

**STRICKEN AS OF 11/15/2018**

Intro. Res. No. 1410-2018  
Introduced by Legislators Trotta and Berland

Laid on Table 5/15/2018

**RESOLUTION NO. -2018, ADOPTING LOCAL LAW  
NO. -2018, A LOCAL LAW AMENDING THE PROCEDURE  
FOR SETTLEMENT OF CLAIMS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on May 15, 2018, a proposed local law entitled, "**A LOCAL LAW AMENDING THE PROCEDURE FOR SETTLEMENT OF CLAIMS**"; now, therefore be it

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

**LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW AMENDING THE PROCEDURE FOR  
SETTLEMENT OF CLAIMS**

**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 pursuant to Chapter 145 of the SUFFOLK COUNTY CODE, the Ways and Means Committee of the Suffolk County Legislature must approve the settlement of any legal claim against the County of Suffolk that exceeds \$25,000.

This Legislature also finds that the Ways and Means Committee recently authorized the settlement of an extremely controversial case, on the recommendation of the County Attorney's office, for \$10 million.

This Legislature finds that legal settlements that involve such large sums of taxpayer dollars should be scrutinized by the County's entire legislative body.

Therefore, the purpose of this local law is to require that legal settlements in excess of \$750,000 be approved by the entire County Legislature.

**Section 2. Amendments.**

Section 145-4 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**§ 145-4. Procedure for settlement of claims.**

Subject to and in accordance with the provisions of § 6-n of the General Municipal Law of the State of New York, the Insurance Manager of Suffolk County is hereby authorized to make settlement of such claims on the following basis:

\* \* \* \*

- C. Payment of a sum in excess of \$25,000 and less than \$750,000 in settlement of such claim with the approval of the County Attorney or his designee and the [Insurance] Ways and Means Committee, or any successor committee of the Suffolk County Legislature.

D. Payment of a sum of \$750,000 or more in settlement of such a claim with the approval of the County Attorney or his designee and the Suffolk County Legislature via duly enacted resolution.

**Section 3. Applicability.**

This law shall apply to all settlements occurring on or after the effective date of this law.

**Section 4. Severability.**

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 its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language

\_\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: