

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

RECEIVED  
2008 DEC 18 P 2:30  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, N.Y.  
HAUPPAUGE

December 18, 2008

Presiding Officer William J. Lindsay and  
Members of the Suffolk County Legislature  
William H. Rogers Legislative Building  
725 Veterans Memorial Highway  
Smithtown, New York 11787

RE: RESOLUTION 1036-2008 [I.R. 2047-2008], CREATING A VANDERBILT MUSEUM  
OVERSIGHT COMMITTEE

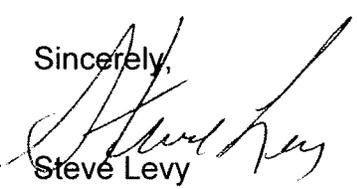
Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein Resolution No. 1036-2008 [I.R. 2047-2008]; "Creating a Vanderbilt Museum Oversight Committee" vetoed in its entirety, because the role of overseeing the Vanderbilt Museum already rests with the Suffolk County Legislature's Parks and Recreation Committee.

It has always been the responsibility of the chair of the Legislature's Parks and Recreation Committee to provide the necessary oversight to ensure that the Vanderbilt Museum trustees are acting in the best interest of the museum and the taxpayers. Indeed it was County Legislators in the 1980s through their oversight powers, who uncovered the major mismanagement that came about from the political cronyism that became commonplace at the museum.

We do not need yet another committee to be doing the work that should have been done, and should be done in the future, by the Parks and Recreation Committee chair to ensure that new policies at the museum are implemented in a timely and effective fashion.

Sincerely,

  
Steve Levy

County Executive of Suffolk County

cc: All Suffolk County Legislators  
Tim Laube, Clerk of the Legislature  
Christine Malafi, Esq., Suffolk County Attorney  
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney  
James A. Morgo, Chief Deputy County Executive  
Frederick B. Pollert, Deputy County Executive for Finance and Management  
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff  
Ben Zwirn, Deputy County Executive  
Connie Corso, Budget Director  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

Intro. Res. 2047 Res. No. 1036

December 2, 2008

**Motion:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN					
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1	—	—	—

MOTION
<input checked="" type="checkbox"/> Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess
APPROVED <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Tim Laube  
 Tim Laube, Clerk of the Legislature

Roll Call \_\_\_ Voice Vote

**RESOLUTION NO. 1036 -2008, CREATING A VANDERBILT  
MUSEUM OVERSIGHT COMMITTEE**

**WHEREAS**, William K. Vanderbilt, III, in his will, bequeathed to the County of Suffolk his estate in the Town of Huntington, together with all furnishings, exhibits, works of art, artifacts and memorabilia found there; and

**WHEREAS**, in accordance with the terms of the Vanderbilt will, the County of Suffolk agreed to maintain the estate as a park and museum; and

**WHEREAS**, the County of Suffolk has operated the Vanderbilt Museum for nearly 60 years; and

**WHEREAS**, pursuant to the terms of the Vanderbilt will, the County of Suffolk also received a maintenance fund, the income from which was to be used to maintain and operate the museum; and

**WHEREAS**, while the Suffolk County Legislature has sole power and control over the museum property and maintenance fund, the Board of Trustees of the Vanderbilt Museum has power and control over the development, maintenance and operation of the museum and planetarium; and

**WHEREAS**, the County of Suffolk has traditionally made provision for extensive capital improvements at the museum but has never funded the museum's operating expenses; and

**WHEREAS**, since the museum's opening, income from the maintenance fund and other museum revenues have covered operating expenses; in recent years, \$1.2 million has been paid from the maintenance fund annually to offset operating expenses; and

**WHEREAS**, the recent sharp decline in the financial markets caused the Vanderbilt Museum's maintenance fund to fall to a level just above the original amount of principal, making it impossible for the museum to derive substantial revenue from the maintenance fund in 2009; and

**WHEREAS**, faced with the potential closure of the Vanderbilt Museum and Planetarium, this Legislature made an emergency allocation of \$800,000 in the 2009 Operating Budget to fund the operation of the museum during 2009; and

**WHEREAS**, the administrators and trustees of the Vanderbilt Museum must immediately develop a plan to increase revenues and reduce expenses to ensure the survival of the museum; and

**WHEREAS**, the Suffolk County Legislature and the Suffolk County Executive must ensure that the necessary changes and new policies are implemented without delay; now, therefore be it

**1<sup>st</sup>** **RESOLVED**, that there is hereby created a Vanderbilt Museum Oversight Committee; and be it further

**2<sup>nd</sup>** **RESOLVED**, that this Oversight Committee shall work with, and act as a liaison to, the Vanderbilt Museum Board of Trustees and the museum's administrators to analyze new ideas that will increase revenues and cut costs; and be it further

**3<sup>rd</sup>** **RESOLVED**, that Oversight Committee will work to ensure that new policies are implemented in a timely fashion so the County of Suffolk may avoid an unenviable choice between closing the museum or making another large cash transfer to the museum in 2010; and be it further

**4<sup>th</sup>** **RESOLVED**, that the Oversight Committee shall consist of:

1. the County Executive, or his or her designee;
2. the Chairman of the Suffolk County Legislature Parks and Recreation Committee; or his or her designee;
3. the Presiding Officer of the Suffolk County Legislature; or his or her designee;
4. the Minority Leader of the Suffolk County Legislature, or his or her designee;
5. the Director of the County Legislature's Office of Budget Review; or his or her designee;
6. the Director of the County Executive's Budget Office; or his or her designee;

and be it further

**5<sup>th</sup>** **RESOLVED**, that this Oversight Committee shall send a representative to each meeting of the Vanderbilt Museum's Board of Trustees; and be it further

**6<sup>th</sup>** **RESOLVED**, that the Oversight Committee shall send a representative to the County Legislature's Parks and Recreation Committee meetings on a regular basis to report on the progress being made by the Vanderbilt Board of Trustees and the museum administrators to increase revenues and eliminate the museum's dependence on income from the maintenance fund; and be it further

**7<sup>th</sup>** **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: December 2, 2008

APPROVED BY:

**VETOED**  
County Executive of Suffolk County

Date: 12-18-08