

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Res. Budget Amendment 4

November 17, 2014

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

RECEIVED
NOV 17 P 1:04
SUFFOLK COUNTY EXECUTIVE

Dear Presiding Officer Gregory and Members of the Suffolk County Legislature:

I am returning Budget Amendment Number 4 **vetoed**.

Budget Amendment 4 proposes to transfer \$115,000 from the Light, Water and Power line in order to purchase 200 guns and holsters for Corrections Officers to be used strictly in an off-duty capacity.

This is not an action that I take lightly. Since the beginning of my administration, the Legislature has adopted 3332 resolutions, including 130 local laws; and this is my fourth veto. That means that 99.87% of the time, we have reached a mutual consensus as to what is best for the County, and it is in that spirit that I hope this veto will be sustained.

Budget Amendment 4 is in violation of the Taylor Law. As this Legislature is aware, the Taylor Law delineates responsibilities for both the County Executive and the Legislature; the County Executive is responsible through his designees for negotiating contracts and ratifying settlement terms, at which point the Legislature is then presented with the tentative settlement for its approval; i.e., its authorization for the County Executive to enter into those provisions of the agreement which require an amendment of law or the appropriation of additional funds for its implementation.

In the context of both types of agreements, a legislative body may not unilaterally change a term and condition of employment, even if related to the appropriation of additional funds. These changes must first be negotiated by the chief executive officer (here, the County Executive or his/her designee) and the employee organization. Budget Amendment 4, in effect, sets a new term and condition of employment set by the Legislature.

One way in which the Taylor Law protects taxpayers is that benefits must be negotiated with the Executive. In this instance, members of the Suffolk County Corrections Officers Association (SCCOA) will be receiving a benefit which equals \$575 per member. While Budget Amendment 4 purports to cost \$115,000, the true cost of this policy would actually be upwards of \$517,000 when applied to the entirety of the SCCOA.

While SCCOA has not raised the issue of arming its members in an off-duty capacity in its contract negotiations with the County, they are welcome to. And if this is a critical issue for SCCOA and its members, then I would expect them to make this a priority in negotiations and I would further expect that they will be willing to accede to some of the County's priorities in order to secure this benefit for each of their members.

Conversely, if the Legislature chooses to override this veto, you will send a strong message that benefits can be derived outside of negotiations with the executive and with no attempt to protect taxpayer dollars.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Bellone', written in a cursive style.

STEVEN BELLONE
Suffolk County Executive

cc: All Suffolk County Legislators
Dr. Robert Lipp, Director, Budget Review Office
Tim Laube, Clerk of the Legislature

Motion:

Krupski, Schneiderman, Browning, Muratore, Hahn
 Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
 Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:

Krupski, Schneiderman, Browning, Muratore, Hahn
 Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
 Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Second:

Krupski, Schneiderman, Browning, Muratore, Hahn
 Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
 Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
8	William J. LINDSAY, III					
9	Monica R. MARTINEZ					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Rob TROTTA					
14	Kevin J. MCCAFFREY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
2	Jay SCHNEIDERMAN, D.P.O					
15	DuWayne GREGORY, P.O.					
	Totals	18				

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

Tim Laube, Clerk of the Legislature

Roll Call ___ Voice Vote

**RESOLUTION NO. 883 -2014, AMENDING THE
 2015 RECOMMENDED OPERATING BUDGET**

WHEREAS, the 2015 Recommended Operating Budget must comply with Local Laws 21-1983 and 29-1995; and

WHEREAS, Local Law 29-1995 established the simplified dual budgetary process requiring that separate Mandated and Discretionary portions of the budget be adopted; and

WHEREAS, the 2015 Recommended Mandated Operating Budget includes insufficient appropriations for Clothing and Accessories in the Sheriff's Office and surplus appropriations for Light, Power and Water in the Department of Public Works; and

WHEREAS, it is the desire of this Legislature that the 2015 Recommended Operating Budget be amended to include \$115,000 for the purchase of guns and holsters for Correction Officers; and

WHEREAS, this Resolution contains such budgetary adjustments as shall be necessary to accomplish the explicitly stated single budgetary objective set forth in the budget note below; now, therefore, be it

RESOLVED, that the Mandated 2015 Recommended Operating Budget be and it hereby is amended as follows:

Expenditures															
ED	UNIT	ACT	AGNY	UNIT NAME	ACTIVITY NAME	OBJ	OBJECT NAME	2014 Estimated	2014 Revised Estimate	2014 Difference Revised - Est	2015 Recommended	2015/Adopted	2015/Dif Adopt Rec	2016 Forecast	D/M/O
001	3150	0000	SHF	Sheriff Cy Correctional Fac	Non-Contract Agency	3310	Clothing & Accessories	\$450,000	\$450,000	\$0	\$580,000	\$657,050	\$77,050	\$676,762	ME
001	3162	0000	SHF	Sheriff Honor Farm	Non-Contract Agency	3310	Clothing & Accessories	\$200,000	\$200,000	\$0	\$275,000	\$312,950	\$37,950	\$322,339	ME
001	1164	0000	DPW	Public Works Court Facilities	Non-Contract Agency	4020	Light, Power & Water	\$3,500,000	\$3,500,000	\$0	\$3,500,000	\$3,385,000	(\$115,000)	\$3,486,550	ME
							TOTAL			\$0			\$0		

DATED: November 5, 2014

APPROVED BY:

 County Executive of Suffolk County

Date: 11/17/14

This resolution adds a total \$115,000 to the Sheriff's Office (001-3150 and 001-3162) in 2015 for the purchase of 200 standard issue Glock 19 guns and holsters for 25% of the 776 existing Correction Officer employees, which is offset by a reduction of \$115,000 in Light, Power and Water in the Department of Public Works.
 There is no property tax impact.

**FINANCIAL IMPACT
2015 PROPERTY TAX LEVY*
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2014 PROPERTY TAX LEVY	2015* COST TO AVG TAXPAYER	2014 AV TAX RATE PER \$100	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

** The Estimated 2015 Cost to Average Taxpayer is based upon the 2014 property tax levy and is provided for informational purposes only.*

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2013.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2013-2014.
- 3) SOURCE FOR EQUALIZATION RATES: 2013 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.