

**COUNTY OF SUFFOLK**



**OFFICE OF THE COUNTY EXECUTIVE**

**Steve Levy**  
COUNTY EXECUTIVE

April 7, 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 200-2011; APPROPRIATING FUNDS IN CONNECTION WITH THE  
INSTALLATION OF COOLING SYSTEMS (CP 2138)

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein Resolution No. 200 -2011; "APPROPRIATING FUNDS IN  
CONNECTION WITH THE HEALTH AND SPORTS FACILITY – EASTERN CAMPUS"  
and its accompanying Bond Resolution 201-2011 vetoed in its entirety.

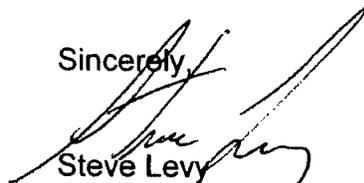
For the last two months, legislators have continually made statements at committees, at  
the general sessions of the Legislature and in the media about their concern over the  
amount of debt the county has generated.

If the Legislature is indeed serious about controlling debt, it has to sometimes say 'No',  
and this project at the Suffolk County Community College is one place to start. This  
resolution appropriates \$3,500,000 for the installation of cooling systems throughout the  
college system.

This Legislature, if serious about debt, needs to look carefully at college capital projects  
and to identify those projects necessary for the college to continue its core mission.

For these reasons, I urge you to sustain my veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Levy", written over the word "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  
Eric Naughton, Deputy County Executive for Finance and Management  
Ken Crannell, Deputy County Executive  
Connie Corso, Budget Director  
Eric Kopp, Assistant Deputy County Executive  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

**BOND RESOLUTION NO. 201 -2011**

**BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS TO FINANCE A PART OF THE COST OF THE INSTALLATION OF COOLING SYSTEMS AT SUFFOLK COUNTY COMMUNITY COLLEGE – COLLEGE WIDE (CP 2138.310)**

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$3,500,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance a part of the cost of the installation of cooling systems at Suffolk County Community College – College wide, as authorized in the 2011 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$7,550,000. The plan of financing includes (a) the expenditure of \$275,000 in State Aid appropriated pursuant to Resolution No. 103-2010, (b) the issuance of \$275,000 bonds or bond anticipation notes heretofore authorized pursuant to Bond Resolution No. 104-2010, (c) the expenditure of \$3,500,000 in additional State Aid, (d) the issuance of \$3,500,000 bonds or bond anticipation notes authorized pursuant to this resolution and (e) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. (a) It is hereby determined that the planning for this project shall be financed as part of the capital improvement and, pursuant to Section 11.00 a. 62 (b) of the Local Finance Law, the period of probable usefulness applicable to the bonds authorized to be issued pursuant to Bond Resolution No. 104-2010 is hereby amended and restated to be ten (10) years.

(b) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued pursuant to this resolution, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both

principal and interest by a general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED: **MAR 22 2011**

APPROVED BY:  
**VETOED**  
County Executive of Suffolk County

Date: **APR 07 2011**

Intro. Res.

1249A

Res. No.

201

March 22, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore,  
Eddington, Montano, Cilmi, 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	Thomas MURATORE	/				
6						
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	16	1			

MOTION	
<input checked="" type="checkbox"/> Approve	
<input type="checkbox"/> 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 \_\_\_\_\_