

Intro. Res. No. 1870-08
Introduced by Presiding Officer Lindsay

Laid on Table 9/16/08

**RESOLUTION NO. -2008, REQUESTING LEGISLATIVE
APPROVAL OF A CONTRACT AWARD WITH SUFFOLK
FEDERAL CREDIT UNION FOR THE INSTALLATION,
ADMINISTRATION AND SERVICING OF AUTOMATIC TELLER
MACHINES ON COUNTY PROPERTY**

WHEREAS, Local Law No. 3-1996 requires the County Legislature to approve any contract in excess of \$20,000 awarded pursuant to an RFP process in which only one party responds to the County's solicitation of proposals; and

WHEREAS, the Department of Audit & Control requested an RFP for "the installation, administration and servicing of Automatic Teller Machines (ATM's) on County property" and

WHEREAS, the Purchasing Division of the Department of Public Works advertised for these services and provided the RFP to five (5) potential vendors and received only one response from ; and

WHEREAS, an independent evaluation committee reviewed the proposal from Suffolk Federal Credit Union, and found their quality of work and experience satisfactory, and its cost proposal submission within the industry standards, and has recommended that the Department of Audit & Control enter into a contractual agreement with the provider; and

WHEREAS, there are no costs to the 2008 Suffolk County Operating Budget to cover the cost of this contract as the vendor will pay to the County a fee based on foreign transactions. Foreign transactions being defined as non-credit union transactions; now, therefore be it

1ST RESOLVED, that upon receiving a two-thirds vote of the County Legislature as required by Local Law No. 3-1996 that the Department of Audit & Control enter into a contractual agreement with Suffolk Federal Credit Union for the installation, administration and servicing of ATM's on County Property.

DATED:

1872

Intro. Res. No. -2008
Introduced by Legislator Browning

Laid on Table 9/16/2008

**RESOLUTION NO. -2008, AMENDING THE 2008
OPERATING BUDGET TO PROVIDE FUNDING FOR THE
LONG ISLAND 2 DAY WALK TO FIGHT BREAST CANCER**

WHEREAS, the Long Island 2 Day Walk To Fight Breast Cancer is a not for profit organization dedicated to helping Long Islander's who are fighting breast cancer through assisting with medical, transportation, prosthetics, wigs, physical therapy, and child care needs; and

WHEREAS it is the desire of this Legislature to support the Long Island 2 Day Walk To Fight Breast Cancer in its efforts; and

WHEREAS, Section 4-31 (G) of the Suffolk County Charter now allows amendment of the County Operating Budget by County Legislators four times during the fiscal year as long as the amendment reduces, lowers, terminates or cancels appropriations; abolishes positions of employment; terminates contract agencies; terminates or reduces the size of County programs or departments, or makes transfers of appropriations that are offset by reductions in other programs; now, therefore be it

1st RESOLVED, that the 2008 County Operating Budget is hereby amended as follows and that the County Comptroller and the County Treasurer be and hereby are authorized to transfer the following funds and authorizations.

APPROPRIATIONS:

FROM:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	FRE	3400	HCU1	4980	Bellport Fire Department	-\$5,000

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>UNIT/ACTIVITY & OBJECT NAME</u>	<u>AMOUNT</u>
001	PKS	7110	XXXX	4980	L.I. 2 Day Walk Breast Cancer	+\$5,000

and be it further

2nd RESOLVED, that the County Executive's Budget Office is authorized to assign an activity (pseudo) code for the L.I. 2 Day Walk Breast Cancer; and be it further

3rd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Long Island 2 Day Walk To Fight Breast Cancer.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

IR No. 1874-08

LOT 9/16/08

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN TO UPDATE AN EXISTING TITLE FOR USE IN THE CONSUMER AFFAIRS DIVISION OF THE OFFICE OF THE COUNTY EXECUTIVE (DIRECTOR OF CONSUMER AFFAIRS)

WHEREAS, the Department of Civil Service/Human Resources in conjunction with the County Executive's Office has reviewed the structure of the Consumer Affairs Division; and

WHEREAS, on the basis of this review they have determined a need for use of the Director title, but found that the title needs to be updated to reflect the change in the Division's name from Citizen Affairs to Consumer Affairs; and

WHEREAS, there are sufficient unexpended and uncommitted funds in the County Executive's budget to cover the cost; now, therefore be it

1st RESOLVED, that the Suffolk County Classification and Salary Plan and the County Executive's operating budget be and they are hereby amended as follows:

AMENDMENT TO CLASSIFICATION AND SALARY PLAN

FROM

Spec No. JC Position Title Grade BU
5218 C Director of Citizen Affairs 31 EX

TO

Spec No. JC Position Title Grade BU
5218 P(NC) Director of Consumer Affairs 31 EX

AMENDMENTS TO OPERATING BUDGET

ADDITION

Position No. Spec No. JC Position Title Grade BU
01-6610-0100-0100 5218 P(NC) Director of Consumer Affairs 31 EX

DELETION

Position No. Spec No. JC Position Title Grade BU
01-6610-0200-0244 0021 C Clerk Typist 09 02

and be it further

2nd RESOLVED, that the provisions of the within resolution shall take effect within the first pay period immediately succeeding its adoption.

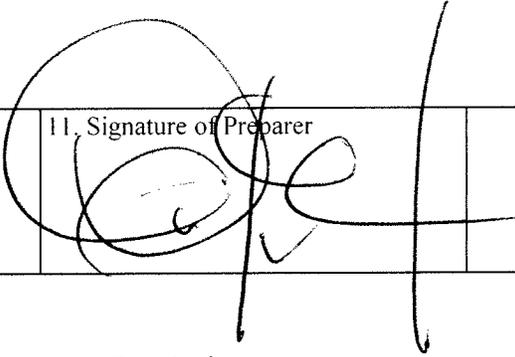
DATED:

APPROVED BY:

County Executive of Suffolk County
Date:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1874

1. Type of Legislation		
Resolution <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation RESOLUTION No. _____ AMENDING THE SUFFOLK COUNTY CLASSIFICATION AND SALARY PLAN TO UPDATE AN EXISTING TITLE FOR USE IN THE CONSUMER AFFAIRS DIVISION OF THE OFFICE OF THE COUNTY EXECUTIVE (DIRECTOR OF CONSUMER AFFAIRS)		
3. Purpose of Proposed Legislation To amend the Classification and Salary Plan to change the Director of <u>Citizen</u> Affairs title to Director of <u>Consumer</u> Affairs in conformance with the current name of the Division; and to amend the County Executive's operating budget to add a Director of Consumer Affairs position and delete a Clerk Typist position.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes _____ No <input checked="" type="checkbox"/>		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
County	Town	Economic Impact
Village	School District	Other (Specify):
Library District	Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
8. Proposed Source of Funding		
9. Timing of Impact		
10. Typed Name & Title of Preparer	11. Signature of Preparer	
Cynthia DiStefano Director of Classification		September 12, 2008
<i>Allen M. Kowalsky</i> Director of Mgt & Research		

SCIN FORM 75b (10/95)

FINANCIAL IMPACT
2008 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

1874

GENERAL FUND

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

TOWN	2008 PROPERTY TAX LEVY	2008 COST TO AVG TAXPAYER	2008 AV TAX RATE PER \$100	2008 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2006.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2006-2007.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2006 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVE LEVY

SUFFOLK COUNTY EXECUTIVE

1874

DEPARTMENT OF CIVIL SERVICE/HUMAN RESOURCES
NORTH COUNTY COMPLEX BLDG. 158
P. O. Box 6100
HAUPPAUGE, NY 11788-0099
(631) 853-5500
FAX (631) 853-6305

ALAN SCHNEIDER
PERSONNEL DIRECTOR

interoffice memorandum

TO: Ben Zwirn, Assistant Deputy County Executive

FROM: Cynthia DiStefano, Director of Classification

DATE: September 12, 2008

RE: Title Amendment Request

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A draft of a Resolution to amend the Classification and Salary Plan to change the Director of Citizen Affairs title to Director of Consumer Affairs in conformance with the current name of the Division is attached. We have determined that the proposed organization of the Consumer Affairs Division of the County Executive's Office, which includes use of the Director title, necessitates updating the title to match the Division's name. The Resolution includes creation of a Director of Consumer Affairs position and deletes a Clerk Typist position.

Please initiate this resolution to amend the Classification and Salary Plan and the Department's operating budget. A draft of our proposed specification for the title is attached for your reference.

An e-mail version of the Resolution has been sent to CE RESO REVIEW saved under the title "Reso-CE-Director of Consumer Affairs 9-08."

Attachment

cc: Jim Morgo, Chief Deputy County Executive  
Jeff Szabo, Deputy County Executive – Administration  
Jeffrey Tempera, Director of Labor Relations

DISTINGUISHING FEATURES OF THE CLASS

An employee in this class directs the operation of the County Executive's Office of Consumer Affairs which is responsible for receiving complaints and investigating unfair or deceptive practices against consumers. The incumbent oversees the Bureau of Consumer Complaints, the Bureau of Licensing and the Bureau of Weights and Measures. The incumbent will also be designated as the director of the Bureau of Weights and Measures as per Section 180 of Agriculture and Markets Law. Work is subject to administrative review through conferences and written reports. Does related work as required.

TYPICAL WORK ACTIVITIES

- Develops and implements policies and procedures in the administration of the operation of all bureaus;
- Reviews reports of investigations and drafts recommendations for new legislation and regulations;
- Assists and supervises personnel in the investigation, disclosure and prosecution, if necessary, of persons or groups responsible for unfair or deceptive practices against consumers;
- Develops programs of consumer education and information in order to promote public understanding and cooperation with the objectives of the office;
- Represents the interests of consumers before federal, state and local administrative and regulatory agencies;
- Represents the division before legislative and administrative bodies at the request of the County Executive;

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS

Thorough knowledge of the applicable statues, court decisions and administrative rulings pertaining to consumer fraud and unfair practices; thorough knowledge of public administrative practices and procedures; thorough knowledge of the principles, practices, methods and procedures which assure and promote consumer protection; ability to establish and maintain effective working relationships with co-workers and the general public and all groups concerned with the objectives and activities of the Office of Consumer Affairs; ability to plan, coordinate and supervise the work of personnel in a manner conducive to full performance and high morale; ability to prepare clear, accurate and comprehensive reports; ability to express oneself clearly and concisely, both orally and in writing; physical condition commensurate with the demand of the position.

MINIMUM QUALIFICATIONS

Graduation from an accredited law school, and four (4) years experience in public administration including responsibility for gathering information to address consumer complaints.

NECESSARY SPECIAL REQUIREMENT

Candidates must possess a New York State license to practice law before the Bar of the State of New York.

09/12/08  
SUFFOLK COUNTY  
Pending (Non-competitive)

**Draft**

1875

Intro. Res. No. -2008

Laid on Table 9/16/08

Introduced by the Presiding Officer on Request of the County Executive

**RESOLUTION NO. -2008, ADOPTING A  
MEMORANDUM OF UNDERSTANDING BETWEEN  
NASSAU COUNTY AND SUFFOLK COUNTY  
RELATING TO THE LONG ISLAND REGIONAL  
PLANNING COUNCIL**

**WHEREAS**, Suffolk County Resolution Nos. 636-2005 and 1097-2007 and Nassau County Ordinance Nos. 129-2007 and \_\_\_\_\_ created the Long Island Regional Planning Council (hereinafter the "LIRPC") in order to collaborate in facilitating regional planning strategies; and

**WHEREAS**, New York State General Municipal Law Section 239-h (3) provides that the legislative bodies of each County shall adopt, by resolution, an agreement setting forth the terms and conditions of such collaboration; and

**WHEREAS**, Suffolk County Resolution No. 636-2005 empowered and authorized the Suffolk County Executive to enter into an inter-municipal agreement with Nassau County consistent with the terms of Resolution No. 636-2005 and setting forth the terms and conditions under which the Council will operate; and

**WHEREAS**, Suffolk County and Nassau County have negotiated and agreed to the terms of an inter-municipal agreement; now, therefore be it

**1st RESOLVED**, that the "Memorandum of Understanding Between Nassau County and Suffolk County Relating to the Long Island Regional Planning Council," the form of which is annexed hereto, is adopted and, as stated therein, shall continue unless terminated by either party, at any time, for any reason or no reason, upon thirty (30) days written notice to the other party or upon formal dissolution of the LIRPC by way of duly enacted resolutions of the legislative bodies of Nassau County and Suffolk County; and be it further

**2nd 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/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, 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

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**MEMORANDUM OF UNDERSTANDING  
Between Nassau County and Suffolk County  
Relating to  
The Long Island Regional Planning Council**

**THIS MEMORANDUM OF UNDERSTANDING** (together with the schedules, appendices, attachments and exhibits, if any, this “MOU” or this “Agreement”) made and entered into as of the date (the “Effective Date”) on which this MOU is last executed by the parties hereto, between NASSAU COUNTY, a municipal corporation having its principal office at 1550 Franklin Avenue, Mineola, New York 11501 (“Nassau County”) and SUFFOLK COUNTY, a municipal corporation having its principal office at 100 Veterans Memorial Highway, Hauppauge, New York 11788 (“Suffolk County”), collectively, the “Parties.”

**W I T N E S S E T H**

**WHEREAS**, Nassau County Ordinance Numbers 129-2007 and \_\_\_\_\_ [to be determined] and Suffolk County Resolution Nos. 636-2005 and 1097-2007 (collectively, the “Enabling Legislation”), created the Long Island Regional Planning Council (hereinafter the “LIRPC”); and

**WHEREAS**, New York State General Municipal Law Section 239-h (3) provides that the legislative bodies of each County shall adopt by resolution an agreement setting forth the terms and conditions of this collaboration; and

**WHEREAS**, the Parties desire to collaborate in facilitating regional planning strategies.

**NOW, THEREFORE**, the Parties hereby agree as follows:

1. **TERM AND TERMINATION**

This Agreement shall commence on the Effective Date and continue unless terminated by either party, at any time, for any reason or no reason, upon thirty (30) days written notice to the other party. Notwithstanding the foregoing, this Agreement shall automatically terminate upon formal dissolution of the LIRPC by way of duly enacted resolutions of the legislative bodies of Nassau County and Suffolk County.

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2. EXPENSE-SHARING AND REIMBURSEMENT

(a) Each County shall propose and include in its yearly operating budgets like amounts of funding in support of the LIRPC, such amounts to be determined by agreement between the respective County Executives in advance of each fiscal year and contingent upon timely receipt of the LIRPC's business plan in accordance with the Enabling Legislation.

(b) The Parties agree that no liability shall be incurred by either County under this Agreement beyond the amount of funds duly appropriated by the respective County Legislatures, and any subsequent modifications thereof by County Legislatures for the future funding of the LIRPC. Any unilateral reduction in future funding by one County will similarly reduce the future funding liability of the other County.

3. COOPERATION

Each party agrees to render cooperation in the provision of services to the LIRPC, to the extent practicable.

4. SUPPORT

The Parties agree to support LIRPC activities with in-kind services, including, but not limited to, staff support and office space, within the limitations of the appropriated amounts adopted by each party pursuant to Section 2. above, and to the extent practicable in the discretion of the County Executives, if requested by the LIRPC.

5. ACCOUNTING PROCEDURES; RECORDS

Each Party shall maintain and retain, for a period of six (6) years following the later of termination of or final payment under this Agreement, complete and accurate records, documents, accounts and other evidence, whether maintained electronically or manually ("Records"), pertinent to all expenses referred to in section 2., above and performance under this Agreement. Records shall be maintained in accordance with Generally Accepted Accounting Principles and, must comply with the accounting guidelines set forth in the federal Office of Management & Budget Circular A-122, "Cost Principles for Non-Profit Organizations" (collectively, the "Accounting Standards"). Such Records shall at all times be available for audit and inspection by each County Comptroller, or any other appropriate governmental authority with jurisdiction over the provision of services hereunder and/or the payment therefore, and any of their duly designated representatives.

6. NO AGENCY

Each county is an independent municipality and neither County, nor any of its officers, directors, appointees, employees, contractors, or agents shall be (a) deemed an employee of the other County; (b) commit either County to any obligation; or (c) hold

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itself, himself, or herself out as an employee of the other County, or a person with the authority to commit the other County to any obligation. As used in this Agreement the word "Person" means any individual person, entity (including partnerships, corporations and limited liability companies), and government or political subdivision thereof (including agencies, bureaus, officers and departments thereof).

7. COMPLIANCE WITH LAW

(a) Generally. Nassau and Suffolk Counties shall comply with any and all applicable federal, State and local laws, including, but not limited to those relating to conflicts of interest, discrimination, and disclosure of information, and the provision of Section 70 of the New York Civil Service Law, in connection with its performance under this Agreement. As used in this Agreement the word "Law" includes any and all statutes, local laws, ordinances, rules, regulations, applicable orders and/or decrees of state or local government, as the same may be amended from time to time, enacted, or adopted.

(b) Records Access. The parties acknowledge and agree that all records, information, and data ("Information") acquired in connection with performance or administration of this Agreement shall be used and disclosed solely for the purpose of performance and administration of the contract or as required by law. Each County acknowledges that information in the other's possession may be subject to disclosure under Article 6 of the New York State Public Officers Law. In the event that such a request for disclosure is made, the receiving party shall make reasonable efforts to notify the other party of such request prior to disclosure of the Information so that the other party may take such action as it deems appropriate.

8. ASSIGNMENT; AMENDMENT; WAIVER

This Agreement and the rights and obligations hereunder may not be in whole or part (i) assigned, transferred or disposed of; (ii) amended; (iii) waived; or (iv) subcontracted without the prior written consent of the other party, and any purported assignment, other disposal or modification without such prior written consent shall be null and void. The failure of a party to assert any of its rights under this Agreement, including the right to demand strict performance, shall not constitute a waiver of such rights.

9. EXECUTORY CLAUSE

Notwithstanding any other provision of this MOU, neither party shall have any liability under this MOU (including any extension or other modification of this Agreement) to any person unless (i) any and all requisite approvals have been obtained, including approval by the Nassau and Suffolk County Legislatures, and (ii) this Agreement has been duly executed.

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10. NO THIRD PARTY BENEFICIARIES

No third party beneficiary rights are intended or created as a result of this MOU.

IN WITNESS WHEREOF, Nassau County and Suffolk County have executed this Agreement as of the Effective Date.

NASSAU COUNTY

By: \_\_\_\_\_  
Name:  
Title: Deputy County Executive  
Date: \_\_\_\_\_

SUFFOLK COUNTY

By: \_\_\_\_\_  
Name: James Morgo  
Title: Chief Deputy County Executive  
Date: \_\_\_\_\_

1875

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF NASSAU )

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2008 before me personally came \_\_\_\_\_ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of \_\_\_\_\_; that he or she is a Deputy County Executive of the County of Nassau, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to Section 205 of the County Government Law of Nassau County.

NOTARY PUBLIC

STATE OF NEW YORK )  
 )ss.:  
COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2008 before me personally came \_\_\_\_\_ to me personally known, who, being by me duly sworn, did depose and say that he or she resides in the County of \_\_\_\_\_; that he or she is the Chief Deputy County Executive of the County of Suffolk, the municipal corporation described herein and which executed the above instrument; and that he or she signed his or her name thereto pursuant to Section C3-8 of the Suffolk County Charter.

NOTARY PUBLIC

1876

9/16/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, APPOINTING BABYLON TOWN SUPERVISOR STEVE BELLONE AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL**

**WHEREAS**, Resolution No. 636-2005, adopted by the County of Suffolk on June 8, 2005 and entitled "Re-organizing and Strengthening the Nassau-Suffolk Regional Planning Board, and Renaming the Board, 'The Long Island Regional Planning Council,'" as amended by Resolution No. 1097-2007, adopted by the County of Suffolk on November 30, 2007, provides for the appointment of six members to be appointed from Suffolk County and six members to be appointed from Nassau County to provide for greater and more diverse citizen input through an expanded Board, greater accountability, and more sharply focused goals and responsibilities; and

**WHEREAS**, Nassau County has adopted an Ordinance, as amended, which is substantially similar to Resolution No. 636-2005, as amended by Resolution No. 1097-2007; and

**WHEREAS**, the members appointed to the Long Island Regional Planning Council by Suffolk County shall include a supervisor of a town within Suffolk County and a mayor of a village within Suffolk County; and

**WHEREAS**, all members appointed should have a background in Engineering, Real Estate Development, Construction, Economic Development, Energy Planning and Analysis, law, local government, Environmental Protection, Health Care Planning, Transportation Planning or Regional Planning, and include members from a broad cross section of interests within the Suffolk County region, but not more than two (2) members shall be from the same type of professional background; and

**WHEREAS**, County Executive Steve Levy has appointed Babylon Town Supervisor Steve Bellone, currently residing at 107 Vanderbilt Ave, West Babylon, NY, as a member of the Long Island Regional Planning Council; now, therefore be it

**1st RESOLVED**, that the appointment of Babylon Town Supervisor Steve Bellone, currently residing at 107 Vanderbilt Ave, West Babylon, NY as a member of the Long Island Regional Planning Council with a background in local government, is hereby approved, pursuant to Resolution No. 636-2005, as amended by Resolution No. 1097-2007, for a term of three years commencing on the effective date of this resolution and to expire in three years or at the end of his term of elective office, whichever is shorter.

DATED:

APPROVED BY: \_\_\_\_\_

County Executive of Suffolk County

Date:

1876

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                                      |                                                                                                                   |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 1. Type of Legislation<br>Resolution <u>  X  </u> Local Law _____      Charter Law _____                                                             |                                                                                                                   |                                    |
| 2. Title of Proposed Legislation<br><b>APPOINTING BABYLON TOWN SUPERVISOR STEVE BELLONE AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL</b> |                                                                                                                   |                                    |
| 3. Purpose of Resolution: Same as above                                                                                                              |                                                                                                                   |                                    |
| 4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  </u> No <u>  X  </u>                                                            |                                                                                                                   |                                    |
| 5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)                                                      |                                                                                                                   |                                    |
| County                                                                                                                                               | Town                                                                                                              | Economic Impact                    |
| Village                                                                                                                                              | School District                                                                                                   | Other (Specify): Community College |
| Library District                                                                                                                                     | Fire District                                                                                                     |                                    |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br>NO IMPACT                                                             |                                                                                                                   |                                    |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>N/A.                                             |                                                                                                                   |                                    |
| 8. Proposed Source of Funding<br>N/A                                                                                                                 |                                                                                                                   |                                    |
| 9. Timing of Impact<br>UPON APPROVAL                                                                                                                 |                                                                                                                   |                                    |
| 10. Typed Name & Title of Preparer<br>APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT                                                                      | 11. Signature of Preparer<br> | 12. Date<br>September 15, 2008     |

SIN FORM 175b (10/95)

OFFICE OF THE COUNTY EXECUTIVE  
COUNTY OF SUFFOLK

- (1) Please limit this suggestion to (ONE) proposal.
- (2) Describe in detail.
- (3) Attach all pertinent backup material.

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Submitting Department Department Contact Person  
(Dept. Name & Location)(Name & Telephone No.)

SUFFOLK COUNTY EXECUTIVE OFFICE  
853-4000

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Suggestion Involves:

Technical Amendment  New Program

Grant Award  Contract (New  Rev. )

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Summary of Problem: (Explanation of why this legislation is needed.)

**APPOINTING BABYLON TOWN SUPERVISOR STEVE BELLONE AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL**

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Proposed Changes in Present Statute: (Please specify section when possible)

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PLEASE FILL IN REVERSE SIDE OF FORM

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SCIN Form 175a(10/95) Prior editions of this form are obsolete.

I.R. 1876-08

Steve Bellone was born in Queens on September 11, 1969. His family settled in North Babylon two years later. A graduate of North Babylon High School , he earned a BA degree at Queens College in 1991.

Enlisting in the US Army in 1992, Supervisor Bellone served as a Communications Specialist stationed at Fort Leonard Wood, Missouri . During his service in the Army, he was awarded commendations for meritorious service and earned a Masters Degree in Public Administration by attending night classes at Webster University. Supervisor Bellone earned his Law degree from Fordham University and was admitted to the New York Bar in 1999.

After his honorable discharge from the military, Supervisor Bellone was appointed by Babylon Town Supervisor Rich Schaffer to serve as his Community Service Aide in 1995. In 1997, he was elected to the Babylon Town Board in his first run for public office, defeating a two-term incumbent. After serving a four year term on the Town Board, he was elected Babylon 's 30th Supervisor and took office in January of 2002.

Supervisor Bellone has proven to be effective in his fiscal leadership throughout his tenure as Supervisor, effectively freezing taxes, reducing the size of government, reducing the town's debt burden and increasing its bond rating. He has done this while taking on many ambitious projects to benefit the town.

Under his leadership, the town undertook the largest road improvement program in its history, a five-year plan utilizing pavement recycling techniques that saves the town up to 30% of the cost of using traditional methods while not sacrificing quality.

Since taking office, Supervisor Bellone has worked hard to make significant improvements to the town's parks. He has overseen the installation of five state-of-the-art all-weather turf sports fields throughout the town, a second story pavilion at Overlook Beach , a new pavilion and spray park at Venetian Shores in Lindenhurst and the construction of a new pool and spray park complex at Phelps Lane in North Babylon. Improved Youth Centers have also been unveiled in North Babylon and West Babylon.

When it comes to environmental issues and dealing with our dependency on foreign oil Supervisor Bellone's clean energy initiatives have been among the most comprehensive in the country. The town's Clean Energy Action Plan includes the purchase of hybrid vehicles, installation of biodiesel fuel in town facilities, purchasing 10% of the town's electricity from wind power and the installation of solar panels at town facilities. Additionally, he has introduced green building initiatives, including the construction of a zero energy home demonstration project to educate local contractors about green building techniques.

Quality of Life issues have been a major focus of Supervisor Bellone's administration. He created the Quality of Life Taskforce and the Babylon Community Court to target serial code offenders and shut down slumlords. These two programs have had dramatic results: illegal rooming houses have been shut down, abandoned buildings that have sat

vacant for years have been leveled and properties all over town have been cleaned up.

The revitalization of the town's downtown areas have also been important to Supervisor Bellone. As part of the town's downtown revitalization plan, decorative street lighting with hanging flower baskets have been installed in Deer Park, West Babylon, Copiague and North Amityville. Decorative receptacles have been added to North Lindenhurst and other downtowns.

Historic Preservation is an issue that means much to Supervisor Bellone. He led the effort to purchase back Old Town Hall to save it from redevelopment proposals, after it had been privately owned for decades. The building was added to the National Register of Historic Places in 2005. The Town is developing a self-guided tour of Old Town Hall that will enable individuals or schools to tour the building and at the same time learn about the Town's history.

Supervisor Bellone is currently serving his third term as Town Supervisor. He resides in West Babylon with his wife, Tracey and their daughter, Katherine Ann.

1877

9/16/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, APPOINTING PATCHOGUE VILLAGE  
MAYOR PAUL PONTIERI AS A MEMBER OF THE LONG ISLAND  
REGIONAL PLANNING COUNCIL**

**WHEREAS**, Resolution No. 636-2005, adopted by the County of Suffolk on June 8, 2005 and entitled "Re-organizing and Strengthening the Nassau-Suffolk Regional Planning Board, and Renaming the Board, 'The Long Island Regional Planning Council,'" as amended by Resolution No. 1097-2007, adopted by the County of Suffolk on November 30, 2007, provides for the appointment of six members to be appointed from Suffolk County and six members to be appointed from Nassau County to provide for greater and more diverse citizen input through an expanded Board, greater accountability, and more sharply focused goals and responsibilities; and

**WHEREAS**, Nassau County has adopted an Ordinance, as amended, which is substantially similar to Resolution No. 636-2005, as amended by Resolution No. 1097-2007; and

**WHEREAS**, the members appointed to the Long Island Regional Planning Council by Suffolk County shall include a supervisor of a town within Suffolk County and a mayor of a village within Suffolk County; and

**WHEREAS**, all members appointed should have a background in Engineering, Real Estate Development, Construction, Economic Development, Energy Planning and Analysis, law, local government, Environmental Protection, Health Care Planning, Transportation Planning or Regional Planning, and include members from a broad cross section of interests within the Suffolk County region, but not more than two (2) members shall be from the same type of professional background; and

**WHEREAS**, County Executive Steve Levy has appointed Patchogue Village Mayor Paul Pontieri, currently residing at 32 South Pine Lake Drive, Patchogue, NY, as a member of the Long Island Regional Planning Council; now, therefore be it

**1st RESOLVED**, that the appointment of Patchogue Village Mayor Paul Pontieri, currently residing at 32 South Pine Lake Drive, Patchogue, NY as a member of the Long Island Regional Planning Council with a background in local government, is hereby approved, pursuant to Resolution No. 636-2005, as amended by Resolution No. 1097-2007, for a term of three years commencing on the effective date of this resolution and to expire in three years or at the end of his term of elective office, whichever is shorter.

DATED: \_\_\_\_\_, 2008

APPROVED BY: \_\_\_\_\_

County Executive of Suffolk County

Date: \_\_\_\_\_, 2008

1877

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                                      |                                                                                                                   |                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 1. Type of Legislation<br>Resolution <u>  X  </u> Local Law _____      Charter Law _____                                                             |                                                                                                                   |                                    |
| 2. Title of Proposed Legislation<br><b>APPOINTING PATCHOGUE VILLAGE MAYOR PAUL PONTIERI AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL</b> |                                                                                                                   |                                    |
| 3. Purpose of Resolution: Same as above                                                                                                              |                                                                                                                   |                                    |
| 4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  </u> No <u>  X  </u>                                                            |                                                                                                                   |                                    |
| 5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)                                                      |                                                                                                                   |                                    |
| County                                                                                                                                               | Town                                                                                                              | Economic Impact                    |
| Village                                                                                                                                              | School District                                                                                                   | Other (Specify): Community College |
| Library District                                                                                                                                     | Fire District                                                                                                     |                                    |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br>NO IMPACT                                                             |                                                                                                                   |                                    |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>N/A.                                             |                                                                                                                   |                                    |
| 8. Proposed Source of Funding<br>N/A                                                                                                                 |                                                                                                                   |                                    |
| 9. Timing of Impact<br>UPON APPROVAL                                                                                                                 |                                                                                                                   |                                    |
| 10. Typed Name & Title of Preparer<br>APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT                                                                      | 11. Signature of Preparer<br> | 12. Date<br>September 15, 2008     |

SIN FORM 175b (10/95)

1877

*Paul V. Pontieri, Jr.*  
*32 South Pine Lake Drive*  
*Patchogue, New York 11772*  
*631- 475-8036*  
*ppontieri8036@optonline.net*

**EDUCATION**

State University of New York at Buffalo, Buffalo, N.Y.  
M.S. in Learning and Behavioral Disorders, 1974  
B.S. in Elementary Education – Physically Handicapped, 1971

**PERMANENT CERTIFICATION**

School Administrator and Supervisor  
Elementary Education  
Emotionally Disturbed  
Learning Disabilities  
Physically Handicapped

**EXPERIENCE /GOVERNMENT**

*Mayor, Village of Patchogue (March 2004-Present)*

- Proposed and developed first major Work Force Housing Development in Suffolk County
- Proposed for expansion for sewer treatment plant from 500,000 gpd to 1,00,000 gpd
- Worked with Federal and State Representatives to secure over \$7,000,000 dollars for capital improvements i.e. Road paving, street lighting, vehicles, Work Force Housing, sewer treatment plant
- Have taken a "Smart Growth" approach to revitalizing Patchogue Village
- Have introduced a program to control and close illegal boarding an rooming houses in a manner that protects the rights of the tenants

---

*Village Trustee (1986 - 1994, 2001 - 2004)*

- Wrote, introduced and passed legislation to put a moratorium on any new boarding and rooming houses
- Wrote, sponsored and passed legislation to change the Village Code on boarding and rooming houses
- Wrote, introduced and passed legislation to increase various fees in the Building and Housing Department
- Chaired a committee to review and modify Village Zoning Codes
- Member of negotiating team that settled the *Gateway Theatre* contract-keeping *Gateway* in the Village
- *Commissioner of Building & Housing (2001 - 2004)*
- Community Development Agency, Chairman (1992 - 1994)*
- Suffolk County Village Officials Association (SCVOA). (2004-present) 2<sup>nd</sup> Vice.*
- President

1877

## EXPERIENCE / EDUCATION

*South Country School District, East Patchogue, N.Y.  
Bellport Senior High School*

**January 1996-April 2003 Assistant Principal (Grades 9-12)**

- Responsible for approximately 400 students for disciplinary intervention and academic performance
- Member of the committee that developed the South Country School Districts Code of Discipline
- Member of the S.C.S.D. Health and Safety Committee
- Liaison to the Suffolk County Police Department on Community and School related issues
- Member of Principals' Committee to restructure BHS to meet new regents standards
- Supervisor of academic areas including English, Foreign Language, Business/Technology and Physical Education
- Supervised the implementation of new period-by-period attendance procedure and On-line grade reporting using centralized computer technology
- Developed and administered Alternative High School. This program saved the South Country School District over \$350,000 per year for three years
- Responsible for all security procedures and the implementation of the South Country School District emergency disaster plan at Bellport High School
- Assistant Principal in charge of approximately 1300 students in the areas of attendance, school registration, BOCES placement, transportation, GED program, plus other duties so assigned by the principal

**April 2003-Present – Educational Consultant**

- **Bellport High School- 4/03- 6/03** assist and advise Superintendent /Interim Principal on issues related to the administration of the High School
  - Administrator in charge when Superintendent/Principal was out of the building
  - With the restructuring of the administration at Bellport H.S., developed a realignment of administrative responsibilities for the Principal, Assistant Principals, and Deans
  - Reviewed and revised the Teacher Handbook for the 2003-2004 school year
- **Ward Melville High School-10/03-6/04** – Dean of students responsible for all issues related to attendance, including Attendance for Credit Policy. Have overall responsibility for student discipline.
- **Reed Middle School, Central Islip-9/04-4/05**-Assistant Principal responsible for teacher evaluation and student discipline.
- **Bellport High School- 8/05-present**– Dean of students responsible for all issues related to attendance, including Attendance for Credit Policy. Have overall responsibility for student discipline.

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*Board of Cooperative Educational Services (B.O.C.E.S.), Patchogue, N.Y.*

*Teacher/Coordinator 1971 to 1977*

Programs for the Emotionally Disturbed – Grades 6-12

*Principal 1977-1984*

Central Islip Learning Center (Cordello L.C.)

Oversaw, developed, and administered programs for emotionally disturbed (Grades 9-12)

*New Interdisciplinary School, Medford, N.Y.*

*Board of Trustees 1988-1999*

*Vice President 1998-1999*

*President 1993-1995*

A pre-school for 225 handicapped students with an operating budget of \$5 million. As

President oversaw the construction of a \$3 million 35,000 sq. ft. building.

*Independent Group House and Living Program Inc. (IGHL),*

Center Moriches, N. Y.

*Board of Trustees 1999-Present*

Education Committee

*C. W. Post, Greenvale, N. Y.*

*Adjunct Staff 1983*

Special Education Graduate Studies

**EXPERIENCE / BUSINESS**

*Quickway Courier, Plainview, N.Y. 1984 to 1994*

*President/Owner*

Purchased and successfully ran this privately held courier business. Built business to over \$4 million sales annually and 85 employees. Maintained a “hands-on” approach to managing the business.

*U. S. Delivery Systems, Plainview, N.Y.*

*September 1994 to Dec. 1995*

*Vice President of Operations*

Upon the purchase of Quickway Courier by U. S. Delivery remained with the new organization and retained responsibility for the operations of this 150 employee company. Specific duties include budget management, personnel evaluations and office operations.

*Village of Patchogue, Patchogue, N. Y*

**COMMUNITY**

*Patchogue Lions Club (1982 - Present)*

*Patchogue Medford Youth and Community Services*

*Board of Trustees (1997 - Present)*

*Chairman, Personnel Committee*

1877

*New York State Association of Messenger Services (1987 - 1994)*  
*Executive Board (1990 - 1994)*  
*Chairman of Legislative Committee (1990 - 1994)*

*Association of N.Y. State Educators of the Emotionally Disturbed*  
*Executive Board (1971 - 1983)*  
*President (1980 - 1981)*  
*Conference Chairman (1979 - 1980)*  
*Treasurer (1974 - 1977)*

*Bay Shore Athletic Club*  
*Board Member (1983 - 1985)*

*Boy Scouts of America*  
*Delegate-at-Large, Suffolk County (1978 - 1981)*

#### **WORKSHOPS, ETC.**

*Patchogue-Medford School District - AIDS Advisory Council*  
This council was set-up to develop policy and curriculum for grades K-12  
*Committee Member (1992 - 1996)*

*BOCES II Occupational Education Task Force (1982 - 1983)*  
This task force was set up to evaluate all aspects of the BOCES Occupational  
Education Division using N.Y. State guidelines.

*Drug Abuse Prevention Council for the Handicapped, Suffolk County Department of*  
*Health*  
*Director (1982 - 1984)*  
Drug Abuse and the Handicapped: A Special Problem  
*Workshop Chairman (June 1983)*

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*N. Y. State Regional Conference on Student Discipline*  
"Positive Approaches to Student Discipline"  
*Conference Planning Committee (March 1983)*

*N. Y. State Workshop on Alternative High School Programming*  
*Presenter (November 1982)*

*Grant Writer* - Wrote, developed and coordinated \$65,000 outdoor education grant for  
the emotionally disturbed for BOCES II/Suffolk.

#### **PERSONAL**

Married to Mary and father of three children, Lindsey, David and Ali.

1878

9/16/08

Intro. Res. No. -2008

Laid on Table

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2008, APPOINTING GRANT HENDRICKS AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL**

**WHEREAS**, Resolution No. 636-2005, adopted by the County of Suffolk on June 8, 2005 and entitled "Re-organizing and Strengthening the Nassau-Suffolk Regional Planning Board, and Renaming the Board, 'The Long Island Regional Planning Council,'" as amended by Resolution No. 1097-2007, adopted by the County of Suffolk on November 30, 2007, provides for the appointment of six members to be appointed from Suffolk County and six members to be appointed from Nassau County to provide for greater and more diverse citizen input through an expanded Board, greater accountability, and more sharply focused goals and responsibilities; and

**WHEREAS**, Nassau County has adopted an Ordinance, as amended, which is substantially similar to Resolution No. 636-2005, as amended by Resolution No. 1097-2007; and

**WHEREAS**, the members appointed to the Long Island Regional Planning Council by Suffolk County shall include a supervisor of a town within Suffolk County and a mayor of a village within Suffolk County; and

**WHEREAS**, all members appointed should have a background in Engineering, Real Estate Development, Construction, Economic Development, Energy Planning and Analysis, law, local government, Environmental Protection, Health Care Planning, Transportation Planning or Regional Planning, and include members from a broad cross section of interests within the Suffolk County region, but not more than two (2) members shall be from the same type of professional background; and

**WHEREAS**, County Executive Steve Levy has appointed Grant Hendricks, currently residing at 29 Garner Lane, Bay Shore, NY, as a member of the Long Island Regional Planning Council; now, therefore be it

**1st RESOLVED**, that the appointment of Grant Hendricks, currently residing at 29 Garner Lane, Bay Shore, NY as a member of the Long Island Regional Planning Council with a background in transportation planning, is hereby approved, pursuant to Resolution No. 636-2005, as amended by Resolution No. 1097-2007, for a term of three years commencing on the effective date of this resolution.

DATED: \_\_\_\_\_, 2008

APPROVED BY: \_\_\_\_\_

County Executive of Suffolk County

Date: \_\_\_\_\_, 2008

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**Grant Hendricks**  
29 Garner Lane  
Bay Shore, New York 11706

### Employment

Vice President, **BIMASCO Inc.** 1985-Present

Serves as the managing partner of a manufacturing and contracting business on Long Island for over 20 years. Responsible for the preparation and submission of formal bids. Excellent working relationship with the Public Works Commissioners and Highway Superintendents throughout Nassau and Suffolk Counties.

Vice President, **Bituminous Roadrunner, Inc.** 1998-Present

Serves as the Managing Partner of a successful trucking company specializing in the transportation and application emulsified asphalt products.

President, **3Sixty Recycling Corporation** 2002-Present

Dedicated to solving Long Island's landfill overflow problem through utilization of Waste-to Energy Residues as an engineered aggregate in construction applications.

### Education

Bay Shore High School  
The Lawrenceville School

### Affiliations

#### Professional Positions

Member of Energeia Partnership Class of 2007  
Board Member of the Long Island Contractors Association (LICA)  
Member of the Suffolk County Highway Superintendents Association  
Member of the International Union of Operating Engineers Local 138

#### Community Service

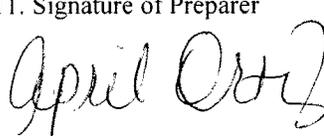
Member of the National Registry of Bone Marrow Donors  
Member of the Board of Governors for Southward Ho Country Club  
Vice President of the O-Co'Nee Home Owners Association  
Head Coach Bay Shore Brightwaters Little League Baseball  
Head Coach Suffolk County PAL Little Conference Football

### Personal

Married to Tara with four children: Ryen, Oliver, Lauren and Caden  
Avid Golfer

1878

STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION

|                                                                                                                                |                                                                                                                   |                                    |
|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 1. Type of Legislation<br>Resolution <u>  X  </u> Local Law _____      Charter Law _____                                       |                                                                                                                   |                                    |
| 2. Title of Proposed Legislation<br><b>APPOINTING GRANT HENDRICKS AS A MEMBER OF THE LONG ISLAND REGIONAL PLANNING COUNCIL</b> |                                                                                                                   |                                    |
| 3. Purpose of Resolution: Same as above                                                                                        |                                                                                                                   |                                    |
| 4. Will the Proposed Legislation Have a Fiscal Impact?      Yes <u>  </u> No <u>  X  </u>                                      |                                                                                                                   |                                    |
| 5. If the answer to item 4 is "yes", on what will it impact?      (circle appropriate category)                                |                                                                                                                   |                                    |
| County                                                                                                                         | Town                                                                                                              | Economic Impact                    |
| Village                                                                                                                        | School District                                                                                                   | Other (Specify): Community College |
| Library District                                                                                                               | Fire District                                                                                                     |                                    |
| 6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact<br>NO IMPACT                                       |                                                                                                                   |                                    |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>N/A.                       |                                                                                                                   |                                    |
| 8. Proposed Source of Funding<br>N/A                                                                                           |                                                                                                                   |                                    |
| 9. Timing of Impact<br>UPON APPROVAL                                                                                           |                                                                                                                   |                                    |
| 10. Typed Name & Title of Preparer<br>APRIL ORTIZ<br>COUNTY EXECUTIVE ASSISTANT                                                | 11. Signature of Preparer<br> | 12. Date<br>September 15, 2008     |

SIN FORM 175b (10/95)

1879  
Intro. Res. No. -2008  
Introduced by Legislator Kennedy

Laid on Table 9/16/08

**RESOLUTION NO. -2008, TO IMPLEMENT WELFARE  
TO WORK COMMISSION RECOMMENDATION**

**WHEREAS**, the Welfare to Work Commission (Commission) issued a report recommending the implementation of evening hours at Suffolk County Department of Social Services (DSS) Centers throughout Suffolk County; and

**WHEREAS**, evening hours would assist those Suffolk County residents who may work part time and cannot take time off during the workday to visit a DSS center; and

**WHEREAS**, a flex-time schedule could be implemented with County employees in order to accommodate the extended office hours, thereby giving employees flexibility with their child care and other family obligations; and

**WHEREAS**, this program has been implemented in other municipalities such as Nassau County where an additional 200 clients per week are provided services during the evening hours; and

**WHEREAS**, it is the desire of this Legislature to offer evening hours to assist those clients who may not be able to visit a center during the workday; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Department of Social Services is hereby authorized, empowered, and directed to present in writing to the County Executive and each member of the County Legislature, a plan of implementation to offer evening hours at DSS centers, on a rotating basis, said plan to include, but not be limited to, estimated costs of operation and staffing these centers including the filling of budgeted positions to accomplish this goal; and be it further

**2nd RESOLVED**, that this written plan is to be submitted to the County Executive and County Legislature no later than December 1, 2008 for this Legislature to review and take any action necessary to implement this plan; 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:



1882  
Intro Res. No. -2008  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table 9/16/08

RESOLUTION NO. -2008, AUTHORIZING  
EXECUTION OF AGREEMENT BY THE ADMINISTRATIVE HEAD  
OF SUFFOLK COUNTY SEWER DISTRICT NO. 2 – TALLMADGE WOODS WITH  
THE OWNER OF NORTH COUNTRY PLAZA (BR-0920)

WHEREAS, North Country Plaza, is located outside the boundary of  
Suffolk County Sewer District No. 2 – Tallmadge Woods; and

WHEREAS, North Country Plaza, Inc. has petitioned and requested  
the Administrative Head of the District for permission to connect into the sanitary  
sewers of the Sewer District No. 2; and

WHEREAS, it has been determined by the Administrative Head of the  
District that the District has wastewater treatment capacity in excess of its own  
needs; and

WHEREAS, the connection is subject to the approval of the New York  
State Department of Environmental Conservation (NYSDEC); and

WHEREAS, it will be financially beneficial to Suffolk County Sewer  
District No. 2 – Tallmadge Woods and Suffolk County, as well as in the  
environmental interest of all of Suffolk County, for the connection to be made;  
now, therefore, be it

WHEREAS, pursuant to Section 617.9 of the SEQRA regulations, a  
Negative Declaration has been issued by the Lead Agency; now, therefore, be it

RESOLVED, that the Administrative Head of the District be and he  
hereby is authorized, directed and empowered to enter into contracts and  
agreements with the developer upon such terms and conditions as he may deem  
necessary relating to connections to the District of lands adjacent to Suffolk  
County Sewer District No. 2 – Tallmadge Woods and that they be required to post  
a surety bond or bonds and deposit cash or securities with the County Treasurer  
in those instances that the Administrative Head deems necessary to ensure  
performance of such agreements and contracts.

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County  
Date of Approval



**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

*1882*

**GENERAL FUND**

|              | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|--------------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| <b>TOTAL</b> | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

**POLICE DISTRICT AND DISTRICT COURT**

|              | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|--------------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| <b>TOTAL</b> | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

**COMBINED**

|              | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|--------------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| <b>TOTAL</b> | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

**NOTES:**

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK

AUG 04 2008



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

1802

DEPARTMENT OF PUBLIC WORKS

THOMAS LAGUARDIA, P.E.  
CHIEF DEPUTY COMMISSIONER

GILBERT ANDERSON, P.E.  
COMMISSIONER

LOUIS CALDERONE  
DEPUTY COMMISSIONER

MEMORANDUM

TO: Ben Zwirn, Deputy County Executive

FROM: Thomas LaGuardia, P.E., Chief Deputy Commissioner, SCDPW

DATE: July 25, 2008

SUBJECT: **Introductory Resolution Calling for Approval of the Connection of North Country Plaza (BR-0920) to Suffolk County Sewer District No. 2 – Tallmadge Woods**

Attached is a draft resolution filed as Reso-DPW-SA 17-2008 North Country Plaza (BR-0920) and appropriate forms with the backup filed as Backup-DPW-SA 17-2008 North Country Plaza (BR-0920). This is a resolution authorizing the execution of a connection agreement by the Administrative Head of Suffolk County Sewer District No. 2 – Tallmadge Woods with North Country Plaza (BR-0920).

| Project Facts        |                                                       |
|----------------------|-------------------------------------------------------|
| Type/units:          | Retail Stores & Services / Restaurants / Office space |
| Acreage:             | 7.284-acres                                           |
| Flow:                | 18,000 GPD                                            |
| Sewer District:      | SCSD No. 2-Tallmadge Woods                            |
| Groundwater Zone:    | III                                                   |
| SEQRA:               | NA                                                    |
| SC Tax Map           | 0200-097.00-02.00-009.000                             |
| Legislative District | 6 <sup>th</sup>                                       |

TL:BW:cap

cc: Jim Morgo, Chief Deputy County Executive  
 Gilbert Anderson, P.E. Commissioner, SCDPW  
 Ben Wright, P.E.  
 John Donovan, P.E.  
 Laura Conway  
 Linda Spahr, Esq.  
 Debra Kolyer, County Executive's Office  
 E-mail to CE Reso Review

SUFFOLK COUNTY IS AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

SUFFOLK COUNTY SEWER AGENCY  
**RESOLUTION NO: 17 -2008**

1882

**AUTHORIZING THE CONNECTION OF NORTH COUNTRY PLAZA (BR-0920) TO  
SUFFOLK COUNTY SEWER DISTRICT NO. 2 – TALLMADGE WOODS**

WHEREAS, **North Country Plaza** is an existing 62,778 square feet shopping center, located in Miller Place, New York, situated on property identified on the Suffolk County Tax Map as District 0200, Section 097.00, Block 02.00, Lot 009.000, and

WHEREAS, the sewage flow from the **North Country Plaza** is expected to be eighteen thousand gallons per day (18,000 GPD), and

WHEREAS, **North Country Plaza** is not located within the boundaries of Suffolk County Sewer District No. 2 - Tallmadge Woods (the "District"), or within the boundaries of any other municipal sewer district, and

WHEREAS, **North Country Plaza** has applied to this Agency for permission to connect its eighteen thousand gallons per day (18,000 GPD) of flow to the sanitary sewerage facilities of the District, and

WHEREAS, the District's sewage treatment plant has sufficient capacity to accept the sewage which is expected to emanate from **North Country Plaza**, and

WHEREAS, the connection of **North Country Plaza** to the District will be financially beneficial to the District, and environmentally beneficial to Suffolk County,

NOW, THEREFORE, IT IS

**1<sup>st</sup>** **RESOLVED**, that **North Country Plaza** be permitted to connect to the sanitary sewerage facilities of the District, upon such terms and conditions as the Administrative Head of the District may impose, subject to the terms and conditions hereof, and it is further

**2<sup>nd</sup>** **RESOLVED**, that eighteen thousand gallons per day (18,000 GPD) of capacity in the District's sewage treatment plant be allocated to **North Country Plaza**, and it is further

**3<sup>rd</sup>** **RESOLVED**, that the connection authorized herein is subject to the approval of the Suffolk County Legislature and the New York State Department of Environmental Conservation, and it is further

**4<sup>th</sup>**           **RESOLVED**, that the connection authorized herein is subject to the execution of an agreement (the "Connection Agreement") between the owner of **North Country Plaza**, the District, the Suffolk County Department of Public Works ("DPW"), the Suffolk County Department of Health Services, the County of Suffolk and this Agency, which agreement shall contain such terms and conditions as the Administrative Head of the District shall determine, and it is further

**5<sup>th</sup>**           **RESOLVED**, that **North Country Plaza** shall, at its sole cost, expense and effort, construct a sewage collection facility for **North Country Plaza**, and shall offer to dedicate the said facility to this Agency, or to this Agency's nominee, at no charge, and it is further

**6<sup>th</sup>**           **RESOLVED**, that this approval is subject to **North Country Plaza** obtaining, at its sole cost, expense, and effort, but not limited to, any 3<sup>rd</sup> party agreements or easements necessary to effect the connection, including a contract to purchase the capacity from Tallmadge Woods STP Associates, LLC, and it is further

**7<sup>th</sup>**           **RESOLVED**, that no Certificate of Occupancy shall be issued for any portion of **North Country Plaza** until the sewage collection facility for **North Country Plaza** has been completed and **North Country Plaza** has been connected to the sanitary sewerage facilities of the District, all to the satisfaction of DPW, and it is further

**8<sup>th</sup>**           **RESOLVED**, that the developer of **North Country Plaza** shall furnish a Letter of Credit, in form, wording and amount, and on such terms and conditions, as determined by this Agency's staff, as security for the construction of the sewage collection facility for **North Country Plaza** as well as for all of the developer's obligations under the Connection Agreement, and it is further

**9<sup>th</sup>**           **RESOLVED**, that this resolution shall become null and void, and of no further force or effect, without any further action by this Agency or notice to the developer of **North Country Plaza** if, within one (1) year from the date of the adoption hereof, an agreement in furtherance of the authorization granted herein (the Connection Agreement), in form and content satisfactory to the Chairman of this Agency, has not been negotiated and fully executed by all parties thereto.

1883

Intro. Res. No. - 2008

Laid on the Table

9/16/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO TRANSFER FUNDING FROM CURRENT APPROPRIATIONS TO THE LONG ISLAND HOME D/B/A SOUTH OAKS FOR THE DEVELOPMENT OF A COUNTY-WIDE PREVENTION RESOURCE CENTER**

**WHEREAS**, the approved New York State Budget for Fiscal Year 2008 includes funding in Aid to Localities for the provision of chemical dependence, prevention, gambling prevention and treatment programs; and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services, (OASAS) has allocated \$175,000 in State aid funding with a local match of \$175,000 to The Long Island Home d/b/a South Oaks for the development and implementation of a county-wide Prevention Resource Center; and

**WHEREAS**, this unallocated funding is already included in the 2008 Adopted Operating Budget and needs to be transferred to The Long Island Home d/b/a South Oaks; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to transfer funds as follows:

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4310-4980

From:

001-HSV-4310-4980 Contracted Services - \$350,000

To:

| XORG | OBJECT NAME                     | 2008 Modified Budget | Increase/ Decrease | 2008 Modified Budget |
|------|---------------------------------|----------------------|--------------------|----------------------|
| HKC1 | The Long Island Home/South Oaks | \$180,422            | +\$350,000         | \$530,422            |

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with The Long Island Home d/b/a South Oaks; and be it further

**3<sup>rd</sup> RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

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

Date of Approval:

HSV #44-2008

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

## MEMORANDUM

**To:** Humayun J. Chaudry, D.O., M.S.  
Commissioner, Department of Health Services

**From:** Thomas O. MacGilvray, LCSW, CASAC  
Director, Division of Community Mental Hygiene Services

**Date:** July 30, 2008

**Subject:** Request for Legislative Resolution to Transfer Funding from Current Appropriations  
for The Long Island Home d/b/a South Oaks

---

The approved New York State Budget for Fiscal Year 2008 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment services. As per the New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office letter dated July 28, 2008, \$175,000 in state aid has been allocated to The Long Island Home d/b/a South Oaks for the development and implementation of a county-wide Prevention Resource Center. This unallocated state aid with a local match of \$175,000 is already included in the 2008 Adopted Operating Budget and must be transferred to The Long Island Home d/b/a South Oaks.

We have attached a copy of the New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office letter dated July 28, 2008 which confirms the allocation of state aid to The Long Island Home d/b/a South Oaks.

We have also attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2008 Adopted Operating Budget to transfer funding from existing appropriations to The Long Island Home d/b/a South Oaks.

Thank you.

TOM: pm  
Attachments

cc: M. Howe, L. Wright, S. Reagan, G. Terry, B. Abrams, P. Manos, D. Weyer



DIVISION OF COMMUNITY MENTAL HYGIENE

North County Complex, Bldg. C928, 725 Veterans Memorial Highway, PO Box 6100 Hauppauge, NY 11788



**OASAS** NEW YORK STATE  
OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES  
Improving Lives. *Addiction Services for Prevention, Treatment, Recovery*

GOVERNOR  
David A. Paterson  
COMMISSIONER  
Karen M. Carpenter-Palumbo

July 28, 2008

Thomas MacGilvray  
Director  
Suffolk County Department of Health  
Division of Community Mental Hygiene Services  
North County Complex C928  
PO Box 6100  
Hauppauge, New York 11788

Dear Mr. MacGilvray:

This letter will confirm the New York State Office of Alcoholism and Substance Abuse Services' (OASAS) allocation of \$175,000 in state aid to The Long Island Home d/b/a/ South Oaks for the development and implementation of a fully operational county-wide Prevention Resource Center. The revised Calendar Year (CY) 2008 State Aid Letter will reflect the transfer of \$175,000 from the Suffolk County 'Unallocated' fund to The Long Island Home prevention (5550 00) line item as a one-time allocation for 2008. The resource will be reallocated as base funding for CY 2009 during the prospective Program Performance Review process.

The OASAS Long Island Field Office is pleased to partner with Suffolk County and The Long Island Home to implement the first county-wide prevention resource center in the region.

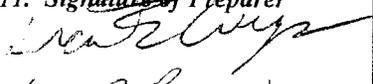
Thank you for your continuing effort to expand and improve the prevention service system in Suffolk County.

Sincerely,

Lisa Lite-Rottmann  
Regional Manager

Cc: Steven Rabinowitz  
Cheri Brown  
Jacqueline Best  
Mary Howe  
Marc Myers

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

|                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                         |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                         |                               |
| Resolution                                                                                                                                                                                                                                                                                                                                                                | <u>  X  </u>                                                                                                                                                                                            | Local Law                     |
| Charter Law                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                               |
| Title of Proposed Legislation<br>Amending the 2008 Adopted Operating Budget to transfer funding from current appropriations to The Long Island Home d/b/a South Oaks for the development of a county-wide Prevention Resource Center.                                                                                                                                     |                                                                                                                                                                                                         |                               |
| 3. Purpose of Proposed Legislation<br>To transfer \$175,000 in State aid funding with a local match of \$175,000 from current appropriations to The Long Island Home d/b/a South Oaks for the development and implementation of a county-wide Prevention Resource Center, which would target chemical dependency, prevention, gambling prevention and treatment programs. |                                                                                                                                                                                                         |                               |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                         |                               |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                         |                               |
| County                                                                                                                                                                                                                                                                                                                                                                    | Town                                                                                                                                                                                                    | Economic Impact               |
| Village                                                                                                                                                                                                                                                                                                                                                                   | School District                                                                                                                                                                                         | Other (Specify):              |
| Library District                                                                                                                                                                                                                                                                                                                                                          | Fire District                                                                                                                                                                                           |                               |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:<br>Not applicable                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                         |                               |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>None                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                         |                               |
| 8. Proposed Source of Funding<br>Transfer of unallocated funds included in the 2008 Adopted Operating Budget.                                                                                                                                                                                                                                                             |                                                                                                                                                                                                         |                               |
| 9. Timing of Impact<br>Immediate upon approval of the resolution and execution of contract with The Long Island Home d/b/a South Oaks.                                                                                                                                                                                                                                    |                                                                                                                                                                                                         |                               |
| 10. Typed Name & Title of Preparer<br>Diane E. Weyer<br>Principal Financial Analyst<br><br>BETH A. REYNOLDS<br>PRINCIPAL EXECUTIVE ANALYST                                                                                                                                                                                                                                | 11. Signature of Preparer<br><br> | Date<br>8/1/08<br><br>9/15/08 |

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

**POLICE DISTRICT AND DISTRICT COURT**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | <b>\$0</b>                | <b>\$0.00</b>                |                               | \$0.000                         |

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

## MEMORANDUM

**To:** Humayun J. Chaudry, D.O., M.S.  
Commissioner, Department of Health Services

**From:** Thomas O. MacGilvray, LCSW, CASAC  
Director, Division of Community Mental Hygiene Services

**Date:** July 30, 2008

**Subject:** Request for Legislative Resolution to Transfer Funding from Current Appropriations for The Long Island Home d/b/a South Oaks

---

The approved New York State Budget for Fiscal Year 2008 includes funding in Aid to Localities to support the provision of chemical dependence, prevention, gambling prevention and treatment services. As per the New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office letter dated July 28, 2008, \$175,000 in state aid has been allocated to The Long Island Home d/b/a South Oaks for the development and implementation of a county-wide Prevention Resource Center. This unallocated state aid with a local match of \$175,000 is already included in the 2008 Adopted Operating Budget and must be transferred to The Long Island Home d/b/a South Oaks.

We have attached a copy of the New York State Office of Alcoholism and Substance Abuse Services Long Island Field Office letter dated July 28, 2008 which confirms the allocation of state aid to The Long Island Home d/b/a South Oaks.

We have also attached a draft copy of the fiscal impact statement, as well as the resolution to amend the 2008 Adopted Operating Budget to transfer funding from existing appropriations to The Long Island Home d/b/a South Oaks.

Thank you.

TOM: pm  
Attachments

cc: M. Howe, L. Wright, S. Reagan, G. Terry, B. Abrams, P. Manos, D. Weyer



# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**HUMAYUN J. CHAUDHRY, D.O., M.S.**  
Commissioner

August 8, 2008

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution amending the 2008 Adopted Operating Budget to transfer funding from current appropriations to The Long Island Home d/b/a South Oaks for the development of a County-wide Prevention Resource Center. These funds will be used by The Long Island Home d/b/a South Oaks for the development and implementation of a county-wide Prevention Resource Center, which would target chemical dependency, prevention, gambling prevention and treatment programs.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH South Oaks.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive  
Margaret B. Bermel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Thomas O. MacGilvray, Director of Community Mental Hygiene Services  
Mary K. Howe, Chief Management Analyst  
Sheila Reagan, Senior Program Examiner  
Glenn Terry, Auditor  
Diane E. Weyer, Principal Financial Analyst



Public Health

OFFICE OF THE COMMISSIONER

2008-08-08 10:00 AM

1884

Intro. Res. No. - 2008

Laid on the Table

9/16/08

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2008, AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO VARIOUS CONTRACT AGENCIES FOR A COST OF LIVING ADJUSTMENT (COLA) AND FOR PERSONALIZED RECOVERY ORIENTED SERVICES (PROS) REVENUE SHORTFALLS**

**WHEREAS**, the 2008-2009 New York State Enacted Budget included a 3.2% Cost of Living Adjustment (COLA) for certain programs, effective April 1, 2008; and

**WHEREAS**, the 2008-2009 New York State Enacted Budget also includes funding for Family Service League, Federation of Organizations and Pederson Krag Center for revenue shortfalls incurred during the first year of implementation of Personalized Recovery Oriented Services (PROS); and

**WHEREAS**, this unallocated 100% additional State aid is not currently included in the 2008 Adopted Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$501,711 in additional State aid as follows:

REVENUES:

001-3493 Community Support Services \$501,632

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4330-4980

| XORG | OBJECT NAME                        | 2008                    |                   | 2008                    |
|------|------------------------------------|-------------------------|-------------------|-------------------------|
|      |                                    | Modified Adopted Budget | Increase/Decrease | Modified Adopted Budget |
| ADK2 | Clubhouse Drop in                  | 22,597                  | 259               | 22,856                  |
| AGZ1 | Family Svc League Capt             | 32,900                  | 698               | 33,598                  |
| AHH1 | Family Svc League Parent to Parent | 89,550                  | 1,799             | 91,349                  |
| AHH2 | FSL Coord Child Serv Initiative    | 35,222                  | 845               | 36,067                  |
| AHM1 | Federation of Organizations        | 463,159                 | 11,237            | 474,396                 |
| AHN1 | Fed Multi Cultural Conf.           | 8,412                   | 202               | 8,614                   |
| AHO1 | Federation Homeless Mentally ill   | 364,546                 | 6,820             | 371,366                 |
| AHP2 | Federation of Organizations        | 1,104,158               | 16,110            | 1,120,268               |
| AIM1 | HALI                               | 102,002                 | 2,448             | 104,450                 |
| AIN1 | HALI Advocacy Program              | 194,653                 | 4,672             | 199,325                 |

|      |                                                   |         |        |         |
|------|---------------------------------------------------|---------|--------|---------|
| AJS1 | F.E.G.S.                                          | 93,392  | 2,241  | 95,633  |
| ALG3 | Mental Health Assoc Child & Youth                 | 37,662  | 515    | 38,177  |
| ALG4 | Mental Health assoc. Anti stigma                  | 5,380   | 41     | 5,421   |
| ALG5 | Mental health Assoc. Suffolk county               | 24,248  | 332    | 24,580  |
| ANL2 | Pederson Krag supp case mgt.                      | 320,991 | 7,704  | 328,695 |
| APK1 | Sayville Proj Supp. Case mgt.                     | 320,991 | 7,704  | 328,695 |
| APK2 | Sayville Proj Drop in                             | 45,193  | 519    | 45,712  |
| ASR1 | Suny Sayville Psychosocial                        | 298,419 | 4,104  | 302,523 |
| CAB1 | FEGS CSS                                          | 30,498  | 732    | 31,230  |
| CAD1 | FSL Therapeutic Recreation                        | 77,787  | 1,064  | 78,851  |
| DDD1 | Mental Health Assoc CSS                           | 80,836  | 1,065  | 81,901  |
| GBD1 | Federation Represent Payee                        | 124,362 | 1,304  | 125,666 |
| GBE2 | FEGS Psychosocial                                 | 90,389  | 1,035  | 91,424  |
| GBF1 | Mental Health Assoc Advocacy                      | 86,082  | 916    | 86,998  |
| GBF2 | Mental Health Assoc Empowerment                   | 32,281  | 333    | 32,614  |
| GBG1 | Federation Advocacy                               | 176,631 | 1,860  | 178,491 |
| GBG2 | Federation Respite Care                           | 32,916  | 457    | 33,373  |
| GBG3 | Federation Drop in                                | 112,984 | 1,289  | 114,273 |
| GBQ1 | Adelante Drop in                                  | 65,260  | 519    | 65,779  |
| GCY1 | Federation Respite Housing                        | 38,905  | 526    | 39,431  |
| GGF1 | Pederson Krag Mica TFIP                           | 453,703 | 5,256  | 458,959 |
| GGG1 | Pederson Krag Fam Supp Respite                    | 240,013 | 3,527  | 243,540 |
| GGH1 | Pederson Krag C&Y Training                        | 11,435  | 97     | 11,532  |
| GGP1 | FEGS Psych Rehab Spec Employ                      | 56,233  | 1,350  | 57,583  |
| GGQ1 | Adelante Special Employment                       | 52,583  | 1,262  | 53,845  |
| GGR1 | FREE                                              | 157,747 | 3,820  | 161,567 |
| GJP1 | Federation of Organizations                       | 709,453 | 17,862 | 727,315 |
| GKQ1 | FEGS Transition Mgmt                              | 470,150 | 11,327 | 481,477 |
| GKU1 | Pederson Krag Clinic (AOT)                        | 14,655  | 201    | 14,856  |
| GKX1 | FEGS DSS Project                                  | 42,162  | 1,012  | 43,174  |
| GNR1 | Federation of Org Supp case mgt.                  | 722,228 | 17,334 | 739,562 |
| GNS1 | Clubhouse Supp case mgt.                          | 320,990 | 7,705  | 328,695 |
| GNT1 | Adelante Psychosocial Club                        | 51,235  | 674    | 51,909  |
| GPA1 | Federation Peer Bridger Prog.                     | 172,165 | 1,832  | 173,997 |
| GPB1 | Phoenix House Residential Prog                    | 109,944 | 2,639  | 112,583 |
| GPC1 | HALI Peer Advocacy                                | 174,697 | 6,516  | 181,213 |
| GPF1 | HALI Pre-arrest Forensic Prog                     | 113,102 | 2,714  | 115,816 |
| GPJ1 | Family Service League Supportive case mgt. (kids) | 270,135 | 6,483  | 276,618 |
| GPM1 | Pederson Krag SPOA                                | 158,245 | 3,584  | 161,829 |
| GST1 | Pederson Krag School Support                      | 470,850 | 11,373 | 482,223 |
| GSV1 | Fed of Org-Single Point of Entry                  | 410,022 | 9,170  | 419,192 |
| GTL1 | Fed of Org Client Svc. Dollar Prog.               | 56,952  | 1,367  | 58,319  |
| GUR1 | Fed Org Transportation CSS                        | 287,060 | 6,889  | 293,949 |
| GUT1 | Family Svc League Supp. Case mgt                  | 561,733 | 13,482 | 575,215 |
| GUU1 | Pederson Krag C&F Emergny care                    | 256,375 | 6,193  | 262,568 |
| GZB1 | FEGS Family Support                               | 115,700 | 2,407  | 118,107 |
| GZD1 | Suffolk Commun. Council SPA                       | 15,569  | 374    | 15,943  |
| GZG1 | HALI Community Support Svcs                       | 7,277   | 174    | 7,451   |
| GZI1 | Fed of Org Adult Home Peer Srvc                   | 203,160 | 4,876  | 208,036 |

|      |                                   |         |          |         |
|------|-----------------------------------|---------|----------|---------|
| HAL1 | HALI Training Conf Resource Ctr   | 26,901  | 646      | 27,547  |
| HAL2 | HALI Psychosoc Drop in Ctr        | 67,790  | 1,627    | 69,417  |
| HEV1 | Fam.Serv.League Adult Home SCM    | 76,185  | 1,828    | 78,013  |
| HEW1 | Clubhouse Adult Home Case Mgmt    | 76,185  | 1,828    | 78,013  |
| HYO1 | Nassau Suffolk Law Services       | 210,328 | 2,770    | 213,098 |
| HYP1 | Sayville Project Adult Home CM    | 50,790  | 1,219    | 52,009  |
| JAO1 | Clubhouse PROS Ronkonkoma         | 134,883 | 3,237    | 138,120 |
| JAP1 | Clubhouse PROS Riverhead          | 58,449  | 1,403    | 59,852  |
| JAQ1 | FECS PROS Copaigue                | 383,619 | 2,967    | 386,586 |
| JAR1 | FSL PROS Huntington               | 155,904 | 19,884   | 175,788 |
| JAS1 | FSL PROS Hauppauge                | 168,494 | - 11,596 | 156,898 |
| JAT1 | Federation PROS Babylon           | 44,961  | 50,779   | 95,740  |
| JAU1 | Federation PROS Patchogue         | 49,457  | 50,888   | 100,345 |
| JAV1 | HALI PROS Central Islip           | 264,117 | 2,374    | 266,491 |
| JAW1 | Maryhaven PROS Riverhead          | 57,100  | 1,370    | 58,470  |
| JAX1 | Maryhaven PROS Yaphank            | 71,752  | 863      | 72,615  |
| JAY1 | Pederson Krag PROS Coram          | 85,427  | 69,050   | 154,477 |
| JAZ1 | Pederson Krag PROS Smithtown      | 19,783  | 56,475   | 76,258  |
| JDO1 | Family Svc League-Clinic Case Mgt | 80,250  | 1,926    | 82,176  |
| JDP1 | Clubhouse-Clinic Case Mgmt        | 80,250  | 1,926    | 82,176  |
| JDN1 | CONCERN                           | 522,150 | 8,409    | 530,559 |
| PKP1 | Pederson Krag Drop in             | 67,562  | 909      | 68,471  |

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with each of the above-named provider agencies, and be it further

**3<sup>rd</sup> RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

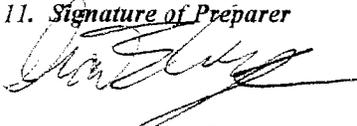
APPROVED BY:

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

Date of Approval:

HSV # 42-2008

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

|                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                              |
| Resolution <u>  X  </u> Local Law _____      Charter Law _____                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                         |                                              |
| 2. Title of Proposed Legislation<br>Accepting and appropriating 100% additional State aid from the New York State Office of Mental Health to the Department of Health Services, Division of Community Mental Hygiene Services for the provision of Cost of Living Adjustment (COLA) and for Personalized Recovery Oriented Services (PROS) revenue shortfalls.                                       |                                                                                                                                                                                                         |                                              |
| 3. Purpose of Proposed Legislation<br>To accept and appropriate \$501,711 in additional 100% State aid from the New York State Office of Mental Health for a COLA adjustment and to bridge revenue gaps during PROS implementation for various contract agencies. Note: the 2008 Modified Adopted Budget amounts reflect changes by Resolution Numbers 482-2008 and 483-2008 not yet posted in IFMS. |                                                                                                                                                                                                         |                                              |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES _____    NO <u>  X  </u>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                              |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                         |                                              |
| County                                                                                                                                                                                                                                                                                                                                                                                               | Town                                                                                                                                                                                                    | Economic Impact                              |
| Village                                                                                                                                                                                                                                                                                                                                                                                              | School District                                                                                                                                                                                         | Other (Specify):                             |
| Library District                                                                                                                                                                                                                                                                                                                                                                                     | Fire District                                                                                                                                                                                           |                                              |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:<br>Not applicable                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                         |                                              |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>None                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                         |                                              |
| 8. Proposed Source of Funding<br><br>100% additional State Aid from New York State Office of Mental Health                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                         |                                              |
| 9. Timing of Impact<br><br>Immediate upon approval of the Resolution and execution of contracts                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                         |                                              |
| 10. Typed Name & Title of Preparer<br><i>Diane E. Weyer</i><br>Principal Financial Analyst<br><br><b>BETH A. REYNOLDS</b><br>PRINCIPAL EXECUTIVE ANALYST                                                                                                                                                                                                                                             | 11. Signature of Preparer<br><br> | 12. Date<br><i>8/12/08</i><br><i>9/15/08</i> |

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

**POLICE DISTRICT AND DISTRICT COURT**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**HUMAYUN J. CHAUDHRY, D.O., M.S.**  
Commissioner

August 8, 2008

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution amending the 2008 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health to various contract agencies for a Cost of Living Adjustment (COLA) and for Personalized Recovery Oriented Services (PROS) revenue shortfalls. These additional State aid funds have been awarded for two reasons: 3.2% COLA adjustment and to bridge revenue gaps in the PROS Medicaid billing.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH COLA & PROS.doc".

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

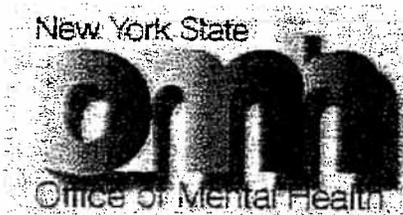
C: Jim Morgo, Chief Deputy County Executive  
Margaret B. Bermel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Thomas O. MacGilvray, Director of Community Mental Hygiene Services  
Mary K. Howe, Chief Management Analyst  
Sheila Reagan, Senior Program Examiner  
Glenn Terry, Auditor  
Diane E. Weyer, Principal Financial Analyst



**Public Health**  
Prevent. Promote. Protect.

OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

08-  
M#570



Michael F. Hogan, Ph.D. Commissioner

44 Holland Avenue  
Albany, New York 12229

June 10, 2008

Thomas O. MacGilvray, CSW  
Director  
Suffolk Co Mental Hygiene Div  
P.O. Box 6100  
Bldg C928, No. Country Complex  
Hauppauge, NY 11788

Dear Director MacGilvray, CSW:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2008 to December 31, 2008 State Aid letter. Your total allocation amount at this time is \$20,246,085, and includes the July and October quarterly installments of the 3.2 percent COLA effective April 1, 2008.

This is to also notify you that the 2008-09 Enacted Budget included a reduction in Aid to Localities funding beginning July 1, 2008, to balance the budget. Additional information concerning how the reduction is to be implemented will be sent under separate cover.

The State Aid allocations for the first six months of 2008 are based on 2007-08 State fiscal year appropriation authority. The State Aid allocations for the remaining six months are based on 2008-09 State fiscal year appropriation authority and have been adjusted for implementation of any new initiatives or savings actions, as outlined in the comments.

Your 2008 final Consolidated Budget Reports (CBRs) are due November 1, 2008. Guidelines for completion of the CBR are available at the OMH website, <http://www.omh.state.ny.us/omhweb/cbr/>. As a reminder, the applicable Spending Plan Guidelines are also available on-line at <http://www.omh.state.ny.us/omhweb/spguidelines>. If you have not already done so, please share these guidelines with your subcontract providers.

Inherent in OMH's budget and claiming policy is an expectation that you will monitor expenditures against budgeted costs throughout the year, and any significant fiscal or programmatic problems should be discussed with your OMH field office as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call Gary Schiliro at (631)761-3334.

Sincerely,

Margaret A. LaWare, Director  
Administrative Services Unit  
Community Budget & Financial Mgmt.

Att.  
cc: Gary Schiliro



# Aid to Localities

|                                       | <b>GF/HCRA/<br/>Mental Hygiene<br/>Program Fund</b> | <b>Other<br/>Funds</b> | <b>Total<br/>Operating</b> | <b>New Capital<br/>Funds</b> |
|---------------------------------------|-----------------------------------------------------|------------------------|----------------------------|------------------------------|
| 2007-08 Available                     | \$1,028,283,000                                     | \$45,569,000           | \$1,073,852,000            | \$318,555,000                |
| 2008-09 Executive<br>Recommendation   | \$1,249,086,000                                     | \$52,361,000           | \$1,301,447,000            | \$179,555,000                |
| CHANGE                                | +\$220,803,000                                      | +\$6,792,000           | +\$227,595,000             | (\$139,000,000)              |
| Realignment<br>of 2007-08 Commitments | (\$130,000,000)                                     | \$0                    | (\$130,000,000)            | \$0                          |
| <b>NET CHANGE</b>                     | <b>+\$90,803,000</b>                                | <b>+\$6,792,000</b>    | <b>+\$97,595,000</b>       | <b>(\$139,000,000)</b>       |

The 2008-2009 Executive Budget Recommendation for the Office of Mental Health (OMH) continues to strengthen investments made to address unmet needs and improve community integration for children with serious emotional disturbance and adults with serious mental illness. Moreover, this budget advances initiatives to manage the care of high cost populations and rationalize reimbursement.

## Restructuring Appropriations

Consistent with an initiative to improve transparency in the budget by restructuring Medicaid resources, the 2008-09 Executive Budget Recommendation includes significant technical adjustments to OMH Aid to Localities appropriations.

More specifically, a new Mental Hygiene Program Fund Account is established within each of the Adult Services, Children and Youth Services, and Reinvestment Programs for Aid to Localities. This new Special Revenue Other (SRO) fund will support a portion of the State Aid expenses previously funded from the General Fund and the Health Care Reform Act (HCRA) Resources Fund. This recommendation includes \$130 million in additional 2008-09 SRO appropriations (on a one-time basis) and related authorizing language to accommodate prior year (SFY 2007-08) liabilities within the new appropriation structure.

## Sustaining and Expanding the Ambulatory Care System and Removing Barriers to Specialty Mental Health Treatment for Children - (\$5 million)

Consistent with the Governor's philosophy of improving access to ambulatory care to reduce reliance on costly inpatient and emergency services, the 2008-09 Executive Budget Recommendation includes \$5 million in new State share of Medicaid resources that will annualize to \$10 million (grossing to \$20 million), to take the first steps toward rationalizing clinic funding and to allow the designation of additional clinic programs in New York City as Interim Specialty Clinics for Children. More specifically:

- ◆ **Interim Rationalization of Clinic Funding:** Elements of this initiative include the establishment of minimum reimbursement for clinics licensed solely under the Mental Hygiene Law; rebasing COPS providers one last time and then eliminating future rebasing of rates and reconciliations of COPS rates; removing the so-called Medicaid "neutrality cap" for mental health clinic services; and limiting "COPS-only" payments for managed care enrollees when a managed care plan has provided or approved payment for the base rate.
- ◆ **Children's Clinic Services:** OMH will also make the necessary changes to allow an increase in the number of In-



terim Specialty Clinics for Children, which supply significant, ongoing treatment to seriously emotionally disturbed children enrolled in Medicaid Managed Care. This initiative will promote access to specialized care for some of New York City's most vulnerable young people.

### **Funding Year Three of a Multi-Year Cost-of-Living Adjustment (COLA) - (\$30.1 million)**

The 2008-09 Executive Budget Recommendation includes the reconciliation of the April 1, 2007 COLA, as well as \$30.1 million for the final year of the current three-year COLA, originally authorized in 2006-07 for certain residential and non-residential community-based programs. Importantly, this Recommendation advances Article VII legislation extending the COLA for another three years through 2011-12, and adds Child and Family Clinic Plus as an eligible program.

### **Expanding Supported Housing - (\$1.1 million)**

The 2008-09 Executive Budget Recommendation includes \$1.1 million in funding for a multi-year initiative to develop 1,500 new Supported Housing beds, beginning January 2009. When fully annualized, the total funding for these beds will be approximately \$18.1 million. The addition of Supported Housing units to the overall residential system facilitates opportunities for movement toward integrated community housing for individuals with mental illness.

### **Expanding Efficiency Apartment Beds for Persons with Mental Illness - (\$145 million in Capital Funding)**

The 2008-09 Executive Budget Recommendation provides capital appropriations of \$125 million for 500 new Single-Room Occupancy (SRO) efficiency apartments throughout New York State. These resources will be used to develop units for adults with mental illness who prefer housing that incorporates independence, while also providing a limited amount of on-site services. In addition, with DOH and the Commission on Quality of Care and Advocacy for Persons with Disabilities, the budget provides \$20 million in capital funds to purchase Adult Homes and convert them into OMH housing.

### **Enhancing Community Residence and Family-Based Treatment Models - (\$12 million)**

The 2008-09 Executive Budget Recommendation recognizes that investments to maintain the infrastructure of OMH's community-based system of care are critical and provides \$12 million in

new resources for the second of a three year plan to strengthen the Community Residence and Family-Based Treatment models effective July 1, 2008.

### **Enhancing Family Care Reimbursement - (\$1.5 million)**

The 2008-09 Executive Budget Recommendation includes \$1.5 million (\$3 million full annual) to address recruitment and retention issues, by enhancing the monthly reimbursement to Family Care providers, effective January 1, 2009.

### **Adding Family Support Services to Child and Family Clinic Plus - (\$1.0 million)**

The 2008-09 Executive Budget Recommendation includes \$1.0 million (\$5.0 million full annual), to increase funding to Clinic-Plus programs effective January 1, 2009 to ensure that each program effectively engages children and their families. Expansion of services provided by families, to families include: engagement, wrap-around, support groups, and linkage/referral to community family support networks.

### **Managing the Care of People with Co-Occurring Disorders - (\$1.0 million)**

The 2008-09 Executive Budget Recommendation includes \$1.0 million (\$2.5 million full annual) for OMH, in concert with the Office of Alcoholism and Substance Abuse (OASAS) and the Department of Health and consistent with the priorities of the Task Force on Co-Occurring Disorders, to engage in demonstration programs to address the treatment needs of persons who are both mentally ill and chemically dependent, effective January 1, 2009.

### **Establishing Managed Care Demonstration Programs - (\$1.5 million)**

The 2008-09 Executive Budget Recommendation includes \$1.5 million (\$2.0 million full annual), to support two managed care demonstration programs (one in Western New York and one in New York City) that will help coordinate both the health and the behavioral health needs of high cost populations, resulting in more effective and cost-efficient coordinated care.



### **Expanding Access to Vocational Services in PROS - (\$0.8 million)**

The 2008-09 Executive Budget Recommendation includes \$0.8 million (growing to \$1.3 million in 2009-10), effective July 1, 2008, to expand access to vocational services within the Personalized Recovery Oriented Services (PROS) program.

### **Annualizing Prior Year Initiatives - (\$36.8 million)**

The 2008-09 Executive Budget Recommendation includes \$28.7 million for the annualization of prior year initiatives (COLA reconciliation, HCBS waiver slots and the first year of the model enhancement for Community Residence and Family Based Treatment models), as well as \$8.1 million for other program changes and to adjust for the Residential Treatment Facility (RTF) trend factor.

### **Article VII Legislation**

- ◆ **Reauthorizing Comprehensive Psychiatric Emergency Programs (CPEP) Legislation:** The Executive Budget Recommendation advances Article VII legislation reauthorizing the CPEP statute for another four years through July 1, 2012.
- ◆ **Revising Article 28 Hospital Inpatient Psychiatric Rates:** The Executive Budget Recommendation advances multi-year Article VII legislation in the DOH budget which updates hospital rates for inpatient psychiatric care by transitioning to a new case-mix adjusted prospective payment methodology.
- ◆ **Eliminating Specialty Rates for Dually-Licensed Mental Health Outpatient Programs:** The Executive Budget Recommendation advances Article VII legislation eliminating mental health outpatient services as services that can be considered specialized under Public Health Law (PHL). All outpatient providers licensed under Mental Hygiene Law are required to meet the same programmatic standards. This bill amends the PHL to clarify that services which are reimbursed at rates set by the Commissioner of OMH are not specialized services. This will generate savings of \$2.1M in State share of Medicaid annually in the DOH budget, but more importantly will resolve the inequity of having different reimbursement levels for providers who deliver the same services.
- ◆ **Integrated Housing for Mentally Ill People:** The 2008-09 Executive Budget Recommendation advances Article VII legislation providing increased flexibility for Mental Hygiene agencies, in collaboration with the Housing Finance Agency and Division of Housing and Urban Renewal, in the development of integrated housing for persons with and without disabilities.



44 Holland Avenue  
Albany, New York 12229

July 7, 2008

Thomas O. MacGilvray, CSW  
Director  
Suffolk Co Mental Hygiene Div  
P.O. Box 6100  
Bldg C928, No. Country Complex  
Hauppauge, NY 11788

Dear Director MacGilvray, CSW:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2008 to December 31, 2008 State Aid letter. Your total allocation amount at this time is \$20,501,724.

Your 2008 final Consolidated Budget Reports (CBRs) are due November 1, 2008. Guidelines for completion of the CBR are available at the OMH website, <http://www.omh.state.ny.us/omhweb/cbr/>. As a reminder, the applicable Spending Plan Guidelines are also available on-line at <http://www.omh.state.ny.us/omhweb/spguidelines>. If you have not already done so, please share these guidelines with your subcontract providers.

Inherent in OMH's budget and claiming policy is an expectation that you will monitor expenditures against budgeted costs throughout the year, and any significant fiscal or programmatic problems should be discussed with your OMH field office as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call Gary Schiliro at (631)761-3334.

Sincerely,

Margaret A. LaWare, Director  
Administrative Services Unit  
Community Budget & Financial Mgmt.

Att.

cc: Gary Schiliro

**Additional back-up material regarding I.R. 1884 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1885  
Intro. Res. No. - 2008  
Introduced by the Presiding Officer on request of the County Executive

Laid on the Table 9/16/08

**RESOLUTION NO. - 2008, AMENDING THE 2008  
ADOPTED OPERATING BUDGET TO ACCEPT AND  
APPROPRIATE 100% ADDITIONAL STATE AID FROM  
THE NEW YORK STATE OFFICE OF MENTAL HEALTH  
TO PEDERSON KRAG CENTER**

**WHEREAS**, the New York State Office of Mental Health (NYSOMH) has allocated \$308,067 to the Pederson Krag Center in the most recent State Aid Letter dated August 21, 2008; and

**WHEREAS**, the NYSOMH has approved reimbursement to Pederson Krag Center for installation of a sprinkler system at a new site for implementation of Personalized Recovery Oriented Services (PROS); and

**WHEREAS**, this additional funding is not currently included in the 2008 Suffolk County Operating Budget; now, therefore be it

**1<sup>st</sup> RESOLVED**, that the County Comptroller and the County Treasurer be and hereby are authorized to accept and appropriate \$308,067 in additional State aid as follows:

REVENUES:

001-3493 Community Support Services \$308,067

ORGANIZATIONS

Department of Health Services (HSV)  
Division of Community Mental Hygiene Services  
001-HSV-4330-4980

| <u>XORG</u> | <u>OBJECT NAME</u>  | <u>2008<br/>Modified<br/>Budget</u> | <u>Increase/<br/>Decrease</u> | <u>2008<br/>Modified<br/>Budget</u> |
|-------------|---------------------|-------------------------------------|-------------------------------|-------------------------------------|
| JAY1        | PEDERSON KRAG-CORAM | \$85,427                            | +308,067                      | \$393,494                           |

and be it further

**2<sup>nd</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute a contract with Pederson Krag Center; and be it further

**3<sup>rd</sup> RESOLVED**, that the funding and expenditures that may be incurred run concurrent to the budget period as specified in the award letter; and be it further

**4<sup>th</sup> RESOLVED**, that this Legislature, being the lead agency under SEQRA and Chapter 279 of the Suffolk County Code, hereby determines that this resolution constitutes a Type II action.

DATED:

APPROVED BY:

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

Date of Approval:

HSV #45-2008

# COUNTY OF SUFFOLK



**STEVE LEVY**  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

**HUMAYUN J. CHAUDHRY, D.O., M.S.**  
Commissioner

August 29, 2008

Ben Zwirn, Deputy County Executive  
Office of the County Executive, 12<sup>th</sup> Floor  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, NY 11788-0099

Dear Mr. Zwirn:

I request the introduction of the enclosed Resolution to amend the 2008 Adopted Operating Budget to accept and appropriate 100% additional State aid from the New York State Office of Mental Health to Pederson-Krag Center. NYS OMH has approved reimbursement to Pederson Krag Center for installation of a sprinkler system at a new site for implementation of Personalized Recovery Oriented Services (PROS).

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Mary Howe at 3-8517. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is Reso-HSV-MH PK PROS.doc.

Sincerely yours,

Humayun J. Chaudhry, D.O., M.S.  
Commissioner of Health Services

Enclosures

HJC/lw

C: Jim Morgo, Chief Deputy County Executive  
Margaret B. Bermel, M.B.A, Director of Health Administrative Services  
Matthew Miner, Deputy Commissioner  
Thomas O. MacGilvray, Director of Community Mental Hygiene Services  
Mary K. Howe, Chief Management Analyst  
Sheila Reagan, Senior Program Examiner  
Glenn Terry, Auditor  
Diane E. Weyer, Principal Financial Analyst



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OFFICE OF THE COMMISSIONER  
225 Rabro Drive East, Hauppauge, NY 11788 (631) 853-3000 Fax (631) 853-2927

**FINANCIAL IMPACT  
2009 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

**POLICE DISTRICT AND DISTRICT COURT**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

**COMBINED**

|       | 2009<br>PROPERTY TAX LEVY | 2009<br>COST TO AVG TAXPAYER | 2009 AV TAX<br>RATE PER \$100 | 2009 FEV TAX<br>RATE PER \$1000 |
|-------|---------------------------|------------------------------|-------------------------------|---------------------------------|
| TOTAL | \$0                       | \$0.00                       |                               | \$0.000                         |

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2007.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2007-2008.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2007 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**STATEMENT OF FINANCIAL IMPACT  
OF PROPOSED SUFFOLK COUNTY LEGISLATION**

|                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                   |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------|
| 1. Type of Legislation                                                                                                                                                                                                                                                                                                                                              |                                                                                                                   |                     |
| Resolution                                                                                                                                                                                                                                                                                                                                                          | <u>  X  </u>                                                                                                      | Local Law           |
| Charter Law                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                   |                     |
| 2. Title of Proposed Legislation<br>AMENDING THE 2008 ADOPTED OPERATING BUDGET TO ACCEPT AND APPROPRIATE 100% ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH TO PEDERSON KRAG CENTER                                                                                                                                                          |                                                                                                                   |                     |
| 3. Purpose of Proposed Legislation<br>To accept and appropriate additional 100% State Aid in the amount of \$308,067 from NYS Office of Mental Health to Pederson-Krag Center. NYSOMH has approved reimbursement to Pederson Krag Center for installation of a sprinkler system at a new site for implementation of Personalized Recovery Oriented Services (PROS). |                                                                                                                   |                     |
| 4. Will the Proposed Legislation Have a Fiscal Impact?    YES <u>  </u> NO <u>  X  </u>                                                                                                                                                                                                                                                                             |                                                                                                                   |                     |
| 5. If the answer to item 4 is "yes", on what will it impact? (Circle appropriate category)                                                                                                                                                                                                                                                                          |                                                                                                                   |                     |
| County                                                                                                                                                                                                                                                                                                                                                              | Town                                                                                                              | Economic Impact     |
| Village                                                                                                                                                                                                                                                                                                                                                             | School District                                                                                                   | Other (Specify):    |
| Library District                                                                                                                                                                                                                                                                                                                                                    | Fire District                                                                                                     |                     |
| 6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact:<br>Not applicable                                                                                                                                                                                                                                                                      |                                                                                                                   |                     |
| 7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.<br>None                                                                                                                                                                                                                                                            |                                                                                                                   |                     |
| 8. Proposed Source of Funding<br>100% New York State Office of Mental Health                                                                                                                                                                                                                                                                                        |                                                                                                                   |                     |
| 9. Timing of Impact<br>2008                                                                                                                                                                                                                                                                                                                                         |                                                                                                                   |                     |
| 10. Typed Name & Title of Preparer<br>Diane E. Weyer<br>Principal Financial Analyst<br>BETH A. REYNOLDS<br>PRINCIPAL EXECUTIVE ANALYST                                                                                                                                                                                                                              | 11. Signature of Preparer<br> | 12. Date<br>9/15/08 |

# COUNTY OF SUFFOLK



STEVE LEVY  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

HUMAYUN J. CHAUDHRY, D.O., M.S.  
Commissioner

## MEMORANDUM

**To:** Humayun J. Chaudhry, D.O., M.S.  
Commissioner, Department of Health Services

**From:** Thomas O. MacGilvray, L.C.S.W., C.A.S.A.C.  
Director, Division of Community Mental Hygiene Services

**Date:** August 28, 2008

**Subject:** REQUEST FOR LEGISLATIVE RESOLUTION TO ADD 100% STATE AID TO  
PEDERSON KRAG CENTER

---

The most recent Office of Mental Health State Aid letter adds \$308,067 in 100% State Aid for The Pederson Krag Center. This funding is reimbursement for expenses incurred due to building renovations for the Agency's PROS Program.

Attached please find a draft fiscal impact statement, a draft introductory resolution, copy of the most recent State Aid Letter dated August 21, 2008 and draft routing form.

TOM:adt

Cc: D. Weyer; L. Wright, S.Reagan, M.Howe, A.Flescher, A.Torres



**Public Health**  
Prevent. Promote. Protect.

DIVISION OF COMMUNITY MENTAL HYGIENE

North County Complex, Bldg. C928, 725 Veterans Memorial Highway, PO Box 6100 Hauppauge, NY 11788  
(631) 853-8500 Fax (631) 853-3117



44 Holland Avenue  
Albany, New York 12229

August 21, 2008

Thomas O. MacGilvray, CSW  
Director  
Suffolk Co Mental Hygiene Div  
P.O. Box 6100  
Bldg C928, No. Country Complex  
Hauppauge, NY 11788

Dear Director MacGilvray, CSW:

The NYS Office of Mental Health (OMH) is reissuing your January 1, 2008 to December 31, 2008 State Aid letter. Your total allocation amount at this time is \$20,809,791.

The State Aid allocations for the first six months of 2008 are based on 2007-08 State fiscal year appropriation authority. The State Aid allocations for the remaining six months are based on 2008-09 State fiscal year appropriation authority and have been adjusted for implementation of any new initiatives or savings actions, as outlined in the comments.

Your 2008 final Consolidated Budget Reports (CBRs) are due November 1, 2008. Guidelines for completion of the CBR are available at the OMH website, <http://www.omh.state.ny.us/omhweb/cbr/>. As a reminder, the applicable Spending Plan Guidelines are also available on-line at <http://www.omh.state.ny.us/omhweb/spguidelines>. If you have not already done so, please share these guidelines with your subcontract providers.

Inherent in OMH's budget and claiming policy is an expectation that you will monitor expenditures against budgeted costs throughout the year, and any significant fiscal or programmatic problems should be discussed with your OMH field office as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call Gary Schiliro at (631)761-3334.

Sincerely,

Margaret A. LaWare, Director  
Administrative Services Unit  
Community Budget & Financial Mgmt.

Att.  
cc: Gary Schiliro

**Additional back-up material regarding I.R. 1805 is on file in  
the Legislative Clerk's Office, Hauppauge.**

1886

Intro. Res. No. -2008  
Introduced by Legislator Losquadro and Presiding Officer Lindsay

Laid on Table 9/16/08

**RESOLUTION NO. -2008, ADOPTING LOCAL LAW NO. -2008, A LOCAL LAW TO ENACT A GRADING POLICY FOR FOOD ESTABLISHMENTS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2008, a proposed local law entitled, "**A LOCAL LAW TO ENACT A GRADING POLICY FOR FOOD ESTABLISHMENTS**" now, therefore, be it

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

**LOCAL LAW NO. -2008, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO ENACT A GRADING POLICY FOR FOOD ESTABLISHMENTS**

**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 the Suffolk County Department of Health Services regulates food establishments to prevent the consumption of unwholesome food and thereby protect the health and safety of Suffolk County residents.

This Legislature also finds that in order to properly carry out its regulatory function, the Department of Health Services regularly inspects food establishments to ensure that they are operating in clean and sanitary conditions and are in compliance with the New York State and Suffolk County Sanitary Codes.

This Legislature further finds and determines that the Department of Health Services' inspection findings are recorded on an inspection report form and furnished to the food establishment; this form is available to patrons upon request.

This Legislature determines that the information contained in the Department's inspection reports should be more readily available to consumers in an easy-to-understand format.

This Legislature finds that several municipalities around the country have enacted ordinances establishing a scoring system that is posted at or near the entrance to food establishments so that consumers may make more informed decisions when dining out.

This Legislature also determines that the Department of Health Services should establish such a scoring system for food establishments operating in Suffolk County.

Therefore, the purpose of this local law is to authorize and direct the Department of Health Services to adapt its food establishment inspection form to incorporate a scoring system and to require the posting of the grade at the entrance to the food establishment.

## **Section 2. Definitions.**

As used in this law, the following terms shall have the meanings indicated:

“DEPARTMENT” shall mean the Suffolk County Department of Health Services.

“FOOD ESTABLISHMENT” is defined as any place where food is prepared, mixed, cooked, baked, handled, stored, provided, sold or offered for sale, including but not limited to, any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short-order café; delicatessen; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; roadside stand; take-out prepared food place; industrial feeding establishment; catering kitchen; commissary; bakery; vehicle including boat, food stand; or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere.

“COMMISSIONER” shall mean the Commissioner of the Suffolk County Department of Health Services.

“INSPECTION” shall mean an evaluation of a food establishment conducted on site by the Department.

“INSPECTION REPORT FORM” shall mean the written report prepared and copy issued to a food establishment provided by the Department after conducting any inspection to determine compliance with all applicable federal, state, and local laws and regulations relating to the protection of public health.

“INSPECTION SUMMARY REPORT” shall mean a card that is posted at the conclusion of the inspection which is based on the results from the Inspection Report form. The Inspection Summary Report will indicate a letter grade or numeric score.

## **Section 3. Food Establishment Grading System.**

The Commissioner shall incorporate in the Department’s Inspection Report Form a scoring system which shall be used to create an Inspection Summary Report for food establishments, in accordance with the following guidelines:

- 1.) The letter “A” shall indicate a final score of 90% or higher.
- 2.) The letter “B” shall indicate a final score of less than 90% but not less than 80%.
- 3.) The letter “D” shall indicate a final score of less than 80% but not less than 75%.
- 4.) The letter “F” shall be indicated for a final score of less than 75%.

## **Section 4. Posting Requirements.**

- A.) The Inspection Summary Report shall be posted at a food establishment by the Department upon completion of an inspection at or near each entrance to the food establishment used by its patrons or in a conspicuous place selected by the Department.

- B.) The size of the letter grade shall be in capital letters not less than 3 inches in height and width.

**Section 5. Inspection Summary Report – Period of Validity.**

An Inspection Summary Report shall remain valid until the Department completes the next inspection of the food establishment.

**Section 6. Applicability.**

- A.) The provisions of this law shall not supersede or otherwise impair the powers or enforcement remedies afforded the Department under the New York State Sanitary Code or the Suffolk County Sanitary Code.
- B.) This law shall apply to actions occurring on or after the effective date of this local law.

**Section 7. Rules and Regulations.**

The Commissioner of the Suffolk County Department of Health Services is hereby authorized and empowered to issue and promulgate such rules and regulations, as he or she deems necessary, to implement and carry out the provisions of this law.

**Section 8. 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 9. 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 10. Effective Date.**

This law shall take effect on the one hundred eightieth (180<sup>th</sup>) day immediately subsequent to filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

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County Executive of Suffolk County

Date:

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# OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



**GEORGE NOLAN**  
COUNSEL TO THE LEGISLATURE  
email: george.nolan@suffolkcountyny.gov

WILLIAM H. ROGERS BUILDING  
P.O. BOX 6100  
HAUPPAUGE, NY 11788-0099  
(631) 853-5494 (PHONE)  
(631) 853-4415 (FAX)

**DATE:** September 16, 2008

**TO:** CLERK OF THE COUNTY LEGISLATURE

**RE:** MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

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PROPOSED LOCAL LAW YEAR 2008

**TITLE:** A LOCAL LAW TO ENACT A GRADING POLICY FOR FOOD ESTABLISHMENTS

**SPONSOR:** LEGISLATOR LOSQUADRO AND PRESIDING OFFICER LINDSAY

**DATE OF RECEIPT BY COUNSEL:** 9/15/08 **PUBLIC HEARING:** 10/14/08

**DATE ADOPTED/NOT ADOPTED:** \_\_\_\_\_ **CERTIFIED COPY RECEIVED:** \_\_\_\_\_

Enactment of this local law would create a food establishment<sup>1</sup> letter scoring system based on Department of Health Services inspections.

If this law is enacted, the Department of Health Services would be required to incorporate a scoring system into the Department's Inspection Report Form for food establishments using the following guidelines:

- 1.) The letter "A" to indicate a final score of 90% or higher.
- 2.) The letter "B" to indicate a final score of less than 90% but not less than 80%.
- 3.) The letter "D" to indicate a final score of less than 80% but not less than 75%.
- 4.) The letter "F" to be indicated for a final score of less than 75%.

An Inspection Summary Report issued by the Department upon completion of an inspection shall be posted at or near each entrance to a food establishment used by its patrons or in a conspicuous place selected by the Department, and shall remain valid until the Department completes the next inspection.

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<sup>1</sup> "FOOD ESTABLISHMENT" is defined as any place where food is prepared, mixed, cooked, baked, handled, stored, provided, sold or offered for sale, including but not limited to, any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short-order café; delicatessen; luncheonette; grill; tearoom; sandwich shop; soda fountain; tavern; bar; cocktail lounge; night club; roadside stand; take-out prepared food place; industrial feeding establishment; catering kitchen; commissary; bakery; vehicle including boat, food stand; or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere.

The provisions of this law shall not supersede or otherwise impair the powers or the enforcement remedies afforded the Department of Health Services under the New York State Sanitary Code or the Suffolk County Sanitary Code.

This law would take effect 180 days subsequent to its filing in the Office of the Secretary of State.

A handwritten signature in black ink, appearing to read "George Nolan", written over the printed name.

**GEORGE NOLAN**  
**Counsel to the Legislature**

**GN:mjk**

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1887

Intro. Res. No. -2008

Laid on Table 9/16/08

Introduced by Presiding Officer Lindsay, and Legislators Browning, Losquadro, Cooper, Eddington, Gregory, Nowick, Romaine and Horsley

**RESOLUTION NO. -2008, TO ESTABLISH A POLICY FOR  
CONTINUED POLICE OFFICER PRESENCE IN POLICE  
ATHLETIC LEAGUE PROGRAMS**

**WHEREAS**, the Suffolk County Police Athletic League ("PAL") operates sports leagues, mentoring and reach-out programs that serve tens of thousands of youngsters each year; and

**WHEREAS**, four Suffolk County police officers are presently assigned to assist PAL operations; and

**WHEREAS**, this police presence and participation is critical to the continued success of PAL programs; and

**WHEREAS**, PAL volunteers, the PAL Board of Directors and the Suffolk County District Attorney have all called for the continued assignment of sworn Police Officers to PAL; and

**WHEREAS**, the County of Suffolk can and should maintain an active police presence in PAL programs by reassigning police officers who are on light duty to PAL; and

**WHEREAS**, over 50 Suffolk County police officers are presently on light duty; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Suffolk County Police Department is hereby authorized, empowered and directed, pursuant to Article 13 of the SUFFOLK COUNTY CHARTER, to continue to assign at least four sworn Suffolk County police officers to PAL programs; and be it further

**2nd RESOLVED**, that the Suffolk County Police Department is also directed to reassign police officers who are presently performing light duty activities with the Police Athletic League within thirty (30) days of the effective date of this resolution; and be it further

**3rd RESOLVED**, that any diminution of sworn police officer staffing dedicated to PAL below that set forth herein may only be accomplished by a duly enacted resolution of the County of Suffolk; and be it further

**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:

APPROVED BY:

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

Date:

s:\res\r-police-officer-presence-PAL

**PROCEDURAL MOTION 25 - 2008, APPROVING PARTIAL SETTLEMENT OF MTBE LITIGATION (TOTAL PETROCHEMICALS USA, INC. AND CROWN CENTRAL PETROLEUM CORP.)**

**WHEREAS**, Procedural Motion No. 4-2001, authorized the retention of a law firm to take legal action against oil companies, refineries and other responsible parties to compel the clean up of Methyl Tertiary Butyl Ether ("MTBE") contamination of Suffolk County water supplies or recover reimbursement for damages/costs associated with the MTBE contamination; and

**WHEREAS**, Weitz and Luxenberg, 180 Maiden Lane, New York, NY, was selected to bring the appropriate legal actions on behalf of the County of Suffolk pursuant to Procedural Motion No. 6-2001; and

**WHEREAS**, Procedural Motion No. 9-2006 authorized the retention of Baron and Budd, P.C., 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas, as co-counsel in the MTBE litigation; and

**WHEREAS**, Weitz and Luxenberg initiated an action on behalf of the County of Suffolk in federal district court against numerous oil companies and refineries claiming damages arising from the contamination of water supplies by MTBE and Tertiary Butyl Alcohol ("TBA"); and

**WHEREAS**, the County's case is part of the Multi-District Litigation caption, *In re Methyl Tertiary Butyl Ethel (MTBE) Products Liability Litigation*, Master File No., 1:00-1898, MDL1358 (SAS), M21-88 (S.D.N.Y.); and

**WHEREAS**, outside counsel recommended and this Legislature authorized, by Procedural Motion No. 4-2008, the partial settlement of the County's MTBE claims against the defendants representing approximately 70% of the total gasoline refining markets of named defendants in this case; and

**WHEREAS**, outside Counsel recommended and this Legislature authorized, by Procedural Motion No. 17-2008, the partial settlement of the County's MTBE claims against Lyondell Chemical Corp.; and

**WHEREAS**, outside Counsel recommended and this Legislature authorized, by Procedural Motion No. 22-2008, the partial settlement of the County's MTBE claims against defendant Exxon Mobil; and

**WHEREAS**, outside counsel has now recommended that the County of Suffolk settle its MTBE claim against additional defendants, TOTAL Petrochemicals USA, Inc. and Crown Central Petroleum Corporation; and

**WHEREAS**, under these settlements the County of Suffolk will be paid \$3,429.06 (TOTAL Petrochemicals USA, Inc.) and \$4,274.57 (Crown Central Petroleum Corp.) from which attorney's fees and expenses will be paid; now, therefore be it

**1st**           **RESOLVED**, that a partial settlement of the County's MTBE claim, *In re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation*, against TOTAL Petrochemicals USA, Inc. and Crown Central Petroleum Corp. as described herein, is approved; and be it further

**2nd**           **RESOLVED**, that the Presiding Officer of the Suffolk County Legislature and Counsel to the Suffolk County Legislature are hereby authorized to execute such documents as may be necessary to effectuate such settlement.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO §A2-15(A) OF THE SUFFOLK COUNTY ADMINISTRATIVE CODE

s:\procedural motions\MTBE-total-petrochemicals-crown

Introduced by Legislator Horsley as Chairman of the Economic Development, Higher Education and Energy Committee  
LOT 916/2008

**PROCEDURAL RESOLUTION NO. 26-2008,  
AUTHORIZING CONTINUED FUNDING IN  
CONNECTION WITH ENFORCEMENT OF LIPA  
SETTLEMENT AGREEMENT AGAINST LIPA  
OVERCHARGE OF SUFFOLK RATEPAYERS**

**WHEREAS**, Procedural Motions Nos. 8-2002 and 7-2005 authorized the retention of Reilly, Like, and Tenety, 179 Little East Neck Road, North Babylon, NY 11702, to represent the County of Suffolk to seek full recovery of any and all overpayments by Suffolk County consumers of the LIPA Bill Credit Rate Differential for the period from on or about July 1, 1998 to the date on which such overpayments terminate; and

**WHEREAS**, in order to prosecute the lawsuit seeking recovery, Reilly, Like, and Tenety recommended the retention of Hudson River Energy Group, 120 Washington Avenue, Albany, NY 12210, as forensic accountants; and

**WHEREAS**, the County Legislature contracted directly with Hudson River Energy Group in the amount of \$50,000.00, which contract expired on December 31, 2005; and

**WHEREAS**, Resolution No. 6-2006 authorized continued funding for Hudson River Energy Group in the amount of \$62,500.00 to extend their services; and

**WHEREAS**, Resolution No. 5-2008 authorized continued funding for Hudson River Energy Group in the amount the \$45,000.00 to extend their services; and

**WHEREAS**, Special Counsel advises that additional funding is required for Hudson River Energy Group to act as a consultant as the County's case against LIPA enters a final phase; now, therefore, be it

**1st RESOLVED**, that this Legislature hereby authorizes the Presiding Officer to execute such agreements with Hudson River Energy Group to carry out their work in an amount not to exceed Twenty-Eight Thousand, Five Hundred Dollars and 00/100 (\$28,500.00) of County Legislative funds, said amount to be paid from the Budget Review Office Fees for Services: Non-Employees (001-LEG-1025-4560) appropriation; and be it further

**2nd RESOLVED**, that all other terms and conditions of Procedural Motions Nos. 8-2002 and 7-2005 shall remain in full force and effect.

**DATED:**

**EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER**

Additional Back-up  
Procedural Motion 26-08



**2008 Consultant Rates**

**Hudson River Energy Group**

|               |    |                |
|---------------|----|----------------|
| Frank Radigan | -- | \$200 per hour |
| Maggi Royle   | -- | 40             |

**Bollam, Sheedy & Torani Staff**

|                                  |    |        |
|----------------------------------|----|--------|
| Willard G. Reynolds, Partner     | -- | \$ 270 |
| Ronald L. Guzior, Partner        | -- | 260    |
| Lisa M. Smith, Senior Manager    | -- | 240    |
| James A. Farnan, Associate       | -- | 150    |
| Amanda S. Radley, Associate      | -- | 145    |
| Jill A. LaBoissiere, Associate   | -- | 145    |
| Cherly N. Almonte, Associate     | -- | 120    |
| Tessa C. Manak, Associate        | -- | 120    |
| Ellen M. Tidings, Support Staff  | -- | 75     |
| Donna M. Callahan, Support Staff | -- | 75     |

**MOTION NO. 27 – 2008, PROCEDURAL RESOLUTION  
AUTHORIZING FUNDING FOR COMMUNITY SUPPORT  
INITIATIVES (PHASE VIII)**

**WHEREAS**, funds are included in the 2008 Operating Budget (001-LEG-1012-4981) to supplement county services via non-profit organizations; and

**WHEREAS**, pursuant to Resolution No. 1054-2007, this Legislature is administering these “Community Support Initiatives”; now, therefore be it

**1st RESOLVED**, that the Presiding Officer is hereby authorized to enter into agreements with the following contract agencies for the amounts indicated:

| <b>AGENCY</b>                                                           | <b>SPONSOR</b> | <b>AMOUNT</b> |
|-------------------------------------------------------------------------|----------------|---------------|
| Airmid Theatre Company                                                  | Horsley        | \$1,000       |
| Bayport Bluepoint Youth Lacrosse                                        | Lindsay        | \$3,000       |
| Brentwood Public Library                                                | Montano        | \$5,000       |
| Canine Companions for Independence                                      | Alden          | \$1,000       |
| Central Islip Public Library                                            | Montano        | \$5,000       |
| Christ the King Parish Outreach                                         | Kennedy        | \$2,000       |
| Community Food Council                                                  | Cooper         | \$1,000       |
| Deer Park Lion's Club                                                   | D'Amaro        | \$1,500       |
| EAC, Inc.                                                               | Montano        | \$2,000       |
| Environmental Centers<br>Setauket/Smithtown<br>Sweetbriar Nature Center | Kennedy        | \$2,000       |
| Fundacion Hispanoamericana, Inc.                                        | Montano        | \$2,000       |
| Girl Scouts of Suffolk County, Inc.                                     | Kennedy        | \$1,000       |
| Hawkins Path PTA                                                        | Beedenbender   | \$1,500       |
| Holbrook Chamber of Commerce                                            | Lindsay        | \$1,000       |
| Holbrook Road PTA                                                       | Beedenbender   | \$2,000       |
| Huntington Freedom Center                                               | D'Amaro        | \$1,000       |
| Huntington Village Lacrosse                                             | Cooper         | \$1,000       |
| IRIE, Inc.                                                              | Romaine        | \$2,500       |
| Jericho Elementary School PTA                                           | Beedenbender   | \$1,000       |
| Knights of Columbus Council 4428                                        | Stern          | \$1,000       |
| LI Housing Partnership                                                  | Viloria-Fisher | \$1,000       |
| LI Museum of American Art, History<br>and Carriages                     | Viloria-Fisher | \$1,000       |
| Long Island Blue Jays Jr. Drum and<br>Bugle Corps, Inc.                 | Lindsay        | \$1,000       |
| Long Island Gay and Lesbian Youth,<br>Inc.                              | Gregory        | \$10,000      |
| Long Island Maritime Museum                                             | Lindsay        | \$5,000       |
| Mastic Beach Property Owners<br>Association, Inc.                       | Browning       | \$6,000       |

| <b>AGENCY</b>                                              | <b>SPONSOR</b> | <b>AMOUNT</b> |
|------------------------------------------------------------|----------------|---------------|
| Mentoring Partnership of Long Island                       | Cooper         | \$1,000       |
| Nesconset Athletic Association                             | Kennedy        | \$3,000       |
| New York Chariots of Fire                                  | Cooper         | \$1,000       |
| North Babylon Youth League                                 | D'Amaro        | \$2,000       |
| NYSARC, Inc. -- Suffolk Chapter                            | Alden          | \$1,000       |
| OLA of Easter Long Island, Inc.                            | Schneiderman   | \$1,000       |
| Oxhead Road Elementary School PTA                          | Beedenbender   | \$1,600       |
| Parish of the Holy Cross                                   | Kennedy        | \$1,500       |
| Sachem Teen Center                                         | Kennedy        | \$1,500       |
| Senior Net Learning Center                                 | Cooper         | \$2,000       |
| Springs Community Presbyterian Church                      | Schneiderman   | \$2,000       |
| St. Johnland Nursing Center                                | Nowick         | \$4,000       |
| St. Louis de Montfort RCC Outreach                         | Losquadro      | \$2,000       |
| St. Mary's Episcopal Church                                | Kennedy        | \$1,500       |
| St. Patrick Parish Outreach                                | Kennedy        | \$2,000       |
| St. Thomas More Parish Outreach                            | Kennedy        | \$1,500       |
| Suffolk Cooperative Library System                         | Kennedy        | \$1,000       |
| Suffolk County United Veterans Halfway House Project, Inc. | Alden          | \$1,000       |
| Suffolk Obedience Training Club, Inc.                      | Stern          | \$1,000       |
| Suffolk Obedience Training Club, Inc.                      | D'Amaro        | \$1,000       |
| The Right Start Foundation                                 | Gregory        | \$2,000       |
| The Young Mens Christian Association of LI                 | Cooper         | \$1,500       |
| Unity Drive PTA                                            | Beedenbender   | \$1,000       |
| Walt Whitman Birthplace Association                        | D'Amaro        | \$1,000       |
| Westhampton Cultural Consortium, Inc. (Youth Alliance)     | Schneiderman   | \$2,000       |
| Westhampton Cultural Consortium, Inc.                      | Schneiderman   | \$2,000       |
| Wildcat Athletic Club                                      | Losquadro      | \$1,500       |

and be it further

**2nd** **RESOLVED**, that funding for this purpose shall be expended from Fund 001-LEG-1012-4981.

DATED:

**EFFECTIVE IMMEDIATELY PURSUANT TO SECTION 2-15(A) OF THE SUFFOLK COUNTY CHARTER**