

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

September 26, 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. 737 – 2011, AMENDING RESOLUTION NO. 543-2011,
ESTABLISHING STANDARD WORK DAY AND REPORTING REQUIREMENTS
FOR ELECTED OFFICIALS.**

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **RESOLUTION NO. 737 – 2011; AMENDING RESOLUTION
NO. 543-2011, ESTABLISHING STANDARD WORK DAY AND REPORTING
REQUIREMENTS FOR ELECTED OFFICIALS;** vetoed in its entirety.

Effective August 12, 2009 the New York State and Local Retirement System adopted new regulations to more clearly define the reporting requirements for elected and appointed officials. These changes included an expanded record of work activities, a more detailed standard work day resolution and specific time frames within which requirements must be completed.

I am vetoing Resolution 737 because I believe that this resolution does not adequately address the State requirements and establishes too short of a standard work day for elected officials.

According to the Office of the State Comptroller, the governing board of a participating employer of an elected or appointed official shall establish, by resolution, a standard work day for each elective or appointive office or position. This resolution only addresses elected officials and does not address appointed officials with policy making authority, such as department heads, as required by regulation.

Also, State regulation gives the County Legislature flexibility to establish a standard workday of a minimum 6 hours to a maximum of 8 hours. Given that other employees of

the county are required to work more than a 6 hour workday, I feel it's appropriate to ask our elected officials to meet similar standards.

Lastly, the resolution is also technically flawed as it does not accurately reflect all elected officials who are already receiving public pensions and are not eligible for further pension credits.

For these reasons, I strongly urge the Legislature to sustain my veto of this resolution.

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
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

Intro. Res. 1762

Res. No. 737

September 15, 2011

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

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

Second:
 Romaine, Schneiderman, Browning, Muratore, Anker
 Eddington, Montano, Cilmi, Lindsay, Viloria-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	16	—	2	—	

MOTION

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 FAILED ___

No Motion ___ No Second ___

RESOLUTION DECLARED

ADOPTED

___ NOT ADOPTED

Tim Laube

Roll Call ___ Voice Vote

RESOLUTION NO. 737 -2011, AMENDING RESOLUTION NO. 543-2011, ESTABLISHING STANDARD WORK DAY AND REPORTING REQUIREMENTS FOR ELECTED OFFICIALS

WHEREAS, Resolution No. 543-2011 established a standard work day and reporting requirements for elected officials; and

WHEREAS, Resolution No. 543-2011 requires a technical correction; now, therefore be it

1st RESOLVED, that the 1st RESOLVED clause of Resolution No. 543-2011 is hereby amended as follows:

1st RESOLVED, that the following is adopted as Suffolk County's standard work day and reporting resolution for the purpose of reporting days worked to the NYSLRS:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/ Month Based on Record of Activities
Elected Officials							

County Legislator	Thomas Muratore			6.0	01/01/2010-12/31/2011 NOT IN NYSLRS	N	
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and be it further

2nd RESOLVED, that all other terms and conditions of Resolution No. 543-2011 shall remain in full force and effect; and be it further

3rd 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.

___ Underlining denotes addition of new language

DATED: **SEP 15 2011**

APPROVED BY:
VETOED

County Executive of Suffolk County

Date: **SEP 29 2011**