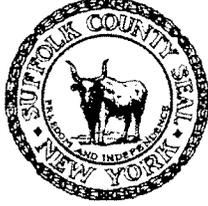


COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

February 18, 2009

RECEIVED  
2009 FEB 19 P 3:24  
COUNTY LEGISLATURE  
SUFFOLK COUNTY, N.Y.  
HAUPPAUGE

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 47-2009; TO IMPLEMENT EVENING HOURS AT DSS  
CENTERS

Dear Presiding Officer Lindsay and Members of the Legislature:

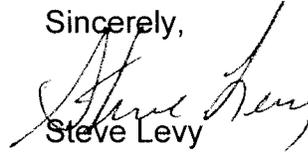
I am returning herein Resolution No. 47 -2009; "TO IMPLEMENT EVENING HOURS  
AT DSS CENTERS" vetoed in its entirety.

Upon the recommendation of the Welfare to Work Commission and at the urging of  
the Suffolk County Legislature, I implemented nighttime hours once a month at each  
Department of Social Services Center to accommodate social service recipients  
without accruing additional costs during tough fiscal times.

We modeled our program after the successful program instituted by the Department  
of Motor Vehicles. Keeping employees after hours will incur unnecessary overtime.  
Notwithstanding this veto, I have asked the Department to experiment at one center  
with spreading workers over the course of a twelve hour day. We fear it may lead to  
backlogs during some periods but will nevertheless see how it works.

For this and the other reasons enumerated above, I strongly urge the legislature to  
sustain my veto of this resolution.

Sincerely,



Steve Levy  
County Executive of Suffolk County

SL:srt

- cc: All Suffolk County Legislators  
Tim Laube, Clerk of the Legislature  
Christine Malafi, Esq., Suffolk County Attorney  
Lynne A. Bizzarro, Esq., Chief Deputy County Attorney  
James A. Morgo, Chief Deputy County Executive  
Frederick B. Pollert, Deputy County Executive for Finance and Management  
Jeffrey W. Szabo, Deputy County Executive and Chief of Staff  
Ben Zwirn, Deputy County Executive  
Connie Corso, Budget Director  
Dan Aug, Director of Communications  
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 47 -2009, TO IMPLEMENT EVENING  
HOURS AT DSS CENTERS**

**WHEREAS**, Resolution No. 929-2008, directed the Commissioner of the Department of Social Services ("DSS") to present a written plan to offer evening hours at DSS centers on a rotating basis; and

**WHEREAS**, under the terms Resolution No. 929-2008, this written plan was to be submitted to the County Executive and the County Legislature by December 1, 2008 "for this Legislature to review and take any action necessary to implement this plan"; and

**WHEREAS**, no plan was submitted to the County Legislature, but rather, the department issued a directive (attached hereto as Exhibit "A") to all client benefit centers' staff stating that beginning on February 4, 2009, each DSS center will have a delayed opening on one Wednesday each month, and that work schedules will be adjusted from 12:00 noon to 8:00 p.m. on those days; and

**WHEREAS**, public transportation in certain areas end at 6:00 p.m., therefore the Department of Social Services will incur increased costs through the use of cabs and medical transportation; and

**WHEREAS**, the Legislature's intent in enacting Resolution No. 929-2008 was to develop a plan to offer evening hours to clients who have difficulty visiting a center during daytime hours; however, the Legislature in no way intended to harm other clients by reducing normal daytime operating hours at DSS centers; and

**WHEREAS**, Resolution No. 929-2008 expressly required DSS to submit their plan to implement evening hours to the Legislature for review and, therefore, the Department's unilateral action is in violation of Resolution No. 929-2008; now, therefore be it

**1st RESOLVED**, that the Commissioner of the Department of Social Services is hereby directed to rescind the Department's plans as set forth in the attached Exhibit "A", which would implement evening hours at DSS centers and at the same time close centers in the morning hours; and be it further

**2nd RESOLVED**, that the Commissioner of the Department of Social Services is hereby directed to submit a new written plan to implement evening hours at DSS centers on a rotating basis, said plan to maintain normal daytime operating hours at service centers; and be it further

**3rd RESOLVED**, that this new written plan shall be submitted to the County Legislature by April 1, 2009 for this Legislature to review; and be it further

**4th RESOLVED**, that DSS shall not implement a plan for evening hours until said plan is approved by this Legislature via a duly enacted resolution; 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: FEB 3 2009

APPROVED BY:

**VETOED**

County Executive of Suffolk County

Date: 2-18-09

Intro. Res. 1019 Res. No. 47

February 3, 2009

**Motion:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**  
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro  
 Eddington, Montano, Alden, Lindsay, Viloría-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	Brian BEEDENBENDER	/				
6	Daniel P. LOSQUADRO	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO	/				
10	Cameron ALDEN	/				
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.	/				
<b>Totals</b>		14	4			

MOTION
<input checked="" type="checkbox"/> Approve
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 type="checkbox"/> Override Veto
<input type="checkbox"/> Close
<input type="checkbox"/> Recess
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____      No Second _____

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

Tim Laube  
 Tim Laube, Clerk of the Legislature

Roll Call  Voice Vote \_\_\_\_\_