

**RESOLUTION NO. 807 -2011, ESTABLISHING A NEW POLICY  
FOR FIT REIMBURSEMENT**

**WHEREAS**, New York State Education Law requires the County of Suffolk to reimburse other community colleges for certain costs when a Suffolk resident attends a community college on a non-resident basis; and

**WHEREAS**, the Fashion Institute of Technology ("FIT") is defined as a community college in State law, even though it offers Baccalaureate and Master's degree programs in addition to two-year programs; and

**WHEREAS**, the County of Suffolk is currently reimbursing FIT for costs associated with Suffolk residents enrolled in a Baccalaureate or Master's programs; and

**WHEREAS**, New York's Education law requires New York State to reimburse home Counties for 50% of the costs associated with any non-resident in attendance at FIT but the State has reneged on this statutory commitment since 2001; and

**WHEREAS**, a recent decision of the New York State Supreme Court (Justice Parga, Nassau County) concluded that Nassau County could only charge back the Town of North Hempstead for the amount paid by the County to FIT for town residents enrolled in two-year education programs and those seeking two-year associate degrees; and

**WHEREAS**, it is clear from this court decision that Nassau County, and all other Counties in the State, are only responsible to reimburse FIT for County residents who are enrolled in FIT's two-year programs; now, therefore be it

**1st RESOLVED**, that it shall be the policy of the County of Suffolk to limit reimbursement to the Fashion Institute of Technology for costs associated with Suffolk residents enrolled in FIT's two-year education programs and those seeking two-year associates degrees; and be it further

**2nd RESOLVED**, that the Suffolk County Comptroller is hereby authorized and directed to limit payments to FIT for allocable costs attributable to County residents enrolled in a two-year program and/or seeking a two-year degree; and be it further

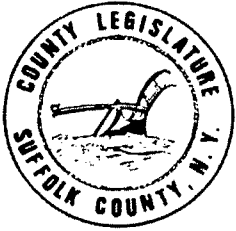
**3rd RESOLVED**, that the Comptroller shall not reimburse FIT for costs associated with Suffolk County residents enrolled in the Baccalaureate or Master's program; and

**4th 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.

DATED: October 11, 2011

EFFECTIVE PURSUANT TO SECTION 2-15(F) OF THE SUFFOLK COUNTY CHARTER,  
RETURNED BY THE COUNTY EXECUTIVE UNSIGNED OCTOBER 27, 2011

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on October 11, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature

Intro. Res.

1774

Res. No.

807

October 11, 2011

**Motion:**

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

**Co-Sponsors:**

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

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilm, 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		17	—	1	—	

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