

1247
Intro. Res. No. _____-2013

Laid on Table_ 3/19/13

Introduced by Presiding Officer, on request of the County Executive

**RESOLUTION NO. _____-2013, CONFIRMING
APPOINTMENT OF COUNTY DIRECTOR OF
PROBATION (PATRICE DLHOPOLSKY)**

WHEREAS, the Director of the Suffolk County Department of Probation is appointed by the County Executive of Suffolk County, subject to the approval of the County Legislature, under Sections 256(5) and 257(6) of the New York Executive Law; and

WHEREAS, Steven Bellone, the County Executive of Suffolk County has appointed Patrice Dlhopsky, currently residing in Bellport, New York, as Director of Probation; now, therefore, be it

1st RESOLVED, that the appointment of Patrice Dlhopsky, currently residing in Bellport, New York, as Director of Probation of the Suffolk County Department of Probation, is hereby approved, pursuant to Sections 256(5) and 257(6)(a) of the New York Executive Law, and will serve at the pleasure of the County Executive of Suffolk County; and be it further

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

DATED:

APPROVED BY:

Steven Bellone
County Executive of Suffolk County

Date:

PATRICE DLHOPOLSKY

Home: (631) 661-1111

Executive Profile

Motivated Probation executive with 39 years of experience in the Suffolk County Probation Department, skilled in increasing organizational productivity and discovering cost-saving solutions to operational problems, seeking position as **Director of Probation**.

Skill Highlights

- Personnel Management
- Inter-agency Problem Resolution
- Policy Development and Implementation
- Budget Development and Management
- Strategic Planning
- Expertise in Computer Systems
- Good judgment fostering appropriate examination of problems and issues
- Program and Project Design, Development, and Implementation

Core Accomplishments

- Managed professional and clerical staff successfully providing mandated functions despite a reduced number of employees.
- Led effort to increase DNA collection rate, resulting in Suffolk Probation's current collection rate of 98%, one of the highest in this state.
- Oversaw development and implementation of a web-based case management system.
- Launched department's GPS monitoring program.

Professional Experience

Suffolk County Principal Probation Officer performing duties of Deputy Director

November 2010 to Current

Currently managing all department operations and personnel.

Developed good working relationship with the State Office of Probation and Correctional Alternatives rectifying issues relating to the delivery of state-mandated services.

Increased department's DNA collection rate.

Principal Probation Officer

April 2004 to November 2010

Successfully managed two offices of the Probation Department streamlining processes and re-deploying personnel in these offices to increase productivity and cut down on overtime costs.

Pioneered the development and implementation of the web-based case management system that was later rolled out to Probation throughout the state. This was accomplished through close collaboration with the State Office of Probation and Correctional Alternatives and Probation Departments in other New York counties.

Probation Officer and Supervising Probation Officer

October 1973 to March 2004

Served as a Supervising Probation Officer and, before that, as a line Officer, obtaining experience in all Probation functions in both Family and Criminal Court to include pre-sentence investigations, supervision, and Intake.

Education

New York Institute of Technology

Master of Science in Computer Science, 1993

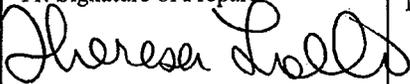
"With Distinction"

St. John's University

Bachelor of Arts, 1973

"Summa cum Laude"

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		
CONFIRMING APPOINTMENT OF COUNTY DIRECTOR OF PROBATION (PATRICE DLHOPOLSKY)		
3. Purpose of Proposed Legislation SAME AS ABOVE		
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)		
<u>County</u>	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		
SALARY AND FRINGE COSTS ARE INCLUDED IN THE 2013 OPERATING BUDGET.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SALARY COSTS FOR THIS POSITION OVER 5 YEARS TOTALS APPROXIMATELY \$650,000. THIS DOES NOT INCLUDE FRINGE BENEFITS.		
8. Proposed Source of Funding		
OPERATING BUDGET		
9. Timing of Impact - UPON ADOPTION		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date:
THERESA LOLLO PRINCIPAL FINANCIAL ANALYST		March 14, 2013

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 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.

1248

Intro. Res. No. -2013
Introduced by Legislator Schneiderman

Laid on Table 3/19/13

**RESOLUTION NO. -2013, CLARIFYING RULES FOR
DISTRIBUTION OF PUBLIC SAFETY REVENUE SHARING
MONIES TO TOWNS AND VILLAGES**

WHEREAS, Suffolk County Charter § C4-6(J) requires that a portion of the County's public safety sales tax revenue be allocated to the towns and villages located outside the Suffolk County Police District; and

WHEREAS, Suffolk County Resolutions 1194-1995 and 688-2000 require the towns and villages to verify that their "revenue sharing" funds are used for public safety purposes; and

WHEREAS, certain provisions of Resolutions 1194-1995 and 688-2000 are confusing and have been interpreted in a way that frustrates the resolution's original legislative intent and unnecessarily delay the distribution of revenue sharing monies to the towns and villages; and

WHEREAS, it is necessary to clarify the rules for the distribution of public safety revenue sharing monies to the towns and villages; now, therefore be it

1st RESOLVED, Resolutions 1194-1995 and 688-2000 are hereby repealed; and be it further

2nd RESOLVED, that no later than March 31st each year, the towns and villages receiving public safety revenue sharing monies shall file an accounting with the County Comptroller, the Clerk of the Suffolk County Legislature and the Executive's Budget Office describing how funds were used for public safety purposes during the prior fiscal year; and be it further

3rd RESOLVED, that beginning in fiscal year 2013 and continuing every year thereafter, public safety revenue sharing monies that are allocated to towns and villages and included in the operating budget pursuant to § C4-6(J) of the SUFFOLK COUNTY CHARTER, shall be distributed to the towns and villages no later than December 31st of that same fiscal year, provided that the accounting for the prior year's funding has been filed with the County; and be it further

4th RESOLVED, that the accountings filed by the towns and villages in 2013 to verify the use of public safety revenue sharing monies included in the 2012 operating budget, shall be acceptable and sufficient to authorize the release and distribution of monies included in the 2013 budget to the towns and villages during fiscal year 2013; and be it further

5th RESOLVED, that in the event that an accounting filed pursuant to the requirements of this resolution demonstrate that monies were used for non-public safety purposes, the County may reclaim monies previously allocated by offsetting or reducing future revenue sharing allocations; and be it further

6th 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-clarify-public-safety-revenue-sharing-towns-village

BOND RESOLUTION NO. -2013

BOND RESOLUTION OF THE COUNTY OF SUFFOLK, NEW YORK, AUTHORIZING THE ISSUANCE OF \$313,000 IN BONDS TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS UNDER THE SUFFOLK COUNTY AFFORDABLE HOUSING OPPORTUNITIES PROGRAM (SUMMERWIND SQUARE – RIVERHEAD) (CP 6411)

Recitals

WHEREAS, Resolution No. 1421-2005, appropriated \$5,000,000 to fund infrastructure improvements in connection with the Workforce Housing Program, subject to further legislative approval of the specific workforce housing infrastructure improvements to be made, and at such time a bond resolution was not adopted; and

WHEREAS, Resolution No. 560-2009 authorized planning steps for acquisition of the premises and infrastructure improvements for the Summerwind Square - Riverhead; and

WHEREAS, a development agreement has been negotiated for execution by the County and Eastern Property Investor Consultants, which incorporates a development plan, which is in substantially final form, detailing the proposed purchase by the County of the premises, the funding of certain infrastructure improvements, and the subsequent development of 52 affordable rental units; and

WHEREAS, the Environmental Trust Review Board reviewed the appraisals, reviewed the report of the Internal Appraisal Review Board, approved the purchase price and authorized the Director of the Division of Real Property Acquisition and Management to negotiate the acquisition on February 19, 2010; and

WHEREAS, pursuant to its Resolution No. 1168-2009, dated December 15, 2009, the Town of Riverhead Board, as lead agency, issued a negative State Environmental Quality Review Act ("SEQRA") declaration which completed the environmental review, which declaration is binding upon the County, as an involved agency, and therefore SEQRA is now complete; and

WHEREAS, Resolution No. 277-2007 and Resolution No. 83-2008, appropriated proceeds of \$1,500,000 and \$4,500,000 respectively, in Suffolk County Serial Bonds for the Workforce Housing Program, subject to further Legislative approval, of a resolution authorizing the planning, funding and/or acquisition of specific projects;

WHEREAS, Resolution No. 631-2010 authorized the County to proceed with the Summerwind Square Project, including funding, acquisition, conveyance, and development, and infrastructure improvements in the sum of \$313,000; now, therefore be it

THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:

Section 1. The County of Suffolk, New York (herein called the "County"), is hereby authorized to issue bonds in the principal amount of \$313,000 pursuant to the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), the Suffolk County Charter and other applicable laws, to finance the cost of infrastructure improvements under the Suffolk County Affordable Housing Opportunities Program (Summerwind Square – Riverhead), as authorized in the 2013 Capital Budget and Program, as amended. The estimated maximum cost of the project described herein, including preliminary costs and costs incidental thereto and the financing thereof, is \$313,000. The plan of financing includes the issuance of \$313,000 bonds or bond anticipation notes authorized pursuant to this Resolution and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which said bonds are authorized to be issued pursuant to this resolution, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

Section 3. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Resolution No. 320 of 1966, as amended by Resolution No. 81 of 1972, and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the County Legislature relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary or in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspaper(s) of the County.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

1250

Intro. Res. No. -2013
Introduced by Legislators Kennedy, Horsley and Schneiderman

Laid on Table

3/19/13

RESOLUTION NO. - 2013, ADOPTING LOCAL LAW NO. -2013, A LOCAL LAW TO ENHANCE AND IMPROVE SUFFOLK COUNTY'S E-911 SERVICE

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on , 2013, a proposed local law entitled, "**A LOCAL LAW TO ENHANCE AND IMPROVE SUFFOLK COUNTY'S E-911 SERVICE**" now, therefore, be it

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

LOCAL LAW NO. -2013, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO ENHANCE AND IMPROVE SUFFOLK COUNTY'S E-911 SERVICE

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 imposes small monthly surcharges on landlines, voice-over-Internet-protocol-services ("VOIP" service) and wireless communication service suppliers to offset the costs associated with providing enhanced 911 ("E-911") service to the people of Suffolk County.

This Legislature also finds that presently, enhanced 911 services are provided through twelve public safety answering points ("PSAPs") including the Suffolk County Police Department, the Department of Fire, Rescue and Emergency Services and ten non-County PSAPs.

This Legislature further finds that the Suffolk County Department of Audit and Control recently conducted an audit of E-911 surcharge revenue and issued findings and recommendations regarding this program.

This Legislature determines that it is necessary to implement certain recommendations offered by the Department of Audit and Control and to make other changes to the County's governing statute to ensure that the E-911 system continues to operate efficiently for the benefit of all Suffolk County residents.

Therefore, the purpose of this law is amend Chapter 441 of the SUFFOLK COUNTY CODE to implement changes to the County's E-911 program recommended by the Department of Audit and Control and to ensure adequate and timely funding for the non-County PSAPs.

Section 2-. Amendments.

Chapter 441 of the SUFFOLK COUNTY CODE is hereby amended as follows:

Chapter 441. EMERGENCY TELEPHONE SYSTEM

Article I. Enhanced 911 System

* * * *

§ 441-2. Definitions.

* * * *

System Costs - The costs associated with obtaining and maintaining the telecommunication equipment, all operations and maintenance costs and the telephone services costs necessary to establish and provide the enhanced 911 system.

* * * *

§ 441-5. Collection of surcharge.

- A. The appropriate service supplier or suppliers serving a 911 service area shall act as collection agent for Suffolk County and shall remit the funds collected as the surcharge to the Suffolk County [Comptroller] Police Department each month. Such funds shall be remitted no later than 30 days after the last business day of such period.

* * * *

§ 441-7. System revenues; adjustment of surcharge.

- A. All surcharge moneys remitted to the County of Suffolk by a service supplier and all other moneys dedicated to the payment of system costs from whatever source derived or received by the County of Suffolk shall be expended only upon appropriation of the County Legislature and only for payment of system costs as permitted by this article. The County of Suffolk shall separately account for and keep adequate books and records of the amount and source of all such revenues and of the amount and object or purpose of all expenditures thereof. If at the end of any fiscal year the total amount of all such revenues exceeds the amount necessary and expended for payment of system costs in such fiscal year, such unencumbered cash surplus shall be carried over for the payment of system costs in the following fiscal year. If at the end of any fiscal year such unencumbered cash surplus exceeds an amount equal to 5% of that necessary for the payment of system costs in such fiscal year, the County Legislature shall by local law reduce the surcharge for the following fiscal year to a level which more adequately reflects the system costs requirements of its enhanced 911 system. The County Legislature may also by local law reestablish or increase such surcharge if the revenues generated by such surcharge and by any other source are not adequate to pay for system costs.
- B. No less than 20% of the surcharge moneys remitted to the County of Suffolk for VOIP service in any fiscal year shall be allocated to public safety answering points, excluding the Suffolk County Police Department PSAP and the Department of Fire, Rescue and Emergency Services PSAP.

* * * *

§ 441-9. System operation and funding.

* * * *

- E. Surcharge moneys allocated to the non-County PSAP's in the annual operating budget shall be distributed to the PSAP's based on actual cash collections and made quarterly within forty-five (45) days of the end of each quarter. However, these moneys will not be distributed to a PSAP in the absence of an intermunicipal agreement between the County and the PSAP which outlines the responsibilities and obligations of each party and authorizes the County Comptroller to audit the agreement.

* * * *

Article II. Enhanced Wireless 911 Service

* * * *

§ 441-14. Collection of surcharge.

- A. Each wireless communications service supplier serving the County of Suffolk shall act as a collection agency for the County and shall remit the funds collected pursuant to this article to the Suffolk County [Comptroller] Police Department within 30 days after the last business day of the month.

* * * *

§ 441-16. Use of surcharge monies.

* * * *

- C. No less than 20% of the surcharge monies remitted to the County of Suffolk in any fiscal year shall be allocated to the public safety answering points, excluding the Suffolk County Police Department PSAP and the Department of Fire, Rescue and Emergency Services PSAP.
- D. Surcharge moneys allocated to the non-County PSAP's in the annual operating budget shall be distributed to the PSAP's based on actual cash collections and made quarterly within forty-five (45) days of the end of each quarter. However, these moneys will not be distributed to a PSAP in the absence of an intermunicipal agreement between the County and the PSAP which outlines the responsibilities and obligations of each party and authorizes the County Comptroller to audit the agreement.

Section 3. Applicability.

This law shall apply to actions occurring on or after the effective date of this law, except that the provisions of this law governing the funding of, and the distribution of funding to, non-County PSAP's will apply beginning in fiscal year 2014.

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:

OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK

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



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

DATE: MARCH 18, 2013

TO: CLERK OF THE COUNTY LEGISLATURE

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

PROPOSED LOCAL LAW YEAR 2013

TITLE: I.R. NO. -2013; A LOCAL LAW TO ENHANCE AND IMPROVE SUFFOLK COUNTY'S
E-911 SERVICE

SPONSOR: LEGISLATORS KENNEDY, HORSLEY AND SCHNEIDERMAN

DATE OF RECEIPT BY COUNSEL: 3/14/13 PUBLIC HEARING: 4/23/13

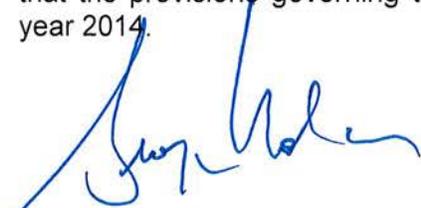
DATE ADOPTED/NOT ADOPTED: _____ CERTIFIED COPY RECEIVED: _____

This proposed local law would adopt several recommendations made by the Suffolk County Comptroller in a recent audit report concerning enhanced 911 service ("E-911") surcharge revenues and make other changes to the E-911 program that will affect the distribution of surcharge revenues.

Specifically, this law would:

- 1) revise the definition of "system costs" in the County Code to match that contained in New York County Law, and thereby broaden the permissible use of revenues derived from landline and voice-over-internet protocol service ("VOIP Service");
- 2) require service suppliers to remit surcharge revenues to the Police Department;
- 3) require that 20% of surcharge revenues related to VOIP Service be allocated to the 10 non-County PSAP's;
- 4) clarify that the Department of Fire, Rescue and Emergency Services should not receive a share of the revenue specifically allocated to the non-County PSAP's; and
- 5) require that surcharge monies allocated to non-County PSAP's in a fiscal year's operating budget must be distributed to the PSAP's on a quarterly basis during the same fiscal year.

This law will take effect immediately upon its filing in the Office of the Secretary of State, except that the provisions governing the funding of non-County PSAP's will apply beginning in fiscal year 2014.



GEORGE NOLAN
Counsel to the Legislature

GN:tm

s:\rule28\28-E-911 Service

6/11/13

1251

3/19/13

Intro. Res. No. - 2013 Laid on the Table
Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2013, AMENDING THE 2013
ADOPTED OPERATING BUDGET TO TRANSFER FUNDING
FROM BRENTWOOD UNION FREE SCHOOL DISTRICT (UFSD)
AND THE TOWN OF ISLIP-ACCESS/ACCESSO PROGRAMS
TO VARIOUS AGENCIES FOR THE PROVISION OF CHEMICAL
DEPENDENCY SERVICES**

WHEREAS, the 2013 Adopted Operating Budget includes funding for the Brentwood Union Free School District (UFSD) and the Town of Islip for chemical dependency treatment and prevention services; and

WHEREAS, the contract with the Brentwood Union Free School District (UFSD) for prevention services ended on June 30, 2012 and the contract with the Town of Islip ACCESS and ACCESSO programs for treatment and prevention services ended October 31, 2012; and

WHEREAS, the NYS OASAS approved the West Islip Youth Enrichment Services, Inc., (YES) proposal to assume the provision of prevention services formerly provided by the Brentwood UFSD and the Town of Islip effective November 1, 2012 and has committed to transferring \$272,111 in state aid provided that the Local Share match of \$46,878 remains to the West Islip Youth Enrichment Services, Inc. (YES); and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) approved Outreach Development Corporation's proposal to assume the provision of treatment services formerly provided by the Town of Islip's ACCESSO program effective November 1, 2012 and will commit to allocating an annualized state aid portion of \$423,406 provided that the Local Share match of \$172,261 remains to Outreach Development Corporation; and

WHEREAS, funding included in the 2013 Adopted Operating Budget for the Brentwood UFSD and Town of Islip's ACCESS and ACCESSO programs must be transferred to the West Islip Youth Enrichment Services, Inc., (YES) and the Outreach Development Corporation for the continued provision of chemical dependency services; now, therefore be it

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

ORGANIZATIONS

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

From:

XORG	OBJECT NAME	2013 Adopted Budget	Increase/ Decrease	2013 Modified Budget
ABZ1	Brentwood UFSD	\$175,738	-\$175,738	\$0

AAA2	Access-Town of Islip	\$188,251	-\$143,251	\$45,000
AJF1	Islip Accesso Clinic	\$432,822	-\$432,822	\$0
AUT1	Town of Islip-Access	\$397,761	-\$162,845	\$234,916

To:

JQH1	Outreach Development Corp-Treatment	\$0	+\$595,667	\$595,667
JQI1	West Islip YES	\$0	+\$318,989	\$318,989

and be it further

2nd RESOLVED, that the County Executive be and hereby is authorized to execute a contract with West Islip Youth Enrichment Services, Inc. (YES) and Outreach Development Corporation; and be it further

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

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

DATED:

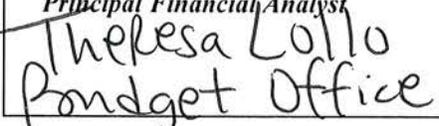
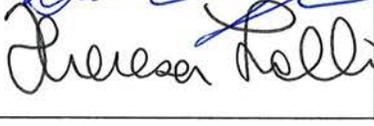
APPROVED BY:

County Executive of Suffolk County

Date of Approval:

HSV #4-2013

**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 Amending the 2013 Adopted Operating Budget to transfer funding from Brentwood Union Free School District (UFSD) and the Town of Islip-Access/Accesso Programs to various agencies for the provision of chemical dependency services.		
3. Purpose or Proposed Legislation This legislation is needed to transfer funding within the 2013 Adopted Operating Budget from Brentwood UFSD and the Town of Islip to the Outreach Development Corporation and the West Islip Youth Enrichment Services (YES). Brentwood UFSD and Town of Islip are no longer providing treatment services and Outreach Development Corp. and YES are now serving those clients.		
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 Funding included in the 2013 Adopted Operating Budget.		
9. Timing of Impact Immediate upon approval of the resolution and execution of contracts with provider agencies		
10. Typed Name & Title of Preparer Diane Weyer Principal Financial Analyst	11. Signature of Preparer 	12. Date 2-22-13
 Theresa Lollo Budget Office	 Theresa Lollo	3/7/13

FINANCIAL IMPACT
2013 PROPERTY TAX LEVY
COST TO THE AVERAGE TAXPAYER

GENERAL FUND

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

POLICE DISTRICT AND DISTRICT COURT

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00		\$0.000

COMBINED

	2013 PROPERTY TAX LEVY	2013 COST TO AVG TAXPAYER	2013 AV TAX RATE PER \$100	2013 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

DEPARTMENT OF HEALTH SERVICES

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

MEMORANDUM

To: James L. Tomarken, MD, MPH, MBA, MSW
Commissioner, Department of Health Services

From: Art Flescher, L.C.S.W., C.A.S.A.C. 
Director, Division of Community Mental Hygiene Services

Date: February 1, 2013

Subject: REQUEST FOR LEGISLATIVE RESOLUTION

The 2013 Adopted Operating Budget includes funding for the Brentwood Union Free School District (UFSD) and the Town of Islip for chemical dependency treatment and prevention services. The Brentwood (UFSD) contract ended June 30, 2012 and the Town of Islip contract ended October 31, 2012.

The New York State Office of Alcoholism and Substance Abuse Services (NYSOASAS) approved the West Islip Youth Enrichment Services, Inc., (YES) proposal to assume the provision of prevention services formerly provided by the Brentwood UFSD and Town of Islip effective November 1, 2012. NYSOASAS has approved Outreach Development Corporation's proposal to assume the provision of chemical dependency treatment services formerly provided by the Town of Islip's ACCESSO program effective November 1, 2012.

The Division of Community Mental Hygiene requests introduction of a legislative resolution amending the 2013 Adopted Operating Budget to transfer \$318,989 included in the 2013 Adopted Operating Budget from the Brentwood UFSD and Town of Islip to YES and \$595,667 included in the 2013 Adopted Operating Budget from the Town of Islip to Outreach Development Corporation for the provision of treatment services.

Attached please find drafts of the intro resolution, fiscal impact statement, resolution routing form, September 10, 2012 letters and October 3, 2012 email from the NYSOASAS Regional Coordinator confirming the transfer of funds from Brentwood UFSD and the Town of Islip to YES and Outreach Development Corporation.

Thank you for your consideration.

AF:PM
Attachments
Cc: D.Weyer, L.Wright, C. Cullity, S. Reagan, G. Terry, P. Manos



Public Health
Protect. Promote. Prevent.

DIVISION OF COMMUNITY MENTAL HYGIENE
North County Complex, Building C928, 725 Veterans Highway, P.O. Box 6100, Hauppauge, NY 11788
(631) 853-8500 Fax (631) 853-3117



Improving Lives. Addiction Services for Prevention, Treatment, Recovery.

Andrew M. Cuomo

Julene Gonzalez Sanchez, M.S., L.M.S.W.

September 10, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bldg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

Please be advised that New York State Office of Alcoholism and Substance Abuse Services is in support of Outreach development Corporation, Inc assuming treatment services outlined in their *Memorandum of Understanding* with the Town of Islip for services previously served at 452 Suffolk Avenue with 3 additional locations at OMH and OCFS host locations by the Town of Islip.

Outreach Development Corp has made a commitment to preserve services along the Suffolk Avenue corridor and is in the process of negotiating property cost with the landlord. Additionally, Outreach Development Corp submitted a Certification Application to acquire the noted services and is also working with OCFS and OMH on service agreements. NYS OASAS will commit to allocating an annualized State aid portion of funding \$423,406 provided the Local Share match of \$ 172,261 remains to Outreach Development Corporation to deliver services as outlined in their proposal. Attached is the *Memorandum of Understanding* as well as a worksheet that outlines the 2012 portion of the contract and the annualized funding. Please begin the local process to amend the contract with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or AntonetteWhyte-Etere@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte-Etere, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz
Oscar Rivera, Anette Guando-Guster
Certification Bureau, Facilities Inspection Unit
Jaci Best, Eileen DiMarzo

Memorandum of Understanding

BETWEEN

Outreach Development Corporation

(As Proposed Provider)

AND

Town of Islip

(As Current Provider)

This Memorandum of Understanding (hereinafter "**Agreement**") is made by and between the Town of Islip, being a municipal corporation with administrative offices at 655 Main Street, Islip, NY 11751 and the Outreach Development Corporation, being a New York Not-For-Profit corporation with administrative offices at 117-11 Myrtle Avenue, Richmond Hill, NY 11418 (hereinafter "**Proposed Provider**"); and

WHEREAS, on May 8, 2012, the Town of Islip determined that it is in the best interest of the municipality to restructure its programs and operations in order to ensure fiscal stability and to continue to meet the needs of the community it services; and

WHEREAS, the Town of Islip has determined that the most effective manner to achieve these goals is to cease sponsorship of its chemical dependency treatment services (Access/Accesso) and to seek to have another entity continue these services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (hereinafter "OASAS") and the Suffolk County Department of Community Mental Health as Local Governmental Unit for OASAS (hereinafter "LGU") have agreed to assist the Town of Islip with identifying appropriate provider(s) in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider has been identified as an appropriate provider in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider represents and warrants that it has, and shall continually possess, during the term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the services; and

WHEREAS, the Proposed Provider shall continuously have during the term of the agreement all required authorizations, certificates, certifications, registrations, licenses, permits, and other approvals required by Federal, State, County, or local authorities necessary to qualify it to render the services; and

WHEREAS, the Proposed Provider meets the above-stated criteria and has agreed to assume sponsorship of the chemical dependency treatment services currently located at 452 Suffolk Avenue, Brentwood, NY 11717 and its associated satellite locations, effective November 1, 2012; and

WHEREAS, the Proposed Provider has agreed to meet the following conditions as part of the transfer of sponsorship of said services:

- a. Provide treatment services to current Access/Accesso clients at Proposed Provider's location.
- b. Treatment services shall be consistent with OASAS standards and regulations, and
- c. Assume responsibility for maintaining past and present program client records consistent with Regulations in 42 CFR.

WHEREAS, OASAS and the LGU have agreed to transfer funding up to the current amounts provided to the Town of Islip in the LGU's current contract with the Town of Islip, for the annualized amounts of approximately \$423,406.00 in State Local Assistance and approximately \$172,261.00 in County Local Tax Levy funding contingent on negotiated and approved budgets to be submitted by Proposed Provider and approval of any certifications required by OASAS and LGU for this purpose; and

WHEREAS the OASAS and the LGU have agreed to cooperate with Town of Islip and the Proposed Provider to process applications necessary for certification of the Proposed Provider for said services as expeditiously as possible; and

WHEREAS, in the event the Proposed Provider does not obtain certification from OASAS by November 1, 2012, the Proposed Provider agrees to work with OASAS to ensure the continuation of treatment services; and

WHEREAS, the Town of Islip has agreed to cooperate with OASAS, the LGU and the Proposed Provider to transfer any records, materials or other items necessary to ensure that the Proposed Provider can assume operation of said services on November 1, 2012; and

WHEREAS, the Proposed Provider must keep these transferred records in accordance with the New York State Record Retention and Disposition Schedule MU-1, a copy of which will be provided by the Town of Islip to the Proposed Provider:

WHEREAS, pursuant to NYS POL Article 6, the Proposed Provider will be responsible to address any and all Freedom of Information Law (FOIL) requests it receives regarding the transferred records, materials and other items, as they will no longer be in the possession of the Town of Islip; and

WHEREAS, the Town of Islip agrees to indemnify, defend and hold harmless the Proposed Provider from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising during the time period during which the Town was the provider of services; and

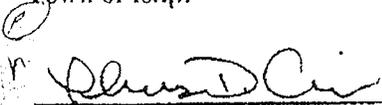
WHEREAS, the Proposed Provider agrees to indemnify, defend and hold harmless the Town of Islip from and against any and all liabilities, claims, demands, actions, losses, damages and expenses, penalties, judgments, or other damages, in any way arising from the handling of any FOIL request by Proposed Provider; and

WHEREAS, the Proposed Provider will provide Town of Islip Human Services employees an opportunity to interview for positions with the Proposed Provider; inasmuch as the Town of Islip employees have the experience, knowledge and rapport to work with the existing clientele, thereby fostering a successful transfer and treatment outcome for clients:

NOW, THEREFORE, Town of Islip and Proposed Provider hereby agree to all the terms, conditions, representations and warranties contained in all of the above WHEREAS clauses.

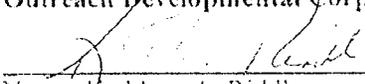
IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed by their authorized representative as of this 6th day of September, 2012.

Town of Islip:


Name: Thomas D. Croci
Title: Supervisor

Date: 9/6/ 2012

Outreach Developmental Corporation:


Name: Kathleen A. Riddle
Title: President/CEO

Date: 9/9/ 2012

NYS OASAS

County Suffolk
 Agency Name Outreach Development Corporation
 Agency Code 31360

Year	<u>2013 Base</u>	<u>2012 (2 Months)</u>
Personnel Services	\$ 464,500	\$ 77,417
Fringe Benefits	\$ 153,300	\$ 25,550
OTPS	\$ 139,200	\$ 23,200
Equipment	\$ 5,000	\$ 833
Property	\$ 130,000	\$ 21,667
Agency Admin	\$ 160,600	\$ 26,767
Total Expenses	\$ 1,052,600	\$ 175,434
Participant Fees	\$ 80,000	\$ 13,333
Medicaid	\$ 300,000	\$ 50,000
Third Party Insurance	\$ 51,000	\$ 8,500
Other Income	\$ 25,933	\$ 4,323
Total Revenue	\$ 456,933	\$ 76,156
Net Operating Deficit	\$ 595,667	\$ 99,278
State Aid	\$ 423,406	\$ 70,568
Local Government	\$ 172,261	\$ 28,710
Non-Funded	\$ -	\$ -
Total Deficit	\$ 595,667	\$ 99,278



Improving Lives. Addiction Services for Prevention, Treatment, Recovery

Andrew M. Cuomo

Ariene González Sánchez, M.S., L.M.S.W.

September 10, 2012

Art Flescher, Director
Suffolk County Division of Community Mental Hygiene Services
North County Complex Bdg C928
PO Box 6100
Hauppauge, NY 11788

Dear Mr. Flescher:

Please be advised that New York State Office of Alcoholism and Substance Abuse Services is in support of West Islip Youth Enrichment Services, Inc (YES) establishing itself as a prevention provider of the services previously provided by Town of Islip. It is my understanding that the Town of Islip and West Islip Youth Enrichment Services (YES) have engaged in a *Memorandum of Understanding* outlining the transition of services. A certification application is not needed for a prevention provider, and provider number 48170 and PRU 90873 has been established.

Additionally, YES will also provide services specific to the Brentwood UF School District with the understanding that 60% of services are persevered to that catchment area. NYS OASAS will commit to transferring the annualized State aid portion of funding \$272,111 provided the Local Share match of \$ 46,878 remains to West Islip Youth Enrichment Services (YES) to deliver services as outlined in their proposal and subsequent Workplan. Attached is the *Memorandum of Understanding* as well as a Worksheet that outlines the 2012 portion of the contract and the annualized funding. Please begin the local process to establish this provider as contractor with the Division.

Thank you in advance for your cooperation. I am available at 631-434-7267 or AntonetteWhyte-Etere@oasas.ny.gov.

Respectfully submitted,

Antonette Whyte-Etere, LCSW-R, CASAC
Regional Coordinator

Cc: Steven Rabinowitz
Oscar Rivera, Frances Graziano
Scott Brady, Walt Davies
Certification Bureau, Facilities Inspection Unit
Jaci Best, Eileen DiMarzo

Memorandum of Understanding

BETWEEN

Youth Enrichment Services ("YES")

(As Proposed Provider)

AND

Town of Islip

(As Current Provider)

This Memorandum of Understanding (hereinafter "Agreement") is made by and between the Town of Islip, being a municipal corporation with administrative offices at 655 Main Street, Islip, NY 11751 and Youth Enrichment Services, being a New York Not-For-Profit corporation with administrative offices at 90 Higbie Lane, West Islip, NY 11795 (hereinafter "Proposed Provider"); and

WHEREAS, on May 8, 2012, the Town of Islip determined that it is in the best interest of the municipality to restructure its programs and operations in order to ensure fiscal stability and to continue to meet the needs of the community it services; and

WHEREAS, the Town of Islip has determined that the most effective manner to achieve these goals is to cease sponsorship of its substance abuse prevention and education services program through its Division of (Access/Accesso) and to seek to have another entity continue these services; and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (hereinafter "OASAS") and the Suffolk County Department of Community Mental Health as Local Governmental Unit for OASAS (hereinafter "LGU") have agreed to assist the Town of Islip with identifying appropriate provider(s) in good standing to take over operation of these services; and

WHEREAS, the Proposed Provider has been identified as an appropriate provider in good standing to take over operation of substance abuse prevention and education services; and

WHEREAS, the Proposed Provider represents and warrants that it has, and shall continually possess, during the term, the required licensing, education, knowledge, experience, and character necessary to qualify it to render the services; and

Manos, Patricia

From: Whyte-Etere, Antonette <AntonetteWhyte-Etere@oasas.ny.gov>
Sent: Wednesday, October 03, 2012 11:30 AM
To: Best, Jaci
Cc: Manos, Patricia
Subject: FW: Confirmation-Corrected figures

Good day:

Please see below the confirmation of the correct figures to fund West Islip YES to pick up services from Town of Islip and Brentwood UFSD Prevention PRUs

Thanks

Antonette Whyte-Etere, LCSW-R, CASAC

Regional Coordinator

NYS-OASAS Long Island Field Office

Pilgrim Psychiatric Center, Building #1

998 Crooked Hill Road

West Brentwood, New York 11717-1087

(631) 434-7267 Office; (631) 434-7264 Fax

Email: AntonetteWhyte-Etere@oasas.ny.gov

Visit our Website: www.oasas.ny.gov

Addiction Services Helpline 1-877-8 HOPE NY

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To improve the lives of all New Yorkers by leading a premier system of addiction services through prevention, treatment, recovery.

-----Original Message-----

From: Best, Jaci [<mailto:Jacquelyn.Best@suffolkcountyny.gov>]

Sent: Tuesday, October 02, 2012 11:06 AM

To: Whyte-Etere, Antonette

Cc: Manos, Patricia

Subject: Confirmation-Corrected figures

Antonette:

For purposes of submitting a resolution to transfer funding, I need to confirm the following:

For 2012: Effective November 1, 2012; \$24,107 in State Aid and \$7,268 in Local Share is being transferred from the Town of Islip Prevention program to Youth Enrichment Services (YES); \$21,245 in State Aid and \$545 in Local Share is being transferred from the Brentwood UFSD Prevention program to YES.

For 2013: Total of \$143,251 in funding [\$99,644 State, \$43,607 local] is being transferred from the Town of Islip Prevention program is being transferred to YES; \$172,467 in State Aid and \$3,271 in Local Share is being transferred from the Brentwood UFSD to YES.

Thank you again for your assistance in ensuring that we are using the correct figures.

Regards,

Jaci

**2013 Intergovernmental Relations
Memorandum of Support**

TITLE OF BILL: Amending the 2013 Adopted Operating Budget to transfer funding from Brentwood Union Free School District (UFSD) and the Town of Islip-Access/Accesso Programs to various agencies for the provision of chemical dependency services.

PURPOSE OR GENERAL IDEA OF BILL: This legislation is needed to transfer funding within the 2013 Adopted Operating Budget from Brentwood UFSD and the Town of Islip to the Outreach Development Corporation and the West Islip Youth Enrichment Services (YES). Brentwood UFSD and Town of Islip are no longer providing treatment services and Outreach Development Corp. and YES are now serving those clients.

SUMMARY OF SPECIAL PROVISIONS: None.

JUSTIFICATION: This Resolution is needed to transfer funds and continue chemical dependency treatment and prevention services needed by residents of Suffolk County.

FISCAL IMPLICATIONS: There is a County share/portion of funds that are used in conjunction with State aid. Those funds have already been adopted.

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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

February 21, 2013

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 to amend the 2013 Adopted Operating Budget to transfer funding from Brentwood Union Free School District (UFSD) and the Town of Islip-Access/Accesso Programs to various agencies for the provision of chemical dependency services. This legislation is needed to transfer funding within the 2013 Adopted Operating Budget from Brentwood UFSD and the Town of Islip to the Outreach Development Corporation and the West Islip Youth Enrichment Services (YES). Brentwood UFSD and Town of Islip are no longer providing treatment services and Outreach Development Corp. and YES are now serving those clients.

I enclose a financial impact statement and other back-up documentation for this Resolution. If you have any questions on the enclosed, please call Carolyn Cullity at 853-6990. Also, an e-mail version of this Resolution was sent to CE RESO REVIEW and the file name is "Reso-HSV-MH YES and Outreach.docx."

Sincerely,

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

Enclosures

C: Dennis M. Cohen, Chief Deputy County Executive
Thomas Vaughn, Director of Intragovernmental Relations
Lisa Santeramo, Assistant Deputy County Executive
Margaret B. Bermel, MBA, Director of Health Administrative Services
Barry S. Paul, Deputy Commissioner
Art Flescher, LCSW, Director, Division of Community Mental Hygiene Services
Carolyn Cullity, Coordinator of Community Based Drug Programs
Diane E. Weyer, Principal Financial Analyst



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

1252

Intro. Res. No. -2013
Introduced by Legislator Kennedy

Laid on Table 3/19/13

**RESOLUTION NO. -2013, AUTHORIZING TRANSFER OF
PROPERTY TO THE DEPARTMENT OF PARKS, RECREATION
AND CONSERVATION**

WHEREAS, the County of Suffolk has taken a tax deed to the old Barvarian Inn property in Smithtown, a 2.5 acre parcel identified as Suffolk County Tax Map number 0800-171.00-05.00-015.000; and

WHEREAS, this property abuts Lake Ronkonkoma and is adjacent to Ronkonkoma County Park; and

WHEREAS, because this property is environmentally sensitive, it should be returned to its natural state and dedicated for parkland purposes; now, therefore be it

1st RESOLVED, that the Director of the Division of Property Acquisition and Management is hereby authorized to transfer to the Suffolk County Department of Parks, Recreation and Conservation, Montauk Highway, Sayville, New York, the interest of Suffolk County in the property herein described for the above stated reasons and purpose; and be it further

2nd RESOLVED, that in the event that it is determined that an abutting property becomes landlocked, or access is denied thereto, such occurrence was not the intention of this dedication, and the Suffolk County Legislature shall provide such easements and/or rights-of-way as it deems just and proper to effectuate the intent of this resolution, without the necessity of a mandatory referendum, solely by a duly adopted resolution by a majority of its members; and be it further

3rd RESOLVED, that said parcel will be held in public use and free of taxation under Section 406(1) New York Real Property Tax Law and the assessor of the towns of Brookhaven and Southampton, and all other assessors having jurisdiction thereof, be and they are hereby directed to mark the assessment rolls of their jurisdiction to show that said property is owned by the County of Suffolk and is exempt from taxation and exempt from special ad valorem levies and special assessments to the extent permitted by law, and further that the Clerk of the Legislature shall transmit a copy of this resolution to the aforesated assessors for this purpose; and be it further

4th RESOLVED, that the Department of Public Works shall demolish and remove the old structures located on this property prior to its transfer to the Department of Parks, Recreation and Conservation; and be it further

5th RESOLVED, that the designation of such property to the Suffolk County Department of Parks, Recreation and Conservation is a Type II action under the provisions of Title 6 NYCRR Park 617.5(c)(20), routine or continuing agency administration, with no further environmental review necessary.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date:

s:\res\transfer land to parks

1253

Intro. Res. No. -2013
Introduced by Legislator Hahn

Laid on Table

3/19/13

**RESOLUTION NO. - 2013, ESTABLISHING AN
EDUCATIONAL OUTREACH PROGRAM ON THE ECONOMIC
VALUE OF CULTURAL ARTS**

WHEREAS, the County of Suffolk has a rich tradition of cultural arts programming in its downtown areas, including parades, fairs, concerts and festivals; and

WHEREAS, these events draw hundreds, and sometimes thousands, of visitors to local downtowns; and

WHEREAS, the downtown areas where these events take place are home to many local small businesses; and

WHEREAS, some small businesses may not know the best ways to optimize the opportunities presented when cultural arts events occur near their business location; and

WHEREAS, the Department of Economic Development and Planning should develop an educational outreach program to explain the economic value of cultural arts events to small businesses and provide suggestions on ways for businesses to maximize their profits during these periods; and

WHEREAS, encouraging the growth and success of small businesses in Suffolk County will help improve the economy on Long Island; now, therefore be it

1st RESOLVED, that the Department of Economic Development and Planning ("Department") is hereby authorized, empowered and directed to develop an educational outreach program for small businesses in the County of Suffolk on the value of local cultural arts events; and be it further

2nd RESOLVED, that the program should explain the value of cultural arts events in downtown areas and provide suggestions to businesses on how to maximize their profit potential during such events; and be it further

3rd RESOLVED, that the Department shall develop a website and print literature to provide to local small businesses throughout the County of Suffolk on this topic; 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:\reslr-educational outreach program small businesses

1254

Intro. Res. No. -2013

Laid on Table 3/19/13

Introduced by the Presiding Officer, on request of the County Executive

RESOLUTION NO. -2013, AMENDING CHAPTER 1070 OF THE CODE OF SUFFOLK COUNTY FOR REAL ESTATE APPRAISAL, ACQUISITION AND DISPOSITION, AND IMPLEMENTING THE "TRIPLE A" ACQUISITION PROCEDURE

WHEREAS, this Legislature finds that the County acquires real estate which requires appraisal; and

WHEREAS, the procedures for such acquisition should provide for prioritization of properties to be acquired; and

WHEREAS, due to budget constraints, such procedures should avoid expenditures attendant to acquisition of such properties until it can be reasonably determined that funds for such acquisitions will be available; and

WHEREAS, Chapter 1070 of the Code of Suffolk County establishes procedures for real estate appraisal, acquisition and disposition; now therefore be it

1st RESOLVED, that Chapter 1070 of the Code of Suffolk County be amended as follows:

CHAPTER 1070. REAL ESTATE APPRAISAL, ACQUISITION AND DISPOSITION

ARTICLE I. Requirements for Appraiser and Appraisals; Auction of Surplus Real Estate

§ 1070-5. Periodic appraiser review.

The list of approved appraisers utilized by the County for acquisitions or dispositions of any interest in real estate shall be reviewed by the County Legislature [on a more-frequent basis, i.e., at least annually] in January of each even-numbered year.

[§ 1070-7. Preliminary negotiations.

The authority provided in a planning steps resolution for the acquisition of any interest in real estate by the County of Suffolk shall include the ability of the County Real Estate Division to initiate preliminary negotiations, subject to final County legislative authorization of the actual acquisition after negotiations are completed.]

[§ 1070-8] § 1070-7. Application of rules of auction.

[§ 1070-9] § 1070-8. Negotiation process.

* * * *

[§ 1070-10] § 1070-9. Conflicts of interest.

The staff of the County Real Estate Division is hereby prohibited from engaging in any outside business activity in the real estate field, which requirement shall apply to management exempt staff as well as positions secured by competitive civil service examination, consistent with the application of civil service rules.

[§ 1070-11] § 1070-10. Employee certification.

* * * *

[§ 1070-12] § 1070-11. Procedural manual.

A procedural manual shall be created and maintained by the County Real Estate Division describing the duties, standards of conduct, and responsibilities of the Division and its employees, within 180 days subsequent to the effective date of this [article] Chapter.

[§ 1070-13] § 1070-12. Personnel financial disclosure.

The department head having jurisdiction over the County Division of Real Estate shall review the list of personnel in the Real Estate Division who are required to file an annual financial disclosure affidavit under [§ 61-4] Article II of Chapter 77 of the Suffolk County Code for the purpose of identifying potential conflicts of interest and to ensure that all Real Estate Division personnel comply with the requirements [of § 77-4 of the Suffolk County Code] thereof, Article XXX of the Suffolk County Charter and Article XXX of the County Administrative Code, and shall file, on January 31 of each year, with the Clerk of the County Legislature a list of the individuals so determined to be obligated to file said annual financial disclosure affidavit.

[§ 1070-14] § 1070-13. Auction list release.

* * * *

[§ 1070-15] § 1070-14. Oversight.

The level of oversight of acquisitions or any interest in real estate to be acquired by the County of Suffolk shall be commensurate with the value and/or complexity of any interest in real estate authorized to be acquired via duly enacted resolution of the County of Suffolk, as follows.

A. Level One acquisitions: \$0 to \$25,000.

(1) One appraisal, generic or specific.

(2) Division Director's approval and review pursuant to §1070-18. Review pursuant to §1070-19 shall not be required.

B. Level Two acquisitions: \$25,001-\$300,000

(1) One specific appraisal.

(2) Review pursuant to §1070-18 and §1070-19.

C. Level Three acquisitions: in excess of \$300,000.

(1) Two specific appraisals.

(2) Review pursuant to §1070-18 and §1070-19.

[§ 1070-16] § 1070-15. Seller's appraisal.

* * * *

[§ 1070-17] § 1070-16. Joint acquisition appraised value limitation.

In joint acquisitions of any interest in real estate by the County of Suffolk with municipalities, not-for-profit organizations, other governmental entities, or any other third parties, there shall be no discretion for the Director of [the County Division of] Real Estate, or the department head having jurisdiction over said Division, to exceed, in the aggregate, the approved appraised value for acquisition of any interest in real estate by the County of Suffolk, as determined by an approved County-generated appraisal, except in those instances in which a court of competent jurisdiction has ordered "just compensation" in an Eminent Domain Procedure Law proceeding instead of approved appraised value for said acquisition of an interest in real estate.

ARTICLE II. Land Acquisitions

[§ 1070-18] § 1070-17. Approval of [planning steps] resolutions; "Triple A Program"; quarterly reports.

A. [Planning steps] Resolutions for proposed land acquisitions shall be submitted to the Suffolk County Legislature for approval [, either with individual parcels or with a pertinent master list annexed to such planning steps resolution.]in three stages as set forth herein.

B. The Director of the Division of Real Estate, after consultation with the Commissioner of the Suffolk County Department of Economic Development and Workforce Housing in connection with parcels to be acquired under Article XXXVI of the Suffolk County Administrative Code, or the Suffolk County Planning Director in connection with all other parcels to be acquired, shall begin the acquisition process on parcels for which planning steps have been approved.

[C. The Director of the Division of Real Estate shall submit a quarterly report to the County Executive, and to the members of the Suffolk County Legislature, which report shall contain the status of each parcel contained on any approved planning steps resolution.]

C. Acquisitions shall be conducted according to the following "Triple A Program":

(1) Appraisal Resolution.

a. Unless a parcel already appears on the Comprehensive Master List or Planning Steps have been approved prior to January 1, 2013, the Department of Economic Development and Planning, Division of Planning & Environment shall review and evaluate potential sites for acquisition, including sites recommended by the Farmland Committee, Legislature or County Executive, sites to be acquired in partnership with other municipalities or non-profit entities and other sites which have come to the attention of said Department.

b. Upon approval of the Appraisal Step by the Legislature, together with appropriation of funds for required appraisals, Letters of Potential Interest will be sent by the Division of Real Estate to the owners of the subject sites.

c. Upon expression of interest by such owners, appraisals will be conducted in accordance with this Chapter.

d. No less frequently than twice a year, results of all appraisals not yet reviewed by the Environmental Trust Review Board will be forwarded to it for consideration pursuant to § 1070-19. Each value determined by such Board shall be the highest price to be offered for any site. Once value has been determined by such Board, it shall not further review value for a particular parcel for at least one year from the date of the last review of such parcel.

(2) Acquisition Resolution.

a. Upon establishing highest offer prices, a report containing all sites reviewed and the highest offer price set for each shall be forwarded to the Environment, Planning and Agriculture Committee of the Legislature together with scoring and recommendations from the Division of Planning, as well as an account of the funds expected to be available for acquisitions.

b. The Environment, Planning and Agriculture Committee will select among the sites submitted to it, subject to available funds, and shall prepare a Procedural Motion setting forth such priorities, and appropriating funds to be expended for title reports, surveys and environmental site assessments for each site. Such Procedural Motion shall be considered by the full Legislature.

c. Upon adoption of the Procedural Motion by the Legislature, the owner of each approved site will be made an offer for the purchase of such site, by proffer of a contract, which contract shall meet the approval of the Director of Real Estate.

d. Upon execution of the contract by the owner, the Division of Real Estate shall procure a title report, survey and environmental site assessment for each site selected by the Legislature for which contracts have been signed by the site owner.

(3) Approval Resolution

a. After completion of the steps set forth in (2) above, a resolution will be r approval of each satisfactory site to the Environment, Planning and Agriculture Committee by the Director of Real Estate, and, upon discharge from such committee, to the Legislature, which resolution shall seek approval to fund and close.

b. Those sites recommended for approval will be accompanied by a proposed finding under the State Environmental Quality Review Act.

D. The Director of the Division of Real Estate shall submit a quarterly report to the County Executive, and to the members of the Suffolk County Legislature, which report shall contain the status of each parcel contained on any approved planning steps resolution.

[§ 1070-19] § 1070-18. Internal Appraisal Review Panel; appraisal process.

A. There shall be an Internal Appraisal Review Panel within the Division of Real Estate consisting of the following members:

(1) The Suffolk County Division of Real Estate Director; and

(2) Three members to be appointed by the Director of [the Division of] Real Estate at least one of whose civil service qualifications include substantial appraiser experience.

* * * *

[§ 1070-20] § 1070-19. Environmental Trust Review Board; duties; review process.

A. Prior to negotiating for a proposed acquisition, it shall be presented to the Environmental Trust Review Board, which shall meet at least [monthly] semi-annually and which shall consist of the following nine members:

(1) The Director of [the Suffolk County Department of] Planning, who shall serve as Chairman;

(2) The Presiding Officer of the Suffolk County Legislature, or his or her designee;

(3) The Chairman of the Parks and [Cultural Affairs] Recreation Committee of the Suffolk County Legislature, or any successor committee thereto;

(4) The Chairman of the Environment, Planning, and [Acquisition] Agriculture Committee of the Suffolk County Legislature, or any successor committee thereto;

* * * *

B. [Within 45 days after presentation of the reviewed appraised value, the] The Environmental Trust Review Board is hereby authorized, empowered, and directed by a vote of at least a majority of those present to review and authorize the Director of [the Division of] Real Estate to commence negotiations for proposed acquisitions at a price [to be determined] not to exceed the value established by the Environmental Trust Review Board, after consulting with the representative of the Internal Appraisal Review Panel, or [may reject such reviewed appraised value and] it may recommit such proposed acquisition to the Division of Real Estate for further examination. [If no action is taken, then, in that event, on the 46th day following presentation of a proposed acquisition, the acquisition is deemed to be approved at the approved appraised value recommended by the Internal Appraisal Review Panel, and the Director of the Division of Real Estate shall be deemed authorized as of that date to commence negotiations for the proposed acquisition at said approved appraised value.]

C. The amount to be paid shall not exceed that which has been determined in accordance with the provisions of [the 12th Resolved clause.] this section. Proposed acquisitions shall not be reviewed again for at least one year from the date of the last review of such parcel.

* * * *

[§ 1070-21] § 1070-20. Time limit for completion of negotiation process.

[From the date of approval by the Environmental Trust Review Board,] The Director of [the Division of] Real Estate shall complete the negotiation process within 90 days of the approval of the Procedural Motion required by section 1070-17 C (2) or shall either deem the negotiation process to be indefinitely suspended or shall return to the Environmental Trust Review Board for authorization of an additional time period.

[§ 1070-22] § 1070-21. Time limit for presentation of contract of sale.

Within [14] 21 days after the Division of Real Estate and the seller reach an agreement as to price and other significant contract matters, a conditional contract of sale shall be presented to the seller for execution.

[§ 1070-23] § 1070-22. Consideration of contract by Legislature.

Upon execution of a contract of sale, a proposed acquisition shall be submitted for consideration by the full Legislature, pursuant to the procedure set forth in §1070-17.

[§ 1070-24] § 1070-23. Time limit for filing valuation rationale.

* * * *

[§ 1070-25] § 1070- 24. Applicability.

This article shall apply to the acquisition of any interest in real property, the [planning steps authorization for] acquisition of which occurs on or after the effective date of this article; and be it further

2nd RESOLVED, SEQRA Determination.

This Legislature, being the State Environment 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) 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 resolution.

[] Brackets denote deletion of language.
__ Underlining denotes addition of new language.

DATED: , 2013

APPROVED BY:

County Executive of Suffolk County

1255

Intro. Res. No. -2013
Introduced by Legislator Muratore

Laid on Table 3/19/12

**RESOLUTION NO. -2013, TERMINATING THE COUNTY'S
CONTRACT WITH CMS COMPLIANCE GROUP**

WHEREAS, the County's RFP waiver committee approved a waiver from the County's normal procurement requirements for consulting services to allow the award of a contract to CMS Compliance Group, 68 South Service Road, Suite 100, Melville, NY 11747; and

WHEREAS, under the proposed contract, CMS Compliance Group is to oversee the shutdown of the John J. Foley Skilled Nursing Facility; and

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

WHEREAS, the County's contract with CMS Compliance Group is inconsistent with sound public policy; now, therefore be it

1st RESOLVED, that the Commissioner of the Suffolk County Department of Health Services is hereby authorized, empowered and directed to terminate the contract with CMS Compliance Group related to the closure of the John J. Foley Skilled Nursing Facility; 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:

s:\res\terminate cms compliance contract

**PROCEDURAL RESOLUTION NO. 7 -2013, TO RENEW
AGREEMENT WITH PFM ASSET MANAGEMENT LLC**

WHEREAS, pursuant to Section 250 of the SUFFOLK COUNTY CODE, this Legislature has full power and control of the property and funds of the Suffolk County Vanderbilt Museum, including the Maintenance Fund that supports the Museum's operations; and

WHEREAS, maximizing income from the Maintenance Fund is critical for the viability of the Suffolk County Vanderbilt Museum; and

WHEREAS, the County of Suffolk has utilized the services of investment advisors to assist in the management of the Maintenance Fund; and

WHEREAS, in 2010, this Legislature entered into a three year agreement with PFM Asset Management LLC to manage the investment of the Maintenance Fund; and

WHEREAS, that agreement will expire on April 21, 2013; and

WHEREAS, the 2010 agreement with PFM Asset Management LLC gives the Legislature an option to renew for two additional one year periods; and

WHEREAS, it is in the best interests of the County to exercise its option and extend its agreement with PFM Asset Management LLC for an additional one year period; now, therefore, be it

RESOLVED, that this Legislature authorizes the Presiding Officer to exercise the County Legislature's option and extend its agreement with PFM Asset Management LLC, a Delaware limited liability company, 2 Logan Square, Suite 1600, 18th and Arch Street, Philadelphia, PA 19103-2770 to serve as the investment advisor for the Suffolk County Vanderbilt Museum's Maintenance Fund for an additional one year period on the same terms and conditions as the original agreement dated April 21, 2010.

DATED:

EFFECTIVE IMMEDIATELY PURSUANT TO SECTION C2-15(A) OF THE SUFFOLK COUNTY CHARTER

s:\procedural motions\pm-renew-vanderbilt