

BUDGET & FINANCE COMMITTEE

Of the

Suffolk County Legislature

Minutes

A meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **June 21, 2005**.

Members Present:

Legislator Michael Caracciolo • Chairman

Legislator Angie Carpenter • Vice•Chair

Legislator Cameron Alden

Legislator Peter O'Leary

Legislator Daniel Losquadro

Legislator William Lindsay

Legislator Ricardo Montano

Also In Attendance:

Mea Knapp • Counsel to the Legislature

Frank Tassone • Aide to Majority Caucus

Paul Perillie • Aide to Minority Caucus

Barbara LoMoriello • Aide to Legislator Cooper

Maria Ammiratti • Aide to Legislator O'Leary

Ed Hogan • Aide to Legislator Nowick

Kevin LaValle • Aide to Legislator Losquadro

Alicia Howard • Aide to Legislator Montano

Carl Yellon • Aide to Legislator Kennedy

Linda Bay • Aide to Presiding Officer Caracappa

Alexandra Sullivan • Chief Deputy Clerk of the Legislature

Jim Spero • Director/Budget Review Office

Robert Lipp • Budget Review Office

Lance Reinheimer • Budget Review Office

Allen Kovesdy • Deputy Director/County Executive's Budget Office

Ben Zwirn • Assistant County Executive
Lynne Bizzarro • Chief Deputy County Attorney
Greg Seidell • Intern/County Executive's Office/IR
Robert Moore • Chief of Department/Suffolk County Police Department
Ed Webber • Chief of Patrol/Suffolk County Police Department
John Desmond • Director/Suffolk County Probation Department
Dr. James Golbin • Chief Planner/Suffolk County Probation Department
Jeff Tempera • Director/Labor Relations
Cheryl Felice • President/AME
Bob Tuerlings • Executive Vice•President/AME
Dan Sicilian • 2nd Vice•President/AME
Lydia Sabasto • 1st Vice•President/AME
Sondra Palmer•Randall • Secretary/AME
Josephine Riley • AME/Crossing Guard
Bob Schroeder • AME/DPW•White
David Fitzsimmons • AME/Abrahms, Herde, Merkel
Emi Endo • Newsday
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

(* The meeting was called to order at 9:46 A.M. *)

CHAIRMAN CARACCILO:

I would like to begin the Budget & Finance Committee. Thank you. Please be seated. Okay, before we begin presentations, I'd like to request if there's anyone in the audience that is here to speak on a resolution that's on the public hearing today, 1647. Hearing no one •• oh, we do have one? Okay. Okay, Ilona, would you inform us if the proper.

MS. JULIUS:

Yes, Mr. Chairman, duly filed and in proper order.

CHAIRMAN CARACCILO:

Okay. So once again, is there anyone in the audience that would like to address the committee on IR 1647? No, okay. Then the chair is going to make a motion to close that public hearing since ••

LEG. ALDEN:

Second.

CHAIRMAN CARACCILO:

•• since it was previously here in another form. And that second by Legislator Alden. All in favor? Opposed? Abstentions? Unanimous.

The Public Hearing on 1647 is closed.

Okay. We will go to the presentations, and the first one I'd like to call forward for a presentation is the President of the Association for Municipal Employees, Cheryl Felice. She would like to address the committee on the negotiated settlement that was reached between her bargaining unit and the County. Cheryl?

MS. FELICE:

Good morning. Thank you, Chairman Caracciolo, Members of the Committee. Good morning. And with me is David Fitzsimmons who is from our auditing firm, Abrahms, Herde and Merkel. So, in case we have any technical money questions, we •• he is here for me. I also have the members of my Executive Board with me in the audience today and several members of my Board of Directors.

So we're here today a day before the vote for the AME contract ratification of the membership takes place and we wanted to be able to come to you to give you the opportunity to know the process that we've been through, where we are right now, and we expect to be back in front of Ways & Means on Thursday with a successful contract vote on behalf of our members.

We went through eleven months of very intense negotiations. This is the first post 9/11 contract for AME members. It represents what we believe to be fair to our members, as well as cognizant of your responsibility to the residents of Suffolk County, both on the legislative end and from the Executive Branch. It represents what we think are fair wage increases over five ••

over a five-year period, and offers our members a retro in which they can use to perhaps take care of some bills that have been waiting while we have been over 18 months without a contract.

We've said before this membership is the backbone of Suffolk County, this membership has been doing more with less, and it was felt by the Executive Board and the negotiating committee that it was time to settle this contract for this membership, as our membership do represent the utmost in support staff of this particular •• of the employees in the entire Suffolk County.

So that's what we have before you, and we know that the Legislature has been extremely supportive of this membership, extremely supportive of getting this membership the tools it needs in order to do the job they need to do, both for you and your constituencies, but for the remaining County offices, departments and their constituencies and clients.

So, if I can answer any questions, would you like me to go through the particulars of the wages that we did settle on.

CHAIRMAN CARACCILOLO:

If you would like, sure. I know, for the benefit of the committee, that the Budget Review Office, as I understand it, will have their report on the labor agreement ready by this Thursday. Is that in anticipation of the Ways & Means Committee meeting, Jim?

MR. SPERO:

Actually, we have all the numbers for the AME component already calculated. We are going to add a component that deals with the exempt employee salary costs, if the AME benefit was extended to the exempts. So once that's completed, we can have our memo issued, so, hopefully, it will be out by Thursday.

CHAIRMAN CARACCILOLO:

Okay, very good. Cheryl, would you proceed?

MS. FELICE:

Sure. Thank you. Again, we negotiated a lump sum payment for all those on payroll effective

July 1st, 2004, and on •• by July 1st, 2005, a lump sum payment of 1,925 for the year 2004. For the year 2005, a 3% wage increase across all wage levels, except for entry level; 2006 3%; 2007 3%; and 2008, three and a quarter.

Various components of the longevity, uniform, and night differential and rotating shift pay were also increased, as well as the Benefit Fund increased payment of \$50 per head in the amount of money that the County now pays to the Benefit Fund, which brings us more in line with some of our other unions in the County and the benefit service that they offer to their members and brings us a little •• a little closer to being consistent with their offerings.

In addition, we did get a lump sum payment into the Benefit Fund in which we can take care of some of those benefits that have been lagging, our brother and sisters in the various other unions in the County and the College, and both in the Police unions. And we look forward to be able to make the changes to the Benefit Fund to enhance those benefits for everyone involved in the Benefit Fund there.

We have several work rules that were or may be adopted by the County, including evaluations, a sign•in/sign•out policy, and a sick time management policy. The sick time management policy goes into merely codifying a practice that the management now enjoys in monitoring its employees, and gives us an extra leg up on grievance monitoring for our employees, and also we believe will attempt to reduce some of the abuses that some, and I say some, management personnel has imposed on some of our members. So we look forward to those enhancements to be able to more adequately represent our members and defend them against what we feel is unnecessary and over surveillance.

And then we have some additional Labor Management Committees that's consistent with some of the lobbying efforts we have brought before the Legislature having to do with DSS caseloads and Health Department workloads. We have lobbied in the pass to get a Blue Ribbon Commission to look at personnel issues, and this particular contract will give us Labor Management Committees that will allow us the opportunity to meet with management and go over those pending issues that are still out there, and, hopefully, address some of the longstanding issues with workload, with staffing issues, and with just working conditions within those particular ranks.

And that's about the balance of what we have. Actually, we also have one more Labor

Management Committee for volunteer firefighters and release time. The County does now enjoy allowing volunteer firefighters the option •• the benefit of being able to serve the community in volunteering for the fire service. It's not extended to ambulance personnel, but the Labor Management Committee will give us the jurisdiction to be able to look at those issues and see if we can offer suggestions that are acceptable to the County to be able to offer those volunteer people the chance to serve their community in conjunction with the Labor Management Agreement.

CHAIRMAN CARACCILO:

Okay. Legislator Alden has a question.

MS. FELICE:

Okay.

LEG. ALDEN:

Hi, Cheryl. '04 is a lump sum. '05?

MS. FELICE:

Yes. '05 is 3%.

LEG. ALDEN:

That now will be spread over the remainder of the year?

MS. FELICE:

Correct. That's effect from January 1st.

LEG. ALDEN:

But only ••

MS. FELICE:

For '05.

LEG. ALDEN:

You had to be an active employee as of what date, June ••

MS. FELICE:

For the •• for '05?

LEG. ALDEN:

Yeah.

MS. FELICE:

That would be for whenever you were active •• activated. So, if a new employee came in, it would be from that point on.

LEG. ALDEN:

Okay. And you anticipate that being a lump sum, or maybe I could ask ••

MS. FELICE:

That would also be calculated in addition to the lump sum, an additional retro payment in addition to the lump sum.

LEG. ALDEN:

Okay. Thanks.

MS. FELICE:

You're welcome.

CHAIRMAN CARACCILOLO:

Legislator Lindsay.

LEG. LINDSAY:

Cheryl, what's the average wage of an AME member; do you know that?

MS. FELICE:

The average wage we determined at 47,000?

MR. TEMPERA:

Yes.

MS. FELICE:

47,000 is the average wage for the •• for the AME.

LEG. LINDSAY:

So, the nineteen hundred correlates to ••

MS. FELICE:

Nineteen hundred for that group of individuals correlates to about a 7.9% ••

LEG. LINDSAY:

Okay.

MS. FELICE:

•• increase.

LEG. LINDSAY:

Okay. The other question I had, you mentioned something in your presentation about people not hired yet, the unborn as we would call them. Do they •• do they enjoy this same contract, or do they have a lag, or ••

MS. FELICE:

There is one modification for new employees who will be hired after July 6th •• July 1st, 2006, and that is the Fair Labor Standards Act Rule for overtime will apply to those individuals.

LEG. LINDSAY:

So over 40.

MS. FELICE:

For the over 40 hours. The compensation for straight time will be realized between their normal work hours and 40, and then after 40, the time•and•a•half would kick in.

LEG. LINDSAY:

Okay. But the new hires ••

MS. FELICE:

Does not ••

LEG. LINDSAY:

•• the wage is exactly the same?

MS. FELICE:

Yes.

LEG. LINDSAY:

Okay. Thank you.

CHAIRMAN CARACCILOLO:

Cheryl, were there any work week changes in the work week schedule.

MS. FELICE:

No, there was not.

CHAIRMAN CARACCILOLO:

So, an AME employee today works either 35 or 37 1/2 hours?

MS. FELICE:

That's correct. The first•year employees do have to work an extra two•and•a•half hours for that first year, but that •• and that remains the same, that has not changed.

CHAIRMAN CARACCILOLO:

Okay. You mentioned the Labor Management Committees that would be formed to address some staffing issues. Is there anything specific in the agreement that addresses what the Legislature has been attempting to address with the hiring of additional personnel, particularly in DSS?

MS. FELICE:

The DSS caseload in Suffolk •• for the Suffolk County Social Services, as well as the Health Department nursing personnel, it was raised in negotiation the issue of high caseloads, and

because of the time constraints within negotiations, we could not come up with a resolution, so felt it was necessary that the issue was important enough to commit it to a full committee to address those issues. And I would say that the committee would enjoy the latitude of exploring anything involving caseloads, workloads. If it has to do with personnel, that, yes, we could address it at that point.

CHAIRMAN CARACCIOLO:

The salary increases that you enumerated, including the lump sum for '04, it's our understanding, based on previous testimony last committee meeting, that this contract is fully funded in the County's '05 Operating Budget; have you heard anything to the contrary ••

MS. FELICE:

It's our belief that it is fully funded as well.

CHAIRMAN CARACCIOLO:

Okay. And the percentage increases that you outlined, are they in addition to step increases?

MS. FELICE:

Yes, they are.

CHAIRMAN CARACCIOLO:

And has there been any changes in step increases?

MS. FELICE:

There have been no changes to the step increases. Our members will still enjoy the step increase on July 1st of 3%, providing they're still in the step system.

CHAIRMAN CARACCIOLO:

I can tell you, then, that you as a labor negotiator did very, very well, because ••

MS. FELICE:

We're very proud of this contract.

CHAIRMAN CARACCIOLO:

Because historically our former colleague, now County Executive Steve Levy, always complained about your union having both. And I'm glad that he has seen the wisdom in light of the high cost of living here in Suffolk County to provide a continuation of both, because the reality is the cost of utilities, the cost of fuel. I mean, County employees are no different than other employees, they endure the same financial hardships in some cases and increases that everyone else increases. And at the end of the day, what does the combined increase come to?

MS. FELICE:

The combined increase for those in the step system would come to 6%.

LEG. CARACCIOLO:

Okay. Thank you.

MS. FELICE:

Annually.

CHAIRMAN CARACCIOLO:

Thank you.

MS. FELICE:

Okay?

LEG. CARACCIOLO:

Okay. Legislator O'Leary.

LEG. O'LEARY:

Good morning, Cheryl.

MS. FELICE:

Good morning.

LEG. O'LEARY:

The retro payment for '04, what's qualifying event for that, is it a full year employ, or is there •
• is there a cut•off date?

MS. FELICE:

The person would have to be on the payroll July 1st 2005, in between the period of 2004 and 2005, but they would have to be on the payroll July 1st, 2005 to qualify for the lump sum.

LEG. O'LEARY:

Oh, all right. So the qualifying event is having been hired by July 1st of '04.

MS. FELICE:

Correct.

LEG. O'LEARY:

Okay. And the •• you made comment, a brief comment about the entry level salaries.

MS. FELICE:

Actually, let me just restate that. If they were hired after 2004, it would be prorated, be •• yes, that's the time frame. They would have to be on 2005 to receive the lump sum payment, and •• but for those who are on July 4th •• July 1st for 2004 would enjoy the entire lump sum. Those who are on a portion of that year would be prorated accordingly.

LEG. O'LEARY:

All right. So there is a proration formula in effect, it's not •• it's not across the board nineteen •twenty•five for all.

MS. FELICE:

No. It would be dependent upon when you were hired.

LEG. O'LEARY:

Okay. And you had mentioned that the entry level salary ••

MS. FELICE:

Yes.

LEG. O'LEARY:

•• it would be frozen for five years?

MS. FELICE:

Would be •• well, it would be •• it will be brought up first to the 2005 rate and then frozen thereafter, so in •• theoretically, only three years.

LEG. O'LEARY:

All right. So, it would be brought up to the 2005 rate with the 3% increase.

MS. FELICE:

Right.

LEG. O'LEARY:

And frozen at that for the following three years.

MS. FELICE:

Correct, correct.

LEG. O'LEARY:

Okay.

MS. FELICE:

Which is also open to be unfrozen. If a recruitment problem arises, if the parties agree, we can •• we can make that request of the County Executive to unfreeze that step.

CHAIRMAN CARACCILO:

Cheryl, I just requested Mr. Tempera to come up, because there seems to perhaps be a little disagreement on that issue. Maybe, Jeff, you can clarify any ••

LEG. O'LEARY:

A disagreement on what issue?

MS. FELICE:

On which one, on the lump sum?

LEG. O'LEARY:

On the issue that I raised?

CHAIRMAN CARACCILO:

No, no, no, no. Go ahead, Jeff. Why don't you share with us why you were shaking your head.

MR. TEMPERA:

I apologize for sitting in the audience shaking my head, but, no, the •• and Cheryl's correct and she did a great job of explaining the contract. The entry level salary will be frozen at the current levels.

CHAIRMAN CARACCILO:

For the term of the agreement?

MR. TEMPERA:

For the term of the agreement, unless on an individual basis the County Executive determines that for recruiting needs, for any need that he sees fit, we need the upgrade a certain title. The President of AME, Cheryl, has the opportunity to come to my office and request that a certain title be upgraded, and that can be considered by the •• not upgraded, but unfrozen. And if it is unfrozen, the salary would get the •• the position would get the same salary increase as the general increase for that year. For instance, if it's unfrozen, if a title is unfrozen in 2005, the general wage increase for 2005 is 3%, that title would get the 3% increase on the entry level.

CHAIRMAN CARACCILO:

Okay. I know you're not the bean counter, so let me go to Jim Spero to get back to the previous question, because he nodded his head affirmatively.

LEG. LINDSAY:

I'm not sure I understand that.

CHAIRMAN CARACCILO:

If you don't understand the answer, we'll get clarification in a second.

LEG. O'LEARY:

Have I ••

CHAIRMAN CARACCILOLO:

But Jim ••

LEG. O'LEARY:

Did I relinquish the •• my ••

CHAIRMAN CARACCILOLO:

No, but if you would like to continue and would like to just get ••

LEG. O'LEARY:

Is it the prerogative of the Chair, is that what you're doing?

CHAIRMAN CARACCILOLO:

Just momentarily ••

LEG. O'LEARY:

Okay.

CHAIRMAN CARACCILOLO:

•• if you don't mind.

LEG. O'LEARY:

All right.

CHAIRMAN CARACCILOLO:

Okay. Jim, just to get back to the previous question on the contract being fully funded for '05, prospectively, how would the contract be funded?

MR. SPERO:

Okay. For •• just to go over a few of the numbers that will be in our memo, the bonus payment we calculate to be \$11.7 million in total, and for the cost of the contract over the two•year period for 2004 and 2005 will be just under \$27.6 million. And there are sufficient appropriation in the '05 budget to pay for this contract, and there should be enough

appropriations available to •• for any other contract settlements as well.

CHAIRMAN CARACCILOLO:

So, the total cost, including the retro component ••

MR. SPERO:

For '04 and '05 only is 27.6 million.

CHAIRMAN CARACCILOLO:

Okay.

MR. SPERO:

The total cost of the contract over the five•year period is 146.1 million.

CHAIRMAN CARACCILOLO:

Okay. We'll continue with Legislator O'Leary.

LEG. O'LEARY:

I was going to get into the finances, so that was the question I was going to ask with respect to the •• you had indicated, Jim, that you had the numbers for the retro monies and you just reported on that, so that was going to be my question. Thank you.

CHAIRMAN CARACCILOLO:

Jim, what was the 2003 year•end fund balance, and do we have '04 yet? I requested yesterday that you check with the budget ••

MR. SPERO:

Yeah, I called the Comptroller's office, they still haven't gotten a touchdown on the final '04 fund balance figures, they should be available shortly but they're not available today.

CHAIRMAN CARACCILOLO:

How about '03?

MR. SPERO:

We'll get that for you.

MR. LIPP:

No, it's 130.

MR. SPERO:

For the General Fund, 130.8 million.

MR. LIPP:

And for the Police District ••

MR. SPERO:

For the police it was a negative 415,000.

CHAIRMAN CARACCILOLO:

Okay. So at the end of 2003 the County closed its books with a surplus •• and give me that number again, 100?

MR. SPERO:

A hundred and thirty point eight million in the General Fund.

CHAIRMAN CARACCILOLO:

One hundred and thirty•eight ••

MR. SPERO:

A hundred and thirty point eight.

CHAIRMAN CARACCILOLO:

One hundred and thirty point eight less 415,000 deficit in the Police Department, so roughly about \$130 million surplus.

Now, when you end the year •• Jim? When we end the year with a surplus, that tells me abstractly that people were either taxed too much or we did a fantastic job and our expenditures were far greater •• far less, rather, than anticipated or a combination of the both. Okay? Could you just explain because, you know, looking through the Comptroller's bond

prospectuses recently and coming across these numbers and refreshing my memory, there has been a trend here. And when we talk about numbers like we just heard with respect to this contract over five years, I want to put things in perspective. In one year we had a fund balance that almost equates to the five year cost of this contract.

MR. SPERO:

The troubling •• the fund balance figures are very encouraging. The troubling part about turning these large fund balances is they become a mandatory, in a sense, or a required source of revenue because we fund the subsequent year's budget ••

CHAIRMAN CARACCILOLO:

Based on ••

MR. SPERO:

•• on the assumption that we're going to have these large fund balances. So it's just as important to turn a large fund balance as it is to get sales tax revenue in, because if the fund balance doesn't materialize ••

CHAIRMAN CARACCILOLO:

But in reality •• you're missing my point. What generates the fund balance then?

MR. SPERO:

A combination of ••

CHAIRMAN CARACCILOLO:

Is it possible?

MR. SPERO:

•• higher than anticipated revenues and lower than anticipated expenses.

CHAIRMAN CARACCILOLO:

Okay, higher than anticipated revenues. Now, we all know that generally speaking that's a result of sales tax revenues that have far exceeded our budgetary forecast.

MR. SPERO:

And/or State and Federal aid, County Clerk revenues continue to come in at a very strong pace.

CHAIRMAN CARACCILOLO:

Mortgage tax, right.

MR. SPERO:

So it's a combination of all those factors, coupled with the fact that there's very tight •• there's monitoring of the expenditure side of the budget.

CHAIRMAN CARACCILOLO:

Yeah. I mean, I wanted to explore this at a future committee meeting but right now for the purposes of this presentation, I want to put numbers in perspective. Because someone reading the numbers without having the context can be easily misled and say, "Oh my God, they're going to increase my taxes now." Well, that's not necessarily true. And if we can have someone come up from the Budget Office, I'd appreciate that; who's hiding back there?

LEG. ALDEN:

Put me on the list, Mike.

LEG. LINDSAY:

Yeah, when he's done I still don't ••

CHAIRMAN CARACCILOLO:

Okay, we'll get back to that other point that you need clarification on.

MR. KOVESDY:

Good morning.

CHAIRMAN CARACCILOLO:

Allen, how are you?

MR. KOVESDY:

Fine, thank you.

CHAIRMAN CARACCIOLO:

Okay. Just for the record, state who you are.

MR. KOVESDY:

My name is Allen Kovesdy, I'm Assistant Budget Director.

CHAIRMAN CARACCIOLO:

Okay, Allen. Help me out with this fund balance issue. I mean, you've been in the Budget Office how many years?

MR. KOVESDY:

Twenty•five.

CHAIRMAN CARACCIOLO:

Okay. And as I recall, you know, recently we've had some excellent experiences with very significant fund balances; I think in the last four years we had one year that wasn't quite, you know, banner year, but it seems almost year in and year out we come in with these very significant surpluses. What does your crystal ball tell you as an Assistant Budget Director we're going to close '04 with in terms of a fund balance?

MR. KOVESDY:

I would tend to agree with Jim, we really don't have the final numbers. We're optimistic ••

CHAIRMAN CARACCIOLO:

You have some idea.

MR. KOVESDY:

We're optimistic that we're going to meet what we have in the budget for going into '05.

CHAIRMAN CARACCIOLO:

And how much was budgeted this year for an '04 fund balance?

MR. KOVESDY:

Hold on.

MR. SPERO:

Okay. When we did the '05 budget it was estimated that there would be \$103.8 million surplus in the General Fund and a deficit of 9.4 million in the Police District.

CHAIRMAN CARACCILOLO:

Okay. So you feel pretty comfortable that we're going to come in very close to those projections.

MR. KOVESDY:

At this point in time, yes.

CHAIRMAN CARACCILOLO:

Okay, that's very encouraging, because again the trend continues. And going prospectively, getting back to a question I raised about this contract is fully funded, it's clear to me that •• clear to me, then, that you feel confident that the '06 portion of this contract should not be a major problem nor necessitate a property tax increase.

MR. KOVESDY:

I wouldn't talk about the '06 budget right now, and right now the departments as we're speaking are presenting their '06 budget, we're only five months into the year. So right now, you know, we're managing the budget but, again, as we've explained in the past, there's six months of revenue coming in, there are possible expenses, but right now we're trying to manage the budget as best as possible.

CHAIRMAN CARACCILOLO:

Turnover savings. One of the major discrepancies that continues to differentiate your view versus our Budget Office's view is about \$20 million in turnover savings. When I look at the cost of next year's collective bargaining agreement for this contract, that \$20 million means a lot. So what is your current forecast right now for '05 year over year turnover savings?

MR. KOVESDY:

I really don't have that information, I'd be more than happy to get it for you but I don't have

that in front of me.

CHAIRMAN CARACCIOLO:

Jim, do you have anything you can share; Jim?

MR. KOVESDY:

I was just saying that we have released a lot of positions throughout the County, the people haven't been hired yet but once those people come on we have to annualize it for next year and that you'll see in the '06 budget. It's more the effect on '06 of these positions than the effect on '05 as they get ••

CHAIRMAN CARACCIOLO:

But it does effect the '05 turnover savings.

MR. KOVESDY:

It will, yes.

CHAIRMAN CARACCIOLO:

Yeah. Jim, what is your latest forecast?

MR. SPERO:

We're projecting about a 15 to \$16 million surplus in permanent salary appropriations in the General Fund for this year.

CHAIRMAN CARACCIOLO:

Another part of the budget that we're all cognizant of that hasn't been utilized very much is the pay•as•you•go account. And I was encouraged, Mr. Zwirn, to see you sent out a memo late yesterday afternoon amending the number of County •• I mean, County Executive resolutions from bonding to pay•as•you•go, that's a cost efficient and smart way to do business and I'm glad you're taking the Legislature's lead in doing so; we've been advocating that for months. But in terms of the pay•as•you•go account, as we speak today what is the fund balance?

MR. KOVESDY:

Do you have that?

MR. ZWIRN:

No, I don't have it.

MR. KOVESDY:

I don't have it; again, I can get that for you.

CHAIRMAN CARACCILOLO:

Jim, do you have some numbers?

MR. SPERO:

I'm just going to speak off the top of my head because a resolution was recently adopted transferring about one point two or three million to cover snow removal costs from the pay•as •you•go account and there were a few other items, so it's probably down to about ten million.

MR. KOVESDY:

Ten million, right.

CHAIRMAN CARACCILOLO:

How much was budgeted, Jim?

MR. SPERO:

Eleven point six or seven million.

CHAIRMAN CARACCILOLO:

Okay. Context, remember that word context when people start talking numbers.

Okay. Well, I'm encouraged that the money is there. The County Executive felt it was there and soon it will be in our hands to determine whether or not there's any disagreement about the ability of the County to pay what is a fair wage for our County employees. Do you have anything, Allen, that you would like to say about the contract specifically?

MR. KOVESDY:

No, thank you.

CHAIRMAN CARACCIOLO:

Are you a management employee?

MR. KOVESDY:

No.

CHAIRMAN CARACCIOLO:

No, you're a civil servant.

MR. KOVESDY:

Yes, I am.

CHAIRMAN CARACCIOLO:

Okay. So you would receive a 6% annual increase.

MR. KOVESDY:

Not quite.

CHAIRMAN CARACCIOLO:

Not quite; why not?

MR. LIPP:

Top step; just say top step.

CHAIRMAN CARACCIOLO:

Why not?

MR. KOVESDY:

Let's put it this way, I'm one of the people who are on the bottom end of this contract. But anyway, it's for the members to vote.

CHAIRMAN CARACCIOLO:

You're a Deputy Director and you're at the bottom end; explain that to me. What's your pay

grade? Let me hear this.

MR. KOVESDY:

We don't need that. I'm at top step.

CHAIRMAN CARACCIOLO:

No, no, no, no, no; what is your pay grade?

MR. KOVESDY:

I'm at top step.

CHAIRMAN CARACCIOLO:

Okay. And your annual salary is?

MR. KOVESDY:

Up there.

MS. FELICE:

And what is 3% of up there?

CHAIRMAN CARACCIOLO:

Yeah.

MR. KOVESDY:

I did want to say we're going to miss Jim and people in the Budget Office are sorry to see him go.

MR. SPERO:

Oh, nice; don't change the subject.

(* Robert Lipp handed Allen Kovesdy a dollar bill *)

MR. KOVESDY:

This is to get me up to the cost of living, thanks a lot.

CHAIRMAN CARACCILOLO:

Don't go, don't go anywhere. Cheryl, thank you very much, Jeff.

MS. FELICE:

Thank you very much.

CHAIRMAN CARACCILOLO:

Oh, hold it. Before you go, Legislator Lindsay did have one lingering question that he felt was not properly answered.

(Legislator Montano entered the meeting at 10:15 A.M. *)*

LEG. LINDSAY:

I'm still confused about the new hires.

MS. FELICE:

Okay.

LEG. LINDSAY:

Someone is hired this year.

MS. FELICE:

Uh•huh.

LEG. LINDSAY:

The 3% is added on to their initial starting salary?

MR. TEMPERA:

Actually, the easiest way to describe this is don't look at individuals. The entire salary plan for 2005, absent entry•level step, will go up by 3%. The same thing will occur in '06, '07 and in '08 it will go up by 3.25%. It is the salary schedule that goes up and the individuals when they're hired will come in to whatever the entry•level is. If they're coming into an entry•level step that's frozen, they'll get their increase when they get their step in July. But that's •• if you look at individuals it's a little tough, the entire salary schedule effective January 1 this year will go

up by ••

LEG. LINDSAY:

Okay. But Jeff, the starting step.

MR. TEMPERA:

Correct.

LEG. LINDSAY:

Is that salary going to be frozen for three years?

MR. TEMPERA:

Yes.

LEG. LINDSAY:

That's all I wanted to know.

MS. FELICE:

But Legislator Lindsay, they'll get a double bump when they go to the step, so then the step will increase for them 6% because the chart will also increase. That's how we had to look at it at negotiations; while they're not receiving it on the up front end, they will receive it once they get their step because the whole chart increases after that. So for the first year it will be 6%, the second year it will be 9 and the third year it will be 12.

LEG. LINDSAY:

So when they go to the next step ••

MS. FELICE:

They'll enjoy a greater increase, a greater jump between that first step and the second step, yes.

LEG. LINDSAY:

Thank you.

CHAIRMAN CARACCILOLO:

Okay? Thank you all very much.

MS. FELICE:

Okay. Thank you again.

MR. TEMPERA:

Thank you.

CHAIRMAN CARACCIOLO:

We next have a presentation •• did you have a question? Hold on, hold on.

LEG. ALDEN:

They can go but I have a question of Budget Review.

CHAIRMAN CARACCIOLO:

Oh, all right. Okay, Budget Review, not you guys.

MS. FELICE:

Thank you.

CHAIRMAN CARACCIOLO:

Allen's glad to get away from there. Up there, I've got to look that one up, Allen.

Okay. Legislator Alden.

LEG. ALDEN:

Just, Jim, what budget lines were the monies put into for this increase or the settlement of this contract?

MR. SPERO:

Funding was included in every departmental appropriation in what's called the 108 Account for the contract settlements.

LEG. ALDEN:

That's separate from what we heard about turnover savings.

MR. SPERO:

This is separate from the Permanent Salary Accounts.

LEG. ALDEN:

It's separate from permanent salaries.

MR. SPERO:

That's right.

LEG. ALDEN:

All right. The other thing is I just want to explore a little bit more about the surpluses that we run, because we could become, and we have become, surplus junkies basically. If we don't develop a huge surplus we've got major problems in that we're going to have to get that money from someplace and the only place we can is from the taxpayers. So ideally what you like to have is a budget that comes in, you know, very, very close to budget. You don't want to be on the negative side, you want to be slightly on the positive side. What steps should we be taking to get to that point? Because to me, it's almost like dishonest what you're telling the public we're doing and then what we end up doing at the end of the year, by relying on a surplus to go and fund the next thing.

MR. SPERO:

Well, if you cut the budget too tight then you'd end up reducing taxes even lower than they are now. As we know, the General Fund taxes, property taxes are extremely low in relation to the size of the General Fund budget. So we balance the General Fund budget with a tax of \$52 million, sales tax being, you know, more than 50% of all General Fund revenues. So the fact that the other revenues are coming in and the fact •• and you don't want to lower the taxes any more than they already are, so you have a situation where if revenues remain strong you end up with a surplus, coupled with tight, you know, expenditure control.

LEG. ALDEN:

But it seems very risky. Like if I'm looking at a business model and they're looking at a surplus to balance their budget and go forward, that seems like a very risky way to run a business and

I would think that that would be a very risky way to run government.

MR. SPERO:

Well, we are required, under the Charter, to reserve 25% of the General Fund surplus, put it in Tax Stabilization Reserve, so, and we do that.

LEG. ALDEN:

Right, but the other 75% ••

MR. SPERO:

Goes back to reduce property taxes for the next year.

LEG. ALDEN:

Right, we're very, very relying on that 75% to even carry forward, you know, a negative or whatever way we want to go with the taxes; we've been going in a slight negative direction, but even just a steady or a flat tax going out into the future. In your estimation, there's not a •• in mine it would be a lot of risk, but in your estimation that's not a risky way to go? Wouldn't it be better to reduce that surplus?

MR. SPERO:

Well, it would if you don't mind taking the risk of having to increase property taxes. In other words •• or reducing them even lower than they are now. So you don't want to construct a budget that's so tight that you don't have some latitude within the budget to exercise for unexpected contingencies that may arise.

LEG. ALDEN:

But doesn't a hundred and something million dollars seem •• you know, that's quite a big surplus to have to rely on.

MR. SPERO:

It's a lot but don't forget, the General Fund budget is \$2 billion almost, so it's really 5% of the General Fund budget which ••

LEG. ALDEN:

All right, two billion. So break that down, 48 million is the property tax, right?

MR. SPERO:

Fifty•two.

LEG. ALDEN:

Fifty•two million is property tax. The sales ••

MR. SPERO:

The sales tax and the General Fund alone is over a billion dollars.

LEG. ALDEN:

And where do the other funds come from?

MR. SPERO:

State and Federal aid, other departmental income, primarily.

LEG. ALDEN:

Okay. Thanks, Jim.

CHAIRMAN CARACCILO:

Jim, you used a term that's intriguing; expenditure control. Almost Greenspanish, I mean, it's interesting. How much did we experience in expenditure control last year as a result of reductions in travel expenses, equipment and those discretionary areas of our budget? We had raised this question several months ago, we did not get a definitive answer; hopefully now by June of the following year we know what that number is.

MR. SPERO:

Well, for 2004, when the '05 budget was compiled •• well, this is interesting •• we had adopted appropriations of one million eight hundred and •• one billion, eight hundred and twenty•five million, and the estimated expenditures were actually higher, one million (sic) eight hundred and forty•six million. Now, that overage is probably due to pension costs and grants that may come in during the year which we appropriated additional funding for. However, on the revenue end ••

CHAIRMAN CARACCIOLO:

No, no, we're not talking revenue, we're talking expenditure.

MR. SPERO:

Okay, so that was on the expenditure end. The expenditures were actually forecasted ••

CHAIRMAN CARACCIOLO:

Okay. So what you're saying •• I don't want to miss this point.

MR. SPERO:

They're actually forecasted to be higher than was budgeted.

CHAIRMAN CARACCIOLO:

That's right, you're talking about expenses last year exceeded budgeted account or the budget by over \$120 million; that is not insignificant, that is not expenditure control.

MR. SPERO:

Twenty ••

MR. KOVESDY:

Twenty•two.

MR. SPERO:

Twenty•two million dollars.

MR. KOVESDY:

Twenty•two million.

CHAIRMAN CARACCIOLO:

Twenty•two million. All right, let me get the numbers straight. You said one billion twenty•five million was ••

MR. SPERO:

One billion, eight hundred and twenty•five.

CHAIRMAN CARACCILO:

Eight twenty•five, I missed the eight, I apologize. And actual was one billion ••

MR. SPERO:

No, the estimated, we don't have the actuals yet. One billion eight hundred and forty•six million.

CHAIRMAN CARACCILO:

Gotcha.

MR. SPERO:

So it's \$21 million.

CHAIRMAN CARACCILO:

Okay. So we don't have the actual, so this number is still subject to change, up or down.

MR. SPERO:

That's correct.

CHAIRMAN CARACCILO:

Okay. But specifically the question I raised several months ago, Allen, was along the lines of travel and equipment expenses, two areas that were targeted for reduction; did we succeed?

MR. KOVESDY:

Yes, we managed the budget. That's the answer.

CHAIRMAN CARACCILO:

No, no, no, no, no, answer the question.

MR. KOVESDY:

Yes.

CHAIRMAN CARACCILOLO:

You know, I've been very lenient. All right, provide this committee with what was budgeted for equipment and other discretionary expenditures for '04 and what the actual experience was; travel, meals. If you have it today that would be wonderful, if not, I'd like it by tomorrow; is that any problem?

MR. KOVESDY:

Oh, we have hearings, we'll try to get to you by the end of week.

CHAIRMAN CARACCILOLO:

Can you get it by the end of the week?

MR. KOVESDY:

Yeah.

CHAIRMAN CARACCILOLO:

Okay, as long as it's not any later than the end of the week.

Okay. Jim, you wanted to say something about •• or Robert, did you want to say something about revenues?

MR. LIPP:

No, I wanted to speak •• I just wanted to try to get to some of the answers to the questions you're asking now, it will take a few minutes, I've got to call up some files, that's all.

CHAIRMAN CARACCILOLO:

Okay. So you can provide ••

MR. LIPP:

I'm not here to talk, I'm here to work.

CHAIRMAN CARACCILOLO:

•• us with the answers?

MR. LIPP:

I will try, yes.

CHAIRMAN CARACCILO:

Okay. All right, thank you. While we have Budget Review doing that, I'd like to call up Chief Moore and Chief Webber for a brief presentation on a previous request by the committee to report on the status of overtime expenditures in the Police Department.

CHIEF MOORE:

Good morning, Mr. Chair. Again, I'm Robert Moore, Chief of Department, Suffolk County Police Department. Thank you for having me. I have with me Chief Edward Webber and he is our Chief of Patrol.

We prepared a report for you and I placed in front of your chair two copies of the report, so that's not two sections of a single report, those are two separate copies of one report. We believe that this information is responsive to your questions, and if not please let us know and we'd be happy to provide additional information. I'd like to have Chief Webber just give you an overview of what we're looking at, and if you have some questions we'd be happy to answer them or get answers for you. If you would like to have us back at a later time, of course, we'd be happy to come back. So with that, if you don't mind, I'd like to turn it over to Chief Webber. Would you like to have copies made before we proceed?

CHAIRMAN CARACCILO:

We're doing that right now.

CHIEF MOORE:

Well, okay.

CHAIRMAN CARACCILO:

Do you have extra copies with you?

CHIEF WEBBER:

No, just ••

CHAIRMAN CARACCILO:

No. Well, we have the Clerk's Office making copies for the committee.

CHIEF MOORE:

Should we wait a moment or two, sir, or would you ••

CHAIRMAN CARACCILOLO:

We could, maybe we can get back to Robert and see if he has some answers for us.

CHIEF MOORE:

Okay.

MR. LIPP:

Well, for 2004, it appears that we have about a •• this is just an estimate right now, that we probably will have a \$3.8 million surplus in supplies and materials, 3,000 accounts.

CHAIRMAN CARACCILOLO:

What was budgeted and what was the expense?

MR. LIPP:

Well, the budgeted number from the '05 budget for the '04 estimate was a little over 36 million in supplies and materials. And we don't have the year•end actual, this is just an estimate, Budget Review Office estimate which is 32.3, it's about \$3.9 million or less. So we're waiting for the final year•end numbers to confirm that, that's sort of an unaudited estimate.

CHAIRMAN CARACCILOLO:

That was supplies and materials. How about travel and meal reimbursement?

MR. LIPP:

Travel, off the top of my head, was •• I think we had budgeted like 300,000 or something and we only spent about 75,000.

CHAIRMAN CARACCILOLO:

County•wide it was 300,000?

MR. LIPP:

The General Fund, yeah.

CHAIRMAN CARACCIOLO:

What about the Police District?

MR. LIPP:

The Police District, I don't have the travel number for that here, I could do a little more work, though.

CHAIRMAN CARACCIOLO:

Okay. Robert, Jim, looking ahead, where is the Budget Review model right now with respect to the projected 2006 budget deficit number?

MR. LIPP:

As we stated in the last Finance Committee meeting, we were going to wait until mid July when the second quarter of the sales tax was over and we had the opportunity to get in the numbers now in hindsight for the contract and then we would reestimate. Back in March, when we first came out with our model, we were talking about a \$25 million deficit •• well, increase in taxes if nothing was done in the General Fund and we didn't see any problem in the Police District, although admittedly our year•end estimate for 2004 for the Police District was probably •• although it's unofficial now, about eight million or so too optimistic. So that will cascade through, perhaps it could be a \$20 million problem in the Police District, but we need to revisit that in July is when we plan to do that.

CHAIRMAN CARACCIOLO:

Okay. Two things, I would point out, has transpired over the last year with respect to the positives in revenue. One in the Tax Stabilization Fund •• although that's not a positive in my view, it's a negative •• the Legislature changed the amount of money earmarked from 50% to 25%. So that only allocates a smaller portion of the surplus to, you know, tax stabilization, a mistake in my view. On the other end, the Legislature approved a Home Rule Message to extend the sales tax and in doing so created a change in the formula where now three•eighth's of 1% instead of one•quarter of 1% is earmarked for public safety. So that increases the amount of revenue available for the Police Department which it sounds to me will be needed.

So on one hand the General Fund takes a hit because Tax Stabilization formulas are changed from 50 to 25%, but the Police District is helped by the Legislature by increasing the sales tax percentage from a quarter to three•eighths dedicated to public safety. Inequitable? Not fair?

MR. SPERO:

Well, it's a backdoor way of funding, using Tax Stabilization Reserve for the Police District. Because when you increase the sales tax to the Police you create a problem in the General Fund which you can backfill with Tax Stabilization Reserve money.

CHAIRMAN CARACCILOLO:

Explain that a little bit more clearly because I don't think everybody here understands what you just said, Jim. Give us some numbers, some ideas here.

MR. SPERO:

Well, if the sales tax goes to three•eighths of a percent to the Police District, it will •• it could theoretically be raised from the current amount of 64 million to 96 million. So you transfer an extra \$32 million to the Police Fund to stabilize taxes there that obviously could create a hole in the General Fund of the similar magnitude.

CHAIRMAN CARACCILOLO:

Oh, but now you're talking about ••

MR. SPERO:

And now you can backfill it with Tax Stabilization Reserve money in the General Fund.

CHAIRMAN CARACCILOLO:

The 25% that you didn't have before to play with.

MR. SPERO:

Right. So ••

CHAIRMAN CARACCILOLO:

How much does that equate to at 25%?

MR. SPERO:

Okay, I'm not following.

CHAIRMAN CARACCIOLO:

In other words, you're saying you could backfill with Tax Stabilization monies.

MR. SPERO:

Yeah, as long as you have a minimal two and a half percent increase in the General Fund Tax Levy, anything above that can be stabilized from the Tax Stabilization Reserve Fund.

CHAIRMAN CARACCIOLO:

Okay. But previously, before the Legislature changed the amount dedicated to Tax Stabilization from 50% of the fund balance to 25% ••

MR. SPERO:

Yeah, I'm not following. It was always 25%, wasn't it?

CHAIRMAN CARACCIOLO:

I thought Counsel and I discussed that there was a change.

MR. LIPP:

Actually, the 50% was on any surplus sales tax funds.

CHAIRMAN CARACCIOLO:

Oh, okay.

MR. LIPP:

And the 25% is 25% of the Discretionary Fund balance. So in theory, it could be more than a hundred percent or less than a hundred percent of what the overall fund balance is.

CHAIRMAN CARACCIOLO:

Could you quantify that? Not right now but, you know ••

MR. LIPP:

Probably, you're probably talking about maybe 10, somewhere between 10 and \$20 million

would go from the General Fund, transfer to the Tax Stabilization Reserve Fund. And what Jim was talking about is if there was a property tax increase of over 2 1/2%, then money could flow back to the General Fund from Tax Stabilization Reserve.

CHAIRMAN CARACCILOLO:

But he also mentioned a portion goes to the Police District.

MR. LIPP:

Tax Stabilization Reserve, no. No monies from Tax Stabilization Reserve could go to the Police District, only to the General Fund.

CHAIRMAN CARACCILOLO:

Okay. All right, I think we got it straight now. And the 50%, the change was you said in excess sales tax?

MR. LIPP:

Yes. So if you adopted a dollar of sales tax and it came in at \$2 and fifty cents could go over •• would go over to Tax Stabilization Reserve from the General Fund.

CHAIRMAN CARACCILOLO:

So that's where ••

MR. LIPP:

Regardless of the fund balance, right. And that was the legislation that was repealed, yes.

CHAIRMAN CARACCILOLO:

Okay. Now, that's the number I'd like to have, Robert; not today, not right now, if you could calculate that number for me.

MR. LIPP:

That 50% is basically •• it would be for specific years, because some years it was a large number, some years ••

CHAIRMAN CARACCILOLO:

Well, you have to do it for this year, the current year going perspective into the '06 budget.

MR. LIPP:

Got you.

CHAIRMAN CARACCILOLO:

What that number might be. Okay.

We now have copies, Chief. I believe everyone has ••

CHIEF MOORE:

I'm sorry about that, sir.

CHAIRMAN CARACCILOLO:

No, that's quite all right.

CHIEF MOORE:

We'll be more careful in the future.

CHAIRMAN CARACCILOLO:

As you begin the presentation, Chief Webber, some of us are to a greater extent or lesser extent familiar with the commands, the command numbers. So the first two or three pages where we don't identify them by title, maybe you can just inform the committee as to what correlates to the command number, what unit.

CHIEF WEBBER:

I'd like to start with just an explanation of the form itself so we understand exactly what we're reading. While the overtime, the budget runs a calendar year from January, obviously, 1st to December 31st, our overtime is tracked in-house fiscally because we start earning or accruing overtime some time in November, it varies from year to year, and then we pay the accrued time in December. So in effect, overtime ceases to be paid for most sworn officers on our about •• it varies from year •• mid November. And then from the end of November to December they're •• while they may be earning it, they don't receive payment for the most part, we pay it the following year. So for us to intelligently track overtime, we must do it by the time when we figure it's actually being earned, and we do track it by payroll period.

This particular report you see in front of you, it says all overtime which means sworn and civilian for the periods indicated, excluding holiday and grants. Grants mean that they're specifically funded for specific items, so we wouldn't include it in regular overtime because we only get the money for a specific purpose. What we mean by holiday is if we're forced to come in and work a holiday, which, of course, policing in itself you work 24 by 7, so if it happens to be Christmas you have to come in, we have absolutely no control over that, so we exclude the things for which we have no control or otherwise reimbursed. So what you're looking at is all other overtime earned within the police department.

CHAIRMAN CARACCILOLO:

Or what some might refer to as discretionary overtime.

CHIEF WEBBER:

To some extent, yes.

CHAIRMAN CARACCILOLO:

Okay. Now, what is the difference between that other overtime number and what we have here? Because that would be the total number.

CHIEF WEBBER:

Yes. The total in budgeted is approximately twenty•three six, I believe; I think Jim could tell us that number for 2005.

CHAIRMAN CARACCILOLO:

And what was actually spent?

CHIEF WEBBER:

No, that's how much we have in our budget.

CHAIRMAN CARACCILOLO:

No, I know, I know that's what's budgeted for this year.

CHIEF WEBBER:

Yes.

CHAIRMAN CARACCILO:

What's actually been spent year•to•day?

CHIEF MOORE:

Year to date, 2005?

CHAIRMAN CARACCILO:

Including that other category that you feel you have no control over, because I want the numbers, the bottom line.

CHIEF WEBBER:

I do have that information but I don't have it with me.

CHIEF MOORE:

I've got it, we could mail it.

CHIEF WEBBER:

Okay, we can get it.

MR. SPERO:

Mr. Chairman, the year•to•date figures can be somewhat misleading as far as actual payouts go because employees can bank their overtime and then take a lump sum payment in December, as the Chief had pointed out.

CHIEF WEBBER:

But we actually have •• Mr. Chairman, we have the number because, again, we must track it when earned. Because a little more than 50% of our overtime is paid in December, we can't wait until December when we payout 14 million in overtime to determine we weren't in control as much as we should have been. So we actually •• our in•house programs do report as we earn it, not when we pay it.

CHAIRMAN CARACCIOLO:

Okay.

CHIEF WEBBER:

Where the actual Budget Office can only tell you when you paid it, so that would be very deceiving. It looked like we had millions in reserve when, in fact, that wasn't the case. So we developed an in-house program that would actually track it when earned. And by the way, if someone does decide to utilize their accruals, we do reduce that payment. We try to be as close to what the IFMS system would indicate at the end of the year.

CHAIRMAN CARACCIOLO:

Okay. Legislator Losquadro has a question.

LEG. LOSQUADRO:

Yes, Chief. I'm glad to see that it's tracked this way and that you've given us this report, because it's my understanding, what's the number of hours that must be reached before a payout is made; is that correct?

CHIEF WEBBER:

It's up to the officer. He can make a determination •• or civilians also; it's up to the employee to determine whether they want payment now or the sworn can accrue 150 hours.

LEG. LOSQUADRO:

Okay. I knew there was a figure that you could •• I didn't realize it was the discretion of the sworn officer whether or not they could choose to participate in that.

CHIEF WEBBER:

Yes. That's a determination, when the officer turns in his overtime sheet for recording he'll indicate whether he wants to be paid for it immediately or to bank it for the end of the year payout.

LEG. LOSQUADRO:

But after 150 it's paid out as it is earned.

CHIEF WEBBER:

That's correct.

LEG. LOSQUADRO:

Okay, very good. Thank you.

CHIEF MOORE:

Just one point, Mr. Chair. You had asked for an explanation of what all the command numbers were. As you've probably seen, and for those of you who were not in the room, if you look at the top of each page it tells you generically the command, like the first page is the 1st Precinct and then the 2nd Precinct and then various Detective commands. So I hope that will be a help but, too, as we go through it, we'll break down further within each of the precincts and commands.

CHAIRMAN CARACCILO:

Very good. So first with regard to the number, we know what's budgeted, we know we're almost mid year; where are we today in terms of what you know, you've already •• people have?

CHIEF WEBBER:

I didn't bring the dollar figure with me but I can get that for you.

I can tell you we're on budget, and I say that only because we make the analogy to prior years average at this time. It's the only way you can do it. We can't go by percentage of the year because we earn much more of our overtime in summer and holidays than we do in January, February and March. So we actually track it, we get an average and we compare our current spending to that average, it's a moving average, and we're doing •• well, we're on target as we speak.

CHAIRMAN CARACCILO:

Okay. Now, how does this year compare with last year at this time?

CHIEF WEBBER:

Okay. The one sheet you don't have in front of you, if I understood you correctly in your correspondence to the department was that you wanted it by command. We also •• we don't normally track it that way and that's why I have to apologize for the delay, we track it overall

our program by division and then by total. So to get by each command as you requested require a rewrite. So this came after a sheet that we normally have, the last one I have is a pay week ending 5/8, we were 94% of last year's overtime.

CHAIRMAN CARACCILOLO:

You're ••

CHIEF WEBBER:

So we're spending less than we did last year by 6%.

CHAIRMAN CARACCILOLO:

Okay. And how does that compare to two years ago? I'm just trying to see if there's a trend here up or down.

CHIEF WEBBER:

Last year we had some rather unusual expenditures, we had almost 500,000 at the U.S. Open, we had a Presidential visit for \$53,000 and a rather large DA investigation going on, so that kind of distorts the 204 figure. But on average we're doing better than the last several years at the same time.

CHAIRMAN CARACCILOLO:

Okay, very good.

LEG. O'LEARY:

I have a question.

CHAIRMAN CARACCILOLO:

Yes, Legislator O'Leary.

LEG. O'LEARY:

And I apologize for not being here when you initially presented this, but the weeks •• it's four week intervals. Is the totals underneath each week for the previous four weeks?

CHIEF WEBBER:

It's a cumulative total.

LEG. O'LEARY:

For the previous four.

CHIEF WEBBER:

Well, no, it's accumulative from day one. The first part of the pay •• November, beginning of November, late November early December on to the •• in this case, the last one that you see in front of you is of 6/05/05, that's cumulative.

LEG. O'LEARY:

All right, thanks.

CHAIRMAN CARACCILOLO:

Just to go back to your previous remark, 94% of last year, but then again we have to factor in that last year you had some unusual circumstances. So we're probably •• with the exception of those circumstances, the major investigation, the U.S. Open, etcetera, right about on target.

CHIEF WEBBER:

Yes, we're doing actually a little better than the average. The U.S. Open started with dates you don't have here yet. If we were looking at •• if you went to the end of the year you'd see that those years •• and the Presidential visit are included in the very last column, it says week 52, really the U.S. Open was some time in June. The numbers you have in front of you really doesn't have the major hit yet of those overtime hours. But I just wanted to throw it out when you said comparing years, you're correct, but that would be the total years. As we're doing it now, we're still better off than we have been on average.

CHAIRMAN CARACCILOLO:

Okay. The other factor, of course, in determining and calculating any impact of overtime is personnel staffing. And where are we today as compared to a year ago in terms of the strength, the TO of sworn personnel, particularly in the patrol division?

CHIEF MOORE:

As it stands right now, sir, we are I believe 372 officers under the authorized strength, or actually budgeted strength, so that's where we stand right now. You know, compared •• in the

history of the Police Department, I'm not sure that the budgeted strength and the authorized strength had ever been the same.

CHAIRMAN CARACCILOLO:

Ever been matched.

CHIEF MOORE:

Yeah, there's always a lag. You know, you can't anticipate retirements. The Suffolk County Police Department, the way in which it hired over the years, hired in spurts. We have a large group that was hired prior to 1973, those of course are the Tier I's, between '73 and '78 we hired very few people, then after '78 we started increasing the hiring. So we have these groups and just like a neighborhood seems to turn over all at once, these groups, too, seem to turn over all at once. On average, about between a hundred, 115 officers of various ranks, Detectives, will retire during a given year. If there is •• and this is one of the things that we were discussing at the staffing committee. If circumstances are such that a particular command, or the department in whole, during the course of a year the officers receive a great deal of overtime, you may see an increase in retirements because of course that will have a positive impact on their pensions and they'll •• you know, especially the Tier I's because their last year determines their pension, their last year of service. So in a case like that, if you have like when TWA, the 800 Flight went down, there was massive amounts of overtime in order to adequately service, you know, the needs around that incident and you could anticipate that a lot of retirements were going to occur, especially those officers who had the requisite amount of time. So it's never a straight line, it's not linear, it's fits and starts, it's subject to circumstances, it's subject to contracts and other upheavals. But, but, having said all that, if you •• if we have to give a number, we say about 110 per year is a reasonable number to anticipate.

CHAIRMAN CARACCILOLO:

Okay. The TO level versus the actual right now is just probably at one of its widest points that I can remember, the last time I can recall numbers like this was in the early 90's. I know we deferred hiring a class until the fall, that class will be 100?

LEG. CARPENTER:

One twenty.

CHIEF MOORE:

A hundred and twenty.

CHAIRMAN CARACCILOLO:

One twenty, okay. So that will replenish to some degree because we'll still have retirements, the bulk of which will take place within the next couple of months, as a result of tax consequences that individuals have waiting any longer. How many of our current sworn personnel are Tier I members?

CHIEF MOORE:

You know, I have no idea. I would imagine it's a fairly small percentage because, again, those would be individuals who were hired prior to 1973.

*(*Legislator O'Leary raised his hand*)*

CHIEF MOORE:

Yes, one of them has retired already, so that's one.

LEG. ALDEN:

That's saving us some bucks.

CHIEF MOORE:

You're talking about people with at least 32 years of service.

CHAIRMAN CARACCILOLO:

That's correct.

CHIEF MOORE:

And I believe •• is it 30 years? When do they max out?

CHAIRMAN CARACCILOLO:

Thirty•two•and•a•half.

CHIEF WEBBER:

Thirty•two and a half; it's 35 for Tier I.

CHAIRMAN CARACCIOLO:

It's 75%.

CHIEF WEBBER:

Seventy•five at Tier I at ••

CHIEF MOORE:

I'm trying to ••

CHIEF WEBBER:

It's about 300, Bob. The last time we ran ••

CHIEF MOORE:

About two or 300?

CHIEF WEBBER:

Around two or 300 the last time he ran it.

CHAIRMAN CARACCIOLO:

So you're working for half•pay, Chief. But you're up there like Allen, we know that. Maybe Budget Review can tell us, unless Legislator O'Leary has the answer, approximately how many members of the department ••

LEG. O'LEARY:

Tier I?

CHAIRMAN CARACCIOLO:

Tier I.

LEG. O'LEARY:

Oh, very few.

CHAIRMAN CARACCIOLO:

Five, 600 yet?

CHIEF MOORE:

Probably under 500; 300, two?

CHIEF WEBBER:

I think it's around three, Mr. Chairman, the last time we ran it.

CHIEF MOORE:

About 300.

CHIEF WEBBER:

They're retiring out.

CHAIRMAN CARACCIOLO:

Legislator O'Leary has a question.

LEG. O'LEARY:

I'm hoping there's a typo on this. If you go to the year and the weeks, week 32 it goes to '04; that should be '05, correct?

CHIEF WEBBER:

No, I didn't get a chance to complete the schedule. If you go from left to right, you will see the last one for which we have 2/05 data is week 28. We don't have week 32 yet, that will change to five as we move to the right. You'll notice that it ••

LEG. O'LEARY:

Oh, I see. So it's the comparison purpose of the previous year.

CHIEF WEBBER:

It's the last current year we have for that column was 2/04 and it flips as we go to the right to have the current year.

CHIEF MOORE:

We were trying to be as responsive to the chair as we could, but we haven't gotten to week •• we're just in week 32 of 2005, so that's why you'll see that beginning week 32, 2005, there are no numbers, you have it for 2003, 2004 but not for 2005. So after week 28 ••

LEG. O'LEARY:

I thought it was a typo.

CHAIRMAN CARACCILOLO:

Okay. Legislator Alden.

LEG. ALDEN:

Hi. I think my question would be to Chief Webber but, you know, correct me if I'm going in the wrong direction on it. COPE, that comes under Patrol?

CHIEF WEBBER:

Yes, it does.

LEG. ALDEN:

Okay. So the priority is the sector cars and then any special units, right, that have to be manned and then COPE. Do we ever bring in people on overtime to do COPE patrol?

CHIEF MOORE:

Yes. We make every attempt to staff sector cars, but there is no obligation, if you will, to staff COPE cars or Detective units, for example. So if a Detective goes on vacation or God forbid is injured or ill, we don't replace that Detective on overtime; same thing with the COPE officers or Crime Section officers. And if you look at this, page one you see command 100, that's the Administrative Staff of the 1st Precinct, command 110 is the sector cars, command 120 is the Crime Section, that's the plain clothes or misdemeanor squad, command 130 is the COPE Section. So when officers from 110 call in sick or are on vacation; and again, the summer is when everyone wants to take vacation, so contractually we can only limit to a certain degree the number of officers who take vacation. Of course, they then •• you know, there are officers who may call in sick or take personal leave time and we really have no control over that. So we have •• and the Commissioner's longstanding, this Commissioner since he's taken office, his

philosophy has been that he believes that his Precinct Commanders understand their commands and the needs of their commands, so he leaves it to the commanders to make the decisions as to how many sector cars should be filled and, you know, replacement. One of the things they do is they will use COPE officers on occasion to replace sector car officers, so you'll have a COPE officer driving a sector car, but you will not have a situation where you have an individual filling a COPE car on overtime, but there are exceptions to that. For example, a few weeks ago we had Adelante Day in Brentwood, a major event, an important event and there were 185 officers throughout Suffolk County assigned to that. We tried as much as possible to reduce the overtime that it would take to patrol that. And how did we do that? Well, one way we did it was by taking those officers who are not sector car operators, for example, COPE officers from other precincts, Crime Section officers from other precincts, officers who are usually assigned to other type work, for example, the Warrant Squad, Police Academy officers, you know, those kinds of officers, and they enhanced the patrol presence. But there are times like, for example, the U.S. Open where the staffing needs are so great and over such a prolonged period of time that, you know, there's COPE-like incident demands, heavy investment in overtime. I hope that answered your question.

LEG. ALDEN:

It does, but the heart of the problem is in the district office, you know, every one of us represents the little downtowns and also the areas where, you know, the quality of life type of crimes take place and we are starting to go get •• or I know my office is, I guess the hope from these people that we're going to be fully staffed with COPE for the summer and that the sector cars are going to be fully staffed out there. Because some of the people have found out through I guess newspaper articles and things like that that we sometimes decimate the COPE, you know, to staff the sector cars which sometimes leaves like downtowns without that extra foot patrol or without the COPE patrol which takes care of a lot of the quality of life. So that's what the problem is. Do you do an analysis that, you know, maybe we shouldn't fill these type of units and maybe we should leave the COPE, you know, more COPE for the summertime so that the sector cars, you know, could be filled with •• I'm not even sure what your backup would be, but I know the sector car I guess goes right to the COPE; is that your first replacement?

CHIEF MOORE:

I'm sorry, I wasn't •• the COPE officer will sometimes go to the sector.

LEG. ALDEN:

Okay, but a sector car gets filled either with overtime or with like a COPE officer, right?

CHIEF MOORE:

Yes, generally.

LEG. ALDEN:

You don't go into other units to fill the sector car.

CHIEF MOORE:

Generally, no.

LEG. ALDEN:

Do you do an analysis also of whether it would pay to hire more officers to reduce the overtime or if it's cheaper to go with overtime?

CHIEF MOORE:

Well, see, part of the issue is striking that balance between the needs for police service over the entire year. Of course in the summer the need is greater, in the winter the need is a lot lower. What's the difference? It can be as much as, you know, 50%, for every calls you receive during the winter months you would receive 150 or more calls during the summer. So if you had an excessive number of police officers generally assigned, they would spend an inordinate amount of time idle during really most of the year, you know, from mid September to mid May. Then things start to pick up from Mid May to mid September for a number of reasons, it's summer, more people are out, more people are driving, more people drink.

LEG. ALDEN:

Well, criminals aren't stupid, they don't want to go out in subzero weather, it's got to be warm outside.

CHIEF MOORE:

Well, you know, it's the darndest thing but that happens to be true. You know, blizzrds are challenges for the police but one of the things that is usually, sometimes it's not the case, but usually not a challenge during a blizzard is crime.

However, having said that, that's the thing that we always try to do, we try to balance your concerns, you now, the tax responsibility and the needs for public service. And the Police Commissioner, his philosophy is there are three ways to do that, one certainly is to hire officers, and as a result we are, we're hiring 120 officers this September. Another way of doing it is through judicious use of overtime, and that means often during the winter when things are slower not filling some cars because it would cost us overtime to fill those cars. But we don't do that in an expectation of saving money, we do that with an expectation of having that reserve money available so that we could use that overtime money during the summer when the needs are greater but the number of personnel is less, interestingly enough, because of the vacations and other kinds of things; but that's the second way, judicious use of overtime. But there's a third way that this Commissioner is exploring, we're fairly new at it. We tried it a little bit last year, we're more invested into it this year, and that is through flexibility, innovations in deployment. For example, something that we tried to some degree last year but much, much more so this year is curtailing training, not all training, training of patrol officers. I'll give you an example; each day at the range police officers go to qualify with their service revolver. Now, on any given day there would be the range staff of some 15 officers and •• or whomever happens not to be of that group, not on vacation, and as many as 25 officers from patrol. Now, we need those patrol officers in patrol servicing the community. So we don't have to have patrol officers qualifying at the range during the height of the summer, so we don't. We will •• we'll curtail their training during the summer and now we have those officers available.

In addition to that, the range officers, because now that patrol is not being trained during the summer, they're available for service. And this year we're putting our academy •• we're putting a number of 76 police officers and 15 supervisors. But the nonpatrol officers, the 75, 76 officers are being put out into patrol for a two week period and we're using those officers to help support our patrol staffing downtowns, bicycle patrol, foot patrol, many of our academy people to use one of the groups, they're the ones who train people how to ride the bikes, so we put them on their bikes and they patrol the downtowns. That frees experienced officers within the precincts to handle some of the more challenging areas. So now an officer who may have been a bicycle officer in this community is in an area where there's a greater need, but he or she has been replaced in this community by an academy officer. Every day? No, not every day, but as often as we're allowed given, you know, the parameters on the numbers of officers and their availability.

LEG. ALDEN:

The class is going to start when, in September?

CHIEF MOORE:

September 12th I believe is the date, yes.

LEG. ALDEN:

Okay. So that's kind of after the summer rush, right, so to speak?

CHIEF MOORE:

Yes. Yes, it is.

LEG. ALDEN:

And then we'll be able to utilize those training officers, this is what you're saying, during the summer months, then they go back to the academy, train through the winter and by next year we should have an extra •• well, not an extra, but 120 to replace the 110 or so that retired this year.

CHIEF MOORE:

Yes. As a matter of fact, this year •• and I haven't looked at the numbers recently, but it looks like the number of retirees is a bit lower than historic standards, I think right now we're looking at about 80.

LEG. ALDEN:

Yeah, but you still have July, right?

CHIEF MOORE:

Yes. Well, they're just starting to come in for July, yes.

LEG. ALDEN:

Well, I'm glad that you're cognizant of the fact that, you know, we have problems in our districts. In the summer time it's a nightmare for all of us. You know, you've got kids hanging around, you've got the drug problems, you've got, you know, all the little quality of life things.

CHIEF MOORE:

Yes.

LEG. ALDEN:

If you can make sure that, you know, we've got COPE full and the sector cars full, that goes a long way to satisfying the populous of Suffolk County that they're getting their money's worth on it. Thanks.

CHIEF MOORE:

We're really ••

CHAIRMAN CARACCILOLO:

Chief, can you sum up? We have to get to our agenda.

CHIEF MOORE:

Oh, I'm sorry, sir.

CHAIRMAN CARACCILOLO:

That's okay.

CHIEF MOORE:

Yes.

LEG. LINDSAY:

Legislator Caracciolo said that?

CHAIRMAN CARACCILOLO:

Thank you very much for your presentation. I see a couple of not major anomalies, the 5th Precinct, 7th Precinct, I'll discuss them with you privately. And it's nice to see the East End Task Force is not spending a lot of money.

CHIEF MOORE:

But working diligently, sir.

CHAIRMAN CARACCILOLO:

But I do want to talk, and I'll save it for Public Safety, about crime rates, trends and there's a correlation.

CHIEF MOORE:

Very good, sir.

CHAIRMAN CARACCILOLO:

Okay, thanks. Thanks very much, Chief.

LEG. ALDEN:

They're sticking around for Public Safety?

CHAIRMAN CARACCILOLO:

Yeah.

MR. SPERO:

Mr. Chairman?

CHAIRMAN CARACCILOLO:

Yes, Mr. Spero.

MR. SPERO:

Robert did some calculating here, some ciphering, we're using the computer. Based on the •• using the longevity date of the officers on our payroll download, there are 114 sworn staff in Tier I that have a longevity date prior to July 1st of '73.

CHAIRMAN CARACCILOLO:

Wow. Okay.

MR. LIPP:

It could be the prior service credit.

MR. SPERO:

It could be other people in Tier I that could have prior service credit that may be Tier I's as

well.

CHAIRMAN CARACCILOLO:

Okay. All right, we'll get to today's agenda. Is there anyone else here to speak before the committee? Hearing none, we will go to today's agenda.

The Public Hearing is closed, which brings us to Tabled Resolution 1140.

TABLED RESOLUTIONS

1140•05 • Establishing a Pilot Program to repeal an unfair home heating fuel nuisance tax on Suffolk County homeowners. Is there a motion; Legislator Alden?

LEG. O'LEARY:

Motion to table.

CHAIRMAN CARACCILOLO:

Motion to table by Legislator O'Leary. This is Legislator Alden's resolution.

LEG. ALDEN:

Oh, this one is mine?

CHAIRMAN CARACCILOLO:

Yeah.

LEG. ALDEN:

Motion to approve.

CHAIRMAN CARACCILOLO:

You would like to approve it? No, no, 1140 is Legislator Alden.

I'll second the motion for purposes of a discussion.

LEG. LINDSAY:

Motion to table.

CHAIRMAN CARACCIOLO:

There is a motion to table by Legislator Lindsay, second by Legislator Montano. All in favor?
Opposed?

LEG. ALDEN:

Opposed.

LEG. O'LEARY:

Opposed.

CHAIRMAN CARACCIOLO:

Opposed.

LEG. LOSQUADRO:

Four, four opposed, three in favor. The Resolution is back before us. There's three in favor and four opposed.

LEG. CARPENTER:

I'll abstain.

CHAIRMAN CARACCIOLO:

I'm sorry, let me correct that; it's two in favor, four opposed and one abstention. **Failed (VOTE: 2•4•1•0 In Favor: Legislators Lindsay & Montano • Abstention: Legislator Carpenter).**

LEG. O'LEARY:

That's for the tabling motion?

CHAIRMAN CARACCIOLO:

On the tabling motion.

We now have a motion to approve, second by the Chair. All in favor? Opposed.

LEG. LINDSAY:

Opposed.

LEG. MONTANO:

Opposed.

CHAIRMAN CARACCIOLO:

Abstain?

LEG. CARPENTER:

One abstention.

CHAIRMAN CARACCIOLO:

One abstention, ***it is approved (VOTE: 4•2•1•0 Opposed: Legislators Lindsay & Montano • Abstention: Legislator Carpenter). **SEE CHANGE IN VOTE ON PAGE 44******

Okay, ***1437•05 • Amending the 2005 Operating Budget and transferring funds for Project MOST (Schneiderman)***. Is there a motion? Is there a motion on 1437; Peter?

LEG. CARPENTER:

Motion.

CHAIRMAN CARACCIOLO:

Motion by Legislator Carpenter, second by Legislator O'Leary to approve. On the motion, Legislator O'Leary •• Legislator Lindsay, I'm sorry.

LEG. LINDSAY:

Yeah, it's been a while, explanation, please, from Counsel on Project MOST.

MS. KNAPP:

This is an Operating Budget amendment, it transfers \$3,500. And I'm not sure I have •• oh, it's an afterschool program for elementary school children.

CHAIRMAN CARACCIOLO:

I would note that it's not identical to Mr. Lindsay but it's similar to the next resolution that is

sponsored by Legislator Cooper which is just allocating funds to the YMCA from the Senior Citizens Program to another program at the Y.

LEG. LINDSAY:

I didn't know what Project MOST was.

CHAIRMAN CARACCIOLO:

Okay. All right.

LEG. MONTANO:

I have a question; does this move money from one program to another? I need the resolution.

CHAIRMAN CARACCIOLO:

Okay. Legislator Montano would like to know, Jim, does this move money from one account to another? Mr. Zwirn, would you like to come forward?

MR. ZWIRN:

Allen's thinking it's pay•as•you•go money.

CHAIRMAN CARACCIOLO:

Do you have an answer, Mr. Zwirn?

MR. ZWIRN:

I think this is pay•as•you•go money.

MR. KOVESDY:

Yeah.

CHAIRMAN CARACCIOLO:

This pay is•as•you•go money?

MR. ZWIRN:

Right.

LEG. O'LEARY:

You think it's pay•as•you•go?

MR. ZWIRN:

We believe it is pay•as•you•go money, you know, it should have been •• there was a resolution I believe last •• at the committee last week that had a number of member items that was included, I think it was 1579, and we thought this would •• better to be included in that resolution than using pay•as•you•go money for a member item because the precedent it would be setting would not be healthy.

CHAIRMAN CARACCILOLO:

I would agree with you. I would agree with you.

LEG. ALDEN:

We'll ask Budget Review to confirm it.

CHAIRMAN CARACCILOLO:

Yeah; can you confirm that, Jim?

MR. SPERO:

I'm trying to call the resolution up on the computer now and it's very •• it's responding very slowly.

LEG. ALDEN:

While he's doing that, can I make my ••

CHAIRMAN CARACCILOLO:

No, we'll pass it over and come back to it.

LEG. ALDEN:

Mr. Chairman?

CHAIRMAN CARACCILOLO:

It is pay•as•you•go money, according to Legislative Counsel.

LEG. ALDEN:

Mr. Chairman, can I make a motion to reconsider 1140 and have it tabled?

CHAIRMAN CARACCIOLO:

1140 you'd like to table?

LEG. ALDEN:

Yeah. Actually, I had talked to Legislator Lindsay earlier this year and he'd like to take it up at the Operating Budget time and I think that's a correct solution to do. So motion to reconsider and table.

CHAIRMAN CARACCIOLO:

Motion to reconsider.

LEG. LINDSAY:

Second.

LEG. O'LEARY:

Second.

CHAIRMAN CARACCIOLO:

Second by Legislator O'Leary. All in favor? Opposed? Abstentions?

1140 is before us. There's a motion to table, second •• by Legislator Lindsay, second by Legislator Alden. All in favor? Opposed? Abstentions? ***The resolution is tabled (VOTE: 7•0•0•0).***

We're back to **1437**. Is there a motion?

MR. SPERO:

It is transferring pay•as•you•go money.

CHAIRMAN CARACCIOLO:

Okay. I make a motion to table.

LEG. ALDEN:

Second.

LEG. MONTANO:

Second.

CHAIRMAN CARACCIOLO:

Second by Legislator Alden. All in favor? Opposed? Abstentions? **Tabled (VOTE: 7•0•0•0).**

1459•05 • Amending the 2005 Operating Budget and transferring funds for Huntington YMCA for their summer camp program (Cooper). Motion to approve by the Chair, second by Legislator Lindsay. All in favor?

LEG. ALDEN:

Can we just get an explanation.

LEG. O'LEARY:

On the motion.

CHAIRMAN CARACCIOLO:

Yes, Legislator O'Leary.

LEG. O'LEARY:

Yeah, my notes indicate that the County Executive's Office spoke opposed to this particular initiative?

MR. ZWIRN:

We had questions and we asked the sponsor to explain why you were taking money from a senior program going to the children, and apparently that's where the money is needed in the Y. So once that was explained ••

CHAIRMAN CARACCIOLO:

So it's the same contract agency, just two different programs ••

MR. ZWIRN:

That's correct.

CHAIRMAN CARACCILOLO:

•• within that agency.

MR. ZWIRN:

Right.

LEG. ALDEN:

This was already contained in the budget?

LEG. CARPENTER:

This is not pay•as•you•go?

MR. KOVESDY:

In the aging program it was.

LEG. ALDEN:

Okay.

MR. KOVESDY:

It's not additional money.

CHAIRMAN CARACCILOLO:

It's not pay•as•you•go.

LEG. ALDEN:

Okay.

CHAIRMAN CARACCILOLO:

Okay? Just so we're consistent. Okay, so we have a motion and a second. All in favor?

Opposed? Abstentions? I made the motion, second by Legislator Lindsay. All in favor?

Opposed? Abstentions? **Approved (VOTE: 7•0•0•0).**

1464•05 (sic) **1564•05 • Amending the 2005 Operating Budget to transfer funds from the Department of Economic Development and Workforce Housing to the Department of Environment and Energy (County Executive).**

LEG. O'LEARY:

Motion to table.

CHAIRMAN CARACCILOLO:

Motion to table by Legislator O'Leary. I'm sorry, 1564. Motion by Legislator O'Leary, second by Legislator Losquadro. All in favor? Opposed? To table. **Approved (VOTE: 7•0•0•0).**

Same motion, same second on **1565•05 • Amending the 2005 Operating Budget to transfer funds from Cornell Cooperative Extension to the Department of Environment and Energy (County Executive). Approved (VOTE: 7•0•0•0).**

On **1610•05 • Rolling back prior appropriations to facilitate Level Debt Service Policies in accordance with Smart Government principles to reduce pipeline debt and offset the increase that will occur due to the construction of the new jail (County Executive).** Same motion •• oh, no, no, no. This is the JFA, right, Jim?

LEG. CARPENTER:

No.

CHAIRMAN CARACCILOLO:

No? Oh, no, this is rolling back for the Children's Detention Shelter, correct? Okay.

LEG. LINDSAY:

Motion.

CHAIRMAN CARACCILOLO:

Motion by Legislator Lindsay, second by the chair. All in favor? Opposed? Abstentions?

LEG. MONTANO:

Abstention.

CHAIRMAN CARACCIOLO:

One abstention, Legislator Montano. ***Approved (VOTE: 6•0•1•0 Abstention: Legislator Montano).***

TABLED SENSE RESOLUTIONS

Sense 36•2005 • Sense of the Legislature Resolution requesting the New York State Legislature to enact restaurant tax•free weeks (Cooper).

LEG. LOSQUADRO:

Motion to table.

CHAIRMAN CARACCIOLO:

Motion to table by Legislator Losquadro.

LEG. O'LEARY:

Second.

CHAIRMAN CARACCIOLO:

Second by Legislator O'Leary.

LEG. LINDSAY:

On the issue.

CHAIRMAN CARACCIOLO:

On the resolution.

LEG. LINDSAY:

Just to point out to my colleagues, this is really a Sense Resolution to the State Legislature asking them to extend the tax•free weeks to restaurants. I don't know whether it really has a chance of passing in this session but, you know, most of the revenue is State revenue.

CHAIRMAN CARACCIOLO:

Do we know •• yeah.

LEG. LOSQUADRO:

Mr. Chairman?

CHAIRMAN CARACCIOLO:

Do we know if this Assembly and Senate bill is out of the Rules Committee? Because if it's not, it ain't getting out this week, the Senate is gone. Do you know, Mr. Zwirn?

MR. ZWIRN:

No, I do not.

LEG. LOSQUADRO:

On the motion.

CHAIRMAN CARACCIOLO:

Yeah, Legislator Losquadro.

LEG. LOSQUADRO:

Legislator Lindsay, I realize it's just a Sense Resolution but myself and I guess others just retain the right to disagree with the concept of it and I disagree that this is something that we should be sending the message that Suffolk County supports. So I'm offering up a tabling motion.

CHAIRMAN CARACCIOLO:

Okay, we have a motion to table and a second. All in favor? Opposed?

LEG. LINDSAY:

Opposed.

CHAIRMAN CARACCIOLO:

Abstentions? I will abstain. **Okay, it's tabled (VOTE: 5 • 1 • 1 • 0 Opposed: Legislator Lindsay • Abstention: Legislator Caracciolo).**

LEG. ALDEN:

I guess you'll be picking up that issue with a different light?

CHAIRMAN CARACCIOLO:

No comment.

TABLED HOME RULE MESSAGES

Table ***Home Rule Message No. 1 • Home Rule Message requesting New York State Legislature to extend the one • quarter percent sales tax program to allow Suffolk County to continue to collect an additional sales tax until December 31, 2005 (Assembly Bill a.5192 and Senate Bill S.97) (Caracciolo)*** by the Chair, second by Legislator O'Leary. All in favor? Opposed? Abstentions? ***Tabled (VOTE: 7•0•0•0).***

INTRODUCTORY PRIME RESOLUTIONS

1647•05 • Adopting Local Law No. 2005, a Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues (Caracciolo). Motion by the chair, second by Legislator O'Leary •• actually, Legislator Carpenter, she's a cosponsor.

LEG. O'LEARY:

This is on 47?

CHAIRMAN CARACCIOLO:

Forty•seven, yep.

LEG. O'LEARY:

Motion to approve. Motion to approve, second. All in favor? Opposed? Abstentions?

LEG. LINDSAY:

Opposed.

LEG. MONTANO:

Opposed.

CHAIRMAN CARACCILOLO:

Five in favor, two opposed; **approved (VOTE: 5•2•0•0 Opposed: Legislators Lindsay & Montano).**

1691•05 • To readjust, compromise and grant refunds and chargebacks on real property, correction of errors by: County Legislature (Control #740•2005)(County Executive). Same motion, same second. All in favor? Opposed? Abstentions? Approved unanimously.

LEG. ALDEN:

1691, motion to put on the consent calendar, 1691, 92 and 93.

CHAIRMAN CARACCILOLO:

Okay. Motion by Legislator Alden to put 1691, 92 and 93 on the consent calendar, second by the Chair. All in favor? Opposed? Abstentions? Okay, **1691 has been approved (and placed on the consent calendar) (VOTE: 7•0•0•0).**

1692•05 • To readjust, compromise and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #216 (County Executive). Same motion, same vote •• same second, same vote. **Approved and placed on the consent calendar (VOTE: 7•0•0•0).**

Same motion, same second, same vote on **1693•05 • To readjust, compromise and grant refunds and chargebacks on correction of errors/County Treasurer by: County Legislature #192 (County Executive).** **1692 and 93 are approved unanimously, consent calendar (VOTE: 7•0•0•0).**

That concludes today's agenda.

LEG. ALDEN:

Mr. Chairman, just one quick question on 1610.

CHAIRMAN CARACCIOLO:

1610; yes?

LEG. ALDEN:

Is that •• the only thing that is affected by 1610 is the money for the Juvenile Detention Center?

CHAIRMAN CARACCIOLO:

Mr. Spero, the Children's Shelter, is that the only project affected by 1610?

MR. SPERO:

Yes.

LEG. ALDEN:

Same thing, right?

CHAIRMAN CARACCIOLO:

Yes.

LEG. ALDEN:

That's the only thing that ••

MR. SPERO:

Yes.

LEG. ALDEN:

Great. Thank you.

CHAIRMAN CARACCIOLO:

Thank you all and we will now adjourn. Motion by the Chair to adjourn, second by Legislator Carpenter. All in favor? Opposed? Abstentions?

The committee stands adjourned.

(*The meeting was adjourned at 11:10 A.M. *)

***Legislator Michael Caracciolo, Chairman
Budget & Finance Committee***