

WITHDRAWN AS OF 2/5/2013
AMENDED COPY AS OF 9/5/2012

Intro. Res. No. 1799-2012
Introduced by Legislators Kennedy and Browning

Laid on Table 8/7/2012

RESOLUTION NO. -2013, BARRING PAYMENT TO
DeGERE PHYSICAL THERAPY SERVICES

WHEREAS, the County's RPF Waiver Committee approved a waiver from the County's normal procurement requirements for consulting services to allow the award of a contract to DeGere Physical Therapy Services, P.O. Box 134, Lynbrook, NY 11563; and

WHEREAS, under this proposed contract, DeGere is to provide "real estate and marketing services for the sale of the John J. Foley Skilled Nursing Facility. . . to qualified third-party nursing home administrators..."; and

WHEREAS, this Legislature is responsible for making County policy and overseeing the County's real property; and

WHEREAS, it was inappropriate and improper for the County to award a contract for real estate services to an entity that, ostensibly, exists to provide physical therapy services; and

WHEREAS, the County's contract with DeGere Physical Therapy Services, is void and inconsistent with sound public policy; now, therefore be it

1st RESOLVED, that the Department of Audit and Control is hereby authorized, empowered and directed to withhold payment for DeGere Physical Therapy Services for services purportedly rendered in connection with the sale of the Foley facility; and be it further

2nd RESOLVED, that no County employee or officer will take any action to advance the payment of monies to DeGere Physical Therapy Services for services purportedly rendered in connection with the sale of the Foley facility; 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.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: