special counsel to advise and represent the County of Suffolk and this Legislature in relation to the future operation and/or disposition of the Vanderbilt Museum; and

WHEREAS, letters were sent to six (6) law firms specializing in this area of practice, with three (3) firms expressing interest; and

WHEREAS, the Parks and Recreation Committee interviewed two (2) of the three (3) firms, with the third (3rd) firm withdrawing its name from consideration; and

WHEREAS, the Parks and Recreation Committee recommends that this Legislature enter into an agreement with the law firm of Spizz & Cooper, LLP, to advise and provide representation on matters relating to the Vanderbilt Museum; and

1st RESOLVED, that the law firm of Spizz & Cooper, LLP, 114 Old Country Road, Mineola, NY 11501 is hereby retained to advise and represent the County of Suffolk and the Suffolk County Legislature in matters relating to the future operation and/or disposition of the Vanderbilt Museum; and be it further

2nd RESOLVED, that this Legislature hereby directs the Presiding Officer to execute an agreement for such representation as may be necessary to carry out this Resolution in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560) appropriation; and be it further

3rd RESOLVED, that the Budget Review Office and Presiding Officer shall review and process for payment vouchers forwarded by the law firm and consultants retained for the purpose specified in this Resolution; and be it further

4th 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 IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY
ADMINISTRATIVE CODE