

1920

Intro. Res. No. -2012
Introduced by Legislator Spencer

Laid on Table 9/13/12

RESOLUTION NO. -2012, ESTABLISHING "THE TRUTH ABOUT ENERGY DRINKS" PUBLIC EDUCATION CAMPAIGN TO INCREASE AWARENESS OF SIDE EFFECTS ASSOCIATED WITH ENERGY DRINK CONSUMPTION

WHEREAS, energy drinks are increasingly popular beverages, particularly among young people; and

WHEREAS, energy drinks can contain up to 800 milligrams of caffeine, the equivalent of eight cups of coffee, but manufacturers are not obligated to disclose such amounts to consumers; and

WHEREAS, energy drinks also contain a number of herbal supplements, including, but not limited to, ginko, guarana, taurine and St. John's Wort, with no requirement for manufacturers to report a drink's exact contents; and

WHEREAS, consumption of energy drinks has been associated with significant adverse health effects, including aggravating heart conditions, headaches, rapid heartbeat, nervousness, irritability, sleeplessness, dehydration, abnormal heart rhythms, and stomach upset and even death; and

WHEREAS, the County of Suffolk should take all possible steps to increase public awareness of the health effects associated with consuming energy drinks; now, therefore be it

1st RESOLVED, that the office of the Presiding Officer of the County Legislature shall conduct an annual "The Truth About Energy Drinks" campaign in high schools throughout the County of Suffolk, inviting students to participate in a contest creating a video public service announcement incorporating the student's interpretation on the negative health effects associated with consuming energy drinks; and be it further

2nd RESOLVED, that each Legislator shall send letters and a copy of the energy drink effects pamphlet, published pursuant to the 5th RESOLVED clause of this Resolution, to the Superintendents of public school districts, located within their pertinent legislative district, advising the school as to the contest; and be it further

3rd RESOLVED, that each Legislator shall judge entries made by high schools and recommend one (1) winner from each school as a finalist. A Legislator from each district shall then recommend to the Presiding Officer of the County Legislature one (1) public service announcement to represent their legislative district; and be it further

4th RESOLVED, that the deadline for submitting eligible public service announcements shall be May 1st of each year beginning with the year 2013; the Legislative Office of Budget Review shall then select the winning public service announcement, which shall be announced by the Presiding Officer at the first regularly scheduled meeting of the Legislature in June each year; and be it further

5th **RESOLVED**, that any student requesting to participate in said contest shall be furnished with a pamphlet from the Suffolk County Department of Health Services regarding energy drinks and the health effects of consuming same, as well as information from any other relevant organization dedicated to reducing the use of energy drinks by minors; and be it further

6th **RESOLVED**, that said pamphlet shall be disseminated by the County Department of Health Services no later than January 31st each year; and be it further

7th **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-energy drink PSA contest

1921

Intro. Res. No. -2012
Introduced by Legislator Calarco

Laid on Table 9/13/2012

**RESOLUTION NO. -2012, AMENDING THE 2012
OPERATING BUDGET TO PROVIDE FUNDING FOR THE
MEDFORD CHAMBER OF COMMERCE**

WHEREAS, the 2012 Operating Budget, when adopted, included funding for a commodities distribution program at St. Joseph the Worker Church Parish Social Ministry of East Patchogue; and

WHEREAS, the agency is unable to utilize this funding; and

WHEREAS, it is the desire of the Suffolk County Legislature to transfer the designated funding from the St. Joseph the Worker Outreach to the Medford Chamber of Commerce; 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 2012 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>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	DSS	6004	JLO1	4980	ST. JOSEPH THE WORKER OUTREACH	(\$4,750)

TO:

<u>FD</u>	<u>AGY</u>	<u>UNIT</u>	<u>ACT</u>	<u>OBJ</u>	<u>ACTIVITY NAME</u>	<u>AMOUNT</u>
001	EDP	6410	HWF1	4980	MEDFORD CHAMBER OF COMMERCE	+\$4,750

and be it further

2nd RESOLVED, that the moneys appropriated pursuant to this resolution shall be used for the sole and exclusive purpose of funding the Medford Chamber of Commerce.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\r-funding-medford-chamber-commerce

1922

Intro. Res. No. - 2012

Laid on the Table

9/13/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012 AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY CONTINGENT JAIL MEDICAL FUND FOR THE HOUSING OF INMATES OUT OF THE COUNTY AND THE EXPANSION OF SERVICES IN THE JAIL MEDICAL UNIT AT BOTH CORRECTIONAL FACILITIES

WHEREAS, the Department of Health Services' Division of Patient Care Services provides medical care to all inmates in the custody of the Sheriff's Department of Suffolk County; and

WHEREAS, health care for inmates is a mandated service under Article 20 of New York State Correctional Law, Part-7010 of New York State Correctional Law and Local Law No. 29-1991 of the Suffolk County Code; and

WHEREAS, in order to address overcrowding and other deficiencies, a new correctional facility has been constructed in Yaphank, New York; and

WHEREAS, the Jail Medical Unit in both correctional facilities located in Riverhead and Yaphank will be providing 24 hour a day/7 days a week coverage once the new facility is opened; and

WHEREAS, this 24/7 operation is an expansion of the existing hours of operation at both correctional facilities; and

WHEREAS, in addition to the funds adopted in the 2012 Operating Budget, a Contingent Jail Medical fund was created to cover all the anticipated expenses associated with both Jail Medical Units; and

WHEREAS, funds from the Contingent Jail Medical account need to be disbursed to both the Sheriff's Office for the additional out of county housing expenses and the Department of Health Services for the expansion of services; now, therefore be it

1st RESOLVED, that the County Comptroller and the County Treasurer be and hereby is authorized, empowered and directed to disburse funds as follows:

ORGANIZATIONS

From:

Contingent Jail Medical
001-MSC-1999-4560

\$5,010,002

To:

Suffolk County Sheriff's Office
001-SHF-3151

<u>Contractual Expenses</u>	<u>\$3,237,337</u>
4560 Fees for Services: Non-employee	\$3,237,337

Suffolk County Department of Health Services
Division of Patient Care Services
Jail Medical Program
001-HSV-4109

<u>Personal Services</u>	<u>\$422,665</u>
1100 Permanent Salaries	\$302,620
1120 Overtime Salaries	\$120,045

<u>Supplies, Materials, & Other Expenses</u>	<u>\$950,000</u>
3980 Hospitalization of Jail Inmates	\$950,000

<u>Contractual Expenses</u>	<u>\$400,000</u>
4560 Fees for Services: Non-employee	\$400,000

DATED:

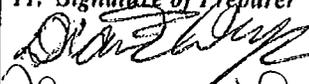
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

1922

**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 Authorizing the disbursement of funds from the Suffolk County Contingent Jail Medical Fund for the housing of inmates out of the county and the expansion of services in the Jail Medical Unit at both correctional facilities.		
3. Purpose of Proposed Legislation This legislation is needed to transfer funds from the Contingent Jail Medical account to both the Sheriff's Office for the additional out of county inmate housing expenses and the Department of Health Services for the expansion of medical services.		
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: Not applicable		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision. None		
8. Proposed Source of Funding 2012 Adopted Operating Budget (001-MS-1999-4560)		
9. Timing of Impact 2012		
10. Typed Name & Title of Preparer Diane E. Weyer Principal Financial Analyst	11. Signature of Preparer  Theresa Lollo	Date 9/10/12 9/11/12
Theresa Lollo Budget Office		

1922

FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 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, SEPTEMBER 2011.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2011-2012.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2011 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

1922

DEPARTMENT OF HEALTH SERVICES

JAMES L. TOMARKEN, MD, MPH, MBA, MSW
Commissioner

September 10, 2012

Jon Schneider, Deputy County Executive
County Executive's Office, 12th Floor
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, NY 11788-0099

Dear Mr. Schneider:

I request the introduction of the enclosed Resolution authorizing the disbursement of funds from the Suffolk County Contingent Jail Medical Fund for the housing of inmates out of the county and the expansion of services in the Jail Medical Unit at both correctional facilities. This legislation is needed to transfer funds from the Contingent Jail Medical account to both the Sheriff's Office for the additional out of county inmate housing expenses and the Department of Health Services for the expansion of medical services.

I enclose the financial impact statement and other materials for this Resolution. If you have any questions on the enclosed, please call Jennifer Culp at 854-0096. Also, an e-mail version of this resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-PC Contingency JMU and SHF.docx".

Sincerely,

James L. Tomarken, MD, MPH, MBA, MSW
Commissioner

Enclosures

JLT/lw

- C: Regina Calcaterra, Chief Deputy County Executive
Ben Zwirn, Director of Intergovernmental Relations (2 copies)
Thomas Vaughn, County Executive Assistant III
Margaret B. Bermel, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Jennifer Culp, Assistant to the Commissioner
Shaheda Iftikhar, M.D., Acting Director of Patient Care Services
Diane E. Weyer, Principal Financial Analyst



Public Health
Prevent. Promote. Protect

OFFICE OF THE COMMISSIONER
3500 Sunrise Highway, Suite 124, P. O. Box 9006, NY 11739-9006
Phone (631) 854-0000 Fax (631) 854-0108

COUNTY OF SUFFOLK



1922

OFFICE OF THE COUNTY EXECUTIVE

Steven Bellone
SUFFOLK COUNTY EXECUTIVE

Memorandum

TO: Ben Zwirn, Director of Intergovernmental Relations

FROM: James P. Burt, Assistant Budget Director 

DATE: September 11, 2012

RE: **Proposed Operating Budget Late Starter Resolution for the 9/13/12 Legislative Meeting**

1. 675-12 - Authorizing The Disbursement Of Funds From The Suffolk County Contingent Jail Medical Fund For The Housing Of Inmates Out Of The County And The Expansion Of Services In The Jail Medical Unit At Both Correctional Facilities

Attachments

JPB/lp

Cc;

Jon Schneider, Deputy County Executive For Finance And Administration
Fred Pollert, Deputy County Executive For Finance and Management
Connie R. Corso, Budget Director
Lynn Bizzarro, County Attorney

1923

Introductory Resolution No. -2012

Laid on the Table 9/13/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012; TRANSFERRING AND APPROPRIATING LIVING WAGE CONTINGENCY FUNDS TO THE FEDERATION OF ORGANIZATIONS FOR THE NYS MENTALLY DISABLED, INC., RESPITE FEE SUBSIDY

WHEREAS, a contingency fund was established in the 2012 Suffolk County Operating Budget for the express purpose of implementing the Living Wage Law, Local Law 12-2001; and

WHEREAS, Local Law No. 12-2001, the Living Wage Law, ensures that employees of County contractors and subcontractors and beneficiaries of tax, loan, grant and other subsidy assistance provided by the County earn an hourly wage that is sufficient for a family of four to live at or above the federal poverty level; and

WHEREAS, the Federation of Organizations for the NYS Mentally Disabled, Inc., provides support and assistance to caregivers of frail elderly family members through the Respite Fee Subsidy contract with the Suffolk County Office for the Aging; and

WHEREAS, additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service; now, therefore, be it

1st RESOLVED that the Suffolk County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:			<u>CHANGE</u>
001-MSC-1998-4770			(\$18,190)
Suffolk County Living Wage Contingency Fund			
TO:	<u>ADOPTED</u>	<u>CHANGE</u>	<u>MODIFIED</u>
001-EXE-GFC2-4980	\$31,311	+\$18,190	\$49,501
Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program			

DATED:

APPROVED BY:

County Executive of Suffolk County
Date of Approval

STATEMENT OF FINANCIAL IMPACT OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation		
Resolution <u> X </u>	Local Law <u> </u>	Charter Law
2. Title of Legislation		
Resolution Transferring and Appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy.		
3. Purpose of Proposed Legislation		
Additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the answer to Item 4 is a 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 a yes, Provide Detailed Explanation of Impact.		
100% County Funds included in the 2012 Adopted Budget..		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
N/A		
8. Proposed Source of Funding.		
100% County Funds included in the 2012 Adopted Budget.		
9. Timing of Impact.		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Beth A Reynolds Chief Executive Analyst		9/7/12

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2011 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 2009.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 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 <u> </u>	Charter Law
2. Title of Legislation		
Resolution Transferring and Appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy.		
3. Purpose of Proposed Legislation		
Additional funding is needed to pay living wages to respite workers to maintain the program and without these additional funds, the Federation of Organizations for the NYS Mentally Disabled, Inc., will not be able to provide the current level of service.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> </u> No <u> X </u>		
5. If the answer to Item 5⁴ is a 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 5⁴ is a yes, Provide Detailed Explanation of Impact.		
100% County Funds included in the 2012 Adopted Budget..		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2012 - \$30,115		
2010-2015 - unknown		
8. Proposed Source of Funding.		
100% County Funds included in the 2012 Adopted Budget.		
9. Timing of Impact.		
Upon Approval		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
HOLLY RHODES-TEAGUE DIRECTOR	<i>Holly Rhodes-Teague</i> <i>JK</i>	8/28/12

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: August 14, 2012

TO: Holly Rhodes –Teague, Director
Suffolk County Office for the Aging
Dennison Building
Hauppauge, NY

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on **August 3, 2012** regarding the contract for **Respite Fee Subsidy Program** from **Federation of Organizations for the NYS Mentally Disabled, Inc.** has been received and examined by the *Local Law Compliance Unit*.

The Request for Hardship Assistance has been:

- Accepted, and the *Living Wage Unit* authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage Unit* at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

COUNTY OF SUFFOLK



Steven Bellone
COUNTY EXECUTIVE

OFFICE FOR THE AGING
Holly S. Rhodes-Teague
DIRECTOR

MEMORANDUM

TO: Jon Schneider
Deputy County Executive

FROM: Holly Rhodes-Teague *HRT JK*
Director

DATE: August 28, 2012

SUBJECT: *Resolution Transferring and Appropriating Living Wage Contingency Funds to the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy*

As per ADH 03-12, I am enclosing two copies each of Draft Resolution, Request for the Introduction of Suffolk County Legislation (SCIN Form 175a), Fiscal Impact Statement (SCIN Form 175b) and Notice of Decision on Hardship Assistance (LW-31).

Additional funding of \$18,189.45 is needed for the Federation of Organizations for the NYS Mentally Disabled, Inc., Respite Fee Subsidy Program to pay living wages to respite workers to maintain the program. Without these additional funds, the agency will not be able to provide the current level of service.

If you require any further information, please contact Joanne Kandell, Principal Accountant at 853-8212.

HRT:JK
Enclosures

cc: Regina Calcaterra, Chief Deputy County Executive
Joanne Kandell, Principal Accountant
Maureen Porta, Senior Citizens Program Administrator II
Mary-Valerie Kempinski, Contracts Examiner

1924

Intro Res. No. -12

Laid on the Table 9/13/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. -2012 ACCEPTING AND RE-APPROPRIATING 100% FUNDING FOR PROGRAM YEAR 2011 ADULT, DISLOCATED WORKER, YOUTH AND ADMINISTRATIVE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

WHEREAS, the New York State Department of Labor awarded funds to the Suffolk County Department of Labor for the Workforce Investment Act (WIA) Program for Program Year 2011 for the period 7/1/2011 through 6/30/2013; and

WHEREAS, the funds were awarded to integrate employment and training services into a comprehensive workforce delivery system for impacted workers; and

WHEREAS, these funds were included in the 2011 Adopted Operating Budget; and

WHEREAS, the unexpended balance at the end of Program Year 2011 for this program was \$1,051,036; and

WHEREAS, these funds were not expended in Budget Fiscal Year 2011 due to the receipt of other grant awards with time constraints necessitating them to be completed first; and

WHEREAS, these funds have not been included in the 2012 Adopted Operating Budget; and

WHEREAS, it is in the best interest of the County to re-appropriate this 100% grant funding; now, therefore be it

1ST RESOLVED, that the County Comptroller and the County Treasurer be and they are hereby authorized to accept and re-appropriate the following funds:

REVENUES:

320-4790 Federal Aid \$1,051,326

ORGANIZATIONS:

Department of Labor (LAB)
Workforce Investment Act
320-6300 \$1,051,326

4000 – Contractual Expenses

4560- Fees for Services: Non-Employ **\$1,051,326**

and, be it further

2ND RESOLVED, that the Reporting Category for the Integrated Financial Management System (IFMS) is 6300.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date of Approval:

STATEMENT OF FINANCIAL IMPACT
OF PROPOSED SUFFOLK COUNTY LEGISLATION

1. Type of Legislation Resolution <u> X </u> Local Law <u> </u> Charter Law		
Title of Proposed Legislation: ACCEPTING AND RE-APPROPRIATING 100% FUNDING FOR PROGRAM YEAR 2011 ADULT, DISLOCATED WORKER, YOUTH AND ADMINISTRATIVE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.		
3. Purpose of Proposed Legislation ACCEPT AND RE-APPROPRIATE EMPLOYMENT RELATED FUNDS.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No REVENUE TO COUNTY		
5. If the Answer to item 4 is "yes", on what will it impact? (check appropriate category)		
<input checked="" type="checkbox"/> County <input type="checkbox"/> Village <input type="checkbox"/> Library District	<input type="checkbox"/> Town <input type="checkbox"/> School District <input type="checkbox"/> Fire District	<input type="checkbox"/> Economic Impact <input type="checkbox"/> Other (Specify <input type="checkbox"/> NOT APPLICABLE
6. If the answer to item 4 is "yes", Provide Detailed Explanation of Impact REVENUE TO THE COUNTY.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Subdivision. N/A		
8. Proposed Source of Funding NEW YORK STATE DEPARTMENT OF LABOR / Workforce Investment Act		
9. Timing of Impact IMMEDIATE		
10. Typed Name & Title of Preparer Beth A. Reynolds Chief Exec. BARBARA D'AMICO Analyst SENIOR ACCOUNTANT	11. Signature of Preparer 	12. Date August 30, 2012 9/6/12

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2011 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2011 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 2009.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2009-2010.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2009 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

Department Request
Sponsors Memo for County Legislation

Resolution Title: **ACCEPTING AND RE-APPROPRIATING 100% FUNDING FOR PROGRAM YEAR 2011 ADULT, DISLOCATED WORKER, YOUTH AND ADMINISTRATIVE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.**

Purpose/Justification of Request: **To accept and re-appropriate an employment related grant.**

Specify Where Applicable:

1. Is request due to change in law? yes _____ no X
If yes, please explain:

2. Has this resolution been submitted previously? yes _____ no X
If yes, give I.R.#, attach copy and reason for resubmittal:

3. Is back up attached? yes X no _____

4. Is this resolution subject to SEQRA review? yes _____ no X

Fiscal Information:

Budget Line:

Amount & source of outside funding:	Federal \$1,051,326
	State \$
	County \$
	(Town)Other \$

Contact Person Barbara D'Amico **Telephone Number** 3-6669

Instructions: All departments must submit this form, along with your draft resolution for Legislative action, to the Budget Office no later than noon on the Monday before the Thursday deadline imposed by the Legislature.

3. EXPLANATION OF REQUESTED COUNTY FINANCIAL ASSISTANCE

CATEGORY	TOTAL REQUESTED	PERSONNEL COSTS REQUESTED	NON-PERSONNEL COSTS REQUESTED
TOTAL COUNTY SHARE:	\$ -0-	\$ -0-	\$ -0-
Cash Contribution:	\$ -0-	\$ -0-	\$ -0-
a.			
b. In-kind Contribution:	\$ -0-	\$ -0-	\$ -0-
4. Total Number of Positions Requested -0-			
5. Can This Program Be Re-funded by the Proposed Non-County Sources? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
6. Estimated Expected Additional Indirect costs (Costs to County not Delineated in Budget Request, for example, added overhead, capital expenditures required as a result of project activity, associated administrative costs, etc.) -0-			
7. What Do You Anticipate Happening When the Federal, State and/or Private Financial Assistance is Discontinued (That is, program termination, reduced services, financial implication, layoffs, etc.) Program terminates.			
8. Attach a List of Potential Subcontractors, If Any, Outlining the Purpose of Each Subcontract (That is, 456 and 498 Account Items; use an additional 8 1/2" x 11" sheet). N/A			

III. COUNTY EXECUTIVE'S OFFICE REVIEW

Intergovernmental Relations Division Review:	<input type="checkbox"/> Approved	Signature of Coordinator	Date
	<input type="checkbox"/> Disapproved		
Comments			
Budget Office Review:	<input type="checkbox"/> Approved	Signature of Budget Director	Date
	<input type="checkbox"/> Disapproved		
Comments			

COORDINATION OF GRANT APPLICATION OR CONTRACT County of Suffolk	Date August 30, 2012
---	--------------------------------

Submitting Department/Agency Suffolk County Department of Labor	Location Bldg. 17, No. County Complex Veterans Memorial Highway Hauppauge, NY 11788
---	---

Contact Person in Dept/Agency Barbara D'Amico	Telephone Number 853-6669	Grant Application Due Date N/A
---	-------------------------------------	--

INSTRUCTIONS: Applicant will complete all items on this form. If an item is not applicable enter "NA". If additional space is needed, insert an asterisk (*) in the item box and attach additional information on an 8 1/2" x 11" sheet cross referenced to the item.

I. BACKGROUND INFORMATION

Grant Title: ACCEPTING AND RE-APPROPRIATING 100% FUNDING FOR PROGRAM YEAR 2011 ADULT, DISLOCATED WORKER, YOUTH AND ADMINISTRATIVE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM.

2. Statutory Legislation (Public Law No. & Title & Department Administering Grant Program)
NEW YORK STATE DEPARTMENT OF LABOR

3. Grant/Contract Status (Check One)

a. New Program Application d. Extension of Funding Period
b. Renewal Application e. Contract
c. Supplemental

4. General Purpose of Grant/Contract (Describe briefly. If it is a refunding, please attach a recent progress report, including summary of goal attainment)
TO PROVIDE FUNDS FOR EMPLOYMENT RELATED PROGRAMS.

5. County Departments/Agencies Affected (Include any with similar operational programs, regardless of their eligibility for this program).
SUFFOLK COUNTY DEPARTMENT OF LABOR

II. BUDGET INFORMATION

1. Term of Contract
FROM: 07/01/11 TO: 06/30/13

2. Financial Assistance Requested

SOURCE	FIRST FUNDING CYCLE		SECOND FUNDING CYCLE		THIRD FUNDING CYCLE	
	Amount	Percent	Amount	Percent	Amount	Percent
Federal	\$1,051,326	100%	\$	%	\$	%
State	\$	%	\$	%	\$	%
Town	\$	%	\$	%	\$	%
County	\$	%	\$	%	\$	%
Total	\$1,051,326	100%	\$	%	\$	%

SCIN Form 164b (10-80) This form replaces EXGC Form 1, which is obsolete



New York State Department of Labor
Andrew M. Cuomo, *Governor*
Colleen C. Gardner, *Commissioner*

March 14, 2012

Mr. Steven Bellone
County Executive
Suffolk County
H. Lee Dennison Building
100 Veteran's Memorial Highway
P.O. Box 6100, 12th Floor
Hauppauge, New York 11788

2011 funds
E 25,000.00
1/12/12
57

Dear Mr. Bellone:

Attached is a Notice of Obligational Authority (NOA) for LWIA – Suffolk County, distributing the balance of Program Year (PY) 2011 formula funds.

This NOA identifies additional funds available for the PY 2011 Title 1B Adult and Dislocated Worker programs. This NOA includes a revised allocation based on Training and Employment Guidance Letter (TEGL) 9-11 Change 1. These funds are available for the period July 1, 2011 - June 30, 2013.

Any questions concerning this information should be directed to Mr. Henry Daisey, State Representative at 212-775-3346.

Sincerely,

Karen A. Coleman
Acting Deputy Commissioner
for Workforce Development

Attachment

cc: Mr. Samuel Chu
Mr. James Andrews
Mr. Henry Daisey
Mr. Kuriakose Varkey
Ms. Delores Caruso

NOTICE OF OBLIGATIONAL AUTHORITY

LWIA# 78

NOA #PY11- 4

LWIA: Suffolk Co.
 Grantee: Mr. Steven Bellone
 County Executive, Suffolk County

GRANTOR: The Governor of New York through
 the New York State Department
 of Labor

This NOA authorizes Program Year 2011 funding for the period (07/01/11 through 6/30/13), except Youth (04/01/11 through 6/30/13.)

NYS DOL Contact: Henry Daisey

TELEPHONE: (212) 775-3346

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	\$2,072,183.40	\$0.00	\$2,072,183.40
CFDA# 17.258,17.259,17.278 T-1B Admin	\$742,601.60	\$5,861.90	\$748,463.50
CFDA# 17.258 T-1B Adult	\$2,035,782.90	\$25,053.30	\$2,060,836.20
CFDA# 17.278 T-1B Dislocated Worker	\$2,575,448.10	\$27,703.80	\$2,603,151.90

6200

Job 91600

Approved by:

Karen A. Coleman

03/14/12

Karen A. Coleman
 Acting Deputy Commissioner for Workforce Development

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SAMUEL CHU
COMMISSIONER
DEPARTMENT OF LABOR
725 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, N.Y. 11788

ADDRESS CORRESPONDENCE TO:
P.O. BOX 1319
SMITHTOWN, N.Y. 11787-0895
e-mail: sc.dol@suffolkcountyny.gov
FAX # (631) 853-6510
www.suffolkcountyny.gov/labor

MEMORANDUM

TO: Jon Schneider, Deputy County Executive
Suffolk County Executive's Office

FROM: Samuel Chu, Commissioner

DATE: August 30, 2012

RE: INTRODUCTORY RESOLUTION

Attached please find the following Introductory Resolution for the next Legislative meeting:

RESOLUTION NO. -12, **ACCEPTING AND RE-APPROPRIATING 100% FUNDING FOR PROGRAM YEAR 2011 ADULT, DISLOCATED WORKER, YOUTH AND ADMINISTRATIVE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF LABOR FOR THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM**

Thank you for your assistance.

* * *

SC:dv
Attachment

cc: Regina M. Calcaterra, Chief Deputy County Executive

Intro. Res. No. 1925-12

Laid on Table 9/13/12

Introduced by the Presiding Officer on request of the County Executive

RESOLUTION NO. - 2012, AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - RONKONKOMA, COLONIAL YOUTH AND FAMILY SERVICES, INC. AND BRIGHTWATERS CHILD CARE AND DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, in accordance with Section 347-15, County Transitional Financial Assistance was added to the Suffolk County Code wherein child care providers shall be eligible for upfront financial assistance from the Suffolk County Living Wage Contingency Fund, or any successor fund thereto, in order to meet increased payroll expenses; and

WHEREAS, Lazy Cow, Inc. dba Kiddie Care Early Learning Center, The Community Programs Center of Long Island, Inc. - Port Jefferson, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Colonial Youth and Family Services, Inc. and Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters day care providers, have submitted an application for Hardship Assistance and other prescribed forms to document the need for financial assistance, and

WHEREAS, the providers have concerns about their ability to comply with the Living Wage Law without a financial subsidy, and

WHEREAS, the centers provide a needed service to the community; and

WHEREAS, the Department of Labor has authorized Hardship Assistance in the amount up to a maximum of \$181,760 be awarded for the period January 1, 2012 to December 31, 2012 and,

WHEREAS, the Living Wage Hardship funding will be provided to Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$54,663), The Community Programs Center of Long Island, Inc. - Port Jefferson (\$5,796), The Community Programs Center of Long Island, Inc. - Ronkonkoma (\$58,902), Colonial Youth and Family Services, Inc. (\$28,588) and Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters (\$33,811) in the amount up to a maximum of \$181,760; now, therefore be it

1. RESOLVED, that the County Comptroller be and hereby is authorized, empowered and directed to disburse funds as follows:

FROM:

001-MSC-1998-4770 Suffolk County Living Wage Contingency Fund \$181,760

TO:

001-DSS-6015-4770 Client Benefits Special Services \$181,760

and be it further

2. RESOLVED, that the Commissioner of Social Services is hereby authorized, empowered and directed to disburse the funds to Lazy Cow, Inc. dba Kiddie Care Early Learning Center, The Community Programs Center of Long Island, Inc. - Port Jefferson, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Colonial Youth and Family Services, Inc. and Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

REQUEST FOR THE INTRODUCTION OF SUFFOLK COUNTY LEGISLATION
OFFICE OF THE COUNTY EXECUTIVE
County of Suffolk

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

<hr/> Submitting Department (Dept. Name & Location):	<hr/> Department Contact Person (Name & Phone No.):
Department of Social Services 3085 Veterans Memorial Highway Ronkonkoma, New York 11779	Kenneth A. Knappe Principal Management Analyst 854-9939
<hr/> Suggestion Involves:	
<input checked="" type="checkbox"/> Appropriation	<input type="checkbox"/> Capital Project
<input type="checkbox"/> Technical Amendment	<input type="checkbox"/> New Program
<input type="checkbox"/> Grant Award	<input type="checkbox"/> Contract (New ___ Rev. ___)

Explanation of proposed resolution.

Disburse funds from the Suffolk County Living Wage Contingency Fund to DSS to provide a subsidy to day care centers as approved by the Department of Labor. The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/12.

Summary of resolution benefits.

The funds to be disbursed to Lazy Cow, Inc. dba Kiddie Care Early Learning Center, The Community Programs Center of Long Island, Inc. - Port Jefferson, The Community Programs Center of Long Island, Inc. - Ronkonkoma, Colonial Youth and Family Services, Inc. and Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters will provide funding to meet the wage standards required by law.

**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		
AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - RONKONKOMA, COLONIAL YOUTH AND FAMILY SERVICES, INC. AND BRIGHTWATERS CHILD CARE AND DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES.		
3. Purpose of Proposed Legislation		
Disburse funds from the Suffolk County Living Wage Contingency Fund to DSS to provide a subsidy to Lazy Cow, Inc. dba Kiddie Care Early Learning Center (\$54,663), The Community Programs Center of Long Island, Inc. - Port Jefferson (\$5,796), The Community Programs Center of Long Island, Inc. - Ronkonkoma (\$58,902), Colonial Youth and Family Services, Inc. (\$28,588) and Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters (\$33,811). The subsidy is for the purpose of providing financial assistance to meet the wage standards required by the law for the period 1/1-12/31/12.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <u> X </u> No _____		
5. If the answer to item 4 is "yes", on what will it impact? (circle appropriate category)		
<input checked="" type="checkbox"/> County	<input type="checkbox"/> Town	<input type="checkbox"/> Economic Impact
<input type="checkbox"/> Village	<input type="checkbox"/> School District	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Library District	<input type="checkbox"/> Fire District	
6. If the answer to item 5 is "yes", Provide Detailed Explanation of Impact. See item 7.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political of other Subdivision.		
This resolution requests the disbursement of up to a maximum of \$181,760 from the Suffolk County Living Wage Contingency Fund for the period 1/1-12/31/12.		
8. Proposed Source of Funding.		
The Suffolk County Living Wage Contingency Fund (001 – MSC – 1998 – 4770)		
9. Timing of Impact.		
Immediate		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Kenneth A. Knappe Principal Management Analyst		8/29/12

SCIN FORM 175b (10/95)

Suzanne Martin
Sr. Budget Analyst

Suzanne Martin

9/6/12

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY LIVING WAGE UNIT

DATE: August 14, 2012

TO: Jean Jacobsen
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on August 14, 2012 from **Lazy Cow, Inc. DBA Kiddie Care Early Learning Center** has been received and examined by the *Living Wage* Unit for the amount of \$54,663.

The **Request for Hardship Assistance** has been:

Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: August 14, 2012

TO: Jean Jacobsen
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on August 14, 2012 from **The Community Center of Long Island, Inc.- Port Jefferson** has been received and examined by the *Living Wage Unit* for the amount of \$5,796.

The **Request for Hardship Assistance** has been:

- Accepted, and the *Living Wage Unit* authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage Unit* at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: August 14, 2012

TO: Jean Jacobsen
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on August 14, 2012 from **The Community Center of Long Island, Inc.- Ronkonkoma** has been received and examined by the *Living Wage* Unit for the amount of \$58,902.

The **Request for Hardship Assistance** has been:

Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: August 14, 2012

TO: Jean Jacobsen
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on August 14, 2012 from **Colonial Youth and Family Services** has been received and examined by the *Living Wage Unit* for the amount of \$28,588.

The **Request for Hardship Assistance** has been:

- Accepted, and the Local Law Compliance Unit authorizes the submission of the accompanying resolution to the County Legislature.
- Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor’s Local Law Compliance Unit at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

SUFFOLK COUNTY DEPARTMENT OF LABOR – LIVING WAGE UNIT

NOTICE OF DECISION ON HARDSHIP ASSISTANCE

Living Wage Law, Suffolk County Code, Chapter 347 (2001)

TO BE COMPLETED BY *LIVING WAGE UNIT*

DATE: August 14, 2012

TO: Jean Jacobsen
Suffolk County Dept. of Social Services
3085 Veterans Memorial Highway
Ronkonkoma, NY 11779

You are hereby notified that the **Request for Hardship Assistance** and associated draft resolution submitted on August 14, 2012 from **Brightwaters Child Care and Development Center, Inc. dba Kiddie Academy of Brightwaters** has been received and examined by the *Living Wage* Unit for the amount of \$33,811.

The **Request for Hardship Assistance** has been:

Accepted, and the *Living Wage* Unit authorizes the submission of the accompanying resolution to the County Legislature.

Denied.

Should you have any questions regarding this decision, please contact the Suffolk County Department of Labor's *Living Wage* Unit at (631) 853-3808.



Samuel Chu
Commissioner
Suffolk County Department of Labor

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF SOCIAL SERVICES

Gregory J. Blass
Commissioner

Memorandum

TO: Jon Schneider, Deputy County Executive

FROM: Gregory J. Blass, Commissioner
Department of Social Services 

DATE: August 29, 2012

SUBJECT: **REQUEST FOR A LEGISLATIVE RESOLUTION –
Authorizing the Disbursement of Funds from the Suffolk County Living Wage
Contingency Fund**

AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE SUFFOLK COUNTY LIVING WAGE CONTINGENCY FUND FOR, LAZY COW, INC. DBA KIDDIE CARE EARLY LEARNING CENTER, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. - PORT JEFFERSON, THE COMMUNITY PROGRAMS CENTER OF LONG ISLAND, INC. – RONKONKOMA, COLONIAL YOUTH AND FAMILY SERVICES, INC. AND BRIGHTWATERS CHILD CARE & DEVELOPMENT CENTER, INC. DBA KIDDIE ACADEMY OF BRIGHTWATERS DAY CARE PROVIDERS UNDER CONTRACT WITH THE DEPARTMENT OF SOCIAL SERVICES

In accordance with the Living Wage Law, child care providers are eligible for assistance from the Suffolk County Living Wage Contingency Fund in order to enable them to meet the increased payroll expenses which result from paying employees the hourly rate required by the law. The aforementioned day care centers have applied to the County for such assistance and the Department of Labor has approved the applications in accordance with established procedures.

Attached please find the above referenced resolution, the introduction form (SCIN Form 175a), the fiscal impact statement (SCIN Form 175b), and related backup material. The e-copies relating to this resolution are entitled "Reso-DSS-Living Wage Contingency Fund 2012-1." If you have any questions, please contact Kenneth A. Knappe at X 49939.

Enc.

cc: Regina M. Calcaterra, Chief Deputy County Executive
ec: CE Reso. Review Distribution List

**FINANCIAL IMPACT
2012 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER**

GENERAL FUND

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2012 PROPERTY TAX LEVY	2012 COST TO AVG TAXPAYER	2012 AV TAX RATE PER \$100	2012 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 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

1926

Intro. Res. No. - 2012

Laid on the Table

9/13/12

Introduced by the Presiding Officer on request of the County Executive

**RESOLUTION NO. -2012, ADOPTING LOCAL LAW
NO. -2012, A CHARTER LAW TO STRENGTHEN AND
IMPROVE THE COUNTY'S ECONOMIC EFFORTS BY
CONSOLIDATING DEPARTMENTAL FUNCTIONS WITHIN
A NEWLY CREATED DEPARTMENT OF LABOR,
LICENSING AND CONSUMER AFFAIRS**

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on _____, 2012, a proposed local law entitled, "**A CHARTER LAW TO STRENGTHEN AND IMPROVE THE COUNTY'S ECONOMIC EFFORTS BY CONSOLIDATING DEPARTMENTAL FUNCTIONS WITHIN A NEWLY CREATED DEPARTMENT OF LABOR, LICENSING AND CONSUMER AFFAIRS,**" and said local law in final form is the same as when presented and introduced; now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

**A CHARTER LAW TO STRENGTHEN AND IMPROVE THE
COUNTY'S ECONOMIC EFFORTS BY CONSOLIDATING
DEPARTMENTAL FUNCTIONS WITHIN A NEWLY CREATED
DEPARTMENT OF LABOR, LICENSING AND CONSUMER
AFFAIRS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds that in order to create a solid economic foundation for the growth of Suffolk County, it is important to create a healthy business environment while protecting consumers from unfair and deceptive business practices.

This Legislature further finds that the roles of the Department of Labor and the Department of Consumer Affairs balance each other, each promoting the goal of a fair and vibrant marketplace for businesses and consumers.

This Legislature further finds that since the functions of these two departments complement each other, it would be in the best interest of the County to combine the departments to create a single department, the purpose of which would be to promote the health, safety, and economic well-being of both business and the public through job training and development, occupational and consumer regulation, licensing, and enforcement.

This Legislature determines that the creation of this new department will centralize the responsibility for business establishment and regulation, creating a "One-Stop" hub for job development, skill enhancement, consumer protection, and industry regulation.

This Legislature also finds that the combination of these two departments would allow the County to craft a better match between the needs of job-seekers and the needs of the business community by designing, among other things, customized job training courses with input from the business community.

This Legislature also finds and determines that all County elected officials have a fiduciary responsibility to ensure that taxpayer dollars are prudently and economically spent and that this Legislature has a fiduciary responsibility to ensure that public moneys are used in the best interest of County taxpayers.

This Legislature finds that by consolidating the functions of these departments, the Legislature is meeting its responsibility to prudently utilize resources in the best interest of County taxpayers.

This Legislature finds that it is in the best interest of this County to create the Department of Labor, Licensing and Consumer Affairs, and to transfer all of the functions of the Department of Consumer Affairs and the Department of Labor to this department due to the structural budget challenges the County faces as a result of decreased sales tax revenue and increased expenses.

Therefore, the purpose of this law is to create the Department of Labor, Licensing and Consumer Affairs and to transfer the functions of the Department of Consumer Affairs and the Department of Labor into this newly created department.

Section 2. Repealed.

Article 31 of the SUFFOLK COUNTY CHARTER, Article 31 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, and Chapter 136 of the SUFFOLK COUNTY ADMINISTRATIVE LOCAL LAWS are hereby repealed in their entirety.

Section 3. Creation of Department, Transfer of Functions.

A new Article XXXI of the SUFFOLK COUNTY CHARTER is hereby enacted to read as follows:

**ARTICLE XXXI
DEPARTMENT OF LABOR, LICENSING AND CONSUMER AFFAIRS**

§ C31-1. Definitions.

- A. "Commissioner" means the head of the Department.
- B. "Department" means the Suffolk County Department of Labor, Licensing and Consumer Affairs.

§ C31-2. Department established; Commissioner of Labor, Licensing and Consumer Affairs.

- A. There shall be a Department of Labor, Licensing and Consumer Affairs, the head of which shall be the Commissioner of the Department of Labor, Licensing and Consumer Affairs. He or she shall be appointed by the County Executive, subject to approval of the County Legislature, and shall serve at the pleasure of the County Executive. The Commissioner may, within the appropriation provided, appoint and remove a Chief Deputy Commissioner and Deputy Commissioner(s), who shall act generally for and on behalf of the Commissioner in all matters, and all other officers and employees as may be likewise provided. The Commissioner may employ such special consultants as may be necessary; however, the contracts with the special consultants shall be subject to County Executive approval. The Commissioner shall be deemed the appointing authority for all employees within the Department.
- B. The Commissioner may also be designated as the Director of Weights and Measures, appointed in accordance with, and having all the powers and duties set forth in, the Agriculture and Markets Law of New York. No additional compensation shall be extended to the Commissioner holding this position.

§ C31-3. Powers and duties.

Except as otherwise provided in the Charter or by local law, the Department of Labor, Licensing and Consumer Affairs shall have the following powers, duties and responsibilities:

- A. Develop and administer industry and labor apprenticeship training programs and retraining programs, for, among others, Suffolk County's unemployed residents, Suffolk County veterans, and Suffolk County's disabled and dislocated worker populations.
- B. Manage the Suffolk Works Employment Program, the County's welfare employment program operated in accordance with the Temporary Assistance for Needy Families as established in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- C. Coordinate the operations of the Suffolk County Workforce Investment Board, created pursuant to the Workforce Investment Act of 1998, the mission of which is to meet the needs of job seekers and employers and to support economic growth in Suffolk County.
- D. Provide labor mediation by attempting to arrange for, hold, adjourn or reconvene a voluntary conference or conferences between disputants and their representatives in the event that there is within the County an existing imminent or threatened labor dispute, all with a view toward facilitating the settlement of such labor dispute.
- E. Ensure compliance with the Suffolk County Lawful Hiring Law, the Fair Business Practice Law, and all other Suffolk County consumer protection laws.
- F. Receive and investigate complaints and to initiate investigations of unfair or deceptive practices against consumers.
- G. Hold hearings, subpoena witnesses, administer oaths, take the testimony of any person under oath and, in connection therewith, compel the production of any evidence relating to any matter under investigation by the Department; provided, however, that the

Commissioner shall obtain the written consent of the County Executive or the County Attorney before issuing a subpoena or subpoena duces tecum. At any hearing, a witness shall have the right to have present and be advised by counsel during the conduct of such hearing.

- H. Initiate and encourage consumer education programs and prepare and disseminate, through publication or otherwise, consumer educational and informational materials to the consumers of Suffolk County.
- I. Represent the interests of consumers before federal, state and local administrative and regulatory agencies and legislative bodies.
- J. Study the operation of federal, state and local laws for consumer protection and recommend amendments of such laws, where needed, for the protection of the consumer.
- K. Undertake activities to encourage businesses and industries in the County to maintain high standards of honesty, business practices and business responsibilities in the manufacture, distribution and sale of consumer goods and services.
- L. Establish facilities for the voluntary mediation of consumer disputes arising out of transactions which take place in the County.
- M. Initiate and conduct investigations, research, studies and analysis of matters affecting the interests of the consumers of Suffolk County.
- N. Report to the appropriate law enforcement agency information with respect to the violation of any federal, state or local consumer protection law.
- O. Cooperate and assist any agency, public or private, in the development of standards of quality for consumer goods and services.
- P. Assist, advise and cooperate with local, state and federal agencies to protect and promote the interests of the consumers of Suffolk County.
- Q. Render each year to the County Executive and to each member of the County Legislature a written report of the activities, investigations, complaints and recommendations of the Department.
- R. Collect and compile such statistical information and other data, with regard to labor generally within the County of Suffolk, as shall provide a central source of accurate and timely labor information.
- S. Perform such other responsibilities and duties as may be assigned by the County Executive or the County Legislature.

- T. Issue and promulgate such rules and regulations as it may deem necessary and appropriate for monitoring the operations of contractors and subcontractors of Suffolk County and ensuring compliance with County local laws.

Section 4. Transfer of Personnel, Records, Property, and Equipment.

Those employees in the Department of Consumer Affairs and the Department of Labor who are employed in positions in those departments and the divisions thereof on the effective date of this article and have duties to be performed by the Department shall be transferred to the Department subject to the provisions of the NEW YORK CIVIL SERVICE LAW and Rules of the Department of Human Resources, Personnel, and Civil Service.

All records, property and equipment currently associated with and utilized in connection with the powers, functions and duties of the Department of Consumer Affairs and the Department of Labor shall be transferred to the Department of Labor, Licensing and Consumer Affairs.

Section 5. 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 6. Transition and Applicability Provisions.

- A.) This law shall apply to all actions occurring on or after the effective date of this law.
- B.) Any reference to the Department of Labor or Labor Department in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean reference to the Department of Labor, Licensing and Consumer Affairs and any reference to the Commissioner of the Department of Labor in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean reference to the Commissioner of the Department of Labor, Licensing and Consumer Affairs, anything in any laws or regulations to the contrary notwithstanding.
- C.) In the event the term "Labor" is referenced as the Department of Labor in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, such reference shall be construed to mean the Department of Labor, Licensing and Consumer Affairs.

- D.) Any reference to the Department or Office of Consumer Affairs or Consumer Affairs in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule, or regulation of the County of Suffolk or in any other state or federal law, rule, or regulation, shall be construed to mean reference to the Department of Labor, Licensing and Consumer Affairs, and any reference to the Commissioner or Director of Consumer Affairs in any other resolution, local law, charter law, ordinance, chapter of the SUFFOLK COUNTY CODE, rule, or regulation of the County of Suffolk or in any other state or federal law, rule or regulation, shall be construed to mean reference to the Commissioner of the Department of Labor, Licensing and Consumer Affairs, anything in any other laws or regulations to the contrary notwithstanding.
- E.) All County departments shall cooperate fully with the Commissioner of the County Department of Labor, Licensing and Consumer Affairs, or his or her designee, in all phases of implementing the provisions of this law.

Section 7. 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 8. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED: _____, 2012

APPROVED BY:

County Executive of the County of Suffolk

Date:

OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

1926

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



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DATE: September 12, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A CHARTER LAW TO STRENGTHEN AND IMPROVE THE COUNTY'S
ECONOMIC EFFORTS BY CONSOLIDATING DEPARTMENTAL FUNCTIONS WITHIN A
NEWLY CREATED DEPARTMENT OF LABOR, LICENSING AND CONSUMER AFFAIRS

SPONSOR: THE PRESIDING OFFICER, ON REQUEST OF THE COUNTY EXECUTIVE

DATE OF RECEIPT BY COUNSEL: 9/12/12 PUBLIC HEARING: 10/9/12
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

The County of Suffolk currently has a Department of Consumer Affairs and a Department of Labor. This proposed Charter law would abolish these departments and consolidate their functions into a new Department of Labor, Licensing and Consumer Affairs, as established under a new Article XXXI of the SUFFOLK COUNTY CHARTER.

The new department would be headed by a Commissioner and have jurisdiction over all matters pertaining to labor, licensing and consumer affairs. All personnel, records, property and equipment in the abolished Department of Consumer Affairs and Department of Labor would be transferred to the new department.

This law will take effect immediately upon its filing in the Office of the Secretary of State.

A handwritten signature in blue ink, appearing to read "George Nolan", is written over the text of the memorandum.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-consol dept of labor licensing and consumer affairs

1927

Intro. Res. No. -2012
Introduced by Legislator Gregory

Laid on Table 9/13/12

RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO. -2012, A LOCAL LAW TO ESTABLISH COLLABORATIVE LONG-TERM VISIONING PLANS AMONG COUNTY DEPARTMENTS ("THE SUFFOLK COUNTY VISIONING ACT")

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH COLLABORATIVE LONG-TERM VISIONING PLANS AMONG COUNTY DEPARTMENTS ("THE SUFFOLK COUNTY VISIONING ACT")**" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ESTABLISH COLLABORATIVE LONG-TERM VISIONING PLANS AMONG COUNTY DEPARTMENTS ("THE SUFFOLK COUNTY VISIONING ACT")

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 departments of the County of Suffolk government perform a variety of functions to ensure that County residents receive essential government services.

This Legislature also finds and determines that the responsibility of many County departments overlap and that stronger cooperation among departments would lead to better and more efficient delivery of services.

This Legislature further finds and determines that departments that are working in similar areas should develop a collaborative, long-term strategy to address the County's needs in the most efficient and effective manner possible.

This Legislature finds that, in order for long-term collaborative planning among departments to be effective, each participating department must conduct an assessment of their resources to identify their individual strengths and weaknesses.

This Legislature determines that, to effectuate such planning, long-term master plans should be developed by the County every ten years for the following areas: public safety; public health; human services; public and government infrastructure; parks, recreation and historic preservation; environment; and economic development and consumer affairs.

This Legislature also finds that after ten years, each master plan should be evaluated and updated every decade to guide County policy making.

This Legislature also determines that many government departments and agencies at the federal, State and local level use long-term master plans to improve operations with great success.

This Legislature further finds that ten year collaborative master plans in key service areas will help improve government efficiency and maximize the use of taxpayer funds for the greatest possible benefit.

Therefore, the purpose of this law is to establish a system for the creation and maintenance of 10 year master plans across County departments to ensure the effective and efficient provision of services in the areas of: public safety; public health; human services; public and governmental infrastructure; parks, recreation and historic preservation; environment; and economic development and consumer affairs.

Section 2. Service Area Master Plan Requirement Established.

- A. Commencing in 2013, the County of Suffolk shall develop and establish ten year master plans in the following service areas of concern: public safety; public health; human services; public and governmental infrastructure; parks, recreation and historic preservation; environment; and economic development and consumer affairs.

- B. The master plan for each service area shall be developed collaboratively by a committee comprised of the heads of the departments, divisions or offices indicated, or their designees, with the membership of each master plan committee selecting their own chairperson:
 - 1. Public Safety: the Suffolk County Police Department; the Office of the Sheriff; the Department of Fire, Rescue and Emergency Services; the Department of Probation; and the District Attorney's Office.
 - 2. Public Health: the Department of Health Services; the Department of Public Works; and the Office of Planning and the Environment in the Department of Economic Development and Planning.
 - 3. Human Services: the Department of Social Services; the Youth Bureau; the Office of Minority Affairs; the Office for the Aging; the Office of Veterans Affairs; and the Department of Labor.
 - 4. Public and Governmental Infrastructure: the Department of Public Works; the Division of Real Property Acquisition and Management in the Department of Economic Development and Planning; the Division of Planning in the Department of Economic Development and Planning; and the Department of Information Technology.
 - 5. Parks, Recreation and Historic Preservation: the Department of Parks, Recreation and Conservation and the Department of Public Works.
 - 6. Environment: the Office of Energy in the Department of Economic Development and Planning; the Department of Health Services; the Division of Real Property Acquisition and Management in the Department of

Economic Development and Planning; the Department of Public Works; and the Department of Parks, Recreation and Conservation.

7. Economic Development and Consumer Affairs: The Department of Economic Development and Planning; the Department of Consumer Affairs; the Division of Planning and Environment in the Department of Economic Development and Planning; and the Department of Labor.

- C. The master plan for each service area shall be developed over the course of one year. A public hearing on the proposed master plans shall be held by each committee. After the public hearing, the finalized master plans for each service area must be completed by and presented to the County Executive and each member of the County Legislature no later than the first general, non-organizational meeting of the County Legislature in the following year.

Section 3. Development of Service Area Master Plan.

- A. Prior to commencing development of any service area master plan, each department in the County shall prepare an assessment of their existing resources, including both physical and personnel assets.
- B. The master plan for each service area should set forth the following:
 1. A comprehensive mission statement for providing services in the specified area.
 2. Identification of long-term objectives for all major County functions and operations in the specified area to be achieved in the coming ten years.
 3. Establishment of a time table upon which the long-term objectives will be achieved.
 4. Annual performance goals in the provision of services for each of the coming ten years, with consideration for anticipated changes in workload and demand during that time.
 5. An explanation of the relationship between the annual performance goals and the long-term objectives identified therein, as well as a description of how evaluations of existing County programs were used to establish or change these goals.
 6. An analysis of the existing system by which these services are provided, identifying the County's capabilities in this area and the system's current strengths and weaknesses, as well as opportunities to improve performance and threats which may hamper the effective functioning of the system.
 7. An assessment of external factors which either now or in the future may significantly affect the functioning of the County in the specified area.
 8. An examination of different strategies for achieving the long-term objectives established therein, analyzing opportunities for collaboration among the

involved departments, divisions and offices to achieve these goals, culminating with a determination as to which strategy presently is most viable.

- C. Throughout the development of a service area's master plan, the master plan committees shall include the chairperson and members of any committee of the County Legislature which maintains oversight over the functions being addressed in the master plan.
- D. Throughout the development of a service area's master plan, each committee may solicit input from contract agencies working with the County to provide the services of concern, as well as local experts in fields related to the service area.

Section 4. Applicability.

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

Section 5. 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 6. 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 7. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-department master plans

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OFFICE OF THE COUNTY LEGISLATURE
COUNTY OF SUFFOLK

GEORGE NOLAN
COUNSEL TO THE LEGISLATURE
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(631) 853-4415 (FAX)

DATE: September 13, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO ESTABLISH COLLABORATIVE LONG-TERM VISIONING PLANS AMONG COUNTY DEPARTMENTS ("THE SUFFOLK COUNTY VISIONING ACT")

SPONSOR: LEGISLATOR GREGORY

DATE OF RECEIPT BY COUNSEL: 9/13/12 **PUBLIC HEARING:** 10/9/12

DATE ADOPTED/NOT ADOPTED: _____ **CERTIFIED COPY RECEIVED:** _____

This proposed local law would require committees comprised of various County departments, divisions and offices to collaboratively develop ten year master plans in the following service areas beginning in 2013: public safety; public health; human services; public and governmental infrastructure; parks, recreation and historic preservation; environment; and economic development and consumer affairs. These plans would be developed over the course of one year and each plan would be subject to one public hearing. Each finalized master plan must be presented to the County Executive and each member of the County Legislature no later than the first general, non-organizational meeting of the County Legislature in the following year.

Prior to commencing work on any service area master plan, each department in the County shall prepare an internal assessment of their existing resources, including both physical and personnel assets. Each master plan shall be developed to contain the following information:

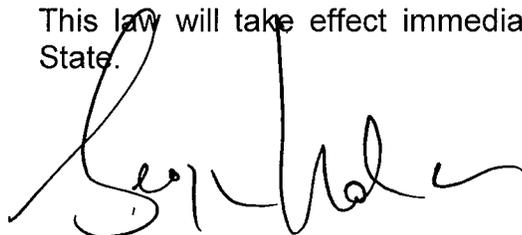
1. A mission statement for the provision of services in the specified area.
2. Identification of long-term objectives for all major functions and operations in that area for the next 10 years and a time table for achieving those goals.
3. Annual performance goals in the provision of services for each of the next 10 years, with consideration for anticipated changes in workload or demand.
4. An explanation of the relationship between the annual goals and the long-term objectives with a description of how the evaluation of current County programs shaped the development of same.
5. An analysis of the County's existing system of service delivery, its' strengths, weaknesses and opportunities for improvement.

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6. An assessment of external factors which may currently or in the future affect the County's functions in the specified area.
7. An examination of strategies for attaining the stated long-term objectives, with analysis of opportunities for collaborative work within the County and a determination as to which strategy is currently most viable.

In the development of these master plans, the committees must include the chairperson and members of any committee of the County Legislature which maintains oversight of the functions being addressed in the master plan. Committees may also consult with County contract agencies working in the applicable service areas, as well as local experts in related fields.

This law will take effect immediately upon its filing in the Office of the Secretary of State.

A handwritten signature in black ink, appearing to read "George Nolan", written over the text of the previous block.

GEORGE NOLAN
Counsel to the Legislature

GN:

s:\rule28\28-long term master plans

1929

Intro. Res. No. -2012
Introduced by Legislator Hahn

Laid on Table 9/13/12

**RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO.
-2012, A LOCAL LAW TO STRENGTHEN REQUIREMENTS
FOR SAFE DISPOSAL OF EXPIRED AND UNUSED
MEDICATIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO STRENGTHEN REQUIREMENTS FOR SAFE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS**" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO STRENGTHEN REQUIREMENTS FOR
SAFE DISPOSAL OF EXPIRED UNUSED MEDICATIONS**

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 Local Law 18-2011 requires hospitals, nursing homes, hospices and long-term care facilities located in Suffolk County to file with the Department of Health Services a written plan for the safe disposal of unused and/or expired medications. Under the law, these facilities were required to file their 2012 plan by June 30th and, beginning in 2013, these facilities are required to file their plan with the Department of Health Services by January 30th.

This Legislature also finds that hospitals, nursing homes, hospices and long-term care facilities have been slow to comply with Local Law 18-2011, even though the deadline for compliance was extended by the enactment of Local Law 21-2012.

This Legislature determines that the penalties under this law should be increased to encourage hospitals, nursing homes, hospices and long-term care facilities to fully comply with the law's requirements.

Therefore, the purpose of this law is to increase the penalties for violations of the County's medication disposal law to encourage hospitals, nursing homes, hospices and long-term care facilities to develop their plans for the safe disposal of unused medications.

Section 2 Amendments.

Chapter 627 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 627. NURSING HOMES AND HEALTH-CARE FACILITIES

* * * *

Article II. Disposal of Expired and Unused Medications

* * * *

§627-10. Disposal plan required.

* * * *

B. In 2012, each facility shall file its written medication disposal plan with the Suffolk County Department of Health Services on or before June 30. Beginning in 2013, each facility shall file its written medication disposal plan with the Department of Health Services by January 30 each year. The Department of Health Services shall not extend or waive the deadlines set forth herein unless authorized by a duly enacted resolution of the County of Suffolk.

* * * *

§ 627-11. Penalties for offenses.

Failure to file a written medication disposal plan with the Department of Health Services shall constitute a violation and shall be punishable by a civil fine of \$[500] 1,000 for each month that a plan is not timely submitted.

Section 3. Applicability.

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

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to

Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\I-unused medications disposal

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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DATE: SEPTEMBER 13, 2012

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO STRENGTHEN REQUIREMENTS FOR SAFE DISPOSAL OF EXPIRED AND UNUSED MEDICATIONS

SPONSOR: LEGISLATOR HAHN

DATE OF RECEIPT BY COUNSEL: 9/12/2012 PUBLIC HEARING: 10/9/2012

DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

Local Law No. 18-2011 established a requirement that all hospitals, nursing homes, hospices and long term care facilities file with the Department of Health Services a plan for the safe disposal of unused and/or expired medications. This proposed local law would change the penalty for violations of this law from \$500 to \$1,000 for each month a plan is not timely submitted.

This proposed law also adds a provision that the Department of Health Services cannot extend or waive the deadline for the submission of a plan unless authorized to do so by a duly enacted resolution.

This law will take effect immediately upon its filing in the Office off the Secretary of State.

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

GEORGE NOLAN
Counsel to the Legislature

GN:js

s:\rule28\28-unused-medications-disposal

1930

Intro. Res. No. -2012
Introduced by Legislator Romaine

Laid on Table 9/13/12

**RESOLUTION NO. -2012, AUTHORIZING ONE-TIME
EXCEPTION TO ALLOW CARRY OVER OF ACCRUED
VACATION TIME BY BOARD OF ELECTIONS EMPLOYEES**

WHEREAS, employees of the Board of Elections have exempt status under civil service; and

WHEREAS, typically, Board of Elections employees may not carry over more than 420 accrued vacation hours from one year to the next; and

WHEREAS, 2012 is an unusual election year in that four major elections will be conducted by the Board of Elections -- the Presidential primary was held in April, the Congressional primary was held in June, the local primary was held on September 13th and the General Election (including the Presidential election) will be held in November; and

WHEREAS, the Commissioners of the Board of Elections have advised this Legislature that due to the unusual number of primary elections this year and the upcoming Presidential election, many Board employees will have little or no opportunity to utilize their accrued vacation time and, as a result, many employees will forfeit vacation time they have accumulated in excess of 420 hours; and

WHEREAS, the extraordinary circumstances surrounding the 2012 election cycle justify a one-time exception that will permit Board employees a longer window to utilize earned vacation time; and

WHEREAS, making this exception will permit the Board to carry out its vital function of conducting free and fair elections and avoid an unfair penalty against Board employees; now, therefore be it

1st RESOLVED, that employees of the Board of Elections shall be permitted to carry vacation time they have accrued as of December 31, 2012, in excess of 420 hours, into calendar year 2013; and

2nd RESOLVED, any accrued vacation time in excess of 420 hours that is not used by Board employees by April 30, 2013 will be forfeited; and be it further

3rd RESOLVED, that the effectiveness of this resolution shall expire on May 1, 2013 and the policy established by this resolution will have no application beyond that date; 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-carry-over-accrued-vacation-ttime-boe

1931

Intro. Res. No. -2012
Introduced by Legislator Romaine

Laid on Table 9/13/12

**RESOLUTION NO. -2012, REMOVING CERTAIN PARCELS
FROM COUNTY AUCTION LIST**

WHEREAS, the Division of Real Property Acquisition and Management is scheduled to auction surplus County properties on October 23, 2012; and

WHEREAS, five properties included on the published auction list are located in close proximity to the headwaters of the Forge River in Brookhaven; and

WHEREAS, the County of Suffolk has expended substantial resources to protect the Forge River and preserving these five parcels is consistent with this important County policy; and

WHEREAS, the Town of Brookhaven wishes to acquire these parcels for environmental protection; now, therefore be it

1st RESOLVED, that the Department of Economic Development and Planning and its Division of Real Property Acquisition and Management is hereby directed to remove the following parcels from the County auction list:

0200-786.00-04.00-032.000	Hart Place
0200-787.00-01.00-036.000	Midland Ave
0200-749.00-07.00-041.000	Off Sunrise Service Rd/Behind Fulton Ave
0200-749.00-07.00-020.000	Off Sunrise Service Rd/Behind Fulton Ave
0200-749.00-07.00-042.000	Off Sunrise Service Rd/Behind Fulton Ave

2nd RESOLVED, that the Division of Real Property Acquisition and Management is hereby directed to take all steps appropriate and necessary to transfer the parcels identified in the 1st RESOLVED clause to the Town of Brookhaven; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1932

Intro. Res. No. -2012
Introduced by Legislator Spencer

Laid on Table 9/13/12

RESOLUTION NO. -2012, DECLARING SEPTEMBER 19, 2012 AS "DON'T TEXT AND DRIVE AWARENESS DAY" IN SUFFOLK COUNTY

WHEREAS, there has been a tenfold increase in text messaging in just the past three years; and

WHEREAS, texting has become the way many people communicate, which means some people are doing it as the worst possible time – while driving; and

WHEREAS, people who text while driving are 23 times more likely to be involved in some type of safety critical event as compared to those drivers who don't text while they drive; and

WHEREAS, texting while driving is one of the leading causes of vehicular accidents and associated injuries in New York, especially among inexperienced drivers; and

WHEREAS, this Legislature is committed to focusing public attention on the dangers of texting while driving to help ensure the well-being and safety of the residents of the County of Suffolk; now, therefore be it

1st RESOLVED, that September 19, 2012 is hereby designated as "**Don't Text and Drive Awareness Day**" in Suffolk County; and be it further

2nd RESOLVED, that beginning in 2013 and continuing every year thereafter the third Wednesday of September shall be designated as "**Don't Text and Drive Awareness Day**" in Suffolk County; and be it further

3rd RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1933

Intro. Res. No. -2012
Introduced by Legislator Muratore

Laid on Table 9/13/12

**RESOLUTION NO. -2012, AUTHORIZING AN APPRAISAL
OF THE JOHN J. FOLEY SKILLED NURSING FACILITY**

WHEREAS, the County Executive has proposed a local law authorizing the sale of the John J. Foley Skilled Nursing Facility ("Foley Facility"), its property and assets to Sam and Israel Sherman ; and

WHEREAS, an appraisal has been performed to determine the value of the Foley Facility; and

WHEREAS, the Suffolk County Comptroller has stated that "best practice necessitates a second independent appraisal"; and

WHEREAS, before proceeding with the sale of this valuable County asset, it would be prudent to conduct an additional appraisal of the Foley Facility; now, therefore be it

1st RESOLVED, that the Presiding Officer of the Suffolk County Legislature, in consultation with the Majority Leader and Minority Leader, is hereby authorized, empowered and directed to identify and select a consultant to appraise the Foley Facility and its assets; and be it further

2nd RESOLVED, that the Office of the Presiding Officer shall comply with the procurement procedures set forth in § 708 of the SUFFOLK COUNTY CODE; and be it further

3rd RESOLVED, that the Presiding Officer of the Suffolk County Legislature is authorized, empowered and directed to enter into a contract with a consultant to perform the Foley appraisal and the amount of said contract shall not exceed Fifteen Thousand Dollars (\$15,000.00) to be paid from 001-1025-456-fees for services.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1934

Intro. Res. No. -2012
Introduced by Legislator Horsley

Laid on Table 9/13/12

RESOLUTION NO. -2012, TO APPOINT JOHN H. FINKENBERG AS A MEMBER OF THE SUFFOLK COUNTY CITIZENS ADVISORY BOARD FOR THE ARTS

WHEREAS, the Citizens Advisory Board for the Arts was created to suggest, review and recommend arts policies and programs for Suffolk County; and

WHEREAS, members of the Citizens Advisory Board for the Arts may be recommended by individual County Legislators and are subject to approval by the full Legislature; and

WHEREAS, Local Law No. 9-2011 expanded the membership of the Citizens Advisory Board for the Arts to 18 members, one to represent each Legislative district; now, therefore, be it

1st RESOLVED, that **John H. Finkenberg**, currently residing in Babylon, New York, is hereby appointed as a member of the Suffolk County Citizens Advisory Board for the Arts to represent Legislative District No. 14, for a term of office to expire three-years subsequent to the effective date of this resolution, pursuant to Section 103-3(A) of the SUFFOLK COUNTY CODE; 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 (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 of Approval:

Resume

John H. Finkenberg "Jack"

Babylon, NY 11702-3406

Education

1. Bachelor of Arts, Adelphi Univ., June 1966
2. Graduate, USArmy Command and General Staff College, 1980
3. Masters Degree, LIU-CW Post, Health Care Administration, June 1975
4. JD, Touro Law School, 1989, Admitted to the Bar
5. Numerous Music, Art, Art History and Literature courses at local universities.

Work experience

1. Major, USArmy, Germany, Korea, Ft Tilden, NY 1966-1978
Transportation Mgt Active duty, Instructor USArmy Reserve Duty
2. Registered Public Health Sanitarian and eventually Attorney for the Suffolk County Dept of Health Services, 1971-2000

Arts Experience

1. Board member and interim director Babylon Citizens Council on the Arts 1996-2005
2. Board member and founding member – Babylon Village Arts Council 2002-present
3. Past president of the Folk Music Society of Huntington
4. Past president and board member of the Eclectic Café
5. Founder and board member of the Friends of the Babylon Library
6. Lecturer and board member Gr. So. Bay Audubon Society- specialty John James Audubon

1935
Intro. Res. No. -2012
Introduced by Legislator Browning

Laid on Table 9/13/12

**RESOLUTION NO. - 2012, ADOPTING LOCAL LAW NO.
-2012, A LOCAL LAW TO SAFEGUARD EMPLOYEES
DISPLACED BY PRIVATIZATION**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2012, a proposed local law entitled, "**A LOCAL LAW TO SAFEGUARD EMPLOYEES DISPLACED BY PRIVATIZATION**" now, therefore, be it

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

LOCAL LAW NO. -2012, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO SAFEGUARD EMPLOYEES DISPLACED BY
PRIVATIZATION**

**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 County of Suffolk continues to face chronic budget shortfalls years after the national economic meltdown.

This Legislature also finds that the County of Suffolk has employed many strategies to address budget deficits, but has now reached a point where it is forced to layoff employees and privatize functions and services.

This Legislature determines that the County of Suffolk terminated security guards working at the Department of Social Services ("DSS") centers and replaced them with a private security firm. Additionally, this Legislature is once again considering the sale of the John J. Foley Skilled Nursing Facility to a private operator.

This Legislature finds that while privatization may save taxpayer dollars in the short term, it is also sure to cause serious long-term negative consequences for the affected County employees.

This Legislature further determines that during this time of economic upheaval, the County of Suffolk has an obligation to provide minimum protections for workers who lose their County employment as a result of privatization.

Therefore, the purpose of this local law is to ensure that County employees who are affected by privatization retain employment for at least 90 days after they are separated from County Service.

Section 2. Requirements for Privatization of Services and Functions.

No plan, proposal, action or contract which has the effect of privatizing a service or function provided or performed by employees of the County of Suffolk shall be implemented by any officer, employee or agent of the County of Suffolk, unless such plan, proposal, action or contract is approved by a duly enacted resolution by the County of Suffolk. No such plan, proposal, action or contract shall be approved by the County Legislature unless it provides that the non-governmental entity assuming the performance of the service or function will retain the County employees who previously provided the service or function on behalf of the County from at least 90-days after the responsibility for providing the service or performing the function is transferred from the County to the non-governmental entity and it contains a complete list of all employees to be retained for said 90-days, the contents of which shall include the employee's name, address, date of hire, and employment occupation classification.

Section 3. Notice to Employees.

Upon the execution of a plan, proposal, action or contract which has the effect of privatizing a service or function provided or performed by employees of the County of Suffolk, the County shall post a notice at the workplace of the affected employees stating the rights of the employees pursuant to this law, including a copy of the list of employees provided to the non-governmental entity. Such notice shall also be provided to the employees' collective bargaining representative. The notice and list shall be posted in the same location and manner as all other statutorily required notices to employees are posted in the affected building(s).

Section 4. Applicability.

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

Section 5. 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 6. 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 7. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\laws\l-safeguard employees

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

A35

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 13, 2012
TO: CLERK OF THE COUNTY LEGISLATURE
RE: MEMORANDUM OF COUNSEL TO THE LEGISLATURE PURSUANT TO RULE 28

PROPOSED LOCAL LAW YEAR 2012

TITLE: I.R. NO. -2012; A LOCAL LAW TO SAFEGUARD EMPLOYEES DISPLACED BY
PRIVATIZATION

SPONSOR: LEGISLATOR BROWNING

DATE OF RECEIPT BY COUNSEL: 9/13/12 PUBLIC HEARING: 10/9/12
DATE ADOPTED/NOT ADOPTED: CERTIFIED COPY RECEIVED:

This proposed local law would require any plan, proposal, action or contract which privatizes a service or function provided or performed by County employees to be approved via a duly authorized resolution of the County Legislature. Further, this law prohibits approval of such a proposal unless it explicitly states that the non-governmental entity assuming the performance of the service or function will retain County employees who have previously provided same on behalf of the County for a minimum of 90 days. The County must also provide to the non-governmental entity a list of all employees to be retained for the 90 day period.

This law would also require the County, upon execution of such an agreement, to post notice for affected employees stating their rights under this law and must include a copy of the list provided by the County to the non-governmental entity. A copy of such notice will also be provided to the employees' collective bargaining representative.

This law will take effect immediately upon filing in the Office of the Secretary of State.

GEORGE NOLAN
Counsel to the Legislature

GN: