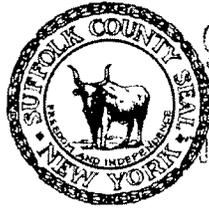


COUNTY OF SUFFOLK



PRESIDING OFFICER
COUNTY LEGISLATURE
SUFFOLK COUNTY, NY

DEC 27 PM 4: 04

OFFICE OF THE COUNTY EXECUTIVE

RECEIVED

Steve Levy
COUNTY EXECUTIVE

December 27, 2011

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. 1110-2011, A LOCAL LAW TO INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION.

Dear Presiding Officer Lindsay and Members of the Legislature:

I AM RETURNING HEREIN RESOLUTION 1110 -2011, A LOCAL LAW TO INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION vetoed in its entirety.

These are extraordinarily hard conditions our taxpayers are facing. Too many of our residents are losing their jobs, paying more into their benefits and some even seeing their pensions reduced. Major tax and fee increases are the last thing our residents wish to see in these very difficult economic times.

The tax and fee increases passed by the Legislature over the past month were, and are, avoidable. Had we simply closed the nursing home by January 1st and required employees to contribute to their healthcare, as I recommended in my proposed budget, the taxpayers could be given a break.

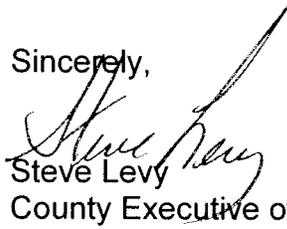
Over the last month the Legislature increased the property tax, removed the cap on gasoline taxes, increased fees charged to individuals seeking access to our parks; increased fees for services provided to the public through our Medical Examiner's office and our County Clerk's office, and increased fees for individuals seeking applications to our Suffolk County Planning Commission. Additionally, the Legislature is poised to vote for a \$0.50 increase in bus fares, which has a disproportionately high impact on the poor and working class.

Hopefully, the Legislature can work in the upcoming year toward moving the huge loses of the nursing home off of our books and require employees to pay a fair share into their healthcare costs. Every month that goes by without these measures being

implemented is millions of dollars that are wasted. We cannot tax and fee our way out of difficult economic times.

For these reasons, I urge the Legislature to sustain my veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Levy", is written over the printed name.

Steve Levy

County Executive of Suffolk County

Intro. Res. No. 2034-2011

Laid on Table 11/22/2011

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Viloría-Fisher and Legislators Cooper, Gregory, Kennedy, Montano, Nowick, Schneiderman

**RESOLUTION NO. 1110 -2011, ADOPTING LOCAL LAW
NO. -2011, A LOCAL LAW TO INCREASE APPLICATION
FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 22, 2011, a proposed local law entitled, "**A LOCAL LAW TO INCREASE APPLICATION FEES TO THE SUFFOLK COUNTY PLANNING COMMISSION**," now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2011, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO INCREASE APPLICATION FEES TO THE
SUFFOLK COUNTY PLANNING COMMISSION**

**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 Article 12-B of the New York General Municipal Law requires towns and villages to refer certain zoning, subdivision and planning-related actions to the Suffolk County Planning Commission.

This Legislature also finds and determines that The County of Suffolk, in accordance with state law, has adopted local laws requiring towns and villages to refer certain zoning, subdivision and planning matters to the Planning Commission. These laws are codified in Article 14 of the Suffolk County Administrative Code.

This Legislature further finds and determines that Local Law No. 30-1991 authorized the Suffolk County Department of Planning to charge application fees in connection with certain applications for municipal zoning and subdivision actions referred to the Suffolk County Planning Commission.

This Legislature finds that the fee schedule established in the Administrative Code has not been updated since 1995.

This Legislature determines that the Department of Planning has conducted a review of fee schedules of other counties in the region and has proposed revisions to § A14-26 of the Suffolk County Administrative Code.

Therefore, the purpose of this law is to amend §A14-26 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to set a new fee schedule for the Planning Commission that is consistent with the fees charged by other counties.

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.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: December 20, 2011

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 12-27-11

Intro. Res.

2034

Res. No.

1110

December 20, 2011

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Anker
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	Sarah S. ANKER	/				
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		11	5	2		

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

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

Tim Laube

Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote