

Budget Amending Resolution No. 35-2010

Introduced by Presiding Officer Lindsay, Deputy Presiding Officer Vilorio-Fisher and Legislators Cooper, Gregory, Kennedy, Nowick, and Schneiderman

**RESOLUTION NO. 993-2010, AMENDING THE 2011
RECOMMENDED OPERATING BUDGET REGARDING THE
JOHN J. FOLEY SKILLED NURSING FACILITY
(DISCRETIONARY)**

WHEREAS, the 2011 Recommended Operating Budget must comply with Local Laws 21-1983 and 29-1985; and

WHEREAS, Local Law 29-1985 established the simplified dual budgetary process requiring that separate mandated and discretionary portions of the budget be adopted; and

WHEREAS, it is the desire of the Legislature to provide sufficient appropriations to continue operation of the John J. Foley Skilled Nursing Facility until such time as a policy determination is approved by Legislative resolution as to the operation or divestiture of the function or facility; and

WHEREAS, expenses to operate the John J. Foley Skilled Nursing Facility will be duly offset by federal and state aid covering in excess of 80% of costs; and if necessary provision is made for a transfer from the General Fund; now therefore be it

1st RESOLVED, it is the policy decision of the Legislature to reallocate existing appropriations within the John J. Foley Skilled Nursing Facility Fund 632 to assure the facility is operational until a determination is approved by a duly adopted Legislative resolution as to the proposed divestiture of the facility or the continued operation by Suffolk County; and be it further

2nd RESOLVED, that no provision in this resolution shall be interpreted or construed to require or support the closure, privatization or divestiture of the John J. Foley Skilled Nursing Facility or the sale of the Facility's building, grounds, equipment or operating license as any such action will require separate legislative action and any sale of the John J. Foley Skilled Nursing Facility is itself dependent on the County Legislature declaring the buildings and grounds surplus to the needs of the County by a two-thirds vote of the entire membership of this body; and be it further

3rd RESOLVED, that because of certain positive indicators in the economy it is the policy decision of the Legislature to increase the County Executive's recommended growth rate for sales tax in 2011 from 4.25 to 4.56% or a conservative increase of \$3.5 million in 2011 based upon the recommendations of the independent Legislative Budget Review Office.

DATED: November 3, 2010

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 11-15-10

****VETO OVERRIDE NOT ADOPTED ON NOVEMBER 16, 2010****

SCHEDULE A

Expenditures															
Fd.	Unit	Act	Agency	Unit Name	Activity Name	Obj	Object Name	2010 Estimated	2010 Revised Estimate	2010 Difference Revised - Est	2011 Recommended	2011 Adopted	2011 Diff Adopt - Rec	2012 Forecast	D/M/O
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1050	Terminal Sick Leave Payments	\$82,856	\$82,856	\$0	\$0	\$30,000	\$30,000	\$30,900	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1080	Retire & Vacation Pay	\$13,401	\$13,401	\$0	\$0	\$26,000	\$26,000	\$26,780	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1100	Permanent Salaries	\$11,954,457	\$11,954,457	\$0	\$3,163,450	\$13,121,912	\$9,958,462	\$13,515,569	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1120	Overtime Salaries	\$1,835,977	\$1,835,977	\$0	\$368,182	\$1,917,811	\$1,549,629	\$1,975,345	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1130	Temporary Salaries - No Fringe	\$300,000	\$300,000	\$0	\$61,364	\$443,364	\$382,000	\$456,665	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1400	Cleaning Allowance	\$13,500	\$13,500	\$0	\$3,273	\$16,000	\$12,727	\$16,480	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	1620	OT - Straight Time	\$52,417	\$52,417	\$0	\$10,227	\$53,389	\$43,162	\$54,991	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	2010	Furniture & Furnishings	\$0	\$0	\$0	\$0	\$2,300	\$2,300	\$2,369	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	2020	Office Machines	\$1,200	\$1,200	\$0	\$0	\$4,078	\$4,078	\$4,200	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	2080	Medical, Dental & Laboratory	\$5,000	\$5,000	\$0	\$1,636	\$8,030	\$6,394	\$8,271	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	2500	Other Equipment Not	\$1,500	\$1,500	\$0	\$0	\$20,450	\$20,450	\$21,064	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3010	Office Supplies	\$30,000	\$30,000	\$0	\$6,341	\$33,583	\$27,242	\$34,590	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3015	Computer & Data Storage	\$500	\$500	\$0	\$0	\$500	\$500	\$515	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3020	Postage	\$500	\$500	\$0	\$716	\$3,792	\$3,076	\$3,906	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3070	Memberships & Subscriptions	\$12,000	\$12,000	\$0	\$0	\$24,000	\$24,000	\$24,720	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3080	Research & Law Books	\$500	\$500	\$0	\$0	\$500	\$500	\$515	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3160	Computer Software	\$31,000	\$31,000	\$0	\$0	\$72,600	\$72,600	\$74,778	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3250	Building Materials	\$4,500	\$4,500	\$0	\$1,534	\$35,000	\$33,466	\$36,050	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3310	Clothing & Accessories	\$20,000	\$20,000	\$0	\$4,091	\$20,000	\$15,909	\$20,600	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3320	Household & Laundry Supplies	\$245,000	\$245,000	\$0	\$50,114	\$281,667	\$231,553	\$290,117	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3330	Food	\$700,000	\$700,000	\$0	\$145,227	\$780,000	\$634,773	\$803,400	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3370	Medical, Dental & Laboratory S	\$530,000	\$530,000	\$0	\$112,500	\$580,000	\$467,500	\$597,400	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3380	Recreational & Morale	\$14,500	\$14,500	\$0	\$3,068	\$16,250	\$13,182	\$16,738	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3500	Other: Unclassified	\$49,940	\$49,940	\$0	\$10,227	\$54,167	\$43,940	\$55,792	DE

Fd.	Unit	Act	Agency	Unit Name	Activity Name	Obj	Object Name	2010 Estimated	2010 Revised Estimate	2010 Difference Revised - Est	2011 Recommended	2011 Adopted	2011 Diff Adopt - Rec	2012 Forecast	D/M/O
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3610	Repairs: Office Equipment	\$17,000	\$17,000	\$0	\$184	\$900	\$716	\$927	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3650	Repairs: Buildings	\$20,000	\$20,000	\$0	\$5,114	\$499,753	\$494,639	\$514,746	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3660	Service Contracts - Misc Applnc	\$15,000	\$15,000	\$0	\$0	\$15,000	\$15,000	\$15,450	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3680	Repairs: Special Equipment	\$40,000	\$40,000	\$0	\$8,591	\$42,000	\$33,409	\$43,260	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3920	Laundry & Sanitation	\$390,000	\$390,000	\$0	\$79,773	\$405,000	\$325,227	\$417,150	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3930	Garage	\$3,000	\$3,000	\$0	\$614	\$3,000	\$2,386	\$3,090	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	3950	Notary Fees	\$120	\$120	\$0	\$0	\$180	\$180	\$185	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4015	Cellular Communications	\$1,500	\$1,500	\$0	\$307	\$3,000	\$2,693	\$3,090	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4070	MTA Payroll Tax	\$44,432	\$44,432	\$0	\$11,599	\$43,493	\$31,904	\$44,798	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4140	Transportation: Indigents	\$640,000	\$640,000	\$0	\$167,500	\$670,000	\$502,500	\$690,100	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4210	Computer Services	\$4,000	\$4,000	\$0	\$0	\$13,000	\$13,000	\$13,390	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4330	Travel: Employee Contracts	\$1,500	\$1,500	\$0	\$307	\$2,000	\$1,693	\$2,060	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4340	Travel: Other	\$1,000	\$1,000	\$0	\$205	\$6,156	\$5,951	\$6,341	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	4560	Fees For Services: Non-Employ	\$3,010,311	\$3,010,311	\$0	\$1,847,072	\$4,459,702	\$2,612,630	\$5,165,903	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	8330	Social Security	\$1,119,438	\$1,119,438	\$0	\$360,459	\$1,275,952	\$915,493	\$1,314,231	DE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	8350	Unemployment Insurance	\$15,000	\$15,000	\$0	\$750,000	\$1,316,250	\$566,250	\$1,355,738	ODE
632	4530	0000	HSV	County Nursing Home	NON-CONTRACT AGENCY	8380	Benefit Fund Contribution	\$351,459	\$351,459	\$0	\$71,889	\$378,775	\$306,886	\$390,138	ODE
001	ES32	0000	IFT	Transfer To Fund 632	Non-Contract Agency	9600	Transfer To Funds	\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000	\$3,605,000	DE
Revenues															
Revenue Description															
632	IFT		R001	Transfer From General Fund				\$0	\$0	\$0	\$0	\$3,500,000	\$3,500,000	\$3,605,000	O
001	FIN		1110	State Admin Sales & Use Tax				\$493,003,475	\$493,003,475	\$0	\$485,381,481	\$487,186,641	\$1,805,160	\$501,802,240	D

Personnel

Fd.	Agency	Org	Unit	Title	Gr	2010 Modified	2011 Recommended	2011 Adopted	2011 Diff	2012 Forecast
632	HSV	4530	3600	DIRECTOR - NURSING HOME	38	1	0 A(001)	1	1	1
632	HSV	4530	3600	ASSISTANT DIRECTOR-NURSING HOME	28	1	0 A(001)	1 N(001)	1 N(001)	1
632	HSV	4530	3600	HEALTH PROGRAM ANALYST II	22	1	0 A(001)	1	1	1
632	HSV	4530	3600	HEALTH PROGRAM ANALYST I	20	1	0 A(001)	1	1	1
632	HSV	4530	3600	PRINCIPAL CLERK	14	1	0 A(001)	1	1	1
632	HSV	4530	3600	SENIOR ACCOUNT CLERK TYPIST	14	1	0 A(001)	1	1	1
632	HSV	4530	3700	FINANCIAL DIRECTOR (NURSG HOM	28	1	0 A(001)	1	1	1
632	HSV	4530	3700	OFFICE SYSTEMS ANALYST I	19	1	0 A(001)	1	1	1
632	HSV	4530	3700	SENIOR ACCOUNT CLERK	14	2	0 A(002)	2	2	2
632	HSV	4530	3700	ACCOUNT CLERK	11	2	0 A(002)	2	2	2
632	HSV	4530	3701	MEDICAL PROGRAM ADMIN	38	1	0 A(001)	1	1	1
632	HSV	4530	3701	PHYSICIAN II	37	1	0 A(001)	1	1	1
632	HSV	4530	3701	CLINICAL NURSE PRACTITIONER	27	2	0 A(002)	2	2	2
632	HSV	4530	3701	SENIOR CLERK TYPIST	12	1	0 A(001)	1	1	1
632	HSV	4530	3701	MEDICAL RECORDS CLERK	11	5	0 A(005)	5	5	5
632	HSV	4530	3702	NURSING CARE DIRECTOR	27	1	0 A(001)	1	1	1
632	HSV	4530	3702	REG NURSE SUPVR-NRSNG HME	22	11	0 A(011)	8 A(003)	8 A(003)	8
632	HSV	4530	3702	REGISTERED NURSE	19	14	0 A(014)	12 A(002)	12 A(002)	12
632	HSV	4530	3702	LICENSED PRACTICAL NURSE	14	40	0 A(040)	37 A(003)	37 A(003)	37
632	HSV	4530	3702	SENIOR CLERK TYPIST	12	1	0 A(001)	1	1	1
632	HSV	4530	3702	NURSES' AIDE	09	109	0 A(109)	102 A(007)	102 A(007)	102
632	HSV	4530	3703	DIETETIC SERVICE SPVR	21	1	0 A(001)	1	1	1
632	HSV	4530	3703	ASST FOOD SERVICE SUPVR	16	2	0 A(002)	2	2	2
632	HSV	4530	3703	DIETICIAN	19	2	0 A(002)	1 A(001)	1 A(001)	1
632	HSV	4530	3703	DIETETIC TECHNICIAN	13	1	0 A(001)	1	1	1
632	HSV	4530	3703	SENIOR COOK	14	1	0 A(001)	1	1	1
632	HSV	4530	3703	COOK	12	3	0 A(003)	2 A(001)	2 A(001)	2
632	HSV	4530	3703	SENIOR CLERK TYPIST	12	1	0 A(001)	1	1	1
632	HSV	4530	3703	WAREHOUSE WORKER II	10	1	0 A(001)	1	1	1
632	HSV	4530	3703	ASSISTANT COOK	09	3	0 A(003)	3	3	3
632	HSV	4530	3703	FOOD SERVICE WORKER II	09	2	0 A(002)	2	2	2
632	HSV	4530	3703	FOOD SERVICE WORKER	07	25	0 A(025)	20 A(005)	20 A(005)	20
632	HSV	4530	3704	HOUSEKEEPER	18	1	0 A(001)	1	1	1
632	HSV	4530	3704	ASSISTANT HOUSEKEEPER	14	1	0 A(001)	1	1	1
632	HSV	4530	3704	CUSTODIAL WORKER II	11	17	0 A(017)	15 A(002)	15 A(002)	15
632	HSV	4530	3704	NEEDLE TRADES SPECIALIST	10	1	0 A(001)	1	1	1
632	HSV	4530	3704	CUSTODIAL WORKER III	16	1	0 A(001)	1	1	1
632	HSV	4530	3704	LAUNDRY WORKER	06	2	0 A(002)	2	2	2
632	HSV	4530	3705	THERAPEUTIC ACTIVITIES SP	21	1	0 A(001)	1	1	1
632	HSV	4530	3705	RECREATION INSTRUCTOR	17	1	0 A(001)	1	1	1
632	HSV	4530	3705	THERAPEUTIC ACTIVITIES WORKER	10	6	0 A(006)	6	6	6
632	HSV	4530	3706	PHYSICAL THERAPIST	21	2	0 A(002)	1 A(001)	1 A(001)	1
632	HSV	4530	3706	DENTAL HYGIENIST	18	1	0 A(001)	1	1	1

Fd.	Agency	Org.	Unit	Title	Gr.	2010 Modified	2011 Recommended	2011 Adopted	2011 Dir. Adopt. Rec.	2012 Dir. Recast
632	HSV	4530	3706	PHYSICAL THERAPIST ASST	17	2	0 A(002)	1 A(001)	1 A(001)	1
632	HSV	4530	3706	OCCUPATIONAL THERAPIST	21	1	0 A(001)	1	1	1
632	HSV	4530	3706	OCCUPATIONAL THERAPY AIDE	10	2	0 A(002)	1 A(001)	1 A(001)	1
632	HSV	4530	3707	MEDICAL SOCIAL WORKER II	23	1	0 A(001)	1	1	1
632	HSV	4530	3707	MED SOCIAL WORKER ASST	18	3	0 A(003)	2 A(001)	2 A(001)	2
632	HSV	4530	3707	MEDICAL SOCIAL WORKER	21	1	0 A(001)	1	1	1
632	HSV	4530	3707	CLERK TYPIST	09	1	0 A(001)	1	1	1
632	HSV	4530	3709	MATERIEL CONTROL CLK III	12	1	0 A(001)	1	1	1
632	HSV	4530	3710	MAINTENANCE MECHANIC IV	18	1	0 A(001)	1	1	1
632	HSV	4530	3710	MAINTENANCE MECHANIC III	15	2	0 A(002)	2	2	2
632	HSV	4530	3710	MAINTENANCE MECHANIC II	12	4	0 A(004)	4	4	4
632	HSV	4530	3710	MAINTENANCE MECHANIC I	09	1	0 A(001)	1	1	1
632	HSV	4530	3711	ADULT DAY HEALTH CARE PROG DI	24	1	0 A(001)	1	1	1
632	HSV	4530	3711	REG NURSE SUPVR-NRSNG HME	22	1	0 A(001)	1	1	1
632	HSV	4530	3711	MEDICAL SOCIAL WORKER	21	1	0 A(001)	1	1	1
632	HSV	4530	3711	REGISTERED NURSE	19	1	0 A(001)	1	1	1
632	HSV	4530	3711	PHYSICAL THERAPIST ASST	17	1	0 A(001)	1	1	1
632	HSV	4530	3711	LICENSED PRACTICAL NURSE	14	1	0 A(001)	1	1	1
632	HSV	4530	3711	SENIOR CLERK TYPIST	12	1	0 A(001)	1	1	1
632	HSV	4530	3711	THERAPEUTIC ACTIVITIES WORKER	10	1	0 A(001)	1	1	1
632	HSV	4530	3711	OCCUPATIONAL THERAPY AIDE	10	1	0 A(001)	1	1	1
632	HSV	4530	3711	CLERK TYPIST	09	1	0 A(001)	1	1	1
632	HSV	4530	3711	NURSES' AIDE	09	5	0 A(005)	5	5	5

Notes

This resolution restores sufficient appropriations to continue operation of the John J. Foley Skilled Nursing Facility until such time as a policy determination is approved by Legislative resolution as to the operation or divestiture of the function or facility. The interfund transfer from the General Fund to the Nursing Home is increased from zero to \$3.5 million. The offset is an increase in sales tax revenue of that amount, made up of a discretionary increase of \$1,805,160 in this resolution and \$1,694,840 in companion mandated resolution B.A. 34-2010. Finally, an Assistant Director position (grade 28) is created in order to have a second person with the proper license. Offset the Assistant Director's position by abolishing two funded vacant positions. See Budget Review Office Report, pp. 195-197.

There is no property tax impact of the combined actions taken in this discretionary resolution (Res. No. 993-2010 / B.A. 35-2010) and the complementary mandated resolution (Res. No. 992-2010 / B.A. 34-2010). The actions taken in this discretionary resolution increase the General Fund property tax by \$1,694,840. This translates into a \$3.11 increase in the average homeowner tax bill and an increase of less than one-cent per \$1,000 of full equalized value of property. The companion mandated resolution reduces taxes by an equal offsetting amount.

2011 PROPERTY TAX LEVY

FINANCIAL IMPACT OF EXECUTIVE VETOES AFTER ACTIONS TAKEN BY THE LEGISLATURE

BA 35

GENERAL FUND

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

POLICE DISTRICT AND DISTRICT COURT

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

COMBINED

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

NOTES:

- 1) SOURCE FOR NUMBER OF FAMILY PARCELS AND CORRESPONDING ASSESSED VALUATION: SUFFOLK COUNTY REAL PROPERTY TAX SERVICE, SEPTEMBER 2010.
- 2) SOURCE FOR TOTAL TAXABLE ASSESSED VALUATION FOR COUNTY PURPOSES: SCHEDULE A, REPORT OF ASSESSED VALUATION FOR 2010-2011.
- 3) SOURCE FOR EQUALIZATION RATES: TENTATIVE 2010 COUNTY EQUALIZATION RATES ESTABLISHED BY THE NEW YORK STATE BOARD OF EQUALIZATION AND ASSESSMENTS.

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

Budget Amendment 35- Res. 993-2010

November 15, 2010

Presiding Officer William J. Lindsay and
Members of the Suffolk County Legislature
William H. Rogers Legislative Building
725 Veterans Memorial Highway
Smithtown, New York 11787

Re: **RESOLUTION NO. 993-2010, AMENDING THE 2011 RECOMMENDED OPERATING BUDGET REGARDING THE JOHN J. FOLEY SKILLED NURSING FACILITY, DISCRETIONARY BUDGET AMENDMENT NO. 35-2010**

Dear Presiding Officer Lindsay and Members of the Suffolk County Legislature:

I am returning herein Resolution No. 993-2010; "Amending the 2011 Recommended Operating Budget Regarding the John J. Foley Skilled Nursing Facility; Discretionary Budget Amendment No. 35-2010," **vetoed** in its entirety.

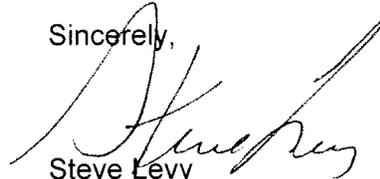
The Legislature's 2011 adopted budget resolutions regarding the John J. Foley Skilled Nursing Facility result in an unbalanced 2011 operating budget that simply defies logic. The adopted amendments essentially fund the continued operation of the nursing home with the proceeds for closing the facility: staff salaries and operational costs are funded by reversing \$16 million in expenditures budgeted to pay off the debt service once the building is sold, and over \$33 million in revenues for the sale of the building, license and furniture included in the recommended budget are left untouched.

It is time for the County to get out of the nursing home business. My preference is to sell the nursing home as laid out in the plan currently pending before the Legislature. The plan sells the facility to a reputable nursing home operator for \$36 million, a price which exceeds two recent appraisals including the Legislature's appraisal, keeps the facility open, keeps the patients in their beds, the majority of staff employed by the new owner while at the same time freeing our taxpayers from this avoidable annual fiscal drain. But after years of studies, reports, public hearings, testimony and debate, the Legislature has been unable to come to a decision on the nursing home. The Legislature's 2011 budgetary solution is more dysfunctional than anything that has come out of Albany – it is simply impossible to fund the continued operation of the facility with the funds generated by the closure of the very same facility.

RECEIVED
2010 NOV 15 P 4:45
SUFFOLK COUNTY LEGISLATURE

The impact of Budget Resolutions 34-2010 and 35-2010 together is to fund the nursing home in 2011 by reducing necessary debt service funding, the money from which would come from the sale of the same facility that the Legislature is keeping open. An override of this veto would result in a budget that is illegal, out of balance, and will threaten our bond rating. The Legislature cannot have it both ways. I urge that my veto of BA 34-2010 and BA 35-2010 be sustained and that if the Legislature does not want the facility to close, it should immediately vote to sell the nursing home as proposed.

Sincerely,



Steve Levy
County Executive of Suffolk County

SL:tv

cc: All Suffolk County Legislators
Gail E. Vizzini, Director, Budget Review Office
Tim Laube, Clerk of the Legislature

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on

November 3, 2010

and that the same is a true and

correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. BA# 35

Res. No. 993

November 3, 2010

Motion:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					/
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE		/			
6	Daniel P. LOSQUADRO		/			
7	Jack EDDINGTON	/				
9	Ricardo MONTANO	/				
10	Thomas CILMI		/			
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN		/			
17	Lou D'AMARO		/			
18	Jon COOPER	/				
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
	Totals	11	6	—		1

MOTION

Approve

Table: _____

Send To Committee

Table Subject To Call

Lay On The Table

Discharge

Take Out of Order

Reconsider

Waive Rule _____

Override Veto

Close

Recess

APPROVED FAILED _____

No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED

NOT ADOPTED

Tim Laube

Roll Call Voice Vote _____

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 16, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. **BA 35**

Res. No. **993**

November 16, 2010

Motion:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
 Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					/
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE		/			
6	Daniel P. LOSQUADRO		/			
7	Jack EDDINGTON	/				
9	Ricardo MONTANO	/				
10	Thomas CILMI		/			
11	Thomas F. BARRAGA		/			
12	John M. KENNEDY, JR.	/				
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN		/			
17	Lou D'AMARO		/			
18	Jon COOPER				/	
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
Totals		10	6	-	1	1

MOTION
<input type="checkbox"/> Approve
<input type="checkbox"/> Table: _____
<input type="checkbox"/> Send To Committee
<input type="checkbox"/> Table Subject To Call
<input type="checkbox"/> Lay On The Table
<input type="checkbox"/> Discharge
<input type="checkbox"/> Take Out of Order
<input type="checkbox"/> Reconsider
<input type="checkbox"/> Waive Rule _____
<input checked="" type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED _____ FAILED <input checked="" type="checkbox"/>
No Motion _____ No Second _____

RESOLUTION DECLARED
<input type="checkbox"/> ADOPTED
<input type="checkbox"/> NOT ADOPTED

Tim Laube

Roll Call Voice Vote _____

Tim Laube, Clerk of the Legislature