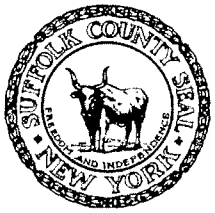
COUNTY OF SUFFOLK



OFFICE OF THE COUNTY EXECUTIVE

Steve Levy
COUNTY EXECUTIVE

February 17, 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. 27 – 2011, AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO CONSIDER AND UTILIZE AN ADDITIONAL VENDOR TO PROVIDE EMERGENCY HOUSING SERVICES.

Dear Presiding Officer Lindsay and Members of the Legislature:

I am returning herein **RESOLUTION NO. 27 – 2011; AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO CONSIDER AND UTILIZE AN ADDITIONAL VENDOR TO PROVIDE EMERGENCY HOUSING SERVICES;** vetoed in its entirety.

The eighth WHEREAS clause is grossly inaccurate in that it purports that the consideration of Haven House as a second vendor is the desire of the Department of Social Services.

It is, in fact, the continued desire of the Department of Social Services to utilize a voucher system, similar to the programs used in neighboring Nassau and Westchester counties without incident or controversy. The interest in the use of Haven House to provide shelter for homeless sex offenders has been expressed, repeatedly, by the Presiding Officer at Health and Human Services committee meetings throughout the year.

The resolution is wrong in its premise that the selection of a second, or even a first, vendor to provide scattered shelters throughout the county would lead to the immediate closing of the two trailers DSS has been utilizing.

As noted in the veto message for Resolution 1189-2010 – a veto which has been sustained by the Legislature – the proposal from the first vendor, CHO, specifically mandates that the provider will select numerous locations of these small shelters

LOCATION:
H. LEE DENNISON BUILDING, 12th FLOOR
100 VETERANS MEMORIAL HIGHWAY
♦
MAILING ADDRESS:
P.O. BOX 6100
HAUPPAUGE, NY 11788-0099
♦
OFFICE (631) 853-4000
FAX (631) 853-4818

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 secret site facilities would only ensure that the trailers remain open.

For example, a proposal to place a shelter in Farmingdale, next to a cemetery, a landfill and an industrial complex, resulted in a public forum attended by several hundred opponents and the threat of lawsuits. And, in anticipation of the CHI proposal passing, one legislator has already passed a bill to ban offenders from residing within one-quarter mile of an amusement park. There is no question we will see more and more of these types of parochial bills filled as specific locations are discovered.

Finally, the resolution is faulty in that it seeks to add a second vendor to a program which has been vetoed (Resolution 1189-2010). That veto was not overridden, therefore there is **no** shelter program to which Haven House can be added.

The simple solution to the problem remains 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

Eric Kopp, Assistant Deputy County Executive
Eric Naughton, Budget Director
Dan Aug, Director of Communications
Mark Smith, Deputy Director of Communications

Intro. Res. No. 2274-2010 Laid on Table 12/21/2010
Introduced by Legislators Schneiderman and Romaine

RESOLUTION NO. 27 -2011, AUTHORIZING THE DEPARTMENT OF SOCIAL SERVICES TO CONSIDER AND UTILIZE AN ADDITIONAL VENDOR TO PROVIDE EMERGENCY HOUSING SERVICES

WHEREAS, the County of Suffolk, through its Department of Social Services, is utilizing two trailers in Westhampton and Riverside to house homeless sex offenders on an emergency basis; and

WHEREAS, this Legislature has determined that it is inequitable to house all homeless sex offenders in these two communities; that it is a waste of taxpayer money to transport sex offenders long distances to and from the trailers; and that there is insufficient oversight of sex offenders at the trailers; and

WHEREAS, Resolution No. 417-2010 directed the Department of Social Services to develop a new program to house homeless sex offenders and to seek shelter providers to site and operate shelters, consistent with guidelines set forth in the resolution; and

WHEREAS, in order to comply with Resolution No. 417-2010, the Department of Social Services sent a request for the development of a comprehensive plan to all qualified single adult shelter providers with a submission deadline of July 1, 2010; and

WHEREAS, one qualified provider, Community Housing Innovations, Inc., ("CHI") submitted a plan; and

WHEREAS, the Department of Social Services advises this Legislature that Haven House/Bridges, Inc., ("Haven House") submitted a plan after the July 1st deadline; and

WHEREAS, the Department of Social Services further advises that Haven House is only qualified as a family shelter provider by Suffolk County; and

WHEREAS, the Department of Social Services has indicated they would like to have a second homeless shelter provider involved in the new program to house homeless sex offenders but they cannot consider Haven House without legislative approval; and

WHEREAS, Haven House has a state contract to house single adult outpatients from Pilgrim State Psychiatric Center; now, therefore be it

1st **RESOLVED**, that the Department of Social Services is hereby authorized and empowered to consider the proposal from Haven House to provide housing for homeless sex offenders and to contract with Haven House if the Department determines that Haven House satisfies County requirements for single adult providers; and be it further

2nd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations,

rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: FEB 1 2011

APPROVED BY: VETOED

County Executive of Suffolk County

Date: FEB 17 2011

Intro. Res. 2274 Res. No. 27 February 1, 2011

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

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

Second:
Romaine, Schneiderman, Browning, Muratore,
Eddington, Montano, Cilmi, Lindsay, Viloria-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						
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	13	4			

MOTION

- X 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 X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

- X ADOPTED
- ___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube

Tim Laube, Clerk of the Legislature