

COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

January 6, 2011

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. 1189 – 2010, AUTHORIZING AND DIRECTING THE
DEPARTMENT OF SOCIAL SERVICES TO ENTER INTO AN AGREEMENT TO
HOUSE SEX OFFENDERS.**

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **Resolution No. 1189 – 2010; Authorizing and Directing the Department of Social Services to Enter into an Agreement to House Sex Offenders** vetoed in its entirety.

The seventh WHEREAS clause is misleading in that it purports the CHI proposal to be the Department of Social Services' plan to house homeless sex offenders. In reality, this proposal only came about because of the directive of the Legislature through Resolution 417-2010, and it is the Legislature seeking to implement this plan. We have consistently stated that its preferred method to meet its state mandate of housing the small population of homeless sex offenders is through the same manner used by neighboring Nassau and Westchester Counties, which is a voucher system.

The proposal presented by Community Housing Innovations, Inc., (CHI) specifically mandates that the provider will select locations of these small shelters without any public notice or knowledge; and that only after the facility has been operating for 30 days will they notify local officials and community leaders.

Such a process is sure to result in widespread opposition and legal challenges that will delay the operation of these small shelters for months if not years. In the meantime, this will continue to leave the Department of Social Services in the position of operating trailers in Riverside and Westhampton (which are also subject to legal challenge).

Had the voucher system not been derailed by the Legislature, it would by now have been operating smoothly and the east end trailers would have been long ago closed. The delays inherent in establishing these CHI facilities would ensure that the trailers remain open.

My simple solution to the problem is as follows: reinstate the voucher system, whereupon we will close the trailers and save money by no longer having to transport homeless sex offenders such great distances.

For these reasons, I strongly urge the Legislature to sustain my veto of this resolution.

Sincerely,



Steve Levy
County Executive of Suffolk County

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
Christopher Kent, Chief Deputy County Executive
Edward Dumas, Chief Deputy County Executive
Connie Corso, Deputy County Executive for Finance and Management
Ken Crannell, Deputy County Executive
Ben Zwirn
Eric Naughton, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

**RESOLUTION NO. 1189-2010, AUTHORIZING AND DIRECTING
THE DEPARTMENT OF SOCIAL SERVICES TO ENTER INTO
AGREEMENT TO HOUSE SEX OFFENDERS**

WHEREAS, the County of Suffolk, through its Department of Social Services, is obligated to provide housing for all persons who are homeless, including sex offenders; and

WHEREAS, for several years the Department of Social Services has met this obligation by transporting homeless sex offenders to trailers in Riverside or Westhampton; and

WHEREAS, in early 2010, the Department proposed a voucher system for housing homeless sex offenders; and

WHEREAS, Resolution No. 417-2010 terminated the Department of Social Services' voucher policy and directed the Department to develop a new comprehensive plan to house homeless sex offenders, consistent with certain guidelines set forth in the resolution; and

WHEREAS, in accordance with Resolution No. 417-2010, the Department of Social Services solicited plans from homeless shelter providers to establish a shelter system for homeless sex offenders; and

WHEREAS, Community Housing Innovations, Inc. ("CHI") responded to the Department of Social Services' request with a comprehensive proposal detailing the oversight parameters, location selection procedure, terms of residency and costs associated with implementing the plan; and

WHEREAS, the Commissioner of the Department of Social Services has stated that the CHI proposal represents the Department's plan to house homeless sex offenders in accordance with Resolution No. 417-2010; now, therefore be it

1st RESOLVED, that the Suffolk County Department of Social Services is hereby authorized, empowered and directed to execute a contract with Community Housing Innovations, Inc. ("CHI") to provide emergency shelters for homeless sex offenders in accordance with the requirements set forth in Resolution No. 417-2010; and be it further

2nd RESOLVED, that the Department of Social Services shall enter into an agreement with CHI no later than January 15, 2011; 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: December 21, 2010

APPROVED BY:

VETOED

County Executive of Suffolk County

Date: 1-6-11
JAN 06 2011

Intro. Res.

2105

Res. No.

1189

December 21, 2010

Motion:

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

Co-Sponsors:

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

Second:

Romaine, Schneiderman, Browning, Muratore, Losquadro
Eddington, Montano, Cilmi, Lindsay, Vioria-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	7			

MOTION
<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

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

Tim Laube

Roll Call ___ Voice Vote