

Budget Committee
of the
Suffolk County Legislature

Minutes

A regular meeting of the Budget Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium of the William H. Rogers Building, Veterans Memorial Highway, Smithtown, New York, on February 13, 2001.

Members Present:

Legislator Cameron Alden - Chairman

Legislator David Bishop - Vice-Chair

Legislator Michael Caracciolo - Member

Also In Attendance:

Paul Sabatino - Counsel to the Legislature

Ellen Martin - Aide to Presiding Officer Tonna

Jim Spero - Budget Review Office

Bonnie Godsman - County Executive's Office

Minutes Taken By:

Patricia Patriss - Court Stenographer

(*The meeting was called to order at 6:24 P.M.*)

CHAIRMAN ALDEN:

I think we'll call to order the meeting of the Budget Committee. I want to thank all those that stayed. We have standing room only right now so, just as we begin this I just want to note for the record that resolutions, you know, we -- there's sometimes the perception that we just pass all kinds of resolutions here and add to the budget, but in effect, last year over thirty resolutions were adopted in the 2000 budget representing one point two million dollars in funds being transferred, while twenty-five resolutions were tabled, tabled subject to call or failed representing three point six million of budget transfers. So the perception is that we just approve everything, but in reality we are very selective in what we do.

LEG. CARACCIOLO:

Okay. Let's get to the agenda.

LEG. BISHOP:

No, we asked for this. I asked for this. It says so right here.

CHAIRMAN ALDEN:

So, we've done very well. Okay, now we'll go right to the agenda.

Tabled Resolutions

In the agenda the first resolution, which is tabled, 1936-00 - Amending the Adopted 2000 Operating Budget and transferring funds in connection with corrective action plan for Gabreski Airport (Guldi). Assigned to Budget and Public Works & Transportation, was actually

adopted in the omnibus. So we're going to mark that withdrawn.

1936-00 - Amending the Adopted 2000 Operating Budget and appropriating funds in connection with Campaign Finance Notice (Postal). Assigned to Budget and Ways & Means. And I'm just going to ask --

LEG. BISHOP:
You have two 1936s.

CHAIRMAN ALDEN:
-- Counsel, can we actually --

LEG. BISHOP:
Which is the real 1936?

CHAIRMAN ALDEN:
Can we actually do anything with these?

MR. SABATINO:
Let me see if it was amended. 1936 --

MS. MARTIN:
The number is wrong.

MR. SABATINO:
1936 is Public Works Aviation. No, that should be 1937. 1937 has not

been amended to the year 2001. So you should table it.

CHAIRMAN ALDEN:
All right, but I'm going to make a motion to table that subject to call. Second by -- do I have a second?

LEG. BISHOP:
Yes, of course.

CHAIRMAN ALDEN:
Second by Legislator Bishop. All those in favor? Opposed? That's tabled subject to call. (Vote: 3-0-0-0).

1960-00 - Amending the 2000 Operating Budget transferring funds for Suffolk County Society for the Prevention of Cruelty to Animals (Levy). Assigned to Budget and Health.

LEG. BISHOP:
On the Postal 1936 --

CHAIRMAN ALDEN:
I'm sorry, it's 1937.

LEG. BISHOP:
That's 37.

CHAIRMAN ALDEN:
Yeah, and I'm going to recognize Legislator Bishop. He might want to make a comment on that subject.

LEG. BISHOP:

I just want to -- first of all, what does this seek to do, 1937?

MR. SABATINO:

She was going to use her share of --

LEG. BISHOP:

Oh, this is 2000. I remember, okay.

MR. SABATINO:

-- of postage to --

LEG. BISHOP:

Yes, I remember that. Okay.

MR. SABATINO:

Right, 1960, Mr. Chairman, that should have expired on January 29th.

LEG. CARACCIOLO:

Okay. Hold it. If we can go back to 1937 --

CHAIRMAN ALDEN:

Legislator Caracciolo.

CHAIRMAN ALDEN:

Just, Legislator Bishop, as you recall you spearheaded the effort in

the Legislature to provide some additional funds for the Campaign Finance Board.

LEG. BISHOP:

No.

LEG. CARACCIOLO:

Well, you did. At least to the extent that you approached me one day and you said to me your ten thousand dollars is included. Now, Ellen, do you remember that I submitted a request through the P.O.'s office to provide or earmark ten thousand dollars for the campaign. I have recently been informed, Jim, and I'd like you to research this, that that money was not allocated as part of I think a total of fifty-five

--

LEG. BISHOP:

I think they got fifty thousand dollars more than --

MR. SPERO:

Legislator Carpenter coordinated the funding among the Republican Legislators.

LEG. BISHOP:

Right.

MR. SPERO:

And the list that was submitted to Budget Review, the funding was -- that ten thousand you're referring to was not on that list. I checked earlier today.

LEG. CARACCIOLO:

So Legislator Carpenter then may not -- well, how did it work?
Because I gave my request to the P.O.'s office who requested a list
from me.

MS. MARTIN:

We tried to do that --

MR. SPERO:

Those lists, individual lists of Legislators were then massaged into a
finalized list after a number of iterations, and the Campaign Finance
Board got an additional fifty-five thousand dollars --

LEG. CARACCIOLO:

That was the figure I remember Legislator Bishop telling me one day.

MR. SPERO:

-- over what the County Executive recommended.

LEG. BISHOP:

Right.

MR. SPERO:

Or what we requested of the County Executive.

LEG. BISHOP:

And it's a lot less than they want though.

LEG. CARACCIOLO:

Okay, but on the issue of the Campaign Finance Board itself, I don't
have it with me today, but I saw a memo recently about to what extent
they were funded in the budget and then to the additional extent that
the fifty five thousand dollars was made available to them.

Apparently they are making a case that they need additional funding,
and to the extent that you're aware do you think that is a bona fide
issue and request?

MR. SPERO:

Well, they had, during the Budget deliberations, they had requested
over a half a million dollars in addition --

LEG. CARACCIOLO:

I remember that.

MR. SPERO:

-- in total funding. I believe the final number that's in the adopted
budget is about two hundred and five thousand.

MR. SABATINO:

Yeah, they asked for five hundred and I think fifty thousand dollars,
which struck most of us as being --

LEG. CARACCIOLO:

Far exceeded any ability they had --

MR. SABATINO:

-- absorptive. Two hundred and five thousand is what was provided for in the budget. If they allocated, you know, based on the needs of, you know, what has to be done in the upcoming year and they take advantage of space and some equipment and materials that are being offered, you know, they certainly will come far short of the request for five hundred thousand dollars. At this juncture what they just need to do is they need to prioritize and work up, which I think they've now done. They've submitted something that line items how the money should be allocated.

LEG. CARACCIOLO:

In terms of their mission, where do they stand this year and what is the projection of where they will stand in terms meeting their mission?

LEG. BISHOP:

Are we under their program this year? We're not, right?

MR. SABATINO:

I was just going to answer Legislator Caracciolo's question by saying that the first election cycle that it applies to is the year 2002. There's a lot of things that have to be done this year, but the most important things that would have to be done, the first of which was the mailing of the --

LEG. CARACCIOLO:
Solicitation.

MR. SABATINO:

-- letters with the tax bills. The second most important thing is to develop a data base. That's really where the computers come in in having somebody competent to put all that information together, and then the third and probably most important element is that it's going to be driven by what the public determines with its pocketbook. If the public determines to contribute to a certain level, that's going to drive how much work there will be to do in the year 2002. If they decide to contribute a different level, you know, it's going to have a different amount of work required.

So you're not going to have the answer to that until, I would think maybe eight or nine months into the year because you need to know how much the public is contributing.

LEG. CARACCIOLO:
Right. Just a final question.

LEG. BISHOP:
The public contribution, is that a -- I'm sorry. I apologize.

LEG. CARACCIOLO:
Just a final question. If one assumes that the program gets off to a

slow start because the public is not aware of it to a large extent and a year from now when the next election cycle comes up, there is on the order, as an example, two hundred thousand dollars in an account for public campaign financing in the County, how would that money be appropriated? Obviously, there are thresholds that individual candidates would have to meet, you know, a certain amount of contributions under -- what is it? What's the dollar amount?

LEG. BISHOP:

Are you asking how you run the program in you're short?

LEG. CARACCILOLO:

Yes.

LEG. BISHOP:

Okay.

MR. SABATINO:

If the amount is short of the active people who opt to participate and who qualify because they meet the thresholds, it would have to be prorated.

LEG. CARACCILOLO:

To each individual who does qualify?

MR. SABATINO:

Correct.

LEG. CARACCILOLO:

Okay.

LEG. BISHOP:

The question I have, the check off that Legislator Levy implemented, if I were to check that off, I am taxing myself additionally or merely allocating what I'm already taxed?

MR. SABATINO:

You're sending additional money. It's above and beyond.

LEG. BISHOP:

So I have to agree to tax myself additionally?

MR. SABATINO:

That's what the --

LEG. BISHOP:

So it's highly unlikely that many individuals are going to subscribe to that; correct?

MR. SABATINO:

I don't know. To me it's an open --

LEG. BISHOP:

That's a judgment --

MR. SABATINO:

Well, it's an open question. We've had three referendums just to refresh everybody's recollection. The first one in '93 was a hundred percent taxpayer finance. That was defeated. The second one was hundred percent voluntary financing in '98. That was approved overwhelmingly. The third one was to go hybrid. That's was the one that was voted on in '99. That said mix and match. I think up to a half a million dollars of taxpayer money would match voluntary contributions. That was rejected so right now from a legal standpoint and a governmental standpoint what the electorate has said is that they don't want hundred percent, they don't want hybrid. They want voluntary financing. They will now make that decision with their pocket books, how they choose to contribute.

LEG. BISHOP:

Now, in a situation where it's only three fifths funded of what's sought to be participated or what qualifies rather, is it possible for the Legislature to say what we're going to do is we will have this program for the County wide offices, but we will not have this program for the Legislative offices, or vice versa. Why do we have to go with prorate? Can't we pick the offices? Isn't that possible?

MR. SABATINO:

Well, first of all, you you'd have to have a Charter law with a referendum, but secondly contrary, you know, to perception, it's the Finance Board. It's that five member board that allocates the money. It was created an independent board with five year terms of office so that there wouldn't be this kind of decision making.

LEG. BISHOP:

Now that raises another issue. I understand that the board has the

authority to set salaries. Is that correct?

MR. SABATINO:

They have the authority to hire personnel, staff.

LEG. BISHOP:

So they can take the two hundred thousand that was allocated to the them this year and hire staff with that and -- basically it's like a block grant to them?

MR. SABATINO:

Well, it's a little more complicated. The first batch of funding which was for last year, which was in the County Executive's Budget as submitted, was blocked of money -- they did whatever they did during the course of that year. For the new cycle it was added into a block ramp, but to do what they want to do, which is to go for line item people, they really have to get a line item budget in place to do that. So what they can do right now is they can hire an outside consultant like they've done for legal counsel and the way they've done it for the Executive Director. So the answer is yes, but if they want --

LEG. BISHOP:

The Executive Director is an outside consultant?

MR. SABATINO:

Well, they have an -- they put together an employment contract with the Executive Director.

LEG. BISHOP:

Okay. That's how they do -- okay. What if they were to have spent one dollar on the Executive Director and one dollar on outside Counsel and they banked the rest of money? Could they apply that towards the deficiency in what came in on --

MR. SABATINO:

No, no, no, no. No, that's important. You can't use the County funds for the political campaigns. That money has to come from --

LEG. BISHOP:

So there's an actual prohibition?

MR. SABATINO:

Absolutely. Right. Yeah.

LEG. BISHOP:

So this program in my opinion is fairly doomed absent an additional referendum. I mean, if it has to be funded based on people's willingness to additionally tax themselves, most people pay for their mortgage, so they never even get the notice, then --

MR. SABATINO:

No. One of the provisions was the notice -- that's why you're going to get -- the second waive is going to be sometime in the second waive is going to be sometime before May when the tax bills are mailed to the people with the mortgages, but the point being that everybody is

going to get notified.

LEG. BISHOP:

I get notified in May before I pay which tax? The next year's tax is that it?

LEG. CARACCILO:

The second half of this year.

MR. SABATINO:

No. That's second half of this year, but they'll be a second -- they'll be two things. They'll be the second mailing from those towns. They'll send out courtesy mailings, and there will also be the mortgage companies or the banks that got their form, has to be mail it to the other taxpayer. But, you know, as far as the program, as I described before, I think it's really important to keep in mind what took place. There's been three referenda.

LEG. BISHOP:

I understand the people's will and I'm not -- the money that they collected in the second half of 2001 can that be applied to 2002? Can they bank that money?

MR. SABATINO:

You're talking about the money that's being sent in by -- for the campaign contributions?

LEG. BISHOP:

Right

MR. SABATINO:

Yeah. All that money is, it's --

LEG. BISHOP:

So it's not like our budget. They don't have to spend --

MR. SABATINO:

That's an aggregating fund. That money will always be in tact until the first cycle of elections where people can draw down on that. It may turn out by the way. I mean, I've said this to people. It may turn out that because of the nature of the education process or the willingness of people to participate, you may not really get the first cycle until 2003.

LEG. BISHOP:

Yeah, my personal opinion is I think it's fairly doomed, but if it were -- if I could correct it, you know, with a wand, what I would do under the current constraints is I would limit it to the County wide campaigns because those are the ones where you have the greatest disparity and the least competition. In a Legislative district usually viable candidates compete on a fairly even playing field.

MR. SABATINO:

Well, I recognize your point and I understand it. I think the hardest thing really, the hardest thing to reconcile is what the voters really want to see happen. I mean, they've spoken very clearly in terms of

the three referenda with regard to how they want the program --

LEG. BISHOP:

They want campaign finance --

MR. SABATINO:

-- structured.

LEG. BISHOP:

-- but they don't want it publically. They don't want to pay it from their pocket, I mean, that's --

MR. SABATINO:

Well, you know, to me that's the ultimate test. They vote with their pocket book. If people vote with their pocket book by saying yes, do it, you have a program. If they vote by saying no because they don't contribute the money, the voters have spoken. I mean, to me the Count Legislature gave everybody fair opportunity. They had a full hearing and they had a chance to make the decision. It's in their hands now literally.

LEG. CARACCIOLO:

Who are the members of the board?

MR. SABATINO:

We have three County Executive appointments. Anne Riordan is Chairman. There are two -- there's a minority Legislature appointment and a majority appointment. There's one vacancy right now. I'd have to check the other names. I don't remember the other two people.

LEG. CARACCIOLO:

Do we have a copy of the Executive Directors personal service contract?

MR. SABATINO:

I think the Budget Review Office has it because it was submitted when vouchers were being processed.

LEG. CARACCIOLO:

Do you have it, Jim?

MR. SPERO:

I don't know that we have it. I'm sure we would get a copy if it existed.

MR. SABATINO:

And the -- I mean the Law Department prepared it for the Finance Board last year, I know.

LEG. CARACCIOLO:

Okay. I'd like to request that members of this committee and the Finance Committee get a copy, maybe every Legislator should have a copy.

CHAIRMAN ALDEN:

Okay. Resolution Number 1960-00 Amending the 2000 Operating Budget

transferring funds for Suffolk County Society for the Prevention of Cruelty to Animals (Levy). Assigned to Budget and Health. I believe that Legislative Counsel, Paul Sabatino, was giving us, that's amending the 2000 Operating Budget. Has it been amended or --

MR. SABATINO:

Well, what happened here is because nobody else co-sponsored it on January 29th it died.

CHAIRMAN ALDEN:

Okay, so we're going to strike that --

MR. SABATINO:

From the agenda.

CHAIRMAN ALDEN:

Having no other business before us. I'll make a motion to adjourn. Seconded by Legislator Bishop. All those in favor? Opposed? We stand adjourned.

(*The meeting was adjourned at 6:40 P.M. *)

**Legislator Cameron Alden, Chairman
Budget Committee**