

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 November 28, 2006.

Members Present:

Legislator Ricardo Montano - Chairman
Legislator Louis D'Amato - Vice-Chair
Legislator Jon Cooper
Legislator Cameron Alden
Legislator Daniel Losquadro
Legislator Jay Schneiderman
Presiding Officer Lindsay - Ex Officio Member

MEMBER NOT PRESENT:

Legislator Vioria-Fisher - Excused Absence

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 Kovessy - Deputy Director/County Executive's Budget Office

All Other Interested Parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 9:39 A.M.*)

CHAIRMAN MONTANO:

I'm to call the Budget and Finance Committee Meeting to order. All Legislators please report to the horseshoe. Please stands for the Pledge.

SALUTATION

CHAIRMAN MONTANO:

We are going to just take a moment of silence for those fighting in Vietnam -- those that have made the ultimate sacrifice -- I mean, Iraq, yeah. A generational thing. And Afghanistan.

MOMENT OF SILENCE

CHAIRMAN MONTANO:

Thank you. For the record, Legislator Viloria-Fisher is not going to be with us today. She is excused. Legislator Losquadro will be here. We don't have any correspondence. I don't have any cards. So we're going to go -- we're not going to have a presentation unless, Gail, you want to -- I think we can go right into the agenda, correct?

MS. VIZZINI:

Correct.

CHAIRMAN MONTANO:

Okay. Tabled Resolutions.

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 am going to make a motion to table that.

LEG. D'AMARO:

Second.

CHAIRMAN MONTANO:

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloria-Fisher)**

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? Abstentions? Motion carries. **TABLED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloria-Fisher).**

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

CHAIRMAN MONTANO:

I'll make a motion to table.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Seconded by Legislator Cooper. All those in favor? Opposed? Abstentions? Motion carries.

LEG. SCHNEIDERMAN:

Opposed.

CHAIRMAN MONTANO:

One opposition, Legislator Schneiderman. Please mark Legislator Losquadro present. **TABLED (VOTE:6-1-0-1 - Presiding Officer Lindsay voted - Opposed - Legis. Schneiderman - Not Present - Legis. Vilorio-Fisher)**

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

LEG. COOPER:

Motion to table.

CHAIRMAN MONTANO:

Motion to table by Legislator Cooper. I'll second that. All in favor? Opposed?

LEG. SCHNEIDERMAN:

Opposed.

LEG. ALDEN:

Opposed.

LEG. LOSQUADRO:

Opposed.

CHAIRMAN MONTANO:

Three oppositions. Motion to table carries. **TABLED (VOTE:4-3-0-1 - Presiding Officer Lindsay voted - Opposed - Legis. Schneiderman, Alden and Losquadro - Not Present - Legis. Vilorio-Fisher).**

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:

Motion to table by Legislator Schneiderman.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Seconded by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **TABLED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Vilorio-Fisher).**

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

LEG. SCHNEIDERMAN:

Motion to table.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Seconded by Legislator Cooper. All in favor? Opposed? Abstentions? Motion to tabled carries.

TABLED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher).

2045, Adopting Local Law No. 2006, A Charter Law to provide for fair and equitable distribution of public safety sales and compensating use tax revenues.

LEG. SCHNEIDERMAN:

Motion to approve.

CHAIRMAN MONTANO:

Motion to table for a public hearing.

LEG. ALDEN:

It's still open.

CHAIRMAN MONTANO:

We can't hear you, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

It's still open? The public hearing was recessed?

CHAIRMAN MONTANO:

Does anyone want to second that?

LEG. D'AMARO:

I'll second.

CHAIRMAN MONTANO:

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED** for a public hearing **(VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher).**

Viloría-Fisher).

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.

LEG. COOPER:

Motion to table.

CHAIRMAN MONTANO:

I'll second that.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion, Legislator Alden.

LEG. ALDEN:

Explanation.

LEG. LOSQUADRO:

What's the offset, also? Through the Chair, if I may at the same time, could Budget Review tell us if the offset was changed?

LEG. COOPER:

It was Social Security.

MS. VIZZINI:

Budget Review is sharing a computer. No, it was not. The original offset remains \$25,000 from Social Security. It is a valid offset for 2006.

LEG. SCHNEIDERMAN:

Motion to approve.

CHAIRMAN MONTANO:

We have a motion to table. Who made the motion? Was it Legislator Cooper?

MS. CATALANO:

Legislator Cooper made the motion to table.

CHAIRMAN MONTANO:

Who made the motion.

MS. CATALANO:

Legislator Cooper.

CHAIRMAN MONTANO:

And I seconded it?

MS. CATALANO:

Yes.

LEG. ALDEN:

I just ask for a brief explanation.

CHAIRMAN MONTANO:

Discussion on the motion, Legislator Alden has the floor.

LEG. ALDEN:

I just ask for a brief explanation of what this is and what they intend to accomplish by purchasing this van. What the Peconic Community Council does with this Maureen's Haven Program.

LEG. SCHNEIDERMAN:

I might be able to help if I may and people want to fill in more information. This is a group that provides van or bus service to the homeless. They pick up homeless from the streets at night and they bring them to various churches where they're housed for the evening, and then in the morning they are returned to where they were picked up. That actually saves the County quite a bit of money in terms of not having to shelter these individuals.

Unfortunately, the homeless population seems to be increasing on the East End where this is located. It's an important service they provide. And they need an additional vehicle, and that's what this resolution is about.

LEG. ALDEN:

And that was, I believe, the thrust of when they came down here and presented before us. But has Budget Review had an opportunity -- through the Chair, has Budget Review had an opportunity to establish or dispute the fact that they would save the County money in our homeless program.

MS. VIZZINI:

We haven't -- we weren't really requested to do any type of analysis based on my recollection. But the contracted services are usually more efficient than -- in terms of cost efficiency. We really haven't had a chance to make a determination.

LEG. ALDEN:

Through the Chair.

CHAIRMAN MONTANO:

Go ahead, Legislator Alden.

LEG. ALDEN:

Do you know what kind of programs that we do have out there for our homeless? Are we as -- and I'm not going to say aggressive, but it sort of is an aggressive program that we have in the Western End where if we know where people are located, the Police and Social Services go in there and we try to get those folks that are, you know, like, living by railroad tracks or in woods and things, they try to get them out of there and they try to get them to a safe haven or some kind of a shelter. Do you know if we do that on the East End also as aggressively as we do on the Western End?

MS. VIZZINI:

I really don't know.

LEG. ALDEN:

Because if we're not doing that, then this might be something that we should seriously look at.

LEG. SCHNEIDERMAN:

Can I ask a question? Ms. Vizzini, do what the County's cost for housing per individual per night in a homeless shelter is approximately? You know, I've heard somewhere around \$150 to \$200 per evening. I think that's for also putting people up in temporary accommodations.

P.O. LINDSAY:

If I might, Mr. Chair.

LEG. SCHNEIDERMAN:

The reason why I'm asking the question is so -- we know group, Maureen's Haven, is handling at least, I think their testimony was about 35 individuals per night. We can roughly calculate per year what that would cost the County if this program didn't exist, if we were housing the individuals, if I knew the per night cost, then we could compare it to what Maureen's Haven is requesting of the County to continue it -- or expand its operation. And we can answer Legislator Alden's question if we had that information.

CHAIRMAN MONTANO:

Just for the record, there was an article yesterday that talked about the cost to house an inmate in the County Jail at \$200 a day. You maybe thinking of that. But Presiding Officer.

P.O. LINDSAY:

I'll step out of the room in a minute and get you the exact numbers, because we just did an analysis on this between -- actually most of our homeless are housed in two areas, in the one Tier II Shelter that we have in Bellport or in the smaller congregate shelters that we have throughout the County, which has replaced the motel rooms altogether. And, you know, they're really doing a pretty good job. I will have you the exact numbers in the minute, but I think it's somewhere's between 53 and \$75 a night now.

LEG. SCHNEIDERMAN:

Do you know, Mr. Presiding Officer, are those facilities full or is there room? Because if they are full and this addition homeless population would be added, it would then have to go to a hotel type of situation, which would be at the higher cost.

P.O. LINDSAY:

Well, three years ago, we were -- you know, to those of you that remember, we were extensively in hotel and motels around the Island, which was very expensive and caused tremendous turmoil in a lot of neighborhoods. And we went to this model now of contract agencies, they're not -- we don't man them, these congregate shelters that -- the guy that heads the association was in the other day, I think we have, like, 20 different providers now. There's about a thousand people that are employed in that congregate shelter operation. And I think that they are doing a really good job, because what they have done is dispersed the homeless population across the County rather than congregate them in one area. And they've gotten us out of motels. And I don't remember anybody coming here to complain about housing homeless in some time now. So that to me is an indication that they're doing a good job, and I think they're doing it economically. But if you give me a minute, if you want to pass over this -- the only reason I know so much about it, we just -- I just had a meeting just the other day, and I do have some up-to-date numbers on what the costs are.

LEG. SCHNEIDERMAN:

Is this Maureen's Haven part of that collection of agencies?

P.O. LINDSAY:

Probably. I'm not sure but probably.

LEG. SCHNEIDERMAN:

Thank you, Mr. Presiding Officer.

CHAIRMAN MONTANO:

Legislator Alden had the floor followed by Legislator Cooper. Do you want to go after, Legislator Losquadro?

LEG. LOSQUADRO:

Yes.

CHAIRMAN MONTANO:

Okay.

LEG. ALDEN:

I would say we follow what the Presiding Officer said. He's going to get some information, then we could pick this up when he gets back with it.

CHAIRMAN MONTANO:

You want to pass over it? I'll be happy to pass over it.

LEG. SCHNEIDERMAN:

Let's pass over it.

CHAIRMAN MONTANO:

We'll let Legislator Cooper make his comments and then we'll come back to it unless we feel the need to go further.

LEG. COOPER:

I just wanted to mention that Huntington has what, I guess, is a similar program, HHHI, the Huntington Interfaith Homeless Initiative, where there are now a couple of dozen churches take homeless and give them a warm place to sleep and provide them with meals. At least in Huntington we don't have a bus that collects them, we members. My church was actually the first church to participate in the program. And we have church members that volunteer and pick up the local homeless and bring them to the churches. So I'm not sure why you need a bus. But even if we determine the bus is needed for some reason on the East End, the other question is whether this is an appropriate offset.

LEG. LOSQUADRO:

Mr. Chairman.

CHAIRMAN MONTANO:

Legislator Alden had the floor, he yielded it for the Presiding Officer to come back with some information. I see he is back. Go ahead, Legislator Losquadro.

LEG. LOSQUADRO:

I think a large reason why -- by the way, I think that's a wonderful program that exists up in the Huntington area. But one of the striking differences that we see between the East End and the West End are the geographical distances involved on the East End that just don't exist on the West End of the County. It's the same problems we run into with policing, with bus services especially are a very large problem on the East End because of the great distances involved.

So I would imagine that would be the reason why a dedicated transport would be needed to provide this services on the East End, because no matter how generous volunteers are with their time, the population is spread over a very large area here. And having a dedicated transport, I'm sure, would help them.

As far as the offset goes, I know that throughout the year, we have been reluctant to use Social Security. But as we near the end of 2006, I would like to ask Budget Review, who said this is a legitimate offset, what type of balance do we anticipate in that Social Security account that we could -- that we would draw this \$25,000 out of?

MS. VIZZINI:

The 2007 recommended budget estimates there is -- we spend about a million dollars less than we had available appropriations in Social Security.

LEG. LOSQUADRO:

Did we address that in our budget that we just passed?

MS. VIZZINI:

That million dollars would fall to fund balance or --

LEG. LOSQUADRO:

We did not touch that?

MS. VIZZINI:

We did not lower it or anything like that.

LEG. LOSQUADRO:

Okay. So we're going to have a million dollars that's going to turn over out of this fund. And I'm not suggesting that we raid this for offsets for everything between now and December 31st, but we have a legitimate program here to help a homeless population. And when looking at offsets, I would have to agree with Budget Review that this is a legitimate offset, not one that I would suggest using earlier in the year, but as we come to the end of this year and seeing very clearly that we're going to have a substantial balance there, I would have to agree that this is an appropriate time to use this offset.

CHAIRMAN MONTANO:

Legislator Alden, did you want to make any comments on this?

LEG. ALDEN:

Well, actually, I was hoping that the Presiding Officer would stay and that he would have some answers to the question. Basically, what the split is between western and eastern, and are these guys part of the process for providing shelter for homeless in the eastern end. The other thing is didn't they say something about using this van also for job transport and training.

LEG. SCHNEIDERMAN:

I don't think so.

CHAIRMAN MONTANO:

I don't recall.

LEG. ALDEN:

I thought it was for the homeless to pick them up, take them to the shelters, but also to take them to training sites. I thought, but --

CHAIRMAN MONTANO:

Gail, in any event, my recollection, because I don't have notes, but my recollection was when this first came up, Legislator Romaine was going to look for different offsets. We had anticipated that an amended bill would come in. There is a meeting scheduled for this month. So I'm going to -- there's a motion to table on now. I'm going to suggest that we table it now, let Legislator Romaine speak with the Budget Office if he is going to make an amendment, and we take it up at the next meeting. Bill, there was some information I think that was requested. I thought he provided that.

P.O. LINDSAY:

I'm looking for it now.

LEG. SCHNEIDERMAN:

Mr. Chairman.

CHAIRMAN MONTANO:

Legislator Schneiderman, in the interim, go ahead.

LEG. SCHNEIDERMAN:

You know, you mentioned a meeting, I'm not sure who's attending that meeting.

CHAIRMAN MONTANO:

We're talking about the Budget Meeting. The next General Meeting is, I think, on the 19th. So we have time before the end of the year if we're going to use an offset, and if we're going to use this offset, we have time to put it together by then.

LEG. SCHNEIDERMAN:

Right. Which brings me -- actually, that was the point I was going to make. Obviously, I'd like to see this passed. If the thing that's holding it up is that some members are uncomfortable with using Social Security as an offset, if we could work together to come up with an offset that people are comfortable with. It's a different issue whether you think the program should or should not receive funding. But if what's stopping it is the offset -- winter is coming. The need for sheltering is going to be more important than ever. If we can work together on this, I would appreciate it.

CHAIRMAN MONTANO:

As I said, my recollection was that the sponsor was going to look at a different offset because of the fact that we frowned upon using Social Security. And now what I'm hearing is there's a million dollar balance in the Social Security fund, which is going to go to fund balance next year, but it wasn't necessarily recorded or factored in as part of the fund balance; is that accurate?

MS. VIZZINI:

No. It was factored in.

CHAIRMAN MONTANO:

It was factored in?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

So it really is part of the anticipated revenues for next year.

MS. VIZZINI:

It would make the fund balance \$25,000 less.

CHAIRMAN MONTANO:

Right. Anything we take out now would affect the budget next year. Legislator Cooper.

LEG. COOPER:

I had one other question that I just want to put out there. I see the reason this money is needed is because apparently the company that haven -- Maureen's Haven uses to transport the clients recently doubled their nightly rates. I don't know what the rate had been, but doubling seems like a big increase. Why can't they just purchase a 15 passenger van? You could probably buy a used van for \$25,000 rather than subcontracting with the company and renting a service. Maybe -- again, maybe it's \$50,000 a year and then every year just buy the van and get a volunteer to transport them themselves. So maybe we should check into that as well.

CHAIRMAN MONTANO:

It says to purchase, but you know what? We have one more meeting, why don't we look at that? Mr. Presiding Officer, go ahead.

P.O. LINDSAY:

I have the numbers, and I was confused. This came from a report from Social Services actually. The congregate family shelters, the average rate is \$57.41 per night. In the Tier II Shelter -- you have to remember something, in the congregate shelters, there's an individual room for one person and there's a communal kitchen and living area. So they charge per head. In the Tier II Shelter, it's like an apartment type of thing, which we charge \$111.01 a night. But depending on how many people are housed in that apartment, you know, it could -- you know, if there's four people there, it could come down as low as 27.75 a night. It's between 27.75 and 55.51 depending on how many people in the unit. But the point that I'm making is that we are doing a much more efficient job in housing the homeless than we were four or five years ago when we were putting them in motels. We're saving money on it, and at the same time, I think we're providing much better services.

LEG. SCHNEIDERMAN:

Do you know, Mr. Presiding Officer, what we were paying when we were housing them in hotels?

P.O. LINDSAY:

I think it was on average of about \$150 a night.

LEG. SCHNEIDERMAN:

That's the number I was referring to before. And do you know the occupancy of the Tier I and Tier II Shelters?

P.O. LINDSAY:

Well, there's only one Tier II Shelter, the one in Bellport. I believe our contract with them -- you know, we have to maintain, you know, almost -- we have to take up almost the whole place I think. I think we have an occupancy rate we have to meet of something like 80 or 90%. And the fill in has been the congregate shelters, the small shelters, where we might put four or five people that are spread around the County.

LEG. SCHNEIDERMAN:

How many are those of there?

P.O. LINDSAY:

Well, there's 20 providers. And like I said, I just met with the guy the other day, there's like a thousand employees employed by those 20 providers. So I think we have quite a few.

LEG. SCHNEIDERMAN:

Are those the Tier I's?

P.O. LINDSAY:

I don't know where Tier I came from. I don't know what that term is.

LEG. SCHNEIDERMAN:

So the \$51 a night that you're talking about, that is the congregate care --

P.O. LINDSAY:

Fifty-seven forty-one is the congregate shelter.

LEG. SCHNEIDERMAN:

Fifty-seven forty-one.

LEG. ALDEN:

On the motion.

CHAIRMAN MONTANO:

On the motion, Legislator Alden. I have a question also.

LEG. ALDEN:

Through the Chair, if the Presiding Officer knows what the split is as far as how many shelters are available out on the East End.

P.O. LINDSAY:

I don't think. I really don't know. But I'll get that information for the committee.

LEG. ALDEN:

Or if -- I mean, I don't know what the majority wants to do with this, kill it or table it today, but if

it's still going to be discussed, I would make a suggestion to the Chair then that we have someone down from DSS to tell us, you know, how they are handling, you know, like, the East End, West End, and whether these people are actually part of our provider services and whether there seems to be a need in DSS's eyes for this van and this program to exist.

CHAIRMAN MONTANO:

I have no problems with that. Bob, can you make a note, and we'll invite someone from DSS to the next meeting to talk about this particular issue. I had a question. Gail, we talked about the Social Security fund, but apparently the surplus in that fund has already been factored in to next year's revenues; is that correct?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

Are there any categories of funding that might be surplus this year that weren't factored into next year that could possibly be used to offset a program like this? So, in other words, something that we would look at this year that wouldn't affect next year's Operating Budget. Do you have any indication -- do you follow what I'm saying? I mean, if you found \$50 somewhere that we didn't factor in. At the next meeting maybe you could tell us.

MS. VIZZINI:

Well, actually, you know, the budget is in a state of flux and really won't be finalized not only until the end of the year, but probably we won't know the real expenditures and the real revenues --

CHAIRMAN MONTANO:

Until we close our books.

MS. VIZZINI:

Exactly. So, you know, there's \$25,000 here. There's a possibility it may be made up by more than the expected number of people leaving by the end of year, a little bit more modest tweak in sales tax by the end of the year. So there is a certain flux going on.

CHAIRMAN MONTANO:

But the flux could also -- it could be a flux that goes to the positive, but it also could be a flux that goes to the negative.

MS. VIZZINI:

Absolutely.

CHAIRMAN MONTANO:

And it would put us further -- if, in fact, it went down, it could put us further in a hole, so to speak, right? Probably a small one, but am I correct in that?

MS. VIZZINI:

A lot of the Social Service programs are big numbers to begin with. And although the Budget Office and Budget Review does our best guess in terms of estimating based on what we have, there are fluctuations.

If I may, any of these contract agencies at this juncture in the year, as you all know, there still has to be time for them to enter into a contract with the department, they must spend the money before December 31st of the current fiscal year. And they have until perhaps probably January, perhaps early February to voucher back what they've expended. But there are some practical considerations once you get at this point or even further into the year as to whether they will ever able to spend this money.

CHAIRMAN MONTANO:

To spend the money this year.

LEG. ALDEN:

Through the Chair.

CHAIRMAN MONTANO:

Go ahead, Legislator Alden.

LEG. ALDEN:

This is a van. And that's basically on the New York State bid list for any school district that would want this type of van or any governmental agency that wants this van. So this is a standardized type of vehicle. So that probably something that's available yesterday if they needed to do that. But you do raise a valid point as far as getting the County Executive to enter into a contract and actually expend the funds.

MS. VIZZINI:

There is a process, yes.

LEG. ALDEN:

Especially with contract agencies. And basically you eluded to the fact that all the money has been really, I guess, appropriated or accounted for next year's budget so it would take an act like -- say something like we did last time where the County Executive and the majority created about another hundred and something thousand dollar surplus for next year. Some act like that. Is that not correct? See, there's ways to do that. You know, like, what happened at the last meeting.

CHAIRMAN MONTANO:

I hear you. We have a motion.

LEG. ALDEN:

Where a hundred and something thousand dollars in contract agencies was -- you know, just basically created a surplus out of the budget for next year.

P.O. LINDSAY:

Could I --

CHAIRMAN MONTANO:

Mr. Presiding Officer.

P.O. LINDSAY:

Legislator Alden, why don't you just table this resolution and give us a chance to bring in at your suggestion Social Services to exam whether the money can be spent in this year? Give us a little time to work on this.

LEG. ALDEN:

Actually, this thing has been kicking around for -- I don't know how long for, months.

P.O. LINDSAY:

Do you have the answers to the questions that you raised?

LEG. ALDEN:

No, I don't actually.

P.O. LINDSAY:

I don't either.

LEG. ALDEN:

Some of the things I did raise, I kind of have an answer to.

P.O. LINDSAY:

I'm not talking about the political statement.

LEG. ALDEN:

Oh, all right.

P.O. LINDSAY:

I'm talking about the substance of this resolution.

LEG. ALDEN:

I'm glad that we're looking at substance as far as contract agencies, because that's something that we didn't do at the last meeting.

P.O. LINDSAY:

Well, I don't think the majority has tabled this out of sight. I think they've taken your suggestion to bring in the people to assess whether this is needed and whether the money can be spent.

CHAIRMAN MONTANO:

If you'd like to bring someone from the group next week at the next Budget. I know they were here, they made a presentation, they can send a letter, whatever. We'll take it up at the next meeting. Right now there's a motion to table. Any further discussion?

LEG. ALDEN:

If you want, I'll call the sponsor. Are you the cosponsor?

CHAIRMAN MONTANO:

You have time. In other words, we have one more meeting, speak to the sponsor.

LEG. ALDEN:

Are you cosponsor?

LEG. SCHNEIDERMAN:

Am I listed as a cosponsor? I don't know. Put me down as cosponsor.

LEG. ALDEN:

If not, I'll call the sponsor and try to get him to --

LEG. SCHNEIDERMAN:

I'll take care of it. Cameron, I'll take care of it.

CHAIRMAN MONTANO:

Okay. With that, any further discussion? Motion to table, all in favor? Opposed? Abstentions? Motion carries. Tabled.

LEG. SCHNEIDERMAN:

Can I just ask a question?

CHAIRMAN MONTANO:

Go ahead, Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Just on that. If I can -- from the majority, if you can put together a list of acceptable offsets for \$25,000 so we could draft this without, you know -- through BRO.

CHAIRMAN MONTANO:

That's really BRO.

LEG. SCHNEIDERMAN:

It would help so we don't have to table it one more time at the next session because of the offset issue.

CHAIRMAN MONTANO:

I would ask the sponsor to give a call the Presiding Officer and then the Presiding Officer, I'm sure he knows what he has to do, but he'll reach out to BRO.

LEG. ALDEN:

Mr. Chair, because -- through the Chair.

CHAIRMAN MONTANO:

Go ahead.

LEG. ALDEN:

Basically every dollar that we know about has been factored into next year's budget, so if that's going to be used as an excuse next time that, you know, it was already factored in, then I'd like to have a little bit of advance notice of that too, because any offset that we come up with is going to take away from this surplus that's going to next year.

CHAIRMAN MONTANO:

Well, I think what I heard was that everything was factored in to the extent that we know or can estimate what the numbers are, but since we haven't closed our books, even our estimates are in flux because they could go up or down depending on what comes in at the last minute; am I correct in that, Gail?

MS. VIZZINI:

Yes.

CHAIRMAN MONTANO:

Okay. So even though we've accounted for everything that we think we anticipate, there is always a possibility of something here -- that could go -- that could mean that we'd have a surplus of \$25,000, 50,000 or 100,000, or the flip side, we could have a deficit going into next year of 100,000. So we just don't know. It's in a state of flux is what she's saying, and that's understandable. We probably wouldn't know until the end of February.

LEG. ALDEN:

My point is that if this is a worthwhile program, then, I mean, the political -- the political of it aspect of it is to -- you know, you could kill any program. So you can have it both ways. You can make your statement that, "Oh, this is a great thing, but, oh, we don't want to disturb the surplus." So if it's going to be analyzed on a point that this is a valuable service to the people of Suffolk County, it saves money because they provide shelter for homeless in a more economical fashion than we've been doing in the past, then that should be the analysis, not just with the whole intent of basically we're not going to just serve that bottom line, or we're not going to take a chance on it maybe coming in as a deficit or a surplus. If we're going to do this in a responsible manner, then I'd like to do in a responsible manner. If we're going to do it in a political manner, then just say it right now, because why should we be tilting at windmills--

CHAIRMAN MONTANO:

Mr. Presiding Officer -- before that. What we said a minute ago was that the sponsor should reach out -- what I said was the sponsor should reach out to the Presiding Officer so that BRO could take a look at it, and we will take this up at the next meeting. We'll bring in someone from Social Services to talk about the cost factor in terms of what program provides and what it could possibly save the County.

And, as I said, we can have one of the representatives from the agency, or if not, a letter from the agency. And if you would like, they could also discuss how -- assuming this was to pass, whether or not they'd be able to complete everything within the time limit, because we're coming up to the end of the year. So you have three factors that have to be looked at. And I think we've said by tabling this that we would look at it at the next meeting. You know, if everybody's prepared, then we could possibly -- we will make a decision one way or the other. There's no guaranteeing what's going to happen. Mr. Presiding Officer followed by Legislator Cooper.

P.O. LINDSAY:

I just want to repeat what I said. It will be a two step process. We'll evaluate -- the committee will evaluate whether there is -- this is a responsible thing to do and whether there's a need for this. And the second step is to try and find an offset that's fine.

LEG. ALDEN:

I just don't have any optimism or anything.

P.O. LINDSAY:

It's Christmas.

LEG. ALDEN:

Because of what happened last time.

P.O. LINDSAY:

Just leave it at that.

CHAIRMAN MONTANO:

Legislator Cooper followed by Legislator Schneiderman.

LEG. COOPER:

I'd also like to -- if we're checking into this, I'd like to try to get information as to what the transportation company that Maureen's Haven currently is contracted with, what they charge for their service on an annual basis. I mean, I don't know if it's \$25,000 a year, \$50,000 a year. But if right now, and perhaps Legislator Schneiderman knows, but if right now Maureen's Haven is paying \$50,000 a year to contract with the transportation company and now they'll be buying a van for \$25,000, they'll actually be ahead of game by \$25,000 a year. They could use the funding that they had set aside for that to purchase the van. Maybe that's not the case. Maybe they're only spending \$10,000 a year. So I'd like to get that information.

Excuse me, these are some questions that I have. The sponsor has never reached out to any of us on this side at least all these months. Now that we're pursuing this seriously, I have some questions. Also, why are we giving the money to Peconic Community Council and not to Maureen's Haven directly? You know, maybe there's a reason. I don't know what the reason is.

CHAIRMAN MONTANO:

There is a reason that was brought up at the last meeting. I don't remember exactly what the reason was. My recollection is hazy. But these are questions that should be directed to the sponsor so that when you come in next time, you know, you will have prepared answers.

LEG. COOPER:

And I have others as well.

LEG. SCHNEIDERMAN:

The last point, I believe Maureen's Haven is under Peconic Community Council. I think there are several organizations, it's a program. But, you know, let's put that issue aside, because they're going to come in be able to answer questions. And let's assume if we are able -- you know, assume that we'll be able to satisfy Mr. Lindsay and Mr. Cooper's concerns and determine, let's say, that they are responsible and this is a financially good thing to do, it will bring us back to the issue of offsets.

And one bring BRO might be able to do since I know a lot of you are concerned about offsetting in a way that could affect next year's budget, is if there are additional revenues -- I know in reading the news nationally it seems like Black Friday was good for retail. So maybe we'll have some indication of our sales tax revenues for the fourth quarter by the next meeting. And if there are increasing, because I think we, what, assumed a 3% growth in sales tax revenue for the year and next year we're -- but then said it's coming at 2.75, and next year we budgeted 2.5, if that is changing, I think that would be important information to have.

MR. LIPP:

I can give you some insight now.

LEG. SCHNEIDERMAN:

If you have that, that would be appreciated.

MR. LIPP:

Well, we only have one month in for the fourth quarter, and it is a quarterly system, so the caveat being that you really can't tell until the quarter being over. That being said --

LEG. SCHNEIDERMAN:

Which month?

MR. LIPP:

This month.

LEG. SCHNEIDERMAN:

November? October.

MR. LIPP:

We're in November now, but it's in large part sales from October, but it includes other stuff. But in any event, the October growth was 7.9% above the previous year. Some of that had to do with assessment, penalties and late filers. But even if take that into account, instead of 7.9%, it would be 5.9% growth, and that's before Black Friday.

LEG. SCHNEIDERMAN:

So it's well above expectations?

MR. LIPP:

Yes. Well, like I said, at the end of the day we won't know until February when everything is over, but all indications are that we probably will have some sort of surplus, in particular, the budget assumes 2.65% growth for the fourth quarter of the year in order to make budget numbers. So if we fall back to the 2.65% growth rate for the remainder of the quarter and the February accruals, we wind up with an all-fund surplus of \$4.3 million.

CHAIRMAN MONTANO:

Okay. Good to know. All right. We tabled this, we're going to move on, but Legislator Cooper wants to make a final comment.

LEG. COOPER:

Just a quick question for BRO. I had actually -- to respond to what Legislator Schneiderman said. I had actually heard that Black Friday retail sales were disappointing on Long Island, but that internet sales following Black Friday, I think it was on Monday, were up. But are internet sales taxed? Do we derive revenue from internet sales?

MR. LIPP:

It's a mixed bag. There's a significant portion that is not taxed. If you are you vendor and you have a brick and mortar presence in New York State, then you have to charge a sales, otherwise you don't. Even though internet sales are up and have continued as a trend to be up over the past several years for obvious reasons, it's still a small percentage of the overall take. I mean, it's a factor and should be a consideration, but it also should be realized that it's a small piece of the overall action.

So once again, at the end of the day, it's hard to say how the quarter will come out exactly, but the numbers seem pretty good so far coming out of the box. And news reports I've seen are positive. I know that I wouldn't dare have gone to the mall this weekend with the stories I've heard. It's a dangerous place.

CHAIRMAN MONTANO:

We're talking about a van. Let's move on. We actually tabled this and then had a further discussion, I believe; am I correct on that?

All right. I'm going to move on to Introductory Resolutions.

2306, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 759-2006).

I'm going to make a motion to approve and place on the Consent Calender.

LEG. LOSQUADRO:

Second.

CHAIRMAN MONTANO:

We have a second from Legislator Losquadro. I'm going to ask Counsel to make a brief explanation, because there's -- I wouldn't call it a glitch, but -- Counsel, just give us an explanation on this.

MR. NOLAN:

There's a partial duplication between this resolution, 2306 and 2317. Two of the parcels that are receiving the charge-back are listed in both resolution. I don't think that's a legal problem, but the County Executive's Office might want to take note and make sure that the Real Estate people are aware of it and don't give a double refund.

CHAIRMAN MONTANO:

All right. So we're going to move it onto the Consent Calender. If there are any technical problems, please let us know before the vote on Tuesday. That's what you are saying?

MR. NOLAN:

I don't think there's any problem voting on these two resolutions. It's a duplication. There's two parcels that are listed in 2306 that are also listed in 2317. It's identical charge-back information.

I'm just saying that agency should be aware of that and not give a double refund to the town and to the taxpayer.

CHAIRMAN MONTANO:

That would fall on the Treasurer?

MR. NOLAN:

Well, this came from Real Property Tax Service Agency. Some -- the County Executive's people are here. Just for their -- for them, they should go back and make sure it doesn't happen.

CHAIRMAN MONTANO:

What I'm hearing is that if someone -- a clerk picks it up -- picks up one resolution, they'll issue a check or a charge-back and then if they pick up the second one, they'll issue it again.

MR. NOLAN:

I don't know that, what's going to happen.

CHAIRMAN MONTANO:

Okay. Legislator Alden. That's what I'm thinking is going to happen. Legislator Alden.

LEG. ALDEN:

Through the Chair, if we're going to pass something that we're leaving to the discretion of a clerk to correct for us, I think that the more prudent way would be to ask for a CN at the next meeting and have it done correctly. I mean, that's --

CHAIRMAN MONTANO:

I have no problems with that.

LEG. ALDEN:

That's not -- I don't think it's that hard to do. I would hate to pass something that really contains a technical error.

CHAIRMAN MONTANO:

Well, what we're doing now is we're putting it on the Consent Calender. What we're highlighting is the fact that there could be a problem and we'd like to know an answer before on Tuesday. Ben, do you have the answer now?

MR. ZWIRN:

I don't have the answer now, but I'll address it on Tuesday.

CHAIRMAN MONTANO:

Okay.

MR. ZWIRN:

I don't think there's a problem with this, but I will -- I will have an answer for you. And I will make a point to address the Legislature on Tuesday, even though it's on the Consent Calender.

CHAIRMAN MONTANO:

Right.

MR. ZWIRN:

I'll do it during the public portion.

CHAIRMAN MONTANO:

It's Resolutions 2306 combined with 2317, which we're going to pass next hopefully.

P.O. LINDSAY:

Mr. Chairman.

CHAIRMAN MONTANO:

Go ahead, Mr. Presiding Officer.

P.O. LINDSAY:

What if we pass it and don't put it on the Consent Calender? You know, if some changes need to be made, you can come over with a CN and we could --

CHAIRMAN MONTANO:

That's an option. I'll withdraw the motion.

LEG. ALDEN:

I'll make a motion to discharge without recommendation 2306.

CHAIRMAN MONTANO:

I'll second that. All those in favor? Opposed? Abstentions? Motion to **DISCHARGE WITHOUT RECOMMENDATION** carries. That was Legislator Alden who seconded that? I did, right. It's one of those mornings. **(VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher)** .

2317, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 760-2006).

CHAIRMAN MONTANO:

The same motion, the same second, the same vote. **DISCHARGED WITHOUT RECOMMENDATION (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher).**

2318, To readjust, compromise, and grant funds and charge-backs on correction or errors/County Treasurer No. 260.

I'll make a motion to approve and place on the Consent Calender, seconded by Legislator Losquadro. No problems with this? All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher)**

2319, To readjust, compromise, and grant funds and charge-backs on correction or errors/County Treasurer No. 261.

Same motion, same second and same vote. And questions on that? No. **APPROVED** and placed on the **CONSENT CALENDER (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher)**.

2397, Authorizing the County Comptroller and the County Treasurer to transfer funds to cover the unanticipated expenses in the 2006 Adopted Mandated Budget.

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

Motion to approve. I'll second it. Brief explanation. On the motion, Legislator Alden.

LEG. ALDEN:

Explanation, please.

MS. VIZZINI:

This is the customary end-of-the-year housekeeping resolution that transfers monies. There's a mandate -- 2397 is the mandated, 2398 is the discretionary. It's literally taking from Peter to pay Paul. There are areas in the budget which have exceeded the level of available appropriations, and there are other areas in the budget which still have money. And this authorizes the transfer from the haves to the have-nots. It's very consistent with the estimates that were provided in the '06 -- in the 2007 recommended budget.

CHAIRMAN MONTANO:

Any question?

LEG. ALDEN:

What's the total amount?

MS. VIZZINI:

This mandated portion is -- out-of-County housing for prisons has exceeded available appropriations by \$2 million. We had 1.5 million budgeted. It's estimated to cost us about 3.5 million for our prisoners who are out-housed.

LEG. ALDEN:

Out-housed?

MS. VIZZINI:

Housed out.

LEG. ALDEN:

Through the Chair.

CHAIRMAN MONTANO:

Go ahead. I think there are probably some other items. Go ahead, Legislator Alden.

LEG. ALDEN:

Yeah, well, that's the main one. And how did we treat that in the '07 budget, or is there going to be shortage in that?

CHAIRMAN MONTANO:

In other words, how much did we allocate --

LEG. ALDEN:

Right --

CHAIRMAN MONTANO:

-- for that.

MS. VIZZINI:

We'll check that for you.

LEG. ALDEN:

Okay.

CHAIRMAN MONTANO:

We'll take a vote on this. All in favor to approve? Oppositions? Abstentions? Motion carries.
APPROVED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher).

2398, Authorizing the County Comptroller and the County Treasurer to transfer funds to cover the unanticipated expenses in the 2006 Adopted Discretionary Budget.

LEG. COOPER:

Motion to approve.

CHAIRMAN MONTANO:

Motion to approve, I'll second. Explanation.

MS. VIZZINI:

Just to clarify, in the previous mandated one, we budgeted 3.5 million in the recommended for prisoner transport. 2398 is the discretionary portion. It's basically the same explanation. There are areas in the discretionary budget that have exceeded appropriations, they vary across funds; General Fund, Police District, Fund 16, the Interdepartmental Service Fund, the Water Quality Fund, the Self Insurance Fund, what have you. So the specific line item transfers are detailed in the accompanying schedule A.

CHAIRMAN MONTANO:

Ready to vote? We're going to take a vote. All in favor? Opposed? Abstentions? Motion carries.

APPROVED (VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher)

2414, Adopting Local Law No. 2006, A Charter Law requiring Legislator Line Item Budget Amendment Identification.

It has to be tabled for a public hearing.

P.O. LINDSAY:

I'd like to hear what he says though.

CHAIRMAN MONTANO:

I'm going to make a motion to table for a public hearing.

LEG. COOPER:

Second.

CHAIRMAN MONTANO:

Second by Legislator Cooper. All those in favor? Opposed? Abstentions? Motion carries. **TABLED** for a public hearing **(VOTE:7-0-0-1 - Presiding Officer Lindsay voted - Not Present - Legis. Viloría-Fisher).**

LEG. ALDEN:

I look forward to the --

CHAIRMAN MONTANO:

Debate?

LEG. ALDEN:

No. The comments at the public hearing.

CHAIRMAN MONTANO:

All right. Being no further business of the committee, adjourned.

(*THE MEETING WAS ADJOURNED AT 10:28 A.M. *)

{ } DENOTES BEING SPELLED PHONETICALLY