

**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 October 10, 2006.

Members Present:

Legislator Ricardo Montano - Chairman
Legislator Louis D'Amaro - Vice-Chair
Legislator Jon Cooper
Legislator Vilorio-Fisher
Legislator Cameron Alden
Legislator Daniel Losquadro
Legislator Jay Schneiderman

Also In Attendance:

George Nolan - Counsel to the Legislature
Bob Martinez - Aide to Legislator Montano
Linda Burkhardt - Aide to Presiding Officer Lindsay
Renee Ortiz - Chief Deputy Clerk of the Legislature
Gail Vizzini - Director/Budget Review Office
Linda Bay - Aide to Minority Caucus
Ben Zwirn - Assistant County Executive
Brian Beedenbender - County Executive Assistant
Allen Kovesdy - Deputy Director/County Executive's Budget Office
Kay Kidde - Peconic Community Council
Jennifer Truscott - Peconic Community Council
All Other Interested Parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED AT 9:46 A.M.*)

CHAIRMAN MONTANO:

All right. I'm going to call the meeting to order with the Pledge of Allegiance. I'm going to ask Legislator D'Amaro to lead us in that.

SALUTATION

CHAIRMAN MONTANO:

Actually we have no correspondence, but we have three people that signed cards for the public portion. You are going to have three minutes each to speak. The first card I have in front of me is Kay Kidde. Ms. Kidde, would you come up?

MS. KIDDE:

Yes. Hi, everybody.

CHAIRMAN MONTANO:

Good morning.

MS. KIDDE:

I'm happy to announce that Bud {Shullberg} is our new spokesperson for our Peconic Housing Initiative. I am the founder of the Peconic Housing Initiative, and I'm on the Board of the Peconic Community Council. The Peconic Housing Initiative is the only multi-service non profit empowering the homeless here. I was on the Boards of the Partnership for the Homeless and Women in Need in New York City and brought their major tenants out here. Mostly the homeless here were being given some fish, but not taught to fish.

The motel living was a drain on all financially. And living in the woods is cold in the winter. We have been being going a few years now and we're hard at it. There are probably about 100 homeless in each of the five towns. We serve Riverhead, some areas as far west as Mastic-Shirley and the two forks going east. Our temporary housing program called Maureen's Haven now offers shelter for the nights from November through April offering too, three meals.

Some 1000 volunteers and over a dozen churches have gotten involved. This is now is a household name out east, Maureen's Haven. We've been offering other services, and more recently, we've focused on launching our achievement center in Riverhead. We'll continue with our Hope Line phone referrals, outreach and advocacy. We get into prevention of homelessness this way. And we have been giving these people more needed boosts in education, they can get their GED if they need that, child care if it's called for, counseling and rehab, jobs. We have a list of what's open -- lists of what's open that they can refer to and training for jobs. We can help them with that.

And finally, temporary as well as permanent housing. Our goal is nothing short of seeing at least 60% of them go on to living lives off the dole. We can already point to a good number of graduates with jobs, with low-cost apartments, homes. About 60% of this population wants work, and about 60% are not mentally ill. The homeless are not only examples of Dickensian poverty in a wealthy society, they are a drain socially and financially on any community.

Our initiative has saved over a million dollars for the Department of Social Services so far, for instance. That comes to \$350,000 a year. The diminishing grants from the County are placing us in jeopardy. Leading citizens here help us empower the homeless, but the rich tend to prefer more self-serving charities. There is not a more needy group and there is not a more gratifying breakthrough than when a homeless person becomes independent.

CHAIRMAN MONTANO:

Can you wrap up, please?

MS. KIDDE:

I have one sentence to go. In order to serve the County -- sorry -- to save the County more money and serve the County, along these lines, we very much need a boost from you now.

CHAIRMAN MONTANO:

Thank you, Ms. Kidde.

MS. KIDDE:

Thank you.

CHAIRMAN MONTANO:

I had a question, one quick question. Is the -- Peconic Community Council, do they receive County funding already or is this your first initiative? I think Legislator Vilorio-Fisher indicated -- I know she indicated that she allocated funding last year, is that accurate?

MS. TRUSCOTT:

Yes. We do receive funding from the County. My name is Jennifer Truscott. I'm the Executive Director the Peconic Community Council. We do get some funding from the Youth Bureau to support some of our services, Peconic Community Council. We're here today to talk about Resolution 2099, which was just a supplemental resolution to provide us with some funding to get some transportation money for Maureen's Haven Program.

CHAIRMAN MONTANO:

Okay. Jennifer, I'm going to put you on the clock, give three minutes.

MS. TRUSCOTT:

That's all right. I won't take that long. I know Kay is extremely passionate about this program and rightly so. We run this program, Maureen's Haven, it costs us about 91,000 to run the program a year, 54,000 of that goes to transportation where we contract with another agency. We served over 122 different individuals last year. We've had about 400 in total. I've got some statistics in the folders that I've given you. I'm not going to bore you with all that. But Legislator Romaine was kind enough to put the resolution forward to have the County purchase a van for us, which we hope will and expect will reduce our costs in transportation which will enable us to continue to run this program.

Most of those who are homeless on the Eastern End do not participate in the homeless shelters just because of distance and location and practicality. Those individuals in most cases work, and the way we run the program is we pick them up 5:30 at night, we drop them off before seven o'clock in the morning, and they're able to still go to work for those who do work. To come to a shelter up the Island or in Western Suffolk is not practical for those individuals. So that's why they've chosen not to participate in the shelter system. But we do believe we save the County over 350,000 a year and are just looking for your support in Resolution 2099. Thank you.

CHAIRMAN MONTANO:

Don't leave. I think there are a couple of questions. I have just a statement actually. Just so you are aware, the County Budget has been proposed by the County Executive, there is a working committee of the Legislature, and I would just recommend that you speak Legislator Romaine, who I think is your Legislator, about whether or not this could be included in the Omnibus. I think that's your -- you know, your avenue to getting this done. But there are questions from Legislator Fisher and then Legislator Alden.

LEG. VILORIO-FISHER:

Yes. Last year we did talk about the budget together, and I made certain that we had additional funds for -- well, I know the good work that you do at Maureen's Haven and we're very, you know, conscious of the very good work you do out there and the cost benefit to the County of that work.

However, this resolution at this point in time probably isn't the best way to do this. It would be better if Legislator Romaine did it in the budget -- in the budget talks and in the budget cycle so that we could include that in our budgetary deliberations. I think that would be the best venue for this.

MS. TRUSCOTT:

Okay. In 2005, I think the County allocated about \$68,000 for us, last year it dropped to 50,000, this year the proposed budget is about 41,000. So as that continues to go down, our level of service will continue to go down, which will, I think, increase expense for the County. So I'm willing to work with the group that feels the best way to go about continuing us getting some funding at least back to 50 --

LEG. VILORIA-FISHER:

Well, you know, you're in the perfect place here, because this is the Budget Committee, there are people from this committee who are in the Budget Working Group, and so that word will get there. And, of course, Legislator Romaine is very cognizant of -- now, I didn't know that it had gone down. I thought when we added the money in the Omnibus that we brought it back up.

MS. TRUSCOTT:

No. The 2005 was actually 67,739. Last year, 2006 was adopted at fifty thousand-six.

LEG. VILORIA-FISHER:

Okay. So we didn't bring it up to the level of year before.

MS. TRUSCOTT:

Right. And then we asked for the fifty thousand-six this year just hoping to at least maintain, knowing that we were coming in with this resolution on top of that. And the proposed is forty-one-four.

LEG. VILORIA-FISHER:

Okay. Because probably the recommended was based on what had been the recommended last year by the County Executive and didn't include what we had added. We had added additional monies to bring it up to fifty one. So we have to make sure that we make you whole when the Legislature deliberates, because we do know the good work that you do and, we know that it certainly is a cost savings to the County in terms of taking care of some of our homeless population. Thank you for being here.

CHAIRMAN MONTANO:

Legislator Alden.

LEG. ALDEN:

Hi. Thanks for coming down. Just to clarify, you pick homeless up where?

MS. TRUSCOTT:

We have three different pick-up locations; one's in Riverhead, one is in Greenport and one is in Hampton Bays right now, although we are looking at the Mastic-Shirley area as well as further east on the South Fork.

LEG. ALDEN:

Now, these people are determined to be homeless by who?

MS. TRUSCOTT:

We do a review process of those individuals. We have an intake process. We also partner with the Department of Social Services to do any case management material that we've got. So a lot of it is outreaching into some of the tents in the camps, behind diners in the reeds, most of it's self-identification, and then we'll take them through a case management intake process.

LEG. ALDEN:

Now, these people live in -- they're not living in a shelter, they're living in woods?

MS. TRUSCOTT:

They're living in woods, their cars, basements, on friend's couches until, you know, something happens and they kicked out of there. Or they were in homes and have been evicted because they could not pay the rent.

LEG. ALDEN:

Okay. Now, this resolution would give the van to you?

MS. TRUSCOTT:

The resolution would give the van to the Peconic Community Council that we would use to transport these individuals. Our biggest need is to have some funding to pay for the transportation. To be quite honest with you, I would prefer not necessarily to have to be responsible for a van, but if that was the most cost effective way for the County, then we were willing to go ahead and coordinate all the transportation services ourselves.

LEG. ALDEN:

And you're the Peconic Community Council?

MS. TRUSCOTT:

Correct.

LEG. ALDEN:

Okay. And there was one other statement that you made that you subcontract to who to do transportation?

MS. TRUSCOTT:

We subcontract right now and have in the past with the Suffolk County Vets, which are charging us \$300 a day to transport the individuals, a pick up at night and then a drop off in the morning.

LEG. ALDEN:

Okay. Thank you.

CHAIRMAN MONTANO:

I'm sorry. I just had one question, I just wanted to clarify. Last year's budget, you were allocated \$50,000, is that what I heard?

MS. TRUSCOTT:

We received \$50,609 last year, which was down from the sixty seven-seven the year before.

CHAIRMAN MONTANO:

And this year the submission by the County Executive includes an allocation to the Peconic Community Council for \$41,000?

MS. TRUSCOTT:

Forty one-four twenty-two.

CHAIRMAN MONTANO:

Thank you.

MS. TRUSCOTT:

Thank you very much.

CHAIRMAN MONTANO:

Did you want to speak, Mr. Yuen.

MR. YUEN:

Yes. I just wanted to introduce myself to your committee. My name is Denis Yuen. I'm a long time resident of the East End. I have had experience and involvement with the Maureen's Haven at arm's length over the last three years through my church and through my rotary club. I just wanted to introduce myself as the coordinator now of Maureen's Haven. So I'll be working closely with the dozen churches that we deal with, the many volunteers and the outreach groups that we involve with our intake process. So thank you. Thank you for your support.

CHAIRMAN MONTANO:

Thank you. We have a question from Legislator Alden.

LEG. ALDEN:

What does Maureen's Haven do, and are you County funded?

MR. YUEN:

This is, again, through the Peconic Community Council. Maureen's Haven is the shelter, the homeless shelter program that we work on the East End, the North and South Forks. We go as far as west as the Mastic-Shirley area.

LEG. ALDEN:

So that's just the name of a program that's under this Peconic Council?

CHAIRMAN MONTANO:

If you are going to speak, come up to the mike so the stenographer can record it.

MS. TRUSCOTT:

I'm sorry. Maureen's Haven is a program under the Peconic Housing Initiative, which is a program under the Peconic Community Council, it's all the same organization.

LEG. ALDEN:

All right.

MR. YUEN:

Any other questions?

CHAIRMAN MONTANO:

No. Thank you very much.

MR. YUEN:

Thank you for your help.

CHAIRMAN MONTANO:

Is there anyone else that would like to address the committee? I'm sorry. There was a question, Mr. Yuen, from Legislator Cooper. My apologize.

LEG. COOPER:

I just had a question regarding the homeless population that you serve. What sort of clients are you dealing with for the most part; are they mentally ill, are they young people?

MS. TRUSCOTT:

Eighty percent are single males, the rest females. The age has been anywhere from 18 to 72. Forty percent are Caucasian, 30% African-American, the rest Latino. The majority of them are local American citizens. A good of portion of them have dabbled in the Department of Social Services system, prefer the Maureen's Haven Program because it's a community-based organization that's in

towns that they grew up, because most of those individuals are local. To take a drive up west in western Suffolk to the shelters doesn't get them back in time to do whatever work they do do. There are a portion that are mentally ill and a portion that have substance abuse, so we work with them to get services for those individuals. And I'm trying to think what else I can you about them. We work with them to get them into substance abuse counseling, mental illness counseling or try to get them placed in permanent homes.

LEG. COOPER:

That was my next question. Do you have any figures as to the percentage that ultimately are placed into permanent housing?

MS. TRUSCOTT:

We've placed about 12% in permanent homes since we started tracking these individuals. Some of them are able to get places to stay during the peak season when they work and then have not had head-strong budgeting skills, so we're trying to work with those individuals to get them to do better budgeting over the year. But we've really just started our achievement center last year and have had many more programs trying to get these individuals to kind of come out and graduate, as Kay has said.

In the past, the Maureen's Haven Program has been no questions asked, come in, get out, we'll just prevent them from freezing, but we're trying to take it to the next level to really get them out of the system, although some will always be chronically homeless, so.

LEG. COOPER:

Thank you.

CHAIRMAN MONTANO:

Don't leave yet, Jennifer. One question. I was asked whether or not you have and service a large Veterans population?

MS. TRUSCOTT:

Those Veterans that do come to us, we will work to get them placed in specific permanent shelters. So we usually kind of get the first go around, we do an intake, and if they've got HIV or AIDS, we will refer them to options. If they've got connections with being former Veterans, we will work with them to get them placed in the Veterans' Services. So our goal is to get them to places that are more permanent and more structured, depending on what their background in services are.

CHAIRMAN MONTANO:

Okay. Legislator Viloría-Fisher has a question.

LEG. VILORIA-FISHER:

That was my question.

CHAIRMAN MONTANO:

One thing. Just so you are aware, this bill will probably be tabled. In fact, I'm sure it's going to be tabled today. One reason is I don't think we have a financial impact statement, and the other has to do with budgetary issues. Just so you're aware, that has no reflection on your presentation.

MS. TRUSCOTT:

I appreciate your honesty. Thanks.

CHAIRMAN MONTANO:

Okay. We're going to move into presentation. Gail, I was just going to ask, do you -- you think it would be -- you have anything to add quickly to the budget process. Or the Legislators, do you think it would be helpful to hear anything further on the budget, or should we go right into resolutions? Let me ask you this way, are there any questions with respect to the budget, the

upcoming budget, by members of the committee? Any specific questions?

LEG. ALDEN:

Through the Chair. I just forgot the date that you're going to have your report done.

MS. VIZZINI:

Yes. Our report will be issued October 19th. The committee meetings for you to address the Operating Budget are scheduled October 23rd through the 25th, the deadline for amending resolutions is 5:00 p.m. on the evening of the 25th. We continue to do ongoing briefings. We're available for individual Legislators as well as the working group. If you can -- if you want, I can highlight some of the aspects in the Operating Budget, but most of you have already been -- had that opportunity with one or two exceptions. I'll defer to the committee.

CHAIRMAN MONTANO:

Why don't you -- there are some people in the audience. Why don't you highlight those parts of the Operating Budget that you can just to give everybody an overview, and in case we missed certain parts, you can reiterate it?

MS. VIZZINI:

First of all, the total budget is a \$2.69 billion budget across all funds. All funds compared to the adopted Operating Budget, there's an increase of \$82 million. The 2006 adopted budget was \$2.61 billion. Those funds that are going up include the Employee Medical Health Plan, the Police District and the General Fund. Very briefly, I think the only thing we're really interested is the General Fund and the Police District.

The General Fund is a billion-nine supported by \$50 million in property taxes. One of the reasons we are able to do this is we continue to be heavily dependent on fund balance. The carry-over fund balance from 2006 is \$122 million. If it was not for this \$122 million carry-over fund balance, the property taxes more than likely would be about \$173 million. We are also very dependant on sales tax. That supports the General Fund to the tune of about one billion dollars and federal and state aide of \$464 million.

Over the past four years, the General Fund surplus, which is the same as the fund balance, has been in excess of \$100 million. Prior to that, the high was in 2001 of \$73 million. So we really are growing our surpluses and very dependant upon them to keep our property taxes down. The Tax Stabilization Reserve Fund on the other hand is at an all time high, and by the end of 2007 will be at \$123.5 million. The Police District, the appropriations there are 525 million. It's an increase combined mandated and discretionary expenses of about \$23.8 million over 2008.

The property tax levy has increased there by 1.3 percent or \$6.3 million combined. The sales tax allocated to the Police District is up \$15 million over 2006. They are getting \$72 million to stabilize their 2006 property taxes. The public safety revenue sharing, which we share with the town and village police, has increased by \$500,000, and that money is distributed in the same proportion as the previous formulas. Sales tax. Sales tax is actually 57.8% of all revenue to the General Fund.

For 2006, County Executive is showing there will be a shortfall in terms of what we actually budgeted in sales tax across all funds of \$5.4 of which 2.9 million is for the General Fund. What the County Executive has done is revamp the estimates for sales tax for the current year. We budgeted 3.5%. The County Executive is now projecting a growth rate of 2.75% for the rest of the year and 2.5% for the '07 budget. And this is in comparison to -- the rate of growth for sales tax was 4.7% when we did the 2005 budget. So it is definitely slowing.

The good news is we have benefited from some state relief. Medicaid, we have a pretty firm number now. The state take-over and the cap on Medicaid, we are able to budget more much reasonably than we had. Medicaid expenses were budgeted in 2005 at \$312 million. With this take over, we're able to budget the Medicaid cap payment at \$218 million. A sizeable relief from 2005 and 2006.

Retirement. We are going -- the County, unless there is a change by the end of the year, but based on discussions with the Budget Office as recent as last week, we are still on the course to take advantage of the one-time deferment. We will pay our 2006 retirement bill in February of 2007.

The problems that the Budget Review Office see very briefly are the dependance on the fund balance. The only way we can continue to regenerate this fund balance is by very restricted spending. The rate of growth for sales tax seems to be slowing, and yet we are still able to actually cut our General Fund tax levy. Debt service has increased \$7 million over the '06 estimate, but actually \$30 million over the 2005 actual expenditures. Debt service is increasing primarily because of our aggressive land acquisition programs. Some of those monies have to be spent by certain target days. Expenses for the Employee Medical Health Plan have also increased 13.5% or \$29 million.

Again, to generate the surplus at the end of the year and to operate in an efficient manner, many of the departments have far more vacancies than they can to provide expedient service delivery, particularly Health Services and Public Works. Based on discussions with Health Services, they're working on a plan with the Budget Office to benefit from some of the things that Social Services has in place such as when they ask for a position, they not only ask for that position to be filled, but they make the Budget Office aware of the next position that needs to be filled. So they are trying to address some of those problems. They are also trying to identify some of their priorities.

There is no funding or it has been discontinued in the '07 budget for the Downtown Revitalization Program. Typically we have -- the Legislature would have \$500,000 to augment downtown revitalization, which we transfer from the Operating Budget to the Capital, that money is not there. Last year, the County Executive had an executive initiative for the Downtown Economic Development Zones. Those monies went to support various chambers of commerces. There was a one-time initiative that's not continued.

There is no money for pay-as-you-go. Pay-as-you-go, as you know, is the cash that we use to buy rather than bond certain things. We have waived it for 2006 and 2007 to address the escalating costs in 2007. However, this would be the time for the Legislature to review that policy. There are efficiencies in paying cash rather than bonding. When we adopted the Capital, the County Executive actually recommended \$3.8 in what we call G-money, but you need that same amount of money in Operating Budget to actually be able to pay for those equipment or computer purchases with cash rather than bond.

LEG. D'AMARO:

How much was that?

MS. VIZZINI:

Three point eight. There is a provision for a police class of 50 recruits in 2007. Overall, 44 new positions were creates, but 100 positions were abolished, 58 of those are correction officers leaving the Sheriff's Department with only 12 vacant correction officers. The only significance there, it does leave them short in terms of any possibility to have a class at the end of this year.

There is a provision for anticipated LIPA settlement money of \$16 million. It's basically being held in a separate fund in anticipation of receipt of that money. The County Executive recommends a gasoline rebate program in terms of what his policy decision would be to do with that money. Again, it is a policy decision and would be something that the Legislature would want to discuss and be involved in should we -- should we settle.

The Water Quality component, and this is the last thought, is there are six additional positions that now will be paid from 477 monies rather than General Fund monies, and this is at a cost of \$656,761, which will provide some relief to the General Fund, but will also take away from the \$7.5 million Water Quality monies of which already \$6.5 million is committed.

CHAIRMAN MONTANO:

Thank you, Gail. Legislator Alden has some questions.

LEG. ALDEN:

The main thing I would just want to ask a couple of things on is fund balance, and what is a fund balance? It could be that sales tax comes in way above what we -- what we anticipated, or it could be, as you said, restricted spending. Now, restricted spending is not necessarily something I have a problem with, but I do have a problem with having to generate over \$100 million each year of savings in this -- in this regard.

We put a plan out to the people in Suffolk County, and we say this is what the budget's going to be and this is what we're going to spend money. We prioritize, we go through a lot of debate and a lot of reports. We decided to spend money a certain way. And the plan that we come up with is X number of dollars. Well, now, for the past four years, over \$100 million of that plan that we told the public that this is the way we were going to spend their tax dollars, we haven't really done that.

So I have a huge problem with telling the people that we're going to spend money in a concern way and then not do it. And more and more, we're being required to actually generate a larger and larger fund balance to make things work into the future. So one thing I'm going to ask, and today, I don't think we really have enough time to do it or even be prepared to do this, but you are the experts, I would ask for some type of plan or even a series of plans or even just ideas that we can look at to get away from this generation of huge fund balances.

How can we wean ourselves from those fund balances and allow the budget that we present to the people to reflect what we're actually going to do in the next year with their tax dollars? So that I would just ask you guys to, you know, help us out a little bit and help us with the discussion. And through the Chair, I don't know when, you know, that would be appropriate, whether next cycle or the cycle after that, but surely before we get to the finalization of the budget.

The second thing, and it's philosophical, when I introduced the legislation that actually created the 477 Account, it had a component in there, and it was the largest part of that money was a tax -- not a stabilization, but it went to the General Fund to stabilize the General Fund. So we are already taking money that could have been used for, you know, bricks and mortar types of programs, it's being put into the General Fund. A small amount was left over for the 477, which had been anticipated at the time that it was passed in a referendum that that money would go to a bricks and mortars types of point -- you know, point source contamination and eliminating that where we have road runoff and things of that nature going into our bodies of water, whether they be streams, lakes or whether it's the Great South Bay or the Peconic Bay or up on the North Shore into the Sound.

More and more of that money now is dedicated to what I'm going to call just General Fund type of obligations. So it was never designed to have a whole bunch of salaries in it and benefits being paid out of it, and yet that's the direction we're going in. If that's what the Legislature wants to do, you have to decide to do that and then we'll just gut that -- that whole idea, and maybe I'll come up with a different way of funding what the people in Suffolk County said in the referendum they wanted funded, and that was to eliminate source point pollution, not take that take that and pay salaries that should be coming out of the General Fund. And now we've used up the balance of money that was in that account, and we've committed all the future money that's going to go into that account to paying salaries and benefits. So that's a philosophical thing that we have to look at before we do this next budget.

And I'll just throw it back to the Chairman that I don't know what's appropriate, maybe the next cycle to start looking at those two. You know, because those are two, I think, very large things that are components of the budget, but they also are something that we should be dealing with, because it's more policy than even a numbers type of thing. So whenever you think that that would be appropriate I would ask that we schedule that in.

CHAIRMAN MONTANO:

Thank you. Legislator Viloría-Fisher, then Legislator Schneiderman.

LEG. VILORIA-FISHER:

Actually, my question really dovetails with Legislator Alden's remarks. Gail, can you please tell us what those -- what the titles of those permanent salaries are that come out of the 477 Account that constitute the 650,000?

MS. VIZZINI:

If you recall, many of the labor crew leaders were transferred over --

LEG. VILORIA-FISHER:

Yes.

MS. VIZZINI:

-- when the Labor Department was experiencing reductions in federal aide. The recent six are the Water Quality Unit in Vito Minei's operation. If you give me a minute, we can actually get those.

LEG. VILORIA-FISHER:

Okay. Are they the ones that are actually doing that stormwater runoff study?

MS. VIZZINI:

We're going to address exactly what they are doing in our report, but they certainly are doing work related to the protection of water quality.

LEG. VILORIA-FISHER:

I thought it was a study, you know, regarding water quality. But I'll wait until we get that information. So the new ones add up to 650,000 just, the new ones?

MS. VIZZINI:

Yes. Right.

LEG. VILORIA-FISHER:

And how many did we have from the year before, because I remember that we did absorb those Labor Department workers.

MS. VIZZINI:

Well, we have 63, and they range in titles -- I'm looking now at the position control, County Park Superintendent, Parks Supervisor.

LEG. VILORIA-FISHER:

Okay. That's coming out of 477?

MS. VIZZINI:

Automotive equipment operator, more park supervisors.

LEG. VILORIA-FISHER:

Okay. Then you know what? I do have to agree with Legislator Alden, that we have to really seriously look at how -- all of the positions that are being funded by the 477 Account and see the appropriateness of that funding, because we do have to protect that, and we have to protect the intent of that money and -- of those monies and how they're being used there. So we really have to look at all of those salaries -- all of those positions rather.

MS. VIZZINI:

Some of these are -- you know, the original crack in the egg, if you may, was the Organic Maintenance Program. So in some regard what they're doing does pass a scratch and sniff test, but on the other hand, it makes it very burdensome on the departments if the workers can only work on certain aspects of things. And we also have another six positions that are being funded in that manner.

LEG. VILORIA-FISHER:

It's difficult for me to see the automotive maintenance, though. You know, what, is it preventing, you know, oil coming out of -- or gas coming out of cars or something? You know, I don't know how would fit into this program. But I think that we really need to start taking a harder look at this.

MS. VIZZINI:

I can give you a list of the tiles.

LEG. VILORIA-FISHER:

Because I'm not a purist regarding the 477 Account. I think that there is justification for some salary coming out of it if it's directly related to water quality, but I think that we have to -- because it is a slippery slope, I think that we have to stop and take a good look every now and then and pull back if we see that it's being abused, because we shouldn't be raiding this fund in order to -- to provide surpluses in the General Fund.

CHAIRMAN MONTANO:

Legislator Schneiderman, and then Legislator Alden, I believe, had a question.

LEG. SCHNEIDERMAN:

Let me start with the same topic we are on, because I certainly concur with my colleagues that we need to look at that 477. Even some of those things like those organic lawn maintenance guys, they're basically people in the landscaping unit who were taking care of the golf courses. And as you know, that is not a pesticide-free program. It tries to be, but there are exceptions that they can do. And fertilizers put a lot of nutrients into the bays and harbors. It really is not what is meant for 477. Even though you could say it's -- you know, try to make some kind of connection. It really was to clean up the bays and harbors and stop point sources of pollution, and that is not how it's being used.

I question too whether 477, does -- since it was done by referendum, Gail, does that expire at some point the 477 funds? So then we're going to have to then absorb it into the regular Operating Budget? We're not going to do away with these positions. So we're going to be kind of back where we started from unless we get it renewed somehow by referendum.

LEG. VILORIA-FISHER:

We've extended it, haven't we?

MR. NOLAN:

Yes.

LEG. VILORIA-FISHER:

We've extended the quarter penny, so that's an extension of it.

LEG. SCHNEIDERMAN:

Right.

LEG. ALDEN:

But we didn't extend this one yet.

LEG. SCHNEIDERMAN:

We should really look to see whether some of these things are really allowable under that

referendum. I guess it's been looked at by some of the attorneys.

MS. VIZZINI:

I think the expiration date is 2013 at this point, although there has been some discussion of extending it and revamping some of the percentages.

LEG. SCHNEIDERMAN:

Let me move on to my next topic. Gail, you had mentioned revenue sharing, something that I'm particularly interested in. It's been -- it's come up as an issue many times of the East End versus the Police District and trying to get something that looks like it's equitable in terms of population. And we see our population as about a tenth of the County's population on the East End. And we're hoping to get a tenth of the revenues. As we were moving in that direction it seemed fairly nicely with the County Executive adding an additional million and a half last -- two years ago and then another half a million and proposing another half a million for next year, which is getting us to that point.

However, what you said before -- I'm sorry, I'm getting a little distracted. You had said in your earlier remarks that there's an additional \$17 million, I think you said, going into the Police District. And if that the case based on that 10% formula, we ought to be getting a million-seven rather than half a million. So am I understanding that correctly?

MS. VIZZINI:

Well, \$72 million of sales tax is being used to offset the Police District taxes.

LEG. SCHNEIDERMAN:

I thought it used to be 60 million.

MS. VIZZINI:

Well, a quarter cent is about 65 million. And the higher number is the three-eighths. So we are a little bit more than a quarter cent, but we're not quite at the three-eighths.

LEG. SCHNEIDERMAN:

So he moved somewhere between the quarter to the three-eighths?

MS. VIZZINI:

Yes.

LEG. SCHNEIDERMAN:

So he has increased then the percentage going into the Police District?

MS. VIZZINI:

In dollars, yes. We went from about 60 -- we had 58 million last year, and now we're at 72 million.

LEG. SCHNEIDERMAN:

One of my concerns with the deal that was talked about, that Mike Caracciolo deal, with the County Executive to get us that additional money, the 1.5 million and then the additional five is that by the -- you know, by end of the five year period that we would be -- we would have the right proportions even though it wasn't codified into a formula. We'd be around 10%. And what I see happening here is the potential that we actually may be worse off at the end if this continues.

So we're getting a half a million now for next year, but they are getting about, what would you say, about 12 million? Is that -- 12 million additional. So instead of getting 1.2, we're getting half. And if that continues as we approach the three-eighths and we stick with the deal the County Executive's articulated to, we may end up getting an additional, what is it, two and-a-half over the term or a little bit more? What is it, 1.5 and then half a million each year? Three, three and a half.

MS. VIZZINI:

There are two issues in terms of, you know, how much money, and the other is whether it's apportioned by population. And I think any time --

LEG. SCHNEIDERMAN:

I guess what I'm trying to say is at the end of this, are we -- is it more equitable or is it less equitable?

MS. VIZZINI:

Well, any time you change from the way we are doing it, you know, there's a piece of the pie and you've gotten a certain percentage, if there's more pie, you're still going to get that same percentage. If you change to, okay, let's throw this out and it's going to be based on population, and we have -- I think we have provided this information last year -- some will get less and some will get more than they had been getting. So I think the approach that the budget takes is more money, by apportioned as they have been apportioned so nobody gets less, everybody gets more. Not the contract agencies, this is specific to public safety revenue sharing.

LEG. SCHNEIDERMAN:

Do you see what I'm trying to get at, in that the relationship of one to the other, which we thought was getting better, it doesn't seem like it is anymore getting better. Yes, we're getting more money, but we're still -- they're getting proportionately more money than we are. If you use what we think is a fair formula based on population, you know, every County resident would be treated equally, we would be getting a tenth of the money. So the total money now you're saying is about 70 -- what did you say, 72 million? In that range. So we ought to be getting around 7.2 million, and we're in the -- what are we up to now for the -- outside the district? I think it's about 5 million.

MS. VIZZINI:

I think we're approaching that, between 4.5 and 5 million, we're checking.

LEG. SCHNEIDERMAN:

So it sounds like we haven't gotten any better. We're about where we started.

MS. VIZZINI:

We'll add that up for you. Unfortunately, it's not added up.

LEG. SCHNEIDERMAN:

That's all right. While you do that, let me bring up -- my last question really has to do with the rate of sales tax growth. We've had two quarters close, has the third quarter closed? It's closed, but you probably don't have the numbers, right?

MS. VIZZINI:

October 12th is the last date for the check for this third quarter. So before we do our projections, we're waiting for all the information.

LEG. SCHNEIDERMAN:

Okay. And the County Executive is anticipating a slow-down to 2.75 for the full year?

MS. VIZZINI:

For the rest of this year and 2.5 for next year.

LEG. SCHNEIDERMAN:

Okay. Now, the first quarter came in really high, I recall. The second quarter came in pretty low. So he is -- I guess he is anticipating pretty low numbers for the third quarter that will keep it at the 2.75; is that correct?

MS. VIZZINI:

I'm not exactly sure what they took into consideration, but I think that there's some expectation on the County Executive's part that it be relatively flat. And there is literature regarding what to expect in the fourth quarter, but we don't know.

LEG. SCHNEIDERMAN:

Now, is this a Suffolk County phenomenon or is this a Northeast phenomenon? What are other counties anticipating for next year in terms of sales growth? Our County Executive's anticipating 2.5% growth, that's pretty low. That sounds like it's lower than the rate of inflation.

MS. VIZZINI:

You know, I think you will find --

LEG. SCHNEIDERMAN:

It's an important number.

MS. VIZZINI:

-- there's a lot of variation. We have been always been -- both the County Executive and the Budget Review Office have been very conservative regarding sales tax projections. Hence, all those fund balances in the past, you know, ten -- you know, prior to 2001, were really attributable to more than possibly anticipated sales tax revenue generally speaking, not in its entirety, but generally speaking. It really depends on how other municipalities budget. If they are equally conservative, then they may be getting what appears to be more sales tax, but there's a lot of variation.

LEG. SCHNEIDERMAN:

Okay. Does it make a huge difference between if we project a 3% growth versus a two-and-a-half percent growth in terms of budget? What does that translate in terms of sales tax revenues?

MS. VIZZINI:

Just that it's such a big number, you know, two-and-a-half percent of a billion and 3% of a billion can -- it adds up.

LEG. SCHNEIDERMAN:

Right. So one percent of a billion would be ten million; is that right?

MS. VIZZINI:

Yes. That why, you know, even if you're off 1%, it's a big number. And we're not even off, you know, \$5.4 million across all funds, so, you know -- on a billion dollars, so we -- you know, both offices think that's acceptable.

LEG. SCHNEIDERMAN:

Okay. All right. Thank you.

CHAIRMAN MONTANO:

Anyone else? Legislator Alden?

LEG. SCHNEIDERMAN:

When you're ready on the revenue sharing, I'd appreciate it.

LEG. ALDEN:

I want to clarify a couple of things. Number one, you don't want to be on the wrong side of a guess. If you put rosy glasses on and you're off by half a percentage point on your sales tax growth, you have major problems. And if Greenspan is right and the projections that they did a couple of years ago, and most of our economy on -- if most of our economy on Long Island was driven by cheap money, low interest rates and people taking equity out of houses and that just stopped, we've got a major problem coming anyway. So you don't want to get on the wrong side of that.

I want to correct one thing, though. You made a statement, and it's got a bad connotation. Deal. There was no deal made. What there was discussion on a couple of resolutions that were introduced by Legislator Caracciolo that would change the allocation of money, and that's what the Legislature votes on, allocation of money. So as far as a deal, there was no deal made. We don't know even know what the true amount of money that's going to the East End or other municipalities like villages and things like that truly is, because the last time it was studied was 20 years ago. And it seemed like that police forces other than the Suffolk County Police Force were getting a lot more benefits and a lot more monetary type of services than is indicated by the amount of money in the revenue sharing.

So until that full investigation is done and the report issued about how much the services that we provide to the East end cost -- and I'll give you a for instance. Everything that goes through, like, a major type of murder or major type of crime investigation is paid for out of the Police Fund. If you have a parade out on the East End, you're asking the Sheriff's Department and other people to help out and supplement as far as crowd control and traffic control and things like that. And we don't know what the true cost of all that is. And then I just want to make one more --

LEG. SCHNEIDERMAN:

I thought we were getting an audit of that.

LEG. ALDEN:

Well, that's what I just stated, that until we have those numbers, we can't sit here and say you're getting shorted or you're getting too much or whatever. You can just make a statement and it can all just be hot air. But getting back to the 477, when that was created by referendum, there were certain accounts that were supposed to be set up so that the tracking of the money would be a lot more easier and a lot more transparent. Gail, do you know if those -- if those separate accounts were all established?

MS. VIZZINI:

Not exactly the way you are talking about. We have made some small improvements by dividing Cornell's contracts into the four or five of them that they have with 477 money, but what you're talking about is the \$33 million that is the available funds, the fund balance, reserved for the particular programs that they belong to.

LEG. ALDEN:

Right.

MS. VIZZINI:

We have not reached that.

LEG. ALDEN:

And here's the importance on that. For all of us to understand what that program was and how you get down to the 477, which was I considered the bricks and mortar, you have to realize how much money goes into other programs already that are in the General Fund. Like, for instance, I said before, it's not labeled tax stabilization, but it's -- I forget what it is -- it's like 20 -- between 20 and \$40 million each year going into the General Fund.

MS. VIZZINI:

Twenty-one goes from the Water Quality Protection.

LEG. ALDEN:

Right. Right into the General Fund to stabilize spending or to stabilize whatever you want to call it. So we need to look at the entire performance of that chunk of money, and it's a -- basically, it's a quarter cent of sales tax -- and see what each component is and then you can be a little more relative with what we're spending now on salaries as opposed to what, you know, other monies were already available to spend on salaries. And then we can, if it's the wish of the Legislature, we should

make the adjustment, but surely we should go back to the people and ask them if they want to change what they decided in a referendum a few years ago, if they want us to change that -- that formula and now spend it for salaries for people to do things. So those are just the two clarifying points.

MS. VIZZINI:
Mr. Chairman?

CHAIRMAN MONTANO:
Yes. Go ahead.

MS. VIZZINI:
Just two brief points. One, Legislator Schneiderman, the public safety revenue sharing was three million -- 3.08 million in '05 actual. Last year --

LEG. SCHNEIDERMAN:
Do you know on that, there was 3.8 million in '05 and what was into the district?

MS. VIZZINI:
This is -- oh, how much sales tax went to the --

LEG. SCHNEIDERMAN:
Just so I can see what percentage we had, because I want to trace the percentage as we go through the years to see if we're getting better or worse.

MS. VIZZINI:
We can give you that. But last year in '06, it was 4.5 million, because if you recall --

LEG. SCHNEIDERMAN:
Right.

MS. VIZZINI:
-- the County Executive put a 1.5 million contingency --

LEG. SCHNEIDERMAN:
Right.

MS. VIZZINI:
-- for that purpose, and then we appropriated it.

LEG. SCHNEIDERMAN:
We appropriated it, right.

MS. VIZZINI:
And for '07 recommended with the additional 500,000, now we're at 5 million, '07 --

LEG. SCHNEIDERMAN:
Is that -- is that 5 million, is that in a contingency fund?

MS. VIZZINI:
No.

LEG. SCHNEIDERMAN:
It's a dedicated?

MS. VIZZINI:

It's allocated.

LEG. SCHNEIDERMAN:

It's allocated, okay.

MS. VIZZINI:

Now, for '07, the 5 million is based on 72 million in sales tax. The 4.5 million in '06 was based on 58.6 million.

LEG. SCHNEIDERMAN:

Okay. And then if we could just have '05, what that sales tax --

MS. VIZZINI:

'05 was 62.5.

LEG. SCHNEIDERMAN:

Wait a second. It was 58.6 in '06? And it was actually more in '05?

MS. VIZZINI:

Yes.

LEG. SCHNEIDERMAN:

Can I have that number again?

MS. VIZZINI:

Sixty-two point five in '05 actual.

LEG. SCHNEIDERMAN:

That was the total sales tax for police?

MS. VIZZINI:

Transferred to the Police District.

LEG. SCHNEIDERMAN:

And the 58.6 total in '06 and 72 in '07? All right. I can run those percentages and see if -- see where we're ending up.

MS. VIZZINI:

Seventy-two point seven. The other point since most of you who asked Budget Review to do this study, at least half of you or more are on this committee, we looked at the methodology necessary to determine where does sales tax come from, East End, West End or elsewhere versus where it is spent. There is not a reliable formula to determine where it comes from or where it is spent. So that is a study that we are not going to be able to do.

We've contacted the state, we've asked for runs from the state. The short of it is the state is only concerned that it comes -- that it is credited to Suffolk County. They deal with principals of businesses, it could be the accountants, it could be the lawyers, and they keep information by zip code. Fifty-two percent of the zip codes that they deal with are outside of Suffolk County.

So if, you know, I go to Tanger and I spend money at one of those stores, more than likely what is being reported is credited to Suffolk County, but the state is dealing with a zip code for some central office some place, maybe in New Jersey. So it's not a report that I want to make those types of assumptions. It's equally difficult to make those types of assumptions in terms of where the County spends its money and who gets those services. So despite the fact you are very interested, it's not something that we have a methodology that we can actually do.

LEG. SCHNEIDERMAN:

Can we get a line item on spending within the Police District on things that are billed whole County?
Can we get an audit of that to try to --

LEG. ALDEN:

You're taking about a different thing.

LEG. SCHNEIDERMAN:

I though that's related to the same thing. Because Cameron Alden -- Legislator Alden brings that up a lot in terms of, you know, is the East End paying its fair share for the things that are County-wide. And you know, I would like to see ay that analyzed. You know, are we paying for sector car repair that, you know, maybe 2% belongs -- - you know, goes outside of the Police District, those types of things so we can kind of analyze whether we're carrying or whether we're getting more than we're paying for.

LEG. VILORIA-FISHER:

I'm sorry, Jay. Would you mind yielding a second? I'm confused about the conversation. Now, I thought, Gail, that you were speaking in broader terms regarding the sales tax and the expenditure, and it sounds to me like Jay is referring to strictly Police District monies and how that's being spent.

LEG. SCHNEIDERMAN:

Well, I thought Gail's comments were related to public safety.

MS. VIZZINI:

Oh, no. I'm talking broader than public safety.

LEG. VILORIA-FISHER:

That's what I thought. Okay. So its sounds to me like you're having two different conversations.

MS. VIZZINI:

Thank you for listening.

LEG. SCHNEIDERMAN:

Sorry.

CHAIRMAN MONTANO:

Okay. Gail, these items are actually going to be taken up in the working committee group; am I correct on that?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

Okay. So, you know, any Legislator, as you all know, who wants to show up as long as there's no more than ten in a room, can take that up there. If there's anything further, if not, I'd like to move on to the agenda. Okay. Let's move on to the Tabled Resolutions.

1523, Amending the 2006 Operating Budget and transferring funds to Pederson-Krag Mental Health Clinic.

I'm going to make a motion to table that.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 7-0-0-0)**

1658, Electing a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel fuel, in lieu of the percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

I'm going to make a motion to table.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

All in favor? Opposed?

LEG. ALDEN:

Opposed.

CHAIRMAN MONTANO:

One opposition. Any abstentions?

LEG. LOSQUADRO:

Abstain.

CHAIRMAN MONTANO:

One abstention. Motion carries. **TABLED (VOTE: 5-1-1-0 - Opposed - Legis. Alden - Abstention - Legis. Losquadro).**

1788, A Common Sense Cost Mitigating Offset Plan for the cents-per-gallon sales tax.

LEG. COOPER:

Motion to table.

CHAIRMAN MONTANO:

I'll second that. All in favor? Opposed?

LEG. ALDEN:

Opposed.

LEG. LOSQUADRO:

Abstain.

CHAIRMAN MONTANO:

One opposition, one abstention. Motion to table carries. **TABLED (VOTE: 5-1-1-0 - Opposed - Legis. Alden - Abstention - Legis. Losquadro).**

1815, Establishing a Program to Reduce Unfair Home Energy Nuisance Taxes on Suffolk County Residents.

LEG. ALDEN:

Motion to table.

CHAIRMAN MONTANO:

Motion to table by Legislator Alden, I'll second it.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Legislator Cooper will second it. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 7-0-0-0).**

1816, Repealing home energy nuisance taxes on Suffolk County residents.

LEG. ALDEN:

Motion to table.

CHAIRMAN MONTANO:

I'll second that. All those in favor? Opposed? Abstentions? Motion to table carries. **TABLED (VOTE: 7-0-0-0).**

1931, Repealing sales and compensating use taxes on biodiesel fuel used for home heating.

LEG. COOPER:

Motion to table subject to call.

CHAIRMAN MONTANO:

Do I have a second on that?

LEG. D'AMARO:

Second.

CHAIRMAN MONTANO:

Motion to table subject to call and a second.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion.

LEG. ALDEN:

Wouldn't it be more productive if we just, you know, leave it in the agenda, because over the next month we're going to be talking about, you know, what we want to do and what we don't want to do on taxes?

LEG. COOPER:

That's fine. It's just that under New York State Law, the resolution is illegal.

CHAIRMAN MONTANO:

You want to change your motion -- you want to change your motion to a motion to table?

LEG. COOPER:

That's fine.

CHAIRMAN MONTANO:

All right. Legislator D'Amaro, you will second that?

LEG. D'AMARO:

Second.

CHAIRMAN MONTANO:

All right. Motion to table. All in favor? Opposed? Abstentions? Carried. **TABLED (VOTE: 7-0-0-0).**

1985, Of the Suffolk County Legislature electing a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel fuel, in lieu of the percentage rate of such taxes, with a \$3.00 cap, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

LEG. SCHNEIDERMAN:

Motion to table.

CHAIRMAN MONTANO:

Second. All in favor? Opposed? Abstentions? Motion carries.

TABLED (VOTE: 7-0-0-0).

2024, Adopting offsets in connection with cap on gasoline sales tax.

LEG. SCHNEIDERMAN:

Motion to table.

CHAIRMAN MONTANO:

Second. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE: 7-0-0-0).**

2045, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues.

LEG. SCHNEIDERMAN:

Motion to approve.

LEG. COOPER:

Motion to table.

MR. NOLAN:

It has to be tabled.

CHAIRMAN MONTANO:

All right. So we're going to move to table for a public hearing. Do I hear a second on the motion?

LEG. ALDEN:

We have to table?

CHAIRMAN MONTANO:

That's correct. I stand corrected. We're going to table this. I have a motion from Legislator Cooper, I'll second it. All in favor? Opposed? Abstention? Motion carries. **TABLED (VOTE: 7-0-0-0).**

2089, Amending the 2006 Adopted Operating Budget and transferring funds for the John T. Mather Memorial Hospital.

LEG. VILORIA-FISHER:

Motion.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Motion to approve, seconded by Legislator Cooper.

LEG. ALDEN:

On the motion.

LEG. VILORIA-FISHER:

Cosponsor, Renee.

CHAIRMAN MONTANO:

On the motion, Legislator Alden.

LEG. ALDEN:

Through the Chair, is this -- is this Omnibus money?

CHAIRMAN MONTANO:

Yes, I believe -- actually, I asked for a sheet on that and Gail provided some information. This is -- this was part of the operating -- the Omnibus Budget.

LEG. ALDEN:

No problem.

LEG. LOSQUADRO:

Cosponsor.

CHAIRMAN MONTANO:

Motion to approve. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 7-0-0-0).**

2092, Amending the 2006 Operating Budget and transferring funds for the Suffolk Coalition to Prevent Alcohol and Drug Dependencies.

LEG. VILORIA-FISHER:

Motion.

LEG. COOPER:

Second.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion, Legislator Alden.

LEG. ALDEN:

Again, is this --

LEG. VILORIA-FISHER:

Yes.

MS. VIZZINI:

It's Omnibus money and at the request of the Director of Women's Services now that is a Director of Minority Affairs, she basically said that she would really prefer that this be more appropriate in Minority Affairs.

LEG. VILORIA-FISHER:

It's the same money to the same agency, but through different department.

LEG. ALDEN:

I'm all right with it.

CHAIRMAN MONTANO:

Motion and second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE:7-0-0-0).**

2098, Amending the 2006 Operating Budget and transferring funds for Suffolk County Society for the Prevention of Cruelty to Animals (SPCA).

LEG. LOSQUADRO:

Same question.

CHAIRMAN MONTANO:

Let's get a motion on the table first.

LEG. COOPER:

Motion to approve.

MS. VIZZINI:

Mr. Chairman?

CHAIRMAN MONTANO:

I'm sorry. What was that motion?

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

Was this amended?

MR. NOLAN:

Yes.

LEG. D'AMARO:

I'll second the motion.

LEG. LOSQUADRO:

For the purposes of discussion, could we get an explanation as to what the amendment was?

CHAIRMAN MONTANO:

Yes, please. All right. We have a motion to approve. Did we get a second on the record?

MS. ORTIZ:

Legislator D'Amaro.

CHAIRMAN MONTANO:

Any questions on that? Go ahead.

LEG. LOSQUADRO:

I was still waiting for an explanation from --

MS. VIZZINI:

Basically, what this is --

CHAIRMAN MONTANO:

Actually, there's a paper on your package that's the explanation of the amendment. I believe it's taking the money -- Gail, go ahead.

MS. VIZZINI:

This is the Suffolk Community Council Transportation advocacy group that, although, this is what you might say outside of this particular Legislator's Omnibus monies, this is an bona fide offset actually recommended by the County Executive.

LEG. LOSQUADRO:

So this money was not monies that were included in Legislator Browning's original Omnibus allocation?

MS. VIZZINI:

Correct.

LEG. LOSQUADRO:

Motion to table.

LEG. ALDEN:

Second.

CHAIRMAN MONTANO:

Where is this money coming from, Gail? Where is the money coming from?

MS. VIZZINI:

The County Executive recommended in the 2006 recommended budget and then was adopted \$20,000 for this volunteer advocacy group. We are not proceeding with a contract, and therefore, the \$20,000 was recommended, as I understand it, Ben, you might want to chime in?

CHAIRMAN MONTANO:

Just so I'm clear. The advocacy group was the Suffolk County Transportation Council, they were allocated 20,000, that money is not going to be used for that purpose?

MS. VIZZINI:

Correct.

CHAIRMAN MONTANO:

So it's being transferred to this agency?

MS. VIZZINI:

It's available as an offset --

CHAIRMAN MONTANO:

And we're using it now to transfer it from the Council to the SPCA?

MS. VIZZINI:

Correct.

CHAIRMAN MONTANO:

Okay. Go ahead, Legislator Alden.

LEG. ALDEN:

So that was the County Executive's Omnibus money.

CHAIRMAN MONTANO:

He doesn't have Omnibus money.

LEG. ALDEN:

That's the point.

CHAIRMAN MONTANO:

We get the point.

LEG. ALDEN:

Somebody put the money there, so.

CHAIRMAN MONTANO:

We put it there as a body.

LEG. ALDEN:

No. Some things went individually, though.

CHAIRMAN MONTANO:

Right. And the implication is that a member put this in there -- to the Council and now it's being taken out, but there's no way of tracking that at this moment, is there?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

Go ahead.

MS. VIZZINI:

When the recommended '06 Budget came out this time last year, this money was there recommended by the County Executive.

LEG. ALDEN:

So it's his Omnibus money.

CHAIRMAN MONTANO:

Right.

LEG. VILORIA-FISHER:

It was his recommended budget money.

CHAIRMAN MONTANO:

It was recommended in the original budget, is that what you are saying?

LEG. VILORIA-FISHER:

Yes.

LEG. SCHNEIDERMAN:

For this purpose?

CHAIRMAN MONTANO:

And we didn't change it? No. Not for this purpose, for the Council; am I correct on that? We want to get this straight.

MS. VIZZINI:

We didn't change it.

CHAIRMAN MONTANO:

We didn't change it in the Operating Budget that we passed -- in the Omnibus, but we're changing it now?

MS. VIZZINI:

Well, there's no intention to proceeding -- this is same money that Legislator Viloría-Fisher was looking to transfer for -- from DPW to the Health Department or some other department to oversee the contract.

CHAIRMAN MONTANO:

Right, but that didn't work.

MS. VIZZINI:

That's that same money. Right. That was vetoed.

CHAIRMAN MONTANO:

I'm fine. Okay. Ben, want to make a statement.

MR. ZWIRN:

Everything that was said, that's correct.

LEG. VILORIA-FISHER:

Gail, can you pass that by me again, please?

MS. VIZZINI:

This was money in the '06 Budget intended for this agency, which is the transportation advocacy group.

LEG. VILORIA-FISHER:

Right. And then what was vetoed, just to refresh my memory?

MS. VIZZINI:

You wanted to move the contract from Public Works to Health.

LEG. VILORIA-FISHER:

Oh, that was the money on the transportation advocacy --

MS. VIZZINI:

That's this group.

LEG. VILORIA-FISHER:

That Cliff Hymowitz issue?

MS. VIZZINI:

Correct.

LEG. VILORIA-FISHER:

Okay. So this is that same money?

MS. VIZZINI:

Correct. Rather than -- the original version of this was -- the offset was Social Security, which is a valid offset, but it is not keeping with the intent of the County Executive's Office so they've offered other offsets, and this was one of them.

LEG. LOSQUADRO:

If I may?

CHAIRMAN MONTANO:

Did you say Social Security is a valid offset?

MS. VIZZINI:

From the sense that we have more money in the '06 Budget --

CHAIRMAN MONTANO:

Okay. In that sense.

MS. VIZZINI:

Than we are --

CHAIRMAN MONTANO:

In the sense that there is money there?

MS. VIZZINI:

-- spending. Correct. Yes.

CHAIRMAN MONTANO:

Okay. Legislator Alden.

LEG. ALDEN:

Actually, I'll yield to Legislator Losquadro.

CHAIRMAN MONTANO:

Legislator Losquadro.

LEG. LOSQUADRO:

Gail, if I may, the Suffolk Community Council Transportation Advocacy Program only accounts for two-thirds of this funding, that's \$10,000. There's another \$5000 coming from VET, Veterans Emergency Transportation, as I see here. Was that money originally allocated by Legislator Browning, or was -- who allocated that funding? I mean, that's fully one-third of this funding.

MR. ZWIRN:

Do you have an amended copy, Legislator Losquadro? Is it the latest one, because we changed the offsets, and some came from VETs transportation --

LEG. LOSQUADRO:

There are two funding sources; one from Suffolk Community Council Transportation Advocacy Program for \$10,000, two-thirds of this; and the other third, \$5000, from VET, Veterans Emergency Transportation. And I know a number of Legislators had put money into that line item originally. What I'm asking Budget Review is did Legislator Browning put money into that line and is she now moving it, or is this entirely new money?

MR. ZWIRN:

Well, understand, Legislator Browning wasn't here last year, so it couldn't have been Legislator Browning.

LEG. LOSQUADRO:

Regardless. I wasn't here for the budget process my first year in.

MR. ZWIRN:

I'm just saying, when you say did Legislator Browning put this money in, clearly she --

LEG. LOSQUADRO:

Was it allocated by the Legislator for that district?

MR. ZWIRN:

Legislator O'Leary.

LEG. LOSQUADRO:

Because I inherited funding from my district as well.

MR. ZWIRN:

I understand.

MS. VIZZINI:

I apologize. The version that I have on the computer is different than the hard copy that you have. Yes, the original offset was Social Security. The hard copy that you have divides the offset. The Veterans Emergency Transportation group monies was a combination of Omnibus money. We restored that agency, but they're not proceeding with a contract with that agency. However, the Veterans Emergency Transportation, that money has already been used in other resolutions. So there is no \$5000 backing that up. I believe that Legislator Browning sent an e-mail to Mr. Martinez, because I have a cc, requesting that this be tabled until the offsets can be clarified.

CHAIRMAN MONTANO:

This bill?

LEG. LOSQUADRO:

I already had a motion to table.

CHAIRMAN MONTANO:

And there is a second. In light of that, I'm going to call the vote on the motion to table. All in favor? Opposed? Abstentions? Motion to tabled carries. **TABLED (VOTE: 7-0-0-0).**

2099, Amending the 2006 Operating Budget and transferring funds to the Peconic Community Council for the purchase of a van for Maureen's Haven Program.

CHAIRMAN MONTANO:

I'm going to note that I don't believe I have a financial impact statement on this resolution; is that correct?

MR. NOLAN:

That's my understanding.

MS. VIZZINI:

The fiscal impact was completed on October 6th.

CHAIRMAN MONTANO:

In any event, I'm going to make a -- first of all, the question is does this exceed the Omnibus allocation? A statement for the record.

LEG. LOSQUADRO:

I was going to ask what the offset was?

MS. VIZZINI:

No. This one we're using Social Security for the offset.

CHAIRMAN MONTANO:

So we're using Social Security. And in addition, does this exceed the Omnibus allocation?

MS. VIZZINI:

Yes, it would.

CHAIRMAN MONTANO:

Go ahead Legislator Alden.

LEG. ALDEN:

On the motion. And I don't know who's going to have the answer to this, but when the three people came up before and made their presentation, they said that they subcontract with Suffolk County Veterans Transportation, is that the same one we defunded or are not going to sign a contract with? Do you know?

CHAIRMAN MONTANO:

I don't know. Ben, do you have an answer to that?

MR. ZWIRN:

No.

LEG. ALDEN:

No. Okay.

CHAIRMAN MONTANO:

I believe -- did I make a motion to table? Is there a second?

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Seconded by Legislator Cooper. Any further discussion on this motion?

LEG. SCHNEIDERMAN:

Just, you know, on the motion. You know, I'm concerned about leaving this -- I mean, if we leave this just into the Operating Budget discussions, as Legislator Vilorio-Fisher said, I'm concerned that it might not happen. We have a resolution in front of us that seems acceptable in terms of the offset and the ability to meet a need. Nobody's really shown me --

CHAIRMAN MONTANO:

No, I don't think that's the issue. First of all, I just want to get this straight. The offset here is the Social Security funds?

MR. REINHEIMER:

Yes.

CHAIRMAN MONTANO:

Okay. I'm not agreeing that that's acceptable. The acceptability as far as Gail -- is whether or not there's money in account or whether or not we should be transferring from the account to fund something is a separate issue. And I don't think that we are really discussing the worthiness of the allocation, it's more the process, you know, certainly from my standpoint, the budgetary process. We're in the middle of allocating the budget right now. We have a working group, and we've already allocated not money for last year. This is not moving money within the Omnibus, this is taking money from another item. And some of us have some objections to that across the board, and we've been consistent on that.

LEG. SCHNEIDERMAN:

Can we hear from Gail? In terms of that Social Security money, it's not actually taking money away from anything, it's money that we had budgeted --

CHAIRMAN MONTANO:

For a particular item.

LEG. SCHNEIDERMAN:

Well, based on what employee salaries were going to be, and employee salaries were much lower.

LEG. ALDEN:

Would you suffer an interruption for one second?

CHAIRMAN MONTANO:

Would you, Legislator Schneiderman?

LEG. SCHNEIDERMAN:

Of course.

CHAIRMAN MONTANO:

Legislator Alden, go ahead.

LEG. ALDEN:

I don't think you have any support for this, because I'm not going to support it until a bunch of questions are answered. And I don't believe in taking the Social Security money unless that was, you know, like -- and we only did that we in the past, we did over fund for certain purposes going forward. But this raises a problem. They're not going to use -- they're not using the van. They're going to basically give this to somebody else. And if they're giving it to an organization that we're not going to give money to, then that raises a whole bunch of extra problems. So they are not using this. I don't see where there's a problem waiting to go through the whole process. But I'm not going to support it, so I think you might have one vote, and it's an effort in futility.

LEG. SCHNEIDERMAN:

I understand it. I won't belabor it. But, Gail, the Social Security funds, just explain again.

MS. VIZZINI:

We budget in '06 adopted 35.4 million for Social Security in the General Fund. Now that the '07 Budget is --

LEG. SCHNEIDERMAN:

When you that for Social Security, it's for our portion of the FICA, right?

MS. VIZZINI:

On your paycheck and my paycheck, the County is contributing toward our Social Security.

LEG. SCHNEIDERMAN:

Seven and a half or 7.51.

MS. VIZZINI:

7.65% to Social Security. So we have pay to pay that money. That money is budgeted.

LEG. SCHNEIDERMAN:

So we budgeted based on the payroll we thought we'd have, but we didn't fill in all the positions, so we have additional funds?

MS. VIZZINI:

No. Now the '07 recommended budget is out and it shows is that we estimate to spend all but \$900,000. So as we have been saying, there is money in Social Security that is not going to be spent. So when I say it's a bona fide offset, that's what I mean, not that there aren't consequences.

CHAIRMAN MONTANO:

Right. Exactly.

LEG. SCHNEIDERMAN:

Let call the vote.

CHAIRMAN MONTANO:

All right. On the motion to table, all in favor? Opposed? Abstentions?

LEG. SCHNEIDERMAN:

Opposed.

CHAIRMAN MONTANO:

One opposition, motion carries. **TABLED (VOTE: 6-1-0-0 - Opposed - Legis. Schneiderman).**

2100, Amending the 2006 Capital Budget and Program, amending the 2006 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund and appropriating funds in connection with improvements to Sewer District No. 7 Medford (CP 8150).

CHAIRMAN MONTANO:

Could I get an explanation on that? Legislator Alden, go ahead.

LEG. ALDEN:

I can tell you what happened.

CHAIRMAN MONTANO:

By the way, I want to point out, I don't think I have a financial impact statement on this. Was one done?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

Okay.

LEG. ALDEN:

Basically, in the Capital Budget -- this was presented in the Capital Budget to go to outside funding, and basically go to Wall Street, borrow the money and do these improvements. We have the stabilization fund that other districts can take advantage at a much less cost, and I felt at that time when we were doing the Capital Budget that this would be a better way, more cost effective way, of doing these improvements to this district, use the stabilization fund rather than go to Wall Street and borrow the money.

CHAIRMAN MONTANO:

Let me ask a question. I have a note here on my paper. This district, I believe that this -- is this Legislator Eddington's district?

LEG. ALDEN:

I don't know whose district it is, but --

CHAIRMAN MONTANO:

I have a note here that it's Legislator Eddington's district.

LEG. ALDEN:

This is strictly a funding source, whether you go and borrow the money outside and do the project or whether you borrow it from the stabilization fund and do the project. So I thought it was more cost effective to do it by borrowing the money from the stabilization fund than going to outside funding, that's all.

CHAIRMAN MONTANO:

Did you have a chance to speak with Legislator Eddington on this?

LEG. ALDEN:

No, because -- although, you know what? We might have spoken, because he was on the -- I believe he was on the capital working -- during the Capital Budget process, I believe we spoke on this.

CHAIRMAN MONTANO:

I'm going to make a motion to table. I ask for a second.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Any comment on the discussion on the motion? Go ahead, Cameron -- Legislator Alden.

LEG. ALDEN:

I don't know if there is a time frame here to get these things done, but I think that, you know -- or maybe Budget Review would know that. Is there a time table on this? Is it time sensitive?

MS. VIZZINI:

Well, this involves rehabilitation of sewer collection systems and pump stations, so I don't think one more cycle is a problem, but it sounds like work that should be done.

LEG. ALDEN:

If we stretch it out a lot, I think we're going to have problems, but, again, this is strictly a choice or whether you want to go to outside bonding or whether you want to use the stabilization funds.

CHAIRMAN MONTANO:

I don't know enough about it. I haven't really looked at it. I'm going to ask -- as I said, I make a motion to table. I'm going to ask you to speak with Legislator Eddington on this. We have time to take it up at the next session; is that correct, Gail, without running into problems?

MS. VIZZINI:

I would think so.

CHAIRMAN MONTANO:

Okay. Legislator Vilorio-Fisher, you had a question.

LEG. VILORIA-FISHER:

Yes. I have a question for Budget Review. What kind of savings would this -- would we realize?

MS. VIZZINI:

Well, as you are aware, this resolution would provide the funding from the Assessment Stabilization Reserve Fund, which is a separate reserve fund. There's approximately \$47 million in fund balance in the '07 Budget. This is sales tax money that goes directly to the Assessment Stabilization Reserve Fund. The difference would be this is treated as cash, it's a bona fide offset for the Capital

Program, always has been, rather than bonding. So it would be whatever it would -- the debt service on \$300,000.

LEG. VILORIA-FISHER:

Gail, would we have to subtract from that debt service whatever -- aren't these interest bearing accounts?

MS. VIZZINI:

The Assessment Stabilization Reserve Fund itself?

LEG. VILORIA-FISHER:

Yes.

MS. VIZZINI:

Yes.

LEG. VILORIA-FISHER:

Okay. So then we would subtract whatever interest we would have earned on that from the debt service and then that would be the net savings that we would have. I don't know how much that would actually amount to. I have a second question. Have these capital projects gone before CEQ yet? I don't know if these are projects that have gone before CEQ, if they're ready to go yet. I know we have seen a couple of pump station projects before CEQ, but I can't identify them from memory.

MS. VIZZINI:

I'm not sure.

LEG. VILORIA-FISHER:

Okay.

CHAIRMAN MONTANO:

Quick question. Ben, do you want to weigh in on this? Do you have a position on this? I'm not that will versed in it.

LEG. VILORIA-FISHER:

Legislator Alden, that wasn't an argument against this, I just want to see some numbers.

LEG. ALDEN:

All I was going to do is apologize to Ben, because he asked me if I sponsored it, and I didn't recollect sponsoring it, and then I did get this memo from Gail, and it goes back to the Capital Budget discussions that we had. So I was going to apologize to Ben.

CHAIRMAN MONTANO:

Were you done, Legislator Fisher -- Vilorina-Fisher?

LEG. VILORIA-FISHER:

Yes. I can check my CEQ notes to answer my own question.

MR. ZWIRN:

If this could be tabled one cycle so we could get it all squared away, that would be fine.

CHAIRMAN MONTANO:

Legislator D'Amaro has a question.

LEG. D'AMARO:

Thank you. Just a quick question. Budget Review, the Assessment Stabilization Reserve Fund has

\$47 million in it presently. How often is that -- has that been tapped, if you will, in '06 if at all other than this proposal?

MS. VIZZINI:

That 47 million would be at the end of 2007. Actually, the Department of Public Works keeps tracking sheets -- has historical tracking information of every transaction, every sewer agency that accepts money from Assessment Stabilization Reserve, because the terms and conditions are their rates must increase by 3%, they accept the money, and then they must pay it back as their funds are able to do that.

LEG. D'AMARO:

So that would be the criteria if this resolution were enacted?

MS. VIZZINI:

Yes.

LEG. D'AMARO:

Okay. Has that occurred in any other instance in '06?

MS. VIZZINI:

Yes.

LEG. D'AMARO:

Do you recall?

MS. VIZZINI:

Have we used Assessment Stabilization in '06?

LEG. D'AMARO:

Yes.

MS. VIZZINI:

We probably have, we would have to get that information for you. Really what it is is it's money that goes to the Capital Program from the operating -- from the Operating Budget.

LEG. D'AMARO:

Is spending a portion of the Assessment Stabilization Reserve Fund in lieu of bonding a permissible use of that fund?

MS. VIZZINI:

That's exactly the purpose.

MR. LIPP:

For this year, we're estimating that there's going to be, oh, 14.8 million in total expenditures, but some of that is for the town revenue sharing, so there could be -- let's say maybe ten million of that would be for purposes going to transfers to the sewers. And most of that is probably for this particular action.

LEG. D'AMARO:

Thank you.

CHAIRMAN MONTANO:

Legislator Alden, go ahead.

LEG. ALDEN:

And one other point to keep in mind, this is -- and I believe that Legislator D'Amaro cosponsored this resolution, but this would be keeping in, you know, spirit with the resolution we passed that we're going to take the bonding and things like that to the sewer district and treat them separately from the General fund, whereas, if we do this other than the way this resolution would provide, we're going back there, we're going to remain in the old mode where we're just doing it out of the General Fund. And this is a small amount of money actually. I'm just pointing it out to keep in mind when we think about it over the next month or whatever it is.

CHAIRMAN MONTANO:

Okay. Can we take a vote? I'm going to call for a vote. We have a motion to table and a valid second. All in favor? Opposed? Abstentions? Motion to table carries. **TABLED (VOTE: 7-0-0-0).**

2101, Amending the 2006 Operating Budget and transferring funds for certain contracted agencies (Family Service League and Mastic Shirley Youth).

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

I'm going to second that motion to approve. Now, on the motion, I'll ask the first question. Is this part of the Omnibus?

MS. VIZZINI:

Yes, it is.

CHAIRMAN MONTANO:

Okay. Legislator Alden.

LEG. ALDEN:

That was it.

CHAIRMAN MONTANO:

That was the question. Okay.

LEG. LOSQUADRO:

Just wanted to make sure it was part of Legislator Eddington's original allocation -- excuse me. Part of the district, exactly. Same thing we ran into before.

CHAIRMAN MONTANO:

Okay. All those in favor? Opposed? Abstentions? Motion to approved carries. **APPROVED (VOTE: 7-0-0-0).**

2103, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #256

CHAIRMAN MONTANO:

Motion to approve and place on the Consent Calender.

LEG. D'AMARO:

Second.

CHAIRMAN MONTANO:

All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE: 7-0-0-0).**

2104, To readjust, compromise, and grant refunds and chargebacks on correction or

errors/County Treasurer by: County Legislature #257.

Motion to approved and place on the Consent Calender. Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER. (VOTE: 7-0-0-0).**

2105, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature #258.

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDER (VOTE: 7-0-0-0).**

2119, Amending the 2006 Operating Budget to strike excess appropriations within the Department of Health Services to offset the loss of anticipated revenue related to fees for Tobacco Cessation Program.

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

Motion to approve.

LEG. LOSQUADRO:

Explanation.

CHAIRMAN MONTANO:

Let's get a second. I'll second it.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion, Legislator Alden.

LEG. ALDEN:

Can I just have an explanation, because the Tobacco Cessation Program, the funds actually don't start appearing until of January of next year the way that the resolution was crafted by the County Executive? And I think there are other ways of addressing that. I personally don't want to see people charged for making themselves -- or taking advantage of that Cessation Program especially since we've got, you know, more than \$20 million coming in from tobacco settlement money. But this affects '06, and I don't think there's a monetary affect on '06, is there?

MS. VIZZINI:

Well this resolution -- I see the sponsor just walked in -- but from a budgetary aspect, it is in the spirit of mitigating any shortfall that may occur in the event that we modify the fees for the Tobacco Program.

Basically what it does is there's \$170,000 in the Tobacco Program now that was intended for the Gallup Poll to evaluate the program, it's money that the Legislature has restored over the years, but a contract that is not going to move forward. We are not going to contract out for evaluating our program, so what the sponsor had requested was -- he's striking the 170,000. So it will go to fund balance. And I don't know what the plan is in '07, I would defer to the sponsor to address that, but that it would mitigate any loss of anticipated revenue expected in '07 for the fees that we are going to approve.

LEG. ALDEN:

Through the Chair, if it goes to fund balance, then you can't use it to mitigate any loss, because it's

already in the fund balance and it will be included in the budget. But, however, when you address the '07 Budget, you can strike that as a revenue.

MS. VIZZINI:

Well, this was to assure that this goes to fund balance and point to this as part of -- loss of revenue to point to this as a savings.

LEG. ALDEN:

You can't put it in a separate, like lock box any more, because we lost those lawsuits. So if it goes to fund balance, there's really no identifier that makes sure that this goes to the purpose that it was intended. I mean, fund balance is fund balance, that's it.

MS. VIZZINI:

It does jump the gun. It probably would have gone to fund balance, but it does make a policy statement.

LEG. ALDEN:

Through the Chair.

CHAIRMAN MONTANO:

Sure. Go ahead.

LEG. ALDEN:

Jack -- Legislator Eddington, sorry. If it's your intention to, you know, either eliminate that fee or -- you know, if in the event we don't have enough people on the Legislature to vote to eliminate the fee to use that money to fund the program for people that, you know, would be charged and can't afford it, I'm all with you. And if that's what we're making a statement of that magnitude today, then fine, I'll vote for it. But I think that -- I was going to try to address this in the discussions for the budget and make sure that those revenues are just, you know, not even considered for next year.

LEG. EDDINGTON:

Yeah. Thank you. My understanding is that I couldn't count on that happening, and I wanted to do something immediately. And since I found this funding, I said that this would be the first step to restoring it to the way it was. But this is something that I thought we could do immediately. I know the County Executive was behind -- he would support this, so, therefore, it's almost like the half a loaf of bread is better than none. I did talk to people in the addiction field. They weren't overly happy, but they said seven to \$15 probably would not be a deterrent like \$15 every single time. So I'm more than willing to look at alternative ways in the future, but I just wanted to make sure that we had something now.

LEG. ALDEN:

Well, I'm not going to vote for this to make a statement that \$7 is acceptable, because that's not acceptable to me. Any charge is not acceptable to me. If by making that vote today, you know, I would hope that wouldn't be interpreted as accepting the status quo, so to speak, on it. I want to run it right back to what it was in the past where anyone that wanted to avail themselves of that program can go and do it.

And I just point out another thing. There's a lot of money here that we're actually sending to fund balance that might be, you know, better used in a different direction. The BOCES, Eastern BOCES contract with Suffolk County hasn't been addressed as far as continuation into the future. And I know there's a bunch of questions on it, whether it expires in May or whether it expires in January, but they provide real services to all the school districts to try to get kids before they get hooked on it or as they're starting to smoke to get them to walk away from cigarettes and the abuse that they're going to give to their bodies for the rest of their lives and the suffering.

So I would hope that -- I'm probably going to, you know, vote in the affirmative on this, but I hope that's not interpreted as -- I don't want to see that program go forward and I don't want to abandon the effort to completely reverse the amount of money that we're going to charge people, because I don't believe we should be charging people anything. And I think that those programs are the things that should be funded.

LEG. EDDINGTON:

Through the Chair, just to respond. I agree with what you are saying. And I'm looking at this as a first step to restoring it back to where there is no fee, but this is something that I think we can do now. And we will get support. And it's just a first step. And I think with your support, we can work towards the next step, which would be restore it back to how it was. Thank you.

LEG. VILORIA-FISHER:

Through the Chair.

CHAIRMAN MONTANO:

Legislator Viloría-fisher.

LEG. VILORIA-FISHER:

I have a question for the sponsor, and first, I'd like to Legislator Alden to know, I completely agree with you regarding the funding of Eastern Suffolk BOCES, that's an invaluable program, and we have to support it. Jack, I'm little confused by the language in the legislation. It refers to the reimbursable monies, that the Health Department considers seven visits as one visit, and so that becomes problematic in the amount of revenue that we're getting. So are we protecting the revenues coming into the County through this, or are we protecting the cost to the consumer through this? I was a little confused when I read the legislation.

LEG. EDDINGTON:

The goal wasn't really to protect the revenue, however, I think the County Executive was very clear about that. The goal was to reduce it to a very nominal fee so that it wouldn't inhibit people from taking that first step.

LEG. VILORIA-FISHER:

But the language of the legislation led me to believe, because the way the language refers to the Health Department reimbursement of seven visits as one fee, they saw seven visits as one visit, because it was a programmatic reimbursement. So it seems to me that this legislation is protecting our revenue rather than offsetting it for the consumer, and that's what confused me about this. You know, I just want Counsel to clarify that, because I want to make sure we're protecting the consumers' outlay rather than our revenue.

MR. NOLAN:

I think the answer is probably both in that part of the --

LEG. VILORIA-FISHER:

Great, George. Good attorney answer.

MR. NOLAN:

No, because the \$170,000 that is not going to be used this year, and I think probably the Legislators spoke with the Health Department, this was part of the whole discussion, they agreed to charge for one visit -- you know, seven visits would count as one. So there would be a break for the people that use program. Instead of paying \$15 every time they go, they're only going to pay once. But yet -- so that's going to reduce revenue to the County. This is the offset. One hundred and seventy thousand dollars will be used basically to offset the revenue that have been anticipated from charging from each visit.

LEG. VILORIA-FISHER:

Okay. So what the Health Department is doing -- although I don't think that that's -- okay. Here it is. Whereas the Health Department has agreed that seven sessions would count as a singly visit. Okay. So the Health Department is only charging them the way the reimbursement is going to work, so it's a break for both. Okay. I get it now. It just wasn't clear when I read this. I guess I didn't read it carefully enough. Thank you.

CHAIRMAN MONTANO:

Okay. Any further discussion?

LEG. VILORIA-FISHER:

I'll make a motion to approve.

CHAIRMAN MONTANO:

I think we have a motion and a second. On the motion, all in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 7-0-0-0).**

IR 2134, I believe, has been withdrawn.

2135, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature (Control # 757-2006).

I'll make a motion to approve and place on the Consent Calender, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **Consent Calender.**
(VOTE: 7-0-0-0).

2163, Amending the 2006 Operating Budget and transferring funds to various agencies.

I think we have a financial impact statement on this.

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

Motion to approve. I'll second it.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion, Legislator Alden.

LEG. ALDEN:

Through the Chair, is it Omnibus money?

MS. VIZZINI:

This is a little bit of a mixed bag. The \$3000 for St. Matthews is tantamount to a name change. The other is the same amount that Legislator Stern would have had from his Omnibus money, however, somebody snatched it from him. So he's using Social Security.

CHAIRMAN MONTANO:

And how much -- this is a small amount, isn't it?

MS. VIZZINI:

It's \$2,900.

CHAIRMAN MONTANO:

Two thousand out of the 900,000 surplus?

LEG. ALDEN:

Who grabbed the -- was it Horsley?

LEG. LOSQUADRO:

In the study with the candle stick.

LEG. COOPER:

Legislator Schneiderman looks very guilty.

CHAIRMAN MONTANO:

I'm assuming that was an administrative issue. The bottom line, though, is that this is Omnibus money except that we're -- because of the shortage in the account that it was to be used from, we're going to have to move into the Social Security to get this through; is that correct? And this is 2000 out of the 900,000 -- how much did you say was surplus in that Social Security account?

MS. VIZZINI:

900,000.

CHAIRMAN MONTANO:

Okay. It's a glitch, there's no doubt about it. Go ahead, Mr. Zwirn.

MR. ZWIRN:

I'm just saying the County -- I think we tried to help the sponsor find an offset that might not have been acceptable to him. But the County Executive has said over and over again, he doesn't like to see Social Security used as an offset, even though there maybe excess money in there by the end of the year. That's part of turnover savings. It also opens up Pandora's Box, because once you start going to Social Security, there's no end to it for additional funding, and you'll spend millions and millions of dollars that were not figured into the budget at that time. So he would -- wouldn't support using Social Security as an offset.

CHAIRMAN MONTANO:

Let me ask this, do we have a financial impact statement on 2163?

LEG. COOPER:

Yes, we do. It was just handed out.

CHAIRMAN MONTANO:

Okay. I didn't read it.

MS. VIZZINI:

There is no impact.

LEG. ALDEN:

Mr. Chair.

CHAIRMAN MONTANO:

Go ahead, Legislator Alden.

LEG. ALDEN:

I really have a, you know, like, some bad feelings about going into Social Security, especially at this time. However, it sounds like there might have been a little bit of an injustice done here. I think that probably the best way to do this is table it, a little bit more investigation. And if the 2000 was

used someplace else and we could find a different offset --

CHAIRMAN MONTANO:

Let him finish.

LEG. ALDEN:

You know, then I think that that injustice can be, you know, kind of righted in that -- in that regard without going into Social Security, because if one Legislator gets it out of Social Security, it's fair then -- fair game for everybody and anybody that's had a resolution that's been defunded or a program that hasn't had the money expended or any other type of program. So we're really going down of wrong road by going into Social Security on this one.

CHAIRMAN MONTANO:

I hear you. I think there were some other comments that were going to come forward. Legislator D'Amaro.

LEG. D'AMARO:

To BRO, is there any kind of time sensitive element to this funding? And if so, what would that be?

MS. VIZZINI:

Well, any of these contract agencies, the process is very tedious for them to fill out their paperwork, get the necessary signatures on both their end and the County and claim their expenditures before December 31st. So any delay makes something that could have been -- it's already late in the process. So any delay, another cycle or what have you, does contribute to that time frame.

LEG. ALDEN:

Through the Chair.

CHAIRMAN MONTANO:

Go ahead, Legislator Alden.

LEG. ALDEN:

Then is there anyway then -- you don't have to do it on record, because I would just guess that's it's probably back in the office -- can you identify the other \$2000, and is there an offset that would be appropriate in that regard?

MS. VIZZINI:

Our feeling was that we had identified Social Security. It's the County Executive that took objection to it. I think, Ben, that other offsets were identified, but they weren't workable.

MR. ZWIRN:

Right.

LEG. ALDEN:

My point is that some other Legislator or the County Executive actually spent the money somewhere, probably on a legitimate use, and now to make Legislator Stern whole again, if 2000 in an appropriate offset could be found to restore that money, I think it's better than going into Social Security.

MR. ZWIRN:

Would the Committee recommend if we could find a workable offset with the Budget Review Office that we could do a CN on this?

CHAIRMAN MONTANO:

Sure. That would solve it.

MR. ZWIRN:

I wouldn't normally recommend something like that on an item like this, but if the committee would recommend it, then I think it gives us a little more time to find a viable offset.

CHAIRMAN MONTANO:

How about this? How about I'll make a motion to discharge without recommendation and you will try to find a C of N with an appropriate offset, this way we have it on the agenda next week -- I mean, Tuesday and we can solve the problem that way? I think we all want to pass it, but the problem is --

LEG. VILORIA-FISHER:

Mr. Chair, is it too late to make an amendment to it?

CHAIRMAN MONTANO:

I think it is. I think that's the problem.

MR. ZWIRN:

That's the problem.

CHAIRMAN MONTANO:

So, you know, I have to agree that the offset is inappropriate, but in light of the particular facts on this one, we should -- we want to get it resolved, am I correct on that? Can I get a consensus? So I'm going to make a motion to discharge without recommended, seconded by Legislator Alden. All in favor? Opposed? Abstentions? **MOTION TO DISCHARGE WITHOUT RECOMMENDATION** carries. **(VOTE: 7-0-0-0)**.

2164, Transferring contingent funding for various contract agencies (Phase III).

CHAIRMAN MONTANO:

I'm going to make a motion to approve.

LEG. SCHNEIDERMAN:

Second.

CHAIRMAN MONTANO:

Those are the Legislature member items.

LEG. LOSQUADRO:

Second.

CHAIRMAN MONTANO:

Okay. Legislator Losquadro. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 7-0-0-0)**.

I believe that concludes the agenda at 11:28. Thank you.

(*THE MEETING WAS ADJOURNED AT 11:28 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY