§ 458-n. Funding for family support services programs. 1. Notwithstanding any other provision of law to the contrary, to the extent that funds are available for such purpose and specifically appropriated therefor, the office of children and family services shall distribute funding to the highest need municipality which shall mean a county or a city with a population of one million or more to contract with not-for-profit corporations to operate family support services programs in accordance with the provisions of this title and the specific program model requirements issued by the office.

2. Notwithstanding any other provision of law to the contrary, when determining the highest need municipality pursuant to this subdivision, the office may consider factors that may include, but are not necessarily limited to:

(a) the total amount of available funding and the amount of funding required for family support services programs to meet the objectives outlined in section four hundred fifty-eight-m of this title;

(b) relevant, available statistics regarding each municipality, a group of two or more municipalities that jointly seek to fund and administer a family support services program in accordance with subdivision four of this section which may include, but not necessarily be limited to:

(i) the availability of services within such municipality to prevent or reduce detention or residential placement of youth pursuant to article seven of the family court act; and

(ii) relative to the youth population of such municipality:

(1) the number of petitions filed pursuant to article seven of the family court act; or

(2) the number of placements of youth into residential care or detention pursuant to article seven of the family court act as applicable, over the last five years;

(c) any reported performance outcomes reported to the office pursuant to subdivision three of this section for programs that previously received funding pursuant to this title; or

(d) other appropriate factors as determined by the office.

3. Municipalities receiving funding under this title shall report to

the office of children and family services, in the form and manner and at such times as determined by the office, on the performance outcomes of any family support service program located within such municipalities that receives funding under this title.

4. Two or more eligible municipalities within a close geographic within a close geographic proximity to each other may enter into an agreement to jointly seek funding for and jointly administer family support services programs to service eligible youth and families within such municipalities in accordance with this section. Such agreements shall include provisions for the proportionate cost to be borne by each municipality and for the manner of employment of personnel and may provide that a fiscal officer of one such municipality shall be the custodian of the moneys made available for expenditure for such purposes by all such municipalities and that such fiscal officer may make payments therefrom upon audit of the appropriate auditing body or officer of his or her municipality. In making claims for state aid pursuant to section, each such municipality shall claim for its proportionate share of the total joint expenditures so made. However, where it is provided that there shall be a disbursing municipality, such disbursing municipality shall claim for the total joint program expenditures so made and shall disburse such state aid to each participating municipality based upon the proportionate share of expenditures so made.

5. Notwithstanding the provisions of subdivisions two, three and four of this section, a municipality, consistent with its approved plan for supervision and treatment services for juveniles program, may utilize any funding available to such municipality pursuant to section five hundred twenty-nine-b of the executive law to fund family support services programs pursuant to this title.