

**REVISED COPY AS OF 5/6/2013**

Intro. Res. No. 1421-2013  
Introduced by Legislator Hahn

Laid on Table 5/7/2013

**RESOLUTION NO. -2013, ADOPTING LOCAL LAW  
NO. -2013, A LOCAL LAW TO MODIFY THE FOOD POLICY  
COUNCIL OF SUFFOLK COUNTY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on May 7, 2013, a proposed local law entitled, "**A LOCAL LAW TO MODIFY THE FOOD POLICY COUNCIL OF SUFFOLK COUNTY**"; 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 MODIFY THE FOOD POLICY COUNCIL OF SUFFOLK  
COUNTY**

**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 No. 11-2010 established the Food Policy Council of Suffolk County.

This Legislature also finds and determines that expanding the membership of the Food Policy Council will ensure a wider range of ideas on improving food systems throughout the County.

This Legislature further finds and determines that Suffolk County would be better served if the members of the Food Policy Council are appointed for a fixed term.

Therefore, the purpose of this law is to expand the membership of the Food Policy Council and clarify the terms of its members.

**Section 2. Amendments.**

Chapter 101 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**Chapter 101. Food Policy Council.**

\*\*\*\*

**§ 101-3. Membership, Compensation.**

A. The Food Policy Council shall consist of the following [16] 17 members:

\*\*\*\*

15. A local public school district administrator, to be selected by the Legislature;

B. The members of said Council shall serve without compensation [and shall serve at the pleasure of their respective appointing authorities.]

\*\*\*\*

**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 its 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:

1421

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: MAY 2, 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 MODIFY THE FOOD POLICY COUNCIL OF SUFFOLK COUNTY

SPONSOR: LEGISLATOR HAHN

DATE OF RECEIPT BY COUNSEL: 5/1/2013 PUBLIC HEARING: 6/4/2013

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

This proposed local law would add a local public school administrator to the membership of the Food Policy Council, to be appointed by the County Legislature.

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

GEORGE NOLAN  
Counsel to the Legislature

GN:js

s:\rule28\28-amend-food-policy-council

1422  
Intro. Res. No. -2013  
Introduced by the Presiding Officer on request of the County Executive

Laid on Table

5/7/13

**RESOLUTION NO. -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE BRENTWOOD HEALTH CENTER (CP 4083)**

**WHEREAS**, the Commissioner of Health Services has requested funding for Improvements to the Brentwood Health Center; and

**WHEREAS**, there are insufficient funds included in the 2013 Capital Budget and Program to cover the cost of said request and pursuant to Suffolk County Charter, Section C4-13, an offsetting authorization must be provided from another capital project; and

**WHEREAS**, CP 5380, Beach Erosion and Coastline Protection, was adopted in the 2013 Capital Budget and Program as the local match for two prior storm events (November 2009 and March 2010—DR 1899), the project worksheet (PW) for DR 1899 has not been approved or obligated by FEMA at this time; due to Superstorm Sandy, this will become a new project which FEMA will have the Army Corps of Engineers conduct, which would not require a local match, making the County portion available as an offset; and

**WHEREAS**, CP 6424, Jumpstart Suffolk, is not expected to be fully expended or encumbered in 2013 and a portion is available as an offset; and

**WHEREAS**, CP 8223, Brownfields Program, is not expected to be fully expended or encumbered in 2013 and a portion is available as an offset; and

**WHEREAS**, Resolution No. 471-1994 as revised by Resolution No. 461-2006 established the use of a priority ranking system, implemented in the Adopted 2013 Capital Budget, as the basis for funding capital projects such as this project; and

**WHEREAS**, the County Legislature, by resolution of even date herewith, has authorized the issuance of \$4,736,036 in Suffolk County Serial Bonds; now, therefore, be it

**1<sup>st</sup> RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this constitutes a Type II action, pursuant to the provisions of Title 6 NYCRR, Part 617.5(c)(1) and (2) since it involves the maintenance or repair involving no substantial changes in an existing structure or facility and the replacement, rehabilitation or reconstruction of a structure or facility, in kind; and adoption of a local legislative decision in connection with the same; and as a Type II action, the Legislature has no further responsibilities under SEQRA; and be it further

**2<sup>nd</sup> RESOLVED**, that it is hereby determined that this project, with a priority ranking of forty-five (45) is eligible for approval in accordance with the provisions of Resolution No. 471-1994, as revised by Resolution 461-2006; and be it further

**3<sup>rd</sup> RESOLVED**, that the 2013 Capital Budget and Program be and they are hereby amended as follows:

Project No. 5380  
 Project Title: Beach Erosion and Coastline Protection

	<u>Total Estimated Cost</u>	<u>Current 2013 Capital Program and Budget</u>	<u>Revised 2013 Capital Program and Budget</u>
3. Construction	\$ 21,524,540	\$ 1,450,000B \$ 8,700,000F <u>\$ 1,450,000S</u>	\$ 0 \$ 8,700,000F <u>\$ 1,450,000S</u>
TOTAL	\$ 21,979,295	\$ 11,600,000	\$ 10,150,000

Project No. 6424  
 Project Title: Jumpstart Suffolk

	<u>Total Estimated Cost</u>	<u>Current 2013 Capital Program and Budget</u>	<u>Revised 2013 Capital Program and Budget</u>
1. Planning	\$ <u>2,500,000</u>	\$ <u>5,000,000B</u>	\$ <u>2,500,000B</u>
TOTAL	\$ 2,500,000	\$ 5,000,000	\$ 2,500,000

Project No. 8223  
 Project Title: Brownfields Program

	<u>Total Estimated Cost</u>	<u>Current 2013 Capital Program and Budget</u>	<u>Revised 2013 Capital Program and Budget</u>
3. Construction	\$ <u>7,209,564</u>	\$ <u>2,830,600B</u>	\$ <u>2,044,564B</u>
TOTAL	\$ 8,755,764	\$ 2,830,600	\$ 2,044,564

Project No. 4083  
 Project Title: Improvements to the Brentwood Health Center

	<u>Total Estimated Cost</u>	<u>Current 2013 Capital Program and Budget</u>	<u>Revised 2013 Capital Program and Budget</u>
3. Construction	\$ <u>4,736,036</u>	\$ 0	\$ <u>4,736,036B</u>
TOTAL	\$ 4,736,036	\$ 0	\$ 4,736,036

and be it further

**4<sup>th</sup> RESOLVED**, that the proceeds of \$4,736,036 in Suffolk County Serial Bonds be and are hereby appropriated as follows:

<u>Project No.</u>	<u>Project Title</u>	<u>Amount</u>
525-CAP-4083.310 (Fund 001-Debt Service)	Improvements to the Brentwood Health Center	\$4,736,036

**5<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute any and all contract documents related to this project, on behalf of the County of Suffolk providing for Suffolk County's participation in the above referenced project; and be it further

Date:

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 <u>      </u>		
2. Title of Proposed Legislation		
<b>RESOLUTION NO.       -2013, AMENDING THE 2013 CAPITAL BUDGET AND PROGRAM AND APPROPRIATING FUNDS IN CONNECTION WITH IMPROVEMENTS TO THE BRENTWOOD HEALTH CENTER (CP 4083)</b>		
3. Purpose of Proposed Legislation		
SEE NO. 2 ABOVE		
4. Will the Proposed Legislation Have a Fiscal Impact?                      Yes <u>  X  </u> No <u>      </u>		
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 5 is "yes", Provide Detailed Explanation of Impact		
SERIAL BONDS WILL BE ISSUED TO FINANCE THIS PROJECT. PRINCIPAL AND INTEREST COSTS WILL BE INCURRED OVER THE LIFE OF THE BONDS.		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
SEE ATTACHED DEBT SCHEDULE		
8. Proposed Source of Funding		
SERIAL BONDS		
9. Timing of Impact		
2014		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Nicholas Paglia Asst Executive Analyst		May 1, 2013

SCIN FORM 175b (10/95)

**FINANCIAL IMPACT  
2014 PROPERTY TAX LEVY  
COST TO THE AVERAGE TAXPAYER**

**GENERAL FUND**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$555,208	\$1.07	\$0.002

**POLICE DISTRICT AND DISTRICT COURT**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$0	\$0.00	\$0.000

**COMBINED**

	2014 PROPERTY TAX LEVY	2014 COST TO AVG TAXPAYER	2014 FEV TAX RATE PER \$1000
TOTAL	\$555,208	\$1.07	\$0.002

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY, 2012.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2012-2013.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2012 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

**Suffolk County**  
**General Obligation Serial Bonds**  
**Level Debt**

Term of Bonds	10
Amount to Bond:	\$4,736,036

Date	Coupon	Principal	Interest	Total Debt Service	Fiscal Debt Service
11/1/2013					
11/1/2014	2.000%	\$413,126.82	\$142,081.08 \$64,843.64	\$555,207.90 \$64,843.64	\$555,207.90
11/1/2015	3.000%	\$425,520.62	\$64,843.64 \$58,460.83	\$490,364.26 \$58,460.83	\$555,207.90
11/1/2016	3.000%	\$438,286.24	\$58,460.83 \$51,886.53	\$496,747.07 \$51,886.53	\$555,207.90
11/1/2017	3.000%	\$451,434.83	\$51,886.53 \$45,115.01	\$503,321.36 \$45,115.01	\$555,207.90
11/1/2018	3.000%	\$464,977.88	\$45,115.01 \$38,140.34	\$510,092.89 \$38,140.34	\$555,207.90
11/1/2019	3.000%	\$478,927.21	\$38,140.34 \$30,956.44	\$517,067.56 \$30,956.44	\$555,207.90
11/1/2020	3.000%	\$493,295.03	\$30,956.44 \$23,557.01	\$524,251.46 \$23,557.01	\$555,207.90
11/1/2021	3.000%	\$508,093.88	\$23,557.01 \$15,935.60	\$531,650.89 \$15,935.60	\$555,207.90
11/1/2022	3.000%	\$523,336.69	\$15,935.60 \$8,085.55	\$539,272.30 \$8,085.55	\$555,207.90
11/1/2023	3.000%	\$539,036.80	\$8,085.55	\$547,122.35	\$555,207.90
11/1/2024		\$4,736,036.00	\$816,043.00	\$5,552,079.00	\$5,552,079.00
11/1/2025					
11/1/2026					
11/1/2027					
11/1/2028					
11/1/2029					
11/1/2030					
11/1/2031					

1423

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

Laid on Table 5/7/13

**RESOLUTION NO. -2013, CONSENTING TO THE  
ACQUISITION OF ADDITIONAL LAND AT SAG HARBOR  
- EAST HAMPTON TURNPIKE (NYS ROUTE 114), TOWN  
OF EAST HAMPTON, COUNTY OF SUFFOLK, STATE OF  
NEW YORK, BY TEMPLE ADAS ISRAEL FOR  
CEMETERY EXPANSION PURPOSES**

**WHEREAS**, a petition, dated February 19, 2013, has been filed with the Suffolk County Legislature by Temple Adas Israel, pursuant to 451 of the NEW YORK REAL PROPERTY LAW and Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW, requesting permission of the Suffolk County Legislature to expand its existing cemetery situated on the Sag Harbor - East Hampton Turnpike (NYS Route 114) in the Town of East Hampton, County of Suffolk, by the acquisition of 1.00 acre parcel of land located to the west of the existing cemetery at the end of Six Pole Highway, Sag Harbor, New York, Suffolk County Tax Map # 0300-111.00-02.00-p/o004.000; and

**WHEREAS**, public notice of a public hearing in respect to said petition has been published for six (6) consecutive weeks in the official County newspapers pursuant to Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW; and

**WHEREAS**, a public hearing was held with regard to said petition on April 23, 2013, pursuant to Section 1506(c) of the NEW YORK NOT-FOR-PROFIT CORPORATION LAW; now, therefore be it

**RESOLVED**, that the Suffolk County Legislature hereby consents to the acquisition of additional land situated on the Sag Harbor - East Hampton Turnpike (NYS Route 114) in the Town of East Hampton, by Temple Adas Israel, for cemetery purposes.

DATED:

APPROVED BY:

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

Date:

s:\res\r-temple adas Israel cemetery expansion

**RESOLUTION NO. -2013, VESTING DISTRICT ATTORNEY  
WITH STEP INCREASE DISCRETIONARY AUTHORITY**

**WHEREAS**, Resolution No. 1173-2005 authorized automatic annual step increases for the County's exempt and management employees; and

**WHEREAS**, the District Attorney has requested that he be granted the discretionary authority to grant step increases to the exempt and management employees within his department; and

**WHEREAS**, as an independent elected official, the District Attorney should have the flexibility to manage the resources in his office as he deems appropriate; now, therefore be it

**1st RESOLVED**, effective immediately, the employees in the District Attorney's Office in the following titles,

<u>Spec</u>	<u>District Attorney</u>
6128	Assistant District Attorney
6167	Assistant to the District Attorney
6106	Bureau Chief
6114	Chief Assistant District Attorney
5734	Chief Detective Investigator
5735	Deputy Chief Detective Investigator
6120	Deputy Bureau Chief
6104	Division Chief
6110	Jr. Assistant District Attorney
6130	Principal Assistant District Attorney
6129	Senior Assistant District Attorney

will advance one step effective and payable July 1st each year at the discretion of the District Attorney; and be it further

**2nd RESOLVED**, on or before June 25, 2013, the District Attorney will submit to the County Treasurer and County Comptroller a list of those employees in the above titles who are to receive a step increase on July 1, 2013; and be it further

**3rd RESOLVED**, beginning in 2014, the District Attorney will submit to the County Treasurer and County Comptroller by June 1st a list of those employees in the above titles who are to receive a step increase payable on July 1st of that year; and be it further

**4th RESOLVED**, with the exception of the positions in the District Attorney's Office addressed by this resolution, paragraph (f) of the first resolved clause of Resolution No. 1173-2005 shall remain in full force and effect; and be it further

**5th 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:

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County Executive of Suffolk County

Date:

s:\res\r-district attorney instep authorization

1425

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

Laid on Table

5/7/13

**RESOLUTION NO. -2013, AUTHORIZING APPRAISAL OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, BAYVIEW DRIVE, MENNUTI PROPERTY – TOWN OF BROOKHAVEN (SCTM NO. 0209-037.00-01.00-021.000)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of any parcel proposed for acquisition; now, therefore be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**2nd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and be it further

**3rd RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**4th RESOLVED**, the costs associated with the preparation of a title search, survey, map or environmental assessment of the subject parcels(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**5th 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-bayview-drive-mennuti-appraisal-openspace

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District      0209 Section      037.00 Block        01.00 Lot            021.000	.23	Dominic Mennuti Ninety Four Associates, Inc. 863 Montauk Highway Shirley, NY 11967

**EXHIBIT "A"**

1426

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

Laid on Table 5/7/13

**RESOLUTION NO. -2013, AUTHORIZING APPRAISAL OF LAND UNDER THE SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, RIVIERA DRIVE, MENNUTI PROPERTY – TOWN OF BROOKHAVEN (SCTM NO. 0209-025.00-07.00-004.000)**

**WHEREAS**, the Suffolk County Drinking Water Protection Program, as amended by Local Law No. 24-2007, authorizes the use of 31.10% of sales and compensating use tax proceeds generated each year for specific environmental protection, including the acquisition of open space in accordance with specific criteria set forth therein; and

**WHEREAS**, the parcel(s) listed in Exhibit "A" of this resolution meets the criteria for acquisition under the Drinking Water Protection Program; and

**WHEREAS**, Resolution No. 265-2013 established a new three step land acquisition process, the first step being an appraisal of any parcel proposed for acquisition; now, therefore be it

**1st RESOLVED**, that the parcel(s) listed in Exhibit "A" meet the criteria required by the Suffolk County Drinking Water Protection Program; and be it further

**2nd RESOLVED**, that the Director of the Division of Real Property Acquisition and Management, or his or her deputy, is hereby authorized, empowered, and directed, pursuant to Section A35-3(B)(1) of the SUFFOLK COUNTY ADMINISTRATIVE CODE, to have the subject parcel(s) appraised; and be it further

**3rd RESOLVED**, that the cost of such appraisal shall be paid from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**4th RESOLVED**, the costs associated with the preparation of a title search, survey, map or environmental assessment of the subject parcels(s), which may be authorized by a subsequent legislative resolution or procedural motion, shall be paid for from the funds to be appropriated pursuant to Article XII of the SUFFOLK COUNTY CHARTER as a reimbursement, if necessary, for costs incurred and paid for from other funds or as a direct payment from such proceeds, as the case may be; and be it further

**5th 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-riviera-drive-mennuti-appraisal-open-space

<u>PARCEL</u>	<u>SUFFOLK COUNTY TAX MAP NUMBER</u>	<u>ACRES</u>	<u>REPUTED OWNER AND ADDRESS</u>
1	District 0209 Section 025.00 Block 07.00 Lot 004.000	.23	Dominic Mennuti F.M.C. Land Corp. 863 Montauk Highway Shirley, NY 11967

**EXHIBIT "A"**

1427

Intro. Res. No. -2013  
Introduced by Legislators Cilmi and Browning

Laid on Table

5/7/13

**RESOLUTION NO. -2013, TO ENSURE ADEQUATE  
EMERGENCY RESPONSE SERVICES TO SUFFOLK COUNTY  
RESIDENTS**

**WHEREAS**, protecting public safety is the most fundamental duty of Suffolk County government; and

**WHEREAS**, this Legislature, as the policymaking and appropriating authority in County government, allocates substantial resources to the Police Department, the District Attorney, the Sheriff and other public safety agencies in order to safeguard Suffolk County residents; and

**WHEREAS**, certain budgeted positions that become vacant sometimes remain unfilled for long periods of time; and

**WHEREAS**, certain positions in County government are so sensitive and vital to public safety that they must be filled immediately if a vacancy does occur; and

**WHEREAS**, public safety dispatchers and emergency complaint operators are indispensable to public safety; the County simply must have an adequate number of employees to receive distress calls and dispatch police and other emergency responders to assist County residents; and

**WHEREAS**, notwithstanding the vital role of emergency complaint officers and public safety dispatchers, 30 of the 154 budgeted positions at the Police Department dispatch center were vacant earlier this year; and

**WHEREAS**, 911 operators and police dispatchers testified before the Legislature's Public Safety Committee that they were often required to work 16 hour shifts and sometimes were unable to take a restroom break; and

**WHEREAS**, the County Executive recently authorized hiring more call center employees but additional action must be taken to ensure that current and future vacancies in these positions are filled immediately; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Police Department shall notify the Presiding Officer of the County Legislature and the Chairperson of the Public Safety Committee, in writing within 30 days, when 10% or more of the budgeted public safety dispatcher or emergency complaint operator positions in the department are vacant, and explain why the positions are being held open; and be it further

**2nd RESOLVED**, that at the time the Police Commissioner provides this notification he or she shall also provide an action plan that details how the department plans to operate until such time as the vacancies are filled; 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:

s:\res\r-emergency-response-services

1428

Intro. Res. No. - 2013

Laid on the Table 5-7-2013

Introduced by Presiding Officer on request of the County Executive

**RESOLUTION NO. - 2013, AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT FOR THE OPERATION OF A CONSOLIDATED HEALTH CENTER LOCATED ON SOUTHAMPTON HOSPITAL CAMPUS AND APPROVING CONSOLIDATION AND OPERATION OF THE EXISTING KRAUS FAMILY HEALTH CENTER AT SOUTHAMPTON AND THE SUFFOLK COUNTY HEALTH CENTER AT EAST HAMPTON INTO A SINGLE FQHC HEALTH CENTER TO BE OPERATED BY HUDSON RIVER HEALTHCARE, INC.**

**WHEREAS**, there is an unprecedented fiscal crisis in the County of Suffolk, in part due to substantial reductions in Article 6 State Aid funding for services provided in the County's network of Health Centers; and

**WHEREAS**, on June 21, 2012 a Request for Proposals (RFP) Waiver was approved for the Suffolk County Department of Health Services (SCDHS) to enter into a contractual agreement with Hudson River Healthcare, Inc. (HRHCare) for administrative, management and primary health care services at the Kraus Family Health Center at Southampton (Southampton) and the Suffolk County Health Center at East Hampton (East Hampton), and the two (2) other County-operated Health Centers; and

**WHEREAS**, HRHCare is a not-for-profit, New York State licensed, Federally Qualified Health Center (FQHC) delivering culturally sensitive, linguistically appropriate, full life cycle primary, preventative, behavioral, and oral healthcare, as well as Family Planning, HIV, TB, and STD services, and other enabling services to medically underserved populations throughout the Hudson Valley and Long Island areas; and

**WHEREAS**, HRHCare is the only FQHC currently operating in Suffolk County; and

**WHEREAS**, the proposed plan will merge the East Hampton and Southampton Health Centers into one combined health center located on the campus of Southampton Hospital in a limited public-private partnership with HRHCare; and

**WHEREAS**, this public-private partnership will maintain continuity of care to patients during and subsequent to the transition, and will expand services in compliance with FQHC program requirements to include dental and mental health; and

**WHEREAS**, Health Care Efficiency and Affordability Law Phase 6 (HEAL NY Phase 6) grant funds were accepted and appropriated via Resolution No. 990-2008, as amended by Resolution No. 1052-2009 and Resolution No. 518-2010; and

**WHEREAS**, on January 4, 2013, the New York State Department of Health (NYSDOH) approved the SCDHS request to allot a portion of the HEAL NY Phase 6 grant for capital improvements required for retrofitting this proposed consolidated health center; and

**WHEREAS**, Southampton Hospital is also committing Health Care Efficiency and Affordability Law Phase 11 (HEAL NY Phase 11) grant funds to partially fund the capital

improvements required to retrofit an existing structure and create the new health center, in the amount of \$700,000; and

**WHEREAS**, HRHCare will provide a plan to accommodate patient transportation needs for those patients traveling from the East Hampton area to the Southampton site; and

**WHEREAS**, the proposed consolidated center will become a residency training site for primary care physicians with Stony Brook University Medical Center and Southampton Hospital as the sponsoring teaching hospital and partner, respectively; and

**WHEREAS**, the public hearings required by paragraphs (A) and (B) of § A9-6 of the Suffolk County Code have been held on <dates to be added>; and

**WHEREAS**, the proposed agreement requires payment to HRHCare, Inc. from the County for a five (5) year period, expected to begin in 2014 totaling \$3.9 million over that period, and will result in an estimated net savings to Suffolk County over the five (5) year period of \$3.8 million; and

**WHEREAS**, the location of this proposed consolidation on the property of Southampton Hospital eliminates the cost to the County of the East Hampton and Southampton leases; and

**WHEREAS**, HRHCare currently has one (1) Suffolk County resident serving on the Board of Directors, consistent with the HRHCare by-laws and FQHC program requirements governing Board member appointments, and is in the process of adding a second Suffolk County resident, and has agreed to maintain that same representation on the Board; now, therefore be it

**1<sup>st</sup> RESOLVED**, that in compliance with § A9-6 of the Suffolk County Code there has been presented to this Legislature:

a.) a plan/proposal from the Department of Health Services relating to the consolidation and operation of the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton into a single FQHC health center to be operated by Hudson River Healthcare, Inc. on the property of the Southampton Hospital documenting budgetary savings which plan has been accompanied by a written evaluation of the cost of performing services through County government as compared to the cost of performing the services through the pertinent plan or proposal and shall include an evaluation and analysis of the quality of services to be provided by the plan or proposal, as compared to the quality of services being provided by the County of Suffolk through the Department of Health Services (Exhibit 1); and

b.) written certification by the Legislative Budget Review Office that the plan/proposal will result in a cost savings to the County in at least each of the five years of said plan of at least 10% in each of those five years, as measured by net County expenditures (Exhibit 2); and

c.) written documentation from the New York State Department of Health (Exhibit 3);

and be it further

**2<sup>nd</sup> RESOLVED**, that this Legislature hereby ratifies and approves the documentation described in paragraphs (a), (b) and (c) of the first resolved clause of this Resolution, and Legislative approval of this Resolution shall be conclusive evidence of full compliance with § A9-

6 of the Suffolk County Administrative Code and shall apply to all actions and transactions occurring on or after its final adoption of this Resolution; and be it further

**3<sup>rd</sup> RESOLVED**, that this Legislature hereby approves consolidation and operation of the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton into a single FQHC health center to be operated by HRHCare on the property of the Southampton Hospital; and be it further

**4<sup>th</sup> RESOLVED**, that the County Executive be and hereby is authorized to execute an agreement with HRHCare for a term not to exceed five (5) years, subject to the approval of the County Attorney, for the operation of a Health Center in Southampton under the Article 28 license of HRHCare, and to assist this entity in the establishment of an FQHC Health Center at this site, contingent upon State approvals necessary for SCDHS to cease operations of its existing Article 28 health center at the current Southampton and East Hampton sites, and also contingent upon federal and State approvals necessary for HRHCare to begin operation of an Article 28 FQHC health center at the proposed new Southampton site in a seamless transition, and further contingent upon capital improvements funded by HEAL NY Phase 6 and HEAL NY Phase 11 (Exhibit 4); and be it further

**5<sup>th</sup> RESOLVED**, that all associated assets and inventory used to carry out the function and operation of the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton as set forth in the proposed agreement presented with this Resolution as Exhibit 4 is declared surplus to County needs; and be it further

**6<sup>th</sup> RESOLVED**, that all assets, personal property and rights used or usable in the operation of the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton are hereby approved for transfer to HRHCare as set forth in the proposed agreement presented with this Resolution as Exhibit 4; and be it further

**7<sup>th</sup> RESOLVED**, that the County Legislature hereby authorizes the County Executive, or his designee, to execute the standard agreement and any and all contract documents necessary to effectuate this transaction for reimbursement with NYSDOH, and any and all contract documents, including a sub-contract of the HEAL NY Phase 6 grant with HRHCare for the required renovations of an existing building located on the campus; and be it further

**8<sup>th</sup> RESOLVED**, the execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of such agreements, instruments and/or authorizations as may be contemplated by, or necessary or advisable to, consummate or otherwise give full effect to the transactions contemplated by this Resolution is hereby authorized and directed as the County Executive and/or his designee(s) may approve, and the execution and delivery of such agreements, instruments and/or authorizations shall be conclusive evidence of the approval, the authorization and the direction thereof by this Legislature; and be it further

**9<sup>th</sup> RESOLVED**, that this Legislature, being the State Environment 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) 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.

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 <input checked="" type="checkbox"/> Local Law _____ Charter Law _____		
2. Title of Proposed Legislation		
AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT FOR THE OPERATION OF A CONSOLIDATED HEALTH CENTER LOCATED ON SOUTHAMPTON HOSPITAL CAMPUS AND APPROVING CONSOLIDATION AND OPERATION OF EXISTING KRAUS FAMILY HEALTH CENTER AT SOUTHAMPTON AND THE SUFFOLK COUNTY HEALTH CENTER AT EAST HAMPTON INTO A SINGLE FQHC HEALTH CENTER TO BE OPERATED BY HUDSON RIVERH HEALTHCARE, INC.		
3. Purpose of Proposed Legislation		
Legislative approval to enter into an agreement for the operation of a consolidation of the the existing Southampton and East Hampton health centers into a single FQHC to be operated by Hudson River Healthcare, Inc.		
4. Will the Proposed Legislation Have a Fiscal Impact? Yes <input checked="" type="checkbox"/> 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 4 is "yes", Provide Detailed Explanation of Impact		
Suffolk County will commit to a five year annual payment to HRH, Inc. (Community Benefit Grant). The total for the 5 years is \$3.9M, This payment will be eligible for Article 6 funding at a current rate of 36%. The annual Community Benefit Grant is significantly lower than cost incurred by the County to provide the current level of services. This partnership will provide expanded health care services in a new location at a reduced cost. The 5 year savings is		
7. Total Financial Cost of Funding over 5 Years on Each Affected Political or Other Subdivision.		
2014 - 2019		
8. Proposed Source of Funding		
Annual payments to HRH Inc will be included in the Suffolk County Operating Budget.		
9. Timing of Impact		
2014		
10. Typed Name & Title of Preparer	11. Signature of Preparer	12. Date
Beth A. Reynolds Chief Executive Analyst		April 29, 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 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.

**An Article IX: Department of Health Services § A9-6. Review of privatization initiatives.  
East Hampton, Southampton Health Centers: Analysis of the Cost of Services through County v. Cost of Services through Proposal**

	Year 1	Year 2	Year 3	Year 4	Year 5 (End)	Total Years 1-5
<b>A. Cost of Services through Proposal</b>						
Total County Expenditures for Services through Proposal	\$ 984,000	\$ 805,300	\$ 798,400	\$ 685,600	\$ 639,600	\$ 3,912,900
<less> 36% State Aid of eligible expenses	354,240	289,908	287,424	246,816	230,256	1,408,644
<b>Net County Expenditures for Services through Proposal</b>	<b>\$ 629,760</b>	<b>\$ 515,392</b>	<b>\$ 510,976</b>	<b>\$ 438,784</b>	<b>\$ 409,344</b>	<b>\$ 2,504,256</b>
<b>B. Cost of Services through County</b>						
Contract Payments	\$ 170,851	\$ 174,268	\$ 177,753	\$ 181,308	\$ 184,934	\$ 889,114
County Indirect Expenses	337,930	344,689	351,583	358,614	365,787	1,758,603
County Direct Expenses	2,574,518	2,626,008	2,678,528	2,732,099	2,786,741	13,397,894
<b>Total County Expenditures for Services through County</b>	<b>\$ 3,083,299</b>	<b>\$ 3,144,965</b>	<b>\$ 3,207,864</b>	<b>\$ 3,272,021</b>	<b>\$ 3,337,462</b>	<b>\$ 16,045,611</b>
<less> Revenue (Self-Pay and 3rd Party)	1,060,156	1,081,359	1,102,986	1,125,046	1,147,547	5,517,092
<less> Bad Debt & Charity Care	393,486	385,616	377,904	370,346	362,939	1,890,292
<less> 36% State Aid of eligible expenses	440,945	451,489	454,966	458,623	462,463	2,268,486
<b>Net County Expenditures for Services through County</b>	<b>\$ 1,188,712</b>	<b>\$ 1,226,501</b>	<b>\$ 1,272,008</b>	<b>\$ 1,318,007</b>	<b>\$ 1,364,513</b>	<b>\$ 6,369,741</b>
<b>5-Year Net (Cost)/Savings Comparison</b>						
Net County Expenditures for Services through Proposal	\$ 629,760	\$ 515,392	\$ 510,976	\$ 438,784	\$ 409,344	\$ 2,504,256
Net County Expenditures for Services through County	\$ 1,188,712	\$ 1,226,501	\$ 1,272,008	\$ 1,318,007	\$ 1,364,513	\$ 6,369,741
<b>Net (Cost)/Savings Comparison (County Net - Proposal Net)</b>	<b>558,952</b>	<b>711,109</b>	<b>761,032</b>	<b>879,223</b>	<b>955,169</b>	<b>3,865,485</b>
10% Savings of Net County Expenditures for Services through County (\$ A9-6 test: Net Savings must be > this 10% threshold)	118,871	122,650	127,201	131,801	136,451	
% Savings of Net County Expenditures for Services through Proposal (\$ A9-6 test: % Savings must be > 10%)	47%	58%	60%	67%	70%	
Does Proposal meet § A9-6 test for 10% Annual Net Savings?	YES	YES	YES	YES	YES	YES

REPORT TO THE SUFFOLK COUNTY  
LEGISLATURE PURSUANT TO SUFFOLK  
COUNTY ADMINISTRATIVE CODE,  
SECTION A9-6

*PROCEDURES FOR REVIEW OF  
PRIVATIZATION INITIATIVES*

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SUBMITTED BY THE SUFFOLK COUNTY  
DEPARTMENT OF HEALTH SERVICES

May 2013

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## INTRODUCTION & PURPOSE

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Suffolk County Administrative Code, Article IX, Section A9-6, "*Procedures for Review of Privatization Initiatives*," details a process that must be followed if a proposal or plan to provide services at Suffolk County's health centers is submitted to the County Executive for the purpose of providing these services through entities other than Suffolk County Government and/or the Suffolk County Department of Health Services. The process specified in the code includes submission of written reports that address a variety of items, including the evaluation of the proposal, identification of expenditures under the plan, and a comparison of the level and quality of services to be provided under the plan as compared to Suffolk County.

A proposal for the transfer of operations of the Kraus Family Health Center at Southampton (Southampton Health Center) and East Hampton Health Center was recently submitted, and a resolution authorizing the transfer of the facilities to a not-for-profit entity that is a Federally Qualified Health Center (FQHC) has been submitted to the Suffolk County Legislature for consideration. This report has been prepared in accordance with the reporting requirements of Section A9-6. It also provides important historical information regarding the efforts made by the Suffolk County Department of Health Services (the Department) to improve health center operations, and outlines the process that has resulted in the recommendation to transfer operations of the health centers to a FQHC.

### **Proposal Summary**

The submitted proposal seeks to consolidate the East Hampton and Southampton Health Centers into one newly renovated, state-of-the-art facility that will be operated by Hudson River HealthCare, Inc. as a FQHC. This new facility will be located on the Southampton campus, an ideal location as patients can easily access ancillary and specialty services at the hospital. In addition, the new facility is located on a public bus route. As a FQHC, patients can expect to not only maintain the level of services they currently receive but also gain access to oral and behavioral health services. In addition, transportation policies are being considered to ensure East Hampton patients can access the new location. In addition to the new facility and expanded services, the newly consolidated health center will also serve as a residency training site for primary care physicians through Stony Brook University Medical Center and Southampton Hospital. This unique public/private partnership will enhance the health and welfare of underserved individuals and their families in Southampton, East Hampton and other neighboring communities.

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## HISTORICAL OVERVIEW, OPERATIONAL STUDIES AND PROCESS OVERVIEW

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### Suffolk County Health Center Network Historical Overview

Begun in July 1968, the Suffolk County health center system provides family-centered primary care services to County residents who could not otherwise access care. Located by design in medically underserved areas, these health centers provide access to residents who have documented health disparities and lack access to primary care services. In the 40+ years since the first health center was established, State Aid reimbursement has been drastically reduced while the cost to operate the existing centers has radically increased. The health centers began with a County Budget of \$100,000 for the hospitals to establish outpatient clinics, with a 50% State Aid reimbursement level. In 2008, the County received \$30.4 million in State aid compared to just \$16.3 million last year. Today, the gross cost to the County is over \$64 million with a reimbursement rate of 36% on basic services, which now excludes adult chronic care. The net cost to the County of operating the Health Center network is approximately \$24 million annually.

Today, the County operates eight (8) health centers through the Department's Division of Patient Care Services. Four of the eight sites are staffed and operated under contracts with affiliated hospitals and the remaining are County staffed and operated. The County also provides financial support to the Elsie Owens Health Center at Coram operated by Hudson River HealthCare, Inc. and the Dolan Family Center in Greenlawn, which is operated by Huntington Hospital.

Services provided at the health centers include: general adult and pediatric medicine, prenatal care, gynecology, Family Planning, laboratory, and other ancillary services.<sup>1</sup> These centers also offer public health services such as STD, HIV and TB screening and treatment. Women, Infants and Children (WIC) Programs are also co-located at the health centers. In 2012, the health center network served 51, 532 unduplicated patients with a total of 194,912 primary and ancillary visits. The Southampton Health Center saw 2,303 unduplicated patients for 9,636 total visits and the East Hampton Health Center saw 920 unduplicated patients for 3,201 total visits.

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<sup>1</sup> Not every health center offers every service.

## Operational Studies and Process Overview

The Department has made significant efforts to study operations and efficiencies within the health center network. Such efforts involved the establishment of a working group which included representation from all health centers and hospital partners; implementation of best practices through the health center network, including the creation of provider productivity goals; redeployment of staff; and development of staff to provider ratios. Even with these practices in place, the reduction of State Aid reimbursement and increasing annual costs have forced the County to examine its role in the direct provision of medical care. In July 2009, the Department entered into a multi-year contract with John Snow Incorporated, Inc. (JSI) to enhance programs and financial operations at the county health centers. Later in the year, Resolution 1260-2009, established the Suffolk County Health Center Financial Review Committee (the Committee) to review current operations at the health centers and determine the benefit of FQHC status for such health centers. The Committee issued a report in February 2010 which recommended the County to pursue an application for FQHC status while continuing to examine ways to increase efficiency, reduce costs and increase revenue.

JSI also recommended the County apply for FQHC designation for the health center network as well as implementing efficiency improvements and revenue enhancements such as strengthening Medicaid eligibility assistance process; working with collection policies and procedures.

In December 2010, the Department responded to a competitive announcement from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) for the establishment of up to 300 FQHCs nationwide. While the application scored highly, federal budget cuts reduced awards from 300 to 78 and limited those awards to specialty FQHCs (e.g., homeless and migrant care). **As a result, the Department's application for FQHC designation was denied.**

A second option recommended by the Committee was securing FQHC Look-Alike designation. This process would require the use of consultants and the health centers would need to meet FQHC requirements prior to submission of the application. It should also be noted that FQHC Look-Alikes are not eligible for Federal Tort Claims Act (FTCA) medical malpractice coverage, which is a great cost savings and important benefit of the program. **Given the County's fiscal situation, it has been determined that resources are not available to expand services in order to apply for and meet the requirements of FQHC Look-Alike status.**

In 2011, the prior Administration recommended closure of the Elsie Owens North Brookhaven Health Center at Coram (Coram Health Center) as a result of the reduced level of State Aid (Article 6 reimbursement). **In response to the recommendation of closure, New York State Department of Health (NYSDOH) proposed an alternative plan in**

**which the County partnered with an established FQHC for operation of the Coram Health Center.**

In May 2012, operation of the Elsie Owens Health Center was successfully transferred to Hudson River HealthCare, Inc. (HRHCare), a FQHC designee. The transition was followed by the approval of an RFP Waiver to enter into negotiations with HRHCare in June 2012 for the administration and management of the Southampton and East Hampton Health Centers as well as the other two County operated health centers. The Department believes that the proposal being submitted best meets the needs of the community and interested parties. This proposal involves a public-private partnership with HRHCare for the operation of the Southampton and East Hampton Health Centers. The Health Centers will be merged and housed in a newly renovated health center on Southampton Hospital's campus. The proposed site would accommodate between 9-12 exam rooms along with four dental operatories, behavioral health and space for family planning and WIC services. The new site will become a residency training site for primary care physicians with Stony Brook University Medical Center and Southampton Hospital as the sponsoring teaching hospitals. This is particularly beneficial as such programs have shown to be a proven strategy in retaining physicians in underserved communities. This proposal represents a synergistic partnership between the County, HRHCare, Southampton Hospital and Stony Brook University Medical Center.

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#### **A9-6 D – EVALUATION AND ANALYSIS**

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According to Suffolk County Administrative Code, Article IX, Section A9-6D:

*“Such written report shall include an evaluation and analysis of the cost of performing services through county government as compared to the cost of performing the services through the pertinent plan or proposal and shall include an evaluation and analysis of the quality of services to be provided by the plan or proposal, as compared to the quality of services being provided by the County of Suffolk through the Department of Health Services.”*

The total net benefit to Suffolk County for transferring operations of the Southampton and East Hampton Health Centers to Hudson River HealthCare is calculated by analyzing the operational savings achieved by no longer operating the facilities. A five-year analysis of the fiscal impact for transferring operations of the facilities results in net operating savings of approximately \$3.8 million.

A detailed five-year analysis of the operating savings resulting from the transfer of operations to HRHCare and the cost of performing services through Suffolk County as compared to HRHCare follows. In accordance with Section A9-6H, the proposed plan “will result in a cost savings to the county in at least each of the first five years of said plan or proposal of at least 10% in each of those first five years, as measured by net county expenditures...”

The cost savings to the County meets the 10% threshold each year ranging from 47% in Year 1 to 70% in Year 2.

An Article IX. Department of Health Services § A9-6. Review of privatization initiatives. East Hampton, Southampton Health Centers: Analysis of the Cost of Services through County v. Cost of Services through Proposal						
<b>A. Cost of Services through Proposal</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5 (End)</b>	<b>Total Years 1-5</b>
Total County Expenditures for Services through Proposal	\$ 984,000	\$ 805,300	\$ 798,400	\$ 685,600	\$ 639,600	\$ 3,912,900
<less> 36% State Aid of eligible expenses	354,240	289,908	287,424	246,816	230,256	1,408,644
Net County Expenditures for Services through Proposal	\$ 629,760	\$ 515,392	\$ 510,976	\$ 438,784	\$ 409,344	\$ 2,504,256
<b>B. Cost of Services through County</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Total Years 1-5</b>
Contract Payments	\$ 170,851	\$ 174,268	\$ 177,753	\$ 181,308	\$ 184,934	\$ 889,114
County Indirect Expenses	337,930	344,689	351,583	358,614	365,787	1,758,603
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Total County Expenditures for Services through County	\$ 3,083,299	\$ 3,144,965	\$ 3,207,864	\$ 3,272,021	\$ 3,337,462	\$ 16,045,611
<less> Revenue (Self-Pay and 3rd Party)	1,060,156	1,081,359	1,102,986	1,125,046	1,147,547	5,517,092
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Net County Expenditures for Services through County	\$ 1,188,712	\$ 1,226,501	\$ 1,272,008	\$ 1,318,007	\$ 1,364,513	\$ 6,369,741
<b>5-Year Net (Cost)/Savings Comparison</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Total Years 1-5</b>
Net County Expenditures for Services through Proposal	\$ 629,760	\$ 515,392	\$ 510,976	\$ 438,784	\$ 409,344	\$ 2,504,256
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Net (Cost)/Savings Comparison (County Net - Proposal Net)	558,952	711,109	761,032	879,223	955,169	3,865,485
10% Savings of Net County Expenditures for Services through County (\$ A9-6 test: Net Savings must be > this 10% threshold)	118,871	122,650	127,201	131,801	136,451	
% Savings of Net County Expenditures for Services through Proposal (\$ A9-6 test: % Savings must be > 10%)	47%	58%	60%	67%	70%	
Does Proposal meet § A9-6 test for 10% Annual Net Savings?	YES	YES	YES	YES	YES	
<b>Notes:</b>						
1) § A9-6 of the County Administrative Code requires a written analysis of the cost of performing services through County government as compared to the cost of performing the same level and quality of services through the pertinent plan or proposal when there is a proposal to provide services through entities other than Suffolk County or the Suffolk County Department of Health Services (SCDHS). The Code requires a cost savings to the County in at least each of the first five years of said proposal of at least 10% in each of those first five years as measured by net County expenditures. The test compares the net cost of the County providing services to the net cost of the proposed entity providing services as cost centers.						
2) The Projected Year 1 Expenditures for the Cost of Services through the County are based on the 2011 Cost Report. Revenue, State Aid, and Bad Debt and Charity Care are based on the 2011 Health Center Cost Analysis. Revenues are on the accrual, not cash, basis. The Sunrise Labs allocated payment was included in the 2011 Cost Report, but is no longer an ongoing cost and is excluded as a cost.						

To compare the quality of services that are being provided by Suffolk County at the health centers as compared to the services that will be provided by HRHCare, several factors can be examined, including FQHC status; commitment to expansion of services; and experience.

### 1. Federally Qualified Health Center Status

Most significant is that fact that Hudson River HealthCare is a federally qualified health center (FQHC). A FQHC is a type of provider defined by the Medicare and Medicaid statutes, and must provide preventative and primary health care services for all age groups

regardless of a patient's ability to pay.<sup>2</sup> Other requirements that must be provided include dental services; mental health and substance abuse services; transportation services necessary for adequate patient care; and hospital and specialty care.

FQHC status provides several benefits to health center operators, including:

- Enhanced Medicare and Medicaid reimbursement;
- Medical malpractice coverage through the Federal Tort Claims Act;
- Eligibility to purchase prescription and non-prescription medications for outpatients at reduced cost through the 340B Drug Pricing Program;
- Access to National Health Service Corps, which is part of the U.S. Department of Health and Human Services (DHHS) and administrated by the Health Resources and Services Administration (HRSA), Bureau of Clinician Recruitment and Services;
- Access to the Vaccine for Children Program, federally-funded program that provides vaccines at no cost to children who might not otherwise be vaccinated because of inability to pay; and
- Eligibility for various other federal grants and programs.<sup>3</sup>

As previously mentioned, in 2011, the Department's application for FQHC designation was denied. As a result, the County is unable to take advantage of the many cost saving benefits that allow an FQHC to invest additional funds into quality and expansion of care.

## 2. Expansion of Services

Over the past several years, as a result of decreased State Aid and the County's ongoing fiscal crisis, many of the health centers have had to reduce hours of operation and in some cases, reduce or eliminate services. Such services include radiology, mammography, podiatry and dental. At the East Hampton Health Center, onsite laboratory services were discontinued in November 2012. The additional support that FQHCs receive results in not only continuity of continued services, but expanded services for the community. In fact, at the Coram Health Center, onsite dental services have been in place since January 2013. Co-located mental health services with Pederson-Krag, a local mental health agency, have also been established. The East Hampton and Southampton communities will also experience access to expanded services, including behavioral and oral health care as a result of the transition to HRHCare. In addition, transportation assistance policies will be addressed to assist East Hampton patients with accessing care at the new location.

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<sup>2</sup> U.S. Department of Health and Human Services, Health Resources and Services Administration, About Health Centers, Program Requirements, <http://bphc.hrsa.gov/about/requirements/index.html>

<sup>3</sup> U.S. Department of Health and Human Services, Health Resources and Services Administration, About Health Centers, Program Benefits, <http://bphc.hrsa.gov/about/benefits/index.html>

### 3. Experience as FQHC

HRHCare is a network of 22 FQHCs located in neighborhoods around the Hudson Valley and Long Island. The organization was formed in the 1970s in response to the lack of accessible and affordable health care services, and opened its first community health center in the town of Peekskill in 1975. HRHCare operates two health centers in Suffolk County including a migrant care program located in Greenport and the Elsie Owens Health Center in Coram.

As previously mentioned, the Coram Health Center transition has been a success. In just one year, this health center has experienced the implementation of an electronic health record; physical space changes; and the expansion of much needed services including dental and behavioral health. Staff have been trained on HRHCare's philosophy of patient centered care that involves patient education and a focus on a partnership between the patient and caregiver. The local Community Advisory Board (CAB) remains active and continues to advise HRHCare on community needs. The visit volume remains at the same level as prior to the transition, including the provision of services to over 265 pregnant women; completing over 1,000 well-child visits; and administering over 800 flu vaccines. The patient population at Coram continues to include a significant percentage of uninsured individuals (39%).

HRHCare has also been recognized for the quality of services in its network including the HIMSS Davies Community Health Organization Award of Excellence for implementation of electronic health records and improving patient care and health outcomes. The organization has also been recognized by the National Committee on Quality Assurance as a Level 3 (advanced level) Patient Centered Medical Home and has been accredited by the Joint Commission for its primary and behavioral health care services since 1998.

**Overall, taking into consideration the benefits of FQHC status, the expansion of services and HRHCare's experience and accreditation, we believe the quality of services to be provided by HRHCare at the newly merged health center is comparable to the high quality of services currently provided by the Department.**

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#### **A9-6 E - WRITTEN DOCUMENTATION FROM NEW YORK STATE**

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According to Suffolk County Administrative Code, Article IX, Section A9-6E:

*“Written documentation from the appropriate state department or state governmental entity, including a statement expressing approval of the plan or proposal and outlining projected subsequent state aid for such plan or proposal, shall accompany the proposal or plan.”*

Throughout this process, the County has communicated with New York State Department of Health Bureau of Hospital and Primary Care (the Bureau). They were informed in June 2012 when the waiver was approved that negotiations with HRHCare would be starting. The Bureau has been informed of the proposal to merge the East Hampton and Southampton Health Centers, relinquish their operating certificates, and have HRHCare operate the center as an FQHC. A preliminary letter of approval was requested by May 10, 2013. It is recognized that all required conditions of approval need to be met prior to formal State approval. The County, however, is confident that approval will be granted. HRHCare has received prior approval to operate in New York State and has a history of providing a high quality of care. In addition, the State was supportive of the transition of the Elsie Owens Health Center at Coram and approved that transition in the Spring of 2012.

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#### **A9-6 F – EXPENDITURE & SERVICE ANALYSIS**

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According to Suffolk County Administrative Code, Article IX, Section A9-6F:

*“A report identifying expenditures for services under the proposal or plan, including such sums as must be expended by the County of Suffolk and/or voluntary agencies, shall also accompany the plan or proposal and shall specifically identify the precise level of services to be provided under the plan or proposal, as compared to the level of the services provided by the County of Suffolk.”*

The chart on page 6 of this report identifies the expenditure for services under this proposal. HRHCare, the proposed new operator, will serve East Hampton and Southampton patients in a newly renovated health center on the campus of Southampton Hospital, under an FQHC model consistent with federal regulations and regulations of the State of New York. The scope of services available under this FQHC model will be expanded to include dental and behavioral health. Primary and preventative care for adults and children and women’s health services will also be maintained. In addition, WIC, family planning, and public health services (STD and TB screening and treatment) will continue to be provided.

The Suffolk County Health Center network has always provided services to the uninsured. In 2011, the majority of health center patients were uninsured (44%). In 2011, approximately 40% of HRHCare's patient population represented the uninsured. As previously indicated, the Coram Health Center was transitioned to HRHCare in May 2012. Within the first 11 months, approximately 85% of Coram patients were seen by the new operator and the visit volume is at the same level prior to the transition. With this knowledge, we are confident that uninsured and underinsured patients will continue to have access to medical care under this proposal.

One key difference between the current proposal for the East End and the Coram transition involves public health services. While TB and STD testing and treatment are available at the Coram Health Center, such services are not available free of charge to the patient. Free TB and STD testing and treatment is a public health mandate to local health departments. At Coram, if a patient is in need of free services, they are to be referred to a neighboring County operated health center. In this proposal, the Department is working with the New York State Department of Health to establish a contractual relationship with HRHCare to enable free testing and treatment services at the newly merged health center, and provide oversight of public health services.

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### SUMMARY

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As this report details, it is evident from the financial analysis and quality comparison that the County will benefit significantly from the proposed transfer of operation. We are confident that the requirements of A9-6 have been fully met and that this transaction will result in the best outcomes for the County as well as for the Southampton and East Hampton communities.

**HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE TO AMEND THE PUBLIC AUTHORITIES LAW IN RELATION TO THE SUFFOLK COUNTY JUDICIAL FACILITIES AGENCY AND THE H. LEE DENNISON BUILDING (ASSEMBLY BILL A. 7179-2013 AND SENATE BILL S. 5029-2013)**

**WHEREAS**, the effects of the prolonged national economic recession and loss of sales tax revenue continue to stress Suffolk County's budget; and

**WHEREAS**, Suffolk County requires additional financial relief to mitigate an unprecedented budget deficit; and

**WHEREAS**, this legislation will authorize the County, at its option, to utilize the Suffolk County judicial facilities agency to purchase and lease the H. Lee Dennison Building and one or more of the buildings in the North County Complex and is part of the County's comprehensive budget mitigation plan to continue to balance the County's budget and maintain sound fiscal standing; and

**WHEREAS**, this legislation enables a sale and leaseback of the H. Lee Dennison Building and the North County Complex, or any parts thereof, while maintaining its occupancy and use for governmental purposes and functions; and

**WHEREAS**, Suffolk County requires such legislation in order to engage in innovative budgeting methods; now, therefore, be it

**RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill A. 7179-2013 and Senate Bill S. 5029-2013 for the purpose of enacting "An act to amend the public authorities law in relation to the Suffolk county judicial facilities agency and the H. Lee Dennison building"; and be it further

**RESOLVED**, that this Legislature hereby requests the State of New York to enact Assembly Bill A. 7179-2013 and Senate Bill S. 5029-2013 for the further purpose of amending Title 16, Article 8, Sections 2350-b, 2350-c, 2350-e, 2350-f, 2350-g, 2350-j, 2350-m, 2350-o, 2350-s, 2350-v and 2350-ff of the NEW YORK PUBLIC AUTHORITIES LAW in order to grant the Suffolk County Judicial Facilities Agency (JFA) expanded powers to purchase and lease property in relation to the . H. Lee Dennison Building and one or more of the buildings in the North County Complex and to consider the JFA a political subdivision of the State for the purpose of any financial aid eligibility; and be it further

**RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the

New York State Senate Dean G. Skelos; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:

# STATE OF NEW YORK

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2013-2014 Regular Sessions

## SENATE - ASSEMBLY

May 6, 2013

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IN SENATE -- Introduced by Sens. LAVALLE, BOYLE, FLANAGAN, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

IN ASSEMBLY -- Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the Suffolk county judicial facilities agency and the H. Lee Dennison building

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 6 of section 2350-b of the public authorities  
2 law, as amended by chapter 762 of the laws of 2005, is amended to read  
3 as follows:

4 6. "Construct", "Construction" or "Constructed" means the acquisition,  
5 erection, building, alteration, improvement, increase, enlargement,  
6 extension, reconstruction, renovation or rehabilitation of the John P.  
7 Cohalen court complex ~~and~~, the new replacement correctional facility  
8 at Yaphank, the H. Lee Dennison building and the North County Complex;  
9 the inspection and supervision thereof; and the engineering, architec-  
10 tural, legal, fiscal and economic investigations and studies, surveys,  
11 designs, plans, working drawings, specifications, procedure and other  
12 actions preliminary or incidental thereto.

13 § 2. Subdivisions 15 and 17 of section 2350-b of the public authori-  
14 ties law, as amended by chapter 762 of the laws of 2005, are amended and  
15 two new subdivisions 12-a and 13-a are added to read as follows:

16 12-a. "H. Lee Dennison building" means the H. Lee Dennison building of  
17 the Suffolk county government located in Hauppauge, New York.

18 13-a. "North County Complex" means one or more of the buildings of the  
19 government of the county of Suffolk designated by the county legislature  
20 in the North County Complex in Hauppauge, New York to be sold, leased or

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 assigned to the agency pursuant to subdivision one of section twenty-  
2 three hundred fifty-f of this title.

3 15. "Project" means any acquisition, erection, building, alteration,  
4 improvement, increase, enlargement, extension, renovation, rehabili-  
5 tation or relocation of the John P. Cohalen court complex [~~or~~], the new  
6 replacement correctional facility at Yaphank, the H. Lee Dennison build-  
7 ing and the North County Complex, or any part thereof.

8 17. "Properties" means the John P. Cohalen court complex [~~or~~], the new  
9 replacement correctional facility at Yaphank, the H. Lee Dennison build-  
10 ing and the North County Complex, or any part thereof or appurtenances  
11 or any property incidental thereto.

12 § 3. Subdivision 1 of section 2350-c of the public authorities law, as  
13 amended by chapter 762 of the laws of 2005, is amended to read as  
14 follows:

15 1. A public corporation, to be known as the "Suffolk county judicial  
16 facilities agency" is hereby created for the public purposes and charged  
17 with the duties and having the powers provided in this title. The agency  
18 shall be a body corporate and politic constituting a public benefit  
19 corporation, the objects of which in the judgment of the legislature  
20 cannot be attained under general laws. The governing body of the agency  
21 shall consist of a body totaling six members, all of whom shall be resi-  
22 dents of the county, one of whom shall be appointed by the presiding  
23 officer of the county legislature, without confirmation by the county  
24 legislature, one of whom shall be appointed by the minority leader of  
25 the county legislature, without confirmation by the county legislature,  
26 two of whom shall be appointed by the county legislature but not subject  
27 to review or veto by the county executive and two of whom shall be  
28 appointed by the county executive but not subject to review or veto by  
29 the county legislature. The terms of the members of the governing body  
30 of the agency serving on the effective date of the chapter of the laws  
31 of two thousand [~~five~~] thirteen that [~~added this sentence~~] amended this  
32 section shall expire on the sixtieth day following such effective date.  
33 On or before the sixtieth day, six members shall be appointed by the  
34 persons having the authority to make such appointments under this  
35 section. Former members of the governing body of the corporation may be  
36 reappointed in the discretion of the appointing authority. The appoint-  
37 ing authorities shall consult together in making their appointments in  
38 an effort to achieve the goal of having at least one member of the board  
39 with a background in each of the following areas of experience: finance,  
40 operation of correctional facilities, operation of judicial facilities,  
41 construction, and real estate. Each member so appointed shall serve for  
42 a term of three years, provided, however, that the members first  
43 appointed to the six member board by the presiding officer and the  
44 minority leader of the county legislature shall be appointed for an  
45 initial term of two years and the members first appointed to the six  
46 member board by the county legislature shall be appointed for an initial  
47 term of four years. Failure by any party to appoint any member shall  
48 not invalidate the creation or establishment of the agency and shall  
49 result in the creation of a vacancy in the governing body of the agency  
50 which may be filled at any time by such party. The clerk of the county  
51 legislature shall notify the county executive and, after the appointment  
52 of the initial members, the agency, of each appointment setting forth  
53 (a) the name of the agency and (b) the name of the member appointed and  
54 the member's term of office. All such members shall continue to hold  
55 office until their successors are appointed and qualify. Vacancies shall  
56 be filled in the manner provided for original appointment. Vacancies,

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1 occurring otherwise than by expiration of term of office, shall be  
2 filled by appointment for the unexpired terms. Members may be removed  
3 from office by their appointing authority for inefficiency, neglect of  
4 duty or misconduct in office; provided, however, that such member shall  
5 be given a copy of the charges against him or her and an opportunity of  
6 being heard in person, or by counsel, in his or her defense upon not  
7 less than ten days notice. Members of the agency shall receive no  
8 compensation for their services, but may be reimbursed for their actual  
9 and necessary expenses incurred in connection with the carrying out of  
10 the purposes of this title.

11 § 4. Section 2350-e of the public authorities law, as amended by chap-  
12 ter 762 of the laws of 2005, is amended to read as follows:

13 § 2350-e. Governmental capacity of the agency and the county. The  
14 agency and the county, in carrying out their respective powers and  
15 duties under this title, shall be deemed to be acting in a governmental  
16 capacity and in the performance of an essential governmental function.

17 The John P. Cohalen court complex when held by the agency and either  
18 leased to the county, used for judicial purposes by the county or the  
19 state or any state agency or the subject of a service agreement between  
20 the agency and the county shall continue to be regarded as being used in  
21 the performance of an essential governmental function. For purposes of  
22 the judiciary law, or any successor thereto or similar law providing for  
23 the payment by the state of aid for the construction and, or, operation  
24 and maintenance of facilities for occupancy by the judiciary of the  
25 state, including personal functions ancillary thereto, the agency shall  
26 be considered a political subdivision of the state and shall be eligible  
27 to receive all state aid for the John P. Cohalen court complex to the  
28 same extent as the county.

29 The new replacement correctional facility at Yaphank, when held by the  
30 agency and either leased to the county, used for correctional purposes  
31 by the county or the state or any state agency, or the subject of a  
32 service agreement between the agency and the county shall continue to be  
33 regarded as being used in the performance of an essential governmental  
34 function. For purposes of the correction law, or any successor thereto  
35 or similar law providing for the payment by the state of aid for the  
36 construction and, or, operation and maintenance of facilities for  
37 correctional [proposes] purposes, including personnel functions ancil-  
38 lary thereto, the agency shall be considered a political subdivision of  
39 the state and shall be eligible to receive all state aid for the new  
40 replacement correctional facility at Yaphank to the same extent as the  
41 county.

42 The H. Lee Dennison building and the North County Complex, when held  
43 by the agency and either leased to the county, used for governmental  
44 purposes by the county or the state or any state agency, or the subject  
45 of a service agreement between the agency and the county shall continue  
46 to be regarded as being used in the performance of an essential govern-  
47 mental function. For purposes of any general or special law providing  
48 for the payment by the state of aid for the construction and, or, opera-  
49 tion and maintenance of facilities for governmental purposes, including  
50 personnel functions ancillary thereto, the agency shall be considered a  
51 political subdivision of the state and shall be eligible to receive all  
52 state aid for the H. Lee Dennison building and the North County Complex  
53 to the same extent as the county.

54 § 5. Subdivision 1 of section 2350-f of the public authorities law, as  
55 amended by chapter 762 of the laws of 2005, is amended to read as  
56 follows:

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1 1. The county is hereby authorized, by a majority vote of the county  
2 legislature, subject to review and veto of the county executive in the  
3 manner set forth in the county charter, to sell, lease or assign to the  
4 agency any or all right, title and interest of the county in and to the  
5 John P. Cohalen court complex [and], the new replacement correctional  
6 facility at Yaphank and the H. Lee Dennison building and the North County  
7 Complex, including, without limitation, any land and rights-in-land,  
8 any buildings, structures and improvements now or at any time hereafter  
9 erected or constructed upon such land or rights-in-land, any fixtures  
10 attached thereto, any personal property of any kind and description,  
11 whether the same is a structural or nonstructural component, any alter-  
12 ation, replacements, additions or substitutions for any of the forego-  
13 ing, and any operation and maintenance or functionally similar agree-  
14 ments, by any name known. Any such sale, lease, or assignment may,  
15 notwithstanding the provisions of any other law, general, special or  
16 local, including, without limitations, section two hundred fifteen of  
17 the county law, or the county charter, be upon such terms for such dura-  
18 tion and upon such conditions and for such consideration as may be  
19 agreed upon, without competitive bidding therefor and shall not be  
20 subject to permissive or mandatory referendum. Notwithstanding any  
21 other provision of law, general, special or local, the county may lease  
22 back such properties and, or, enter into a service agreement with the  
23 agency pursuant to which the agency will cause the John P. Cohalen court  
24 complex, or any part thereof, to be made available for occupancy for  
25 judicial purposes and functions [and], the new replacement correctional  
26 facility at Yaphank to be made available for occupancy and use for  
27 correction purposes and functions, and the H. Lee Dennison building and  
28 the North County Complex to be made available for occupancy and use for  
29 governmental purposes and functions and for which the county will pay to  
30 the agency a fee, and enter into an agreement with the agency pursuant  
31 to which the county will operate and, or, maintain such court complex  
32 [and], such correctional facility, and the H. Lee Dennison building and  
33 the North County Complex for the agency, each upon such terms and for  
34 such duration and upon such conditions and for such consideration as may  
35 be agreed upon and without competitive bidding. It is hereby determined  
36 that the powers conferred by this section shall be in addition and  
37 supplemental to any powers contained in any other law and nothing herein  
38 contained shall be construed as limiting a right or power that the coun-  
39 ty now has or may hereafter have pursuant to any other provision of law.  
40 It is hereby determined that the powers conferred by this section are  
41 conferred for a public purpose and any sale, lease, assignment or other  
42 contract or agreement entered into pursuant to the provisions of this  
43 section shall be deemed to be and is herein determined to be for a  
44 public purpose.

45 § 6. Subdivision 1 of section 2350-g of the public authorities law is  
46 amended by adding a new paragraph (c) to read as follows:

47 (c) The aggregate principal amount of such bonds, notes or other obli-  
48 gations for the H. Lee Dennison building and the North County Complex  
49 shall not exceed seventy million dollars (\$70,000,000), excluding bonds,  
50 notes or other obligations issued to refund or repay bonds, notes or  
51 other obligations theretofore issued for such purposes; provided, howev-  
52 er, that upon any such refunding or repayment the total aggregate prin-  
53 cipal amount of outstanding bonds, notes and other obligations may be  
54 greater than seventy million dollars (\$70,000,000), only if the present  
55 value of the aggregate debt service of the refunding or repayment of  
56 bonds, notes or other obligations to be issued shall not exceed the

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1 present value of the aggregate debt service of the bonds, notes, or  
2 other obligations so to be refunded or repaid.

3 § 7. Paragraphs (a), (e) and (h) of subdivision 4 and subdivision 10  
4 of section 2350-g of the public authorities law, paragraph (a) of subdivi-  
5 sion 4 as amended by chapter 762 of the laws of 2005 and paragraphs  
6 (e) and (h) of subdivision 4 and subdivision 10 as added by chapter 200  
7 of the laws of 1999, are amended to read as follows:

8 (a) Bonds shall be authorized by resolution of the agency, be in such  
9 denominations and bear such date or dates and mature at such time or  
10 times, as such resolution may provide, provided that bonds and renewals  
11 thereof issued for the John P. Cohalen court complex shall mature no  
12 later than December thirty-first, two thousand sixteen, and bonds and  
13 renewals thereof for the new replacement correctional facility at  
14 Yaphank shall mature no later than December thirty-first, two thousand  
15 thirty-five; and bonds and renewals thereof for the H. Lee Dennison  
16 building and the North County Complex shall mature no later than Decem-  
17 ber thirty-first, two thousand thirty-three.

18 (e) No private or public bond sale on a negotiated basis shall be  
19 conducted by the agency without prior approval of the state comptroller.  
20 The agency shall annually prepare and approve a bond sale report which  
21 shall include the private [~~the private~~] or public bond sale guidelines  
22 as specified in this subdivision, amendments to such guidelines since  
23 the last private or public bond sale report, an explanation of the bond  
24 sale guidelines and amendments, and the results of any sale of bonds  
25 conducted during the fiscal year. Such bond sale report may be a part of  
26 any other annual report that the agency is required to make.

27 (h) Nothing contained in this subdivision shall[7] be deemed to alter,  
28 affect the validity of, modify the terms of, or impair any contract or  
29 agreement made or entered into in violation of, or without compliance  
30 with, the provisions of this subdivision.

31 10. The agency, subject to such agreements with bondholders as then  
32 may exist, shall have power out of any moneys available therefor to  
33 purchase bonds of the agency, which shall thereupon be canceled at a  
34 price not exceeding; (a) if the bonds are then redeemable, the redemp-  
35 tion price then applicable plus accrued interest to the next interest  
36 payment date, or (b) if the bonds are not then immediately redeemable  
37 then the redemption price applicable on the first date after such  
38 purchase upon which the bonds become subject to redemption, plus accrued  
39 interest to be the next interest payment date.

40 § 8. Section 2350-j of the public authorities law, as added by chapter  
41 200 of the laws of 1999, is amended to read as follows:

42 § 2350-j. Moneys of the agency. All moneys of the agency from whatever  
43 source derived shall be paid to the treasurer of the agency and shall be  
44 deposited forthwith in a bank or banks in the state designated by the  
45 governing body. The moneys in such accounts shall be paid out on check  
46 of the treasurer upon requisition by the governing body or of such other  
47 person or persons as the governing body may [~~authorized~~] authorize to  
48 make such requisitions. All deposits of such moneys shall be secured by  
49 obligations of the United States or of the state or of the county or of  
50 any other municipality within the county of a market value equal at all  
51 times to the amount on deposit and all banks and trust companies are  
52 authorized to give such security for such deposits. The agency shall  
53 have power, notwithstanding the provisions of this section, to contract  
54 with the holders of any bonds as to the custody collection, security,  
55 investment payment of any moneys of the agency or any moneys held in  
56 trust or otherwise for the payment of bonds or in any way to secure

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1 bonds, and to carry out any such contract notwithstanding that such  
2 contract may be inconsistent with the provisions of this section. Moneys  
3 held in trust or otherwise for the payment of bonds or in any way to  
4 secure bonds and deposits of such moneys may be secured in the same  
5 manner as moneys of the agency and all banks and trust companies are  
6 authorized to give such security for such deposits. Any moneys of the  
7 agency not required for immediate use or disbursement may, at the  
8 discretion of the agency, be invested in those obligations specified  
9 pursuant to the provisions of section ninety-eight-a of the state  
10 finance law. Subject to the provisions of any contract with bondholders  
11 and with the approval of the comptroller, the agency shall prescribe a  
12 system of accounts.

13 § 9. Subdivisions 1 and 4 of section 2350-m of the public authorities  
14 law, as added by chapter 200 of the laws of 1999, are amended to read as  
15 follows:

16 1. It is hereby determined that the creation of the agency and the  
17 carrying out of its corporate purpose is in all respects for the benefit  
18 of the people of the state and is a public purpose and the agency shall  
19 be regarded as performing a governmental function in the exercise of the  
20 powers conferred upon it by this title and shall not be required to pay  
21 any fees, taxes, special ad valorem levies or special assessments of any  
22 kind, whether state or local, including, but not limited to fees, taxes,  
23 special ad valorem levies or assessments on real property, franchise  
24 taxes, sales or other taxes, upon or with respect to any properties  
25 owned by it or under its jurisdiction, control or supervision, or upon  
26 the uses thereof, or upon or with respect to its activities or oper-  
27 ations in furtherance of the powers conferred upon it by this title, or  
28 upon or with respect to any fees, rents, charges, revenues or other  
29 income received by the agency, or any filing, recording or transfer fees  
30 or taxes in relation to instruments filed, recorded or transferred by it  
31 or on its behalf. The construction, use, occupation or possession of any  
32 properties owned by the agency, including improvements thereon or there-  
33 to, by the state or any state agency or by the county or any other  
34 person under a lease, lease and sublease or any other agreement shall  
35 not act to abrogate or limit the foregoing exemption, notwithstanding  
36 that the lessee, user, occupant or person in possession shall claim  
37 ownership for federal income tax purposes.

38 4. The agency may pay, or may enter into agreements with the county or  
39 any municipality to pay, a sum or sums annually or otherwise or to  
40 provide other considerations with respect to ~~of~~ the real property  
41 owned by the agency located within the county or such municipality.

42 § 10. Subdivision 2 of section 2350-o of the public authorities law,  
43 as amended by chapter 762 of the laws of 2005, is amended to read as  
44 follows:

45 2. Construction contracts let by the agency shall be in conformity  
46 with the applicable provisions of section one hundred thirty-five of the  
47 state finance law, provided, however, that any contract for the  
48 construction, reconstruction, rehabilitation or improvement of buildings  
49 let by the agency shall not be governed by section one hundred thirty-  
50 five of the state finance law if the agency chooses to utilize a project  
51 labor agreement in accordance with the provisions of section two hundred  
52 twenty-two of the labor law when the record supporting the decision to  
53 enter into such an agreement establishes that it is justified by the  
54 interests underlying the competitive bidding laws.

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1 § 11. Subdivision 5 of section 2350-s of the public authorities law,  
2 as added by chapter 762 of the laws of 2005, is amended to read as  
3 follows:

4 5. The agency shall provide the secretaries of the [~~state~~] senate  
5 finance committee and the assembly ways and means committee, with access  
6 to any and all books, records, audits and contracts of the agency.

7 § 12. Subdivision 2 of section 2350-v of the public authorities law is  
8 amended by adding a new paragraph (h) to read as follows:

9 (h) Nothing in this section shall be construed as limiting the  
10 requirements of the public authorities accountability act of 2005 as  
11 adopted by chapter seven hundred sixty-six of the laws of two thousand  
12 five and the public authorities reform act of 2009 as adopted by chapter  
13 five hundred six of the laws of two thousand nine.

14 § 13. Subdivision 1 of section 2350-ff of the public authorities law,  
15 as added by chapter 762 of the laws of 2005, is amended to read as  
16 follows:

17 1. Every person or organization subject to the provisions of article  
18 one-A of the legislative law as a lobbyist or client (as those terms are  
19 defined in such article) because of acts relating to procurements of the  
20 agency shall, in addition to filing one or more statements of registra-  
21 tion and reports with the New York temporary state commission on lobby-  
22 ing as required by article one-A of the legislative law, file a copy of  
23 each such document required to be filed under said article with the  
24 [~~authority~~] agency.

25 § 14. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A7179

SPONSOR: Sweeney

TITLE OF BILL: An act to amend the public authorities law, in relation to the Suffolk county judicial facilities agency and the H. Lee Dennison building

PURPOSE: To authorize the Suffolk County judicial facilities agency to purchase and lease property.

SUMMARY OF PROVISIONS: Subdivision 6 of section 2350-b of the public authorities law, as amended by chapter 762 of the laws of 2005 is amended to include the H. Lee Dennison building and the north County Complex.

Amends subdivisions 15 and 17 section 2350-b of the public authorities law, as amended by chapter 762 of the laws of 2005, to include the H. Lee Dennison building and the North County Complex and two new subdivisions are added to include the definitions for the H Lee Dennison building and the North County Complex.

Subdivision 1 of section 2350-c of the public authorities law, as amended by chapter 762 of the laws of 2005 is amended by changing the effective date from 2005 to 2013 and allows the county to utilize the properties of the H. Lee Dennison Building and the North County Complex while they are owned by the Suffolk county judicial facilities agency.

Subdivision 1 of section 2350-f of the public authorities law, as amended by chapter 762 of the laws of 2005 is amended to include the H. Lee Dennison Building and the North County complex.

Subdivision 1 of section 2350-g of the public authorities law is amended by adding new paragraph (c) which allows for bonding, not to exceed \$70M, of the H. Lee Dennison Building and the North County Complex.

Paragraph (a), (e) and (h) of subdivision 4 and subdivision 10 of section 2350-g of the public authorities law, paragraph (a) of subdivision 4 as amended by chapter 762 of the laws of 2005 and paragraphs (e) and (h) of subdivision 4 and subdivision 10 as added by chapter 200 of the laws of 1999 are amended to include that any bonds and renewals as a result of this bill shall mature not later than December 31, 2013.

Subdivisions 1 and 4 of sections 2350-m of the public authorities law, as added by chapter 200 of the laws of 1999 adds a comma between "construction" and "use".

Subdivision 2 of section 2350-o of the public authorities law, as amended by chapter 762 of the laws of 2005, is amended to include section 222 of the labor law in accordance with the agency choosing to utilize a project labor agreement.

Subdivision 5 of section 2350-s of the public authorities law, as added by chapter 762 of the laws of 2005 is amended to include the word "senate" prior to "finance committee".

Subdivision 2 of section 2350-v of the public authorities law is amended by adding a new paragraph (h) to provide that the provisions of this act must comply with both the public authorities accountability act of 2005 and the public authorities reform act of 2009.

Subdivision 1 of section 2350-ff of the public authorities law, as added by chapter 762 of the laws of 2005 is amended to replace the word "authority" with "agency".

Subsection 14 contains the effective date.

**JUSTIFICATION:** According to Suffolk County, the \$70M sale and lease back is the final and most critical component to the county's 3 year budget mitigation plan and is included in the current 2013 County budget. This legislation would authorize the County, at its option, to utilize the Suffolk County judicial facilities agency to achieve that purpose. In order to replace the \$70M of budgeted revenue generated by the sale lease back transaction, general fund taxes would have had to increase from \$49M to \$119M - an increase of 143%.

The \$70M is estimated in the county's cash flow for October. Absent these funds, the county maintains that its operations will be severely curtailed. The county cannot increase the size of its DTAN short term borrowing and the County's TAN borrowing is not until December. The consequences would be an inability to meet its financial obligations.

The county states that at this point it cannot raise taxes or effectuate the amount of lay-offs needed to make up for a loss of \$70M due to notice requirements in the respective collective bargaining agreements. The cuts needed would be almost half of the county's total staff. The alternative to staff reduction would be cuts to contracted services, including: the mental health delivery system, day care and other non-mandated programs such as: HEAP, food pantries, youth services, handicapped and veteran services. Capital projects would have to be halted resulting in loss of jobs in the private sector.

**LEGISLATIVE HISTORY:** New bill

**FISCAL IMPLICATIONS:** None to the State

**EFFECTIVE DATE:** Immediately.

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**HOME RULE MESSAGE REQUESTING THE STATE OF NEW YORK TO AMEND THE TAX LAW TO EXTEND THE ADDITIONAL ONE-PERCENT SALES AND COMPENSATING USE TAX RATE (SENATE BILL S.5003/ASSEMBLY BILL A.7180)**

**WHEREAS**, Section 1210 of the New York Tax Law allows counties to adopt and amend local laws or resolutions imposing sales and compensating use tax at the rate of up to three percent (3%); and

**WHEREAS**, Section 1210 of the New York Tax Law was amended in 1991, 1992, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, and 2011 to provide special authorization for Suffolk County to increase its sales and compensating use tax rate above the three percent (3%) by an additional one percent (1%); and

**WHEREAS**, the Suffolk County sales tax, including the additional one percent (1%), remains a critical source of revenue to the County to fund programs and services and to balance the County's budget; and

**WHEREAS**, pursuant to Section 1262-j of the New York Tax Law, of the net collections received from the additional one percent (1%) of sales and compensating use tax rate authorized by Section 1210 of the New York Tax Law, Suffolk County must dedicate no less than one-eighth (1/8) and no more than three-eighths (3/8) to public safety purposes; and

**WHEREAS**, the State authorization for Suffolk County to increase its sales tax rate by an additional one percent (1%) extends through November 30, 2012; and

**WHEREAS**, the lingering effects of the prolonged national economic recession, the slowdown of the housing market and loss of associated revenue, increases in pension and health insurance contributions, and the increasing costs to provide health and human services programs to the people of Suffolk County, continue to stress the County's budget, necessitating the extension of the special authorization to increase the sales and compensating use tax by one percent (1%) as part of a comprehensive plan to balance the County's budget and maintain sound fiscal standing; now, therefore, be it

**1st RESOLVED**, that this Legislature, in accordance with the provisions of Section 40 of the New York Municipal Home Rule Law, and joining with the County Executive, hereby finds and declares that the facts recited in the above WHEREAS clauses establish the necessity for the enactment of Senate Bill S.5003 and Assembly Bill A.7180, which authorize Suffolk County to extend the sales and compensating use tax at an additional rate of the one percent (1%) from December 1, 2012 through November 30, 2015; and be it further

**2nd RESOLVED**, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor Andrew M. Cuomo; to the Majority Leader of the New York State Senate, Dean Skelos; to the Speaker of the New York State Assembly, Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED:                      , 2013

**STATE OF NEW YORK**

7180

2013-2014 Regular Sessions

**IN ASSEMBLY**

May 6, 2013

Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Clause 14 of subparagraph (i) of the opening paragraph of  
2 section 1210 of the tax law, as amended by chapter 122 of the laws of  
3 2011, is amended to read as follows:

4 (14) the county of Suffolk is hereby further authorized and empowered  
5 to adopt and amend local laws, ordinances or resolutions imposing such  
6 taxes at a rate which is one percent additional to the three percent  
7 rate authorized above in this paragraph for such county for the period  
8 beginning June first, two thousand one and ending November thirtieth,  
9 two thousand [~~thirteen~~] fifteen;

10 § 2. Subdivision (c) of section 1262-j of the tax law, as amended by  
11 chapter 122 of the laws of 2011, is amended to read as follows:

12 (c) Notwithstanding any provision of law to the contrary, of the net  
13 collections received by the county of Suffolk as a result of the  
14 increase of one percent to the tax authorized by section twelve hundred  
15 ten of this article for the period beginning June first, two thousand  
16 one and ending November thirtieth, two thousand [~~thirteen~~] fifteen,  
17 imposed by local laws or resolutions (by simple majority) by the county  
18 legislature, and signed by the county executive, the county of Suffolk  
19 shall allocate such net collections as follows: no less than one-eighth  
20 and no more than three-eighths of such net collections received shall be  
21 dedicated for public safety purposes and the balance shall be deposited  
22 in the general fund of the county of Suffolk.

23 § 3. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD10155-01-3

**NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A7180

SPONSOR: Sweeney

TITLE OF BILL: An act to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax

PURPOSE: To reauthorize Suffolk County's additional 1% sales tax for a two-year period ending on November 30, 2015.

SUMMARY OF PROVISIONS: The bill amends the Tax Law to extend Suffolk County's authorization to impose an additional 1% sales tax until November 30, 2015.

JUSTIFICATION: A county must secure state legislative approval each time it seeks to impose a sales tax rate above 3%. The State grants that authority to a county for a set period of time, usually one or two years. A county must then seek reauthorization from the State legislature if the tax rate is to remain above the 3% limit.

According to Suffolk County, the continuation of the county's additional 1% sales tax is a critical component of Suffolk County's daily operations. The importance of extending the 1% cannot be overstated. Each 1% produces approximately \$238,000,000 in revenue. In 2012, the county's sales tax is projected to represent .55% of the general fund revenues. In addition, Suffolk applies up to 3/8 of the 1% sales tax applied to police operations. If the county does not receive this authorization, either property taxes would have to be raised dramatically or public safety could be jeopardized should the County need to reduce staff.

Counties are the primary providers of health and human services in New York State, This role has evolved over the years as New York expanded and adopted new programs and services, requiring counties to administer and finance them. Although Suffolk County has made tremendous progress in managing its share of mandated expenses, the dramatic growth of these programs over the past several years has placed an extraordinary strain on the County's budget. Counties have two basic revenue options: real property taxes or sales tax. Both revenue sources create problems for residents and businesses. However, the property tax is by far the least favored among taxpayers. While real property taxes overall remain significantly higher in Suffolk County than the rest of the nation, the county has been able to hold the line on its portion of the property tax. In order to replace the 1% of revenue generated by the sales tax, 2013 General Fund property taxes would have to increase from \$49 million to \$332 million - an increase of 577%

Stated another way, if the 1% was not continued and property taxes were not increased, the County would be forced to cut the entire \$283 million from the discretionary side of the budget. This would equate to the loss

of more than 5,100 jobs, more than 79% of the current workforce.

LEGISLATIVE HISTORY: New York State last granted authorization for Suffolk County to renew this component of the sale tax through Chapter 122 of the Laws of 2011.

FISCAL IMPLICATIONS: None to the State

LOCAL FISCAL IMPLICATIONS: Anticipated \$283 million in revenue for Suffolk County.

EFFECTIVE DATE: Immediately.

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**PROCEDURAL RESOLUTION NO. 10-2013, SETTING PUBLIC HEARINGS FOR THE PROPOSED CONSOLIDATION OF THE RIVERHEAD AND EAST HAMPTON HEALTH CENTERS AND THE OPERATION OF A SINGLE FQHC HEALTH CENTER ON THE SOUTHAMPTON HOSPITAL CAMPUS BY HUDSON RIVER HEALTHCARE, INC.**

**WHEREAS**, the County Executive has filed Introductory Resolution No. 1428-2013, which would approve a plan to consolidate the existing Kraus Family Health Center at Southampton and the Suffolk County Health Center at East Hampton into a single federally qualified health center ("FQHC") to be operated by Hudson River Healthcare, Inc., on the campus of Southampton Hospital; and

**WHEREAS**, this proposal is subject to the procedural requirements of Section A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE; and

**WHEREAS**, pursuant to Section A9-6 of the SUFFOLK COUNTY ADMINISTRATIVE CODE, no proposal to privatize healthcare services provided by the County of Suffolk can be considered until the County Legislature conducts two public hearings; now, therefore be it

**1st RESOLVED**, that the Suffolk County Legislature shall conduct public hearings on the proposed consolidation of the existing Southampton and East Hampton Health Centers into a single FQHC Health Center, to be operated by Hudson River Healthcare, Inc., on the campus of Southampton Hospital, as set forth in Introductory Resolution No. 1428-2013, on May 21, 2013 at 10:00 a.m. at the Maxine S. Postal Auditorium of the Suffolk County Legislature, in the Riverhead County Center, Riverhead, New York, and on May 23, 2013 at 5:00 p.m. at the Rose Y. Caracappa Auditorium at the William H. Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York.

DATED:

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