

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. 168 -2010, CONFIRMING APPOINTMENT
OF JAMES L. TOMARKEN, MD, AS COMMISSIONER OF
HEALTH SERVICES**

WHEREAS, pursuant to Section 351 of New York's Public Health Law, and Section 9-2 of the Suffolk County Charter, the head of the Suffolk County Department of Health Services shall be the Commissioner of Health Services who shall also be known as the County Health Commissioner within the meaning of Article 3, Title 3 of the Public Health Law, to be appointed by the County Executive with the approval of the County Legislature to serve a term of (6) six years; and

WHEREAS, since October 1, 2009, a vacancy exists in the Office of the Commissioner of Health Services due to the retirement of former Commissioner Humayun Chaudhry, DO, MS, SM, FACP, FACOI; and

WHEREAS, the term of former Commissioner Chaudhry expires on April 17, 2010; and

WHEREAS, Linda Mermelstein, MD, MPH has served as the Acting Commissioner of the Department of Health Services since October 1, 2009; and

WHEREAS, Steve Levy, the County Executive of Suffolk County, has proposed the appointment of James L. Tomarken, MD, MBA, MPH, MSW, as Commissioner of Suffolk County Department of Health Services; and

WHEREAS, Acting Commissioner Mermelstein has agreed to serve as the Acting Commissioner until April 16, 2010; and

WHEREAS, the proposed appointment of Commissioner James L. Tomarken as Commissioner of the Suffolk County Department of Health Services shall be effective as of April 17, 2010; now, therefore be it

1st **RESOLVED**, that the appointment of James L. Tomarken, MD, MBA, MPH, MSW, as Commissioner of the Suffolk County Department of Health Services is hereby approved pursuant to Section 351 of the New York State Public Health Law and Section 9-2 of the Suffolk County Charter effective April 17, 2010 for a term of office to expire on April 16, 2016; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Legislature has no further responsibilities under SEQRA.

DATED: March 23, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: March 29, 2010