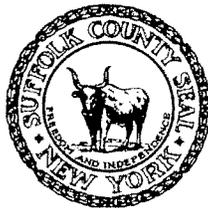


COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

December 1, 2010

RECEIVED
2010 DEC - 1 P 2:53
COUNTY LEGISLATURE
SUFFOLK COUNTY, N.Y.
HAUPPAUGE

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 NO. 1062-2010 APPROVING THE TABULATION OF TOWN CHARGES AND FIXING THE TAX LEVIES AND CHARGES TO THE TOWNS UNDER THE COUNTY BUDGET FOR FISCAL YEAR 2011

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **Resolution No. 1062-2010**; “**Approving the Tabulation of Town Charges and Fixing the Tax Levies and Charges to the Towns Under the County Budget for Fiscal Year 2011**” vetoed in its entirety, solely because of a mathematical error.

The 2th Resolved clause fixes an amount for General Fund tax levy of \$63,502,140. However, according to our Budget Office this amount, when properly totaling the sum of all Legislative actions, should be \$71,768,608.

The difference can be attributed most likely to the same mathematical error made in calculating Resolution 1060, only this time in reverse. Legislative changes to the Executive’s 2010 estimates totaled \$4,133,279, However this sum of \$4,133,279 was subtracted from the levy, and not added as it should have been, for a swing of \$8,266,468.

Although the errors in Resolutions 1060 and 1062 in essence offset each other in the aggregate, it is vitally important to ensure and maintain that proper process be followed.

For a County Executive to sign, or allow to stand, a series of improperly calculated fund balance and tax levy resolutions, even with the defense of a simple legislative scrivener’s error, would place the county in a position of great liability if any of the ten towns, or any taxpayer in any one of the ten towns, were to challenge the process legally.

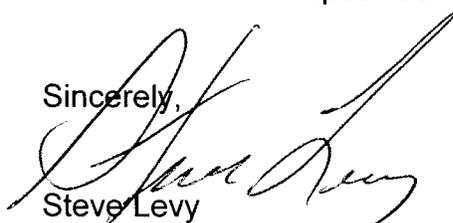
The County Legislature has the time to correct the mathematical errors and adopt the proper resolutions via a Special Meeting, and I support the Presiding Officer calling such meeting as quickly as is feasible.

The fact that two fund balance and tax levy resolutions were presented to this office with miscalculations this year is the end product of a miserably dysfunctional process employed by the legislature this year. This year's budget process in the Legislature, more than any other in memory, was chaotic, veiled in secrecy, and laden with errors. Legislators voted twice on the same amendments which had already passed, until the vote total reached a certain "veto-proof" number. Confusion reigned as these passed amendments were verbally changed on the floor, without ample time for any voting legislator to truly determine what was contained in the amendments – and scrivener's or mathematical errors required subsequent re-votes on those matters already re-voted on.

Even the State Legislature, notorious for its nontransparent last minute budgets, never asked legislators to vote on a cover page, with the details to be filled in later. In fact, a line item was changed by as much as \$600,000 from the first and the second vote – without the Legislators knowing it.

Hopefully this year's process will serve as a low-water mark and encourage this body as a whole to adopt sweeping reforms to the process that will end this haphazard approach to budgeting. Omnibus budgeting should be curtailed; the entire budget amendment proposals shall be disclosed with adequate time for review and unspecified number item funds should be eliminated.

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
Christopher Kent, Chief Deputy County Executive
Edward Dumas, Chief Deputy County Executive
Connie Corso, Deputy County Executive for Finance and Management
Ken Crannell, Deputy County Executive
Ben Zwirn, County Executive Assistant
Eric Naughton, Budget Director
Dan Aug, Director of Communications
Mark L. Smith, Deputy Director of Communications

**RESOLUTION NO. 1062 -2010, APPROVING THE
TABULATION OF TOWN CHARGES AND FIXING THE TAX
LEVIES AND CHARGES TO THE TOWNS UNDER THE
COUNTY BUDGET FOR FISCAL YEAR 2011**

1st **RESOLVED**, that the tabulations of charges to the towns shown on the attached Schedule "A" be approved and that the amounts thereof as specified be and hereby are made charges against the respective towns to be levied and extended upon the assessment rolls of the several towns for the year 2010-2011 found to be properly applicable for determining the equalized real property valuations by resolution adopted this date; and be it further

2nd **RESOLVED**, that the amount of tax levies and charges to the towns for the Suffolk County Operating Budget as shown by the budget adopted for fiscal year 2011 in the amounts as follows:

SCHEDULE	TAX DISTRICTS	AMOUNT
B	County General	\$63,502,140
C	Community College	\$5,250,467
D	Police District	\$459,466,202
E	District Court District	\$6,515,660

are hereby levied against the property liable therefore as shown on the said assessment rolls for the several towns and tax districts, and that the rates for said purposes, based upon the equalized full valuations established by this Legislature pursuant to the NEW YORK REAL PROPERTY TAX LAW by resolution adopted this date, are hereby fixed according to the schedules attached hereto; and be it further

3rd **RESOLVED**, that nothing contained herein shall be construed as approval of the substantive content of the Suffolk County Operating Budget, 2011 Adopted Suffolk County Operating Budget or any real property tax increase contained therein since the act of approving this Resolution represents a ministerial act over which the Suffolk County Legislature and individual Legislators cannot exercise any discretion.

DATED: November 16, 2010

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 12-1-2010

SCHEDULE A							
TOWN CHARGES 2010-2011							
TOWN	DEBITS-TOWNS ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS-COUNTY ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS-COLLEGE ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS-POLICE ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS DIST. CT. ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS - SEWERS ERRONEOUS ASSESSMENTS & TAX REFUNDS	DEBITS OR CREDITS DUE TO EXTENSION
BABYLON	\$20,056,564.72	\$164,370.09	\$9,089.49	\$1,501,851.81	\$27,407.60	\$908,008.90 Sewer #3	\$1,735,442.04
BROOKHAVEN	28,953,947.36	329,694.44	23,065.84	4,039,669.99	69,299.94	3,768.33 Sewer #1 T10 304.93 Sewer #1 T12 0.00 Sewer #2 T15 0.00 Sewer #2 T28 0.00 Sewer #4 T18 12,903.33 Sewer #7 T21 0.00 Sewer #8 T19 529.03 Sewer #9 T20 9,121.22 Sewer #10 T22 0.00 Sewer #10 T23 5,758.28 Sewer #11A T31 9,165.22 Sewer #11B T25 391.89 Sewer #11B T30 676.46 Sewer #12 T34	(81,107.21)
EAST HAMPTON	789,444.55	53,199.61	10,121.17	0.00	0.00	0.00	(197,686.79)
HUNTINGTON	11,446,240.69	145,046.47	15,344.64	2,437,215.66	46,342.60	314.08 Sewer #3 8,400.17 Sewer #5A 3,503.62 Sewer #5B	(1,981,310.28)
ISLIP	20,406,972.78	244,646.64	15,985.36	2,746,209.10	48,075.63	662,083.28 Sewer #3	(412,491.54)
RIVERHEAD	1,484,334.16	18,965.78	2,530.29	0.00	0.00	0.00	(31,281.27)
SHELTER ISLAND	7,748.75	6,321.93	1,259.72	0.00	0.00	0.00	(19,332.87)
SMITHTOWN	10,748,460.42	94,471.06	7,558.30	1,251,543.18	22,828.97	73.22 Sewer #6	(125,940.62)
SOUTHAMPTON	4,404,765.74	118,923.79	19,786.23	0.00	0.00	0.00	(160,600.16)
SOUTHOLD	1,298,063.50	17,176.56	3,855.17	0.00	0.00	0.00	(42,335.77)
TOTALS	\$99,596,542.67	\$1,192,816.37	\$108,596.21	\$11,976,489.74	\$213,954.74	\$1,625,001.96	(\$1,316,644.47)

SCHEDULE B							
COMPUTATIONS OF 2010-2011 GENERAL FUND TAX LEVIES AND RATES							
TOWNS	TAX LEVY EXCLUDING ADJUSTMENT FOR DEPT. OF HEALTH SERV. BUREAU OF VECTOR CONTROL	ADJUSTMENT FOR HEALTH SERVICE BUREAU OF VECTOR CONTROL	ADJUSTED TAX LEVY ON FULL VALUATION	TAX LEVY FOR SCHOOL SUPERINTENDENT'S SALARY	TAX RATE PER M OF TAXABLE ASSESSED VALUATION	TAXABLE ASSESS VALUE (OFFICE USE)	
Babylon	\$5,026,865	\$782	\$5,027,647	\$1,715	20.0085	251,236,574	
Brookhaven	12,945,695	2,013	\$12,947,708	3,851	27.8849	464,255,344	
East Hampton	5,948,949	925	\$5,949,874	1,411	29.8175	199,511,916	
Huntington	8,973,859	1,395	\$8,975,254	3,062	26.8527	334,188,209	
Islip	8,903,518	1,384	\$8,904,902	2,649	2.0258	4,395,068,059	
Riverhead	1,312,544	204	\$1,312,748	311	1.6333	803,633,231	
Shelter Island	732,992	114	\$733,106	174	0.2440	3,004,213,104	
Smithtown	4,461,310	694	\$4,462,004	1,523	18.0416	247,279,482	
Southampton	12,837,015	1,996	\$12,839,011	3,044	0.2298	55,853,053,894	
Southold	2,359,393	(9,507)	\$2,349,886	560	21.7770	108,343,588	
TOTALS	\$63,502,140	\$0	\$63,502,140	\$18,300		65,660,783,401	
				School Superintendent's Salary			
				Tax Rate Per M Full Value 1st Supt. Dist. -	0.0000535944712		
Tax Rate Per M of Taxable Full Value-	0.2357			Tax Rate Per M Full Value 2nd Supt. Dist. -	0.0000672283321		
				Tax Rate Per M Full Value 3rd Supt. Dist. -	0.0000771144514		

SCHEDULE C							
COMPUTATIONS OF 2010-2011 COMMUNITY COLLEGE TAX LEVIES AND RATES							
TOWNS	ASSESSED VALUE ON WHICH COMMUNITY COLLEGE TAXES ARE LEVIED	COMMUNITY COLLEGE PARTIAL EXEMPTIONS	TOTAL ASSESSED VALUATION WITH PARTIAL EXEMPTIONS	EQUALIZATION RATES	TOTAL FULL VALUATION	AMOUNT OF LEVY	TAX RATE PER M OF TAXABLE ASSESSED VALUATION
Babylon	\$251,236,574	\$13,472,863	\$264,709,437	1.19	\$22,244,490,504	\$415,630	1.6543
Brookhaven	464,255,344	28,406,626	492,661,970	0.86	57,286,275,581	1,070,373	2.3056
East Hampton	199,511,916	3,189,234	202,701,150	0.77	26,324,824,675	491,869	2.4654
Huntington	334,188,209	15,263,465	349,451,674	0.88	39,710,417,500	741,974	2.2202
Islip	4,395,068,059	194,933,091	4,590,001,150	11.65	39,399,151,502	736,158	0.1875
Riverhead	803,633,231	78,046,738	881,679,969	15.18	5,808,168,439	108,523	0.1350
Shelter Island	3,004,213,104	239,366,799	3,243,579,903	100.00	3,243,579,903	60,605	0.0202
Smithtown	247,279,482	15,287,006	262,566,488	1.33	19,741,841,203	368,869	1.4917
Southampton	55,853,053,894	952,299,758	56,805,353,652	100.00	56,805,353,652	1,061,387	0.0190
Southold	108,343,588	5,458,942	113,802,530	1.09	10,440,599,083	195,079	1.8006
TOTALS	\$65,660,783,401	\$1,545,724,522	\$67,206,507,923		\$281,004,702,042	\$5,250,467	0.0800
Tax Rate Per M of Taxable Full Value -		0.0195					

SCHEDULE D							
COMPUTATIONS OF VALUATIONS, TAX LEVIES AND RATES FOR POLICE DISTRICT PURPOSES 2009-2010							
TOWN	ASSESSED VALUE ON WHICH POLICE DIST. TAXES ARE LEVIED	POLICE DISTRICT PARTIAL EXEMPTIONS	TOTAL ASSESSED VALUATION WITH PARTIAL EXEMPTIONS	EQUALIZATION RATES	TOTAL FULL VALUATION	AMOUNT OF LEVY	TAX RATE PER M OF TAXABLE ASSESSED VALUATION
Babylon	\$236,720,636	\$12,877,918	\$249,598,554	1.19	\$20,974,668,403	\$56,215,183.00	237.4748
Brookhaven	464,255,344	28,406,626	492,661,970	0.86	57,286,275,581	153,535,609.00	330.7137
Huntington	301,772,616	14,277,488	316,050,104	0.88	35,914,784,545	96,256,883.00	318.9716
Islip	4,305,117,242	188,923,231	4,494,040,473	11.65	38,575,454,704	103,387,868.00	24.0151
Smithtown	233,759,314	14,712,093	248,471,407	1.33	18,682,060,677	50,070,659.00	214.1975
TOTALS	\$5,541,625,152	\$259,197,356	\$5,800,822,508		\$171,433,243,910	\$459,466,202.00	
Tax Rate per M of Taxable Full Value -		2.8240					

SCHEDULE E							
COMPUTATIONS OF VALUATIONS, TAX LEVIES AND RATES FOR DISTRICT COURT DISTRICT PURPOSES 2010-2011							
TOWN	ASSESSED VALUE ON WHICH DIST. CT. DIST. TAXES ARE LEVIED	DISTRICT COURT DISTRICT PARTIAL EXEMPTIONS	TOTAL ASSESSED VALUATION WITH PARTIAL EXEMPTIONS	EQUALIZATION RATES	TOTAL FULL VALUATION	AMOUNT OF LEVY	TAX RATE PER M OF TAXABLE ASSESSED VALUATION
Babylon	\$251,236,574	\$13,472,863	\$264,709,437	1.19	\$22,244,490,504	\$812,511	3.2340
Brookhaven	464,255,344	28,406,626	492,661,970	0.86	57,286,275,581	2,092,462	4.5071
Huntington	334,188,209	15,263,465	349,451,674	0.88	39,710,417,500	1,450,479	4.3403
Islip	4,395,068,059	194,933,091	4,590,001,150	11.65	39,399,151,502	1,439,109	0.3274
Smithtown	247,441,745	15,124,743	262,566,488	1.33	19,741,841,203	721,099	2.9142
TOTALS	\$5,692,189,931	\$267,200,788	\$5,959,390,719		\$178,382,176,290	\$6,515,660	
Tax Rate per M of Taxable Full Value-		0.0385					

Intro. Res.

2114

Res. No.

1062

November 16, 2010

Motion:

Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Vilorio-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	Thomas MURATORE					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Thomas CILMI					
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