

**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 Tuesday, October 2, 2007.

**Members Present:**

Legislator Ricardo Montano - Chairman  
Legislator Jon Cooper - Vice-Chair  
Legislator Cameron Alden  
Legislator Jay Schneiderman  
Legislator Steve Stern

**Also In Attendance:**

William J. Lindsay - Presiding Officer  
George Nolan - Counsel to the Legislature  
Bob Martinez - Aide to Legislator Montano  
Paul Perillie- Aide to Legislator Cooper  
Renee Ortiz - Chief Deputy Clerk of the Legislature  
Gail Vizzini - Director/Budget Review Office  
Robert Lipp - Budget Review Office.  
Ben Zwirn - Assistant Deputy County Executive  
Allen Kovesdy - Deputy Director/County Executive's Budget Office  
Debra Alloncius - AME  
All Other Interested Parties

**Minutes Taken By:**

Donna Catalano - Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 10:01 A.M.\*)

**CHAIRMAN MONTANO:**

All right. We're going to start the meeting of the Budget and Finance Committee of the Legislature. We will start the meeting with the Pledge of Allegiance led by Legislator Cooper.

**SALUTATION**

**CHAIRMAN MONTANO:**

Thank you. You can be seated.

**P.O. LINDSAY:**

Mr. Chairman?

**CHAIRMAN MONTANO:**

Yes, Mr. Presiding Officer.

**P.O. LINDSAY:**

Before you -- I just had to make an observation. The way you came flying into the room, it was like deja vu. I thought Paul Tonna was back in the chamber.

**CHAIRMAN MONTANO:**

Am I losing my hair? All right. We don't have any correspondence to present to the committee, they'll be no presentation. We're going to go right into the public portion. I have a card from Mr. Gregory Noone, representing Thursday's Child. Gregory, you here? Yeah. You have three minutes, Gregory.

**MR. NOONE:**

Thank you and good morning. I submitted handouts that I hope you all have. I'd love to answer any questions. I'd be happy to answer questions about them in a moment. If I could speak from a prepared presentation here?

**CHAIRMAN MONTANO:**

Absolutely. Would you like to distribute -- If you have copies, you can distribute it to the committee.

**MR. PERILLIE:**

I think we all have copies.

**CHAIRMAN MONTANO:**

We do. We did get that, okay.

**MR. NOONE:**

Good. All get them? Thank you very much. Twelve years ago, in 1995, Thursday's Child began receiving federal grants under the former Ryan White Care Act. These would provide essentially humane services that provided the foundation for the health care of thousands of Suffolk County residents who are living with HIV and AIDS. It is my sad duty to report to this committee that changes made during the last session of Congress are causing great pain and stress. I offer evidence to you with cold budget numbers, which are factual. These numbers belie the human cost and the brutal reality faced by the twin issues of illness and poverty, which affect so many of our neighbors.

The budget and finance numbers in our flier entitled "Thursday's Child Services" to people with HIV/AIDS 2001 to 2006 in your packet are submitted to you as evidence that this agency successfully administered multiple federal contracts, which received annual increases due to the ever growing need. As you can clearly see, the changes made by Congress translate in a \$287,000 loss

of direct federal funding for HIV/AIDS services at Thursday's Child. According to the Nassau/Suffolk HIV Services Planning Council, the Long Island region overall lost \$1.2 million in grant year 2007 from the previous year.

Today, we call upon Suffolk County to do the right thing and provide a safe haven for people with HIV and AIDS by funding the AIDS Services Access Program. Thursday's Child has developed this unique program to fulfill an unmet need identified through client interaction, we advocate for and coordinate services to this vulnerable population.

HIV/AIDS is an incurable disease affecting all Suffolk County residents. Its physical and financial ravages affect families who are often the least capable of helping themselves. The Thursday's Child AIDS Services Access Program will provide a dignified community response to a health crises exacerbated by a lack of access to essential human and social services.

Included in your packet is our updated Thursday's Child brochure, a six-year service review enumerating services that have been lost due to cuts in the federal funding, a copy of today's comments and presentation, a copy of our AIDS Services Access Proposal -- Legislative Proposal, our proposed pilot for a one year budget, comments made to the County Legislative Health and Human Services Committee earlier this year introducing many of the Legislators to Thursday Child, and a copy of the September 19th Suffolk Life article, which was mailed to every household in the County, which was quite extraordinary in that comments made by our clients are so heartfelt and important and show that Thursday's Child can offer services with the dignity and respect and confidentiality that people with HIV here in Suffolk County deserve.

If I may beg another few seconds, there are close to 3900 -- that was in 2005. We can safely assume that there are over 4000 people living in Suffolk County with HIV and AIDS. And it has recently come to our attention that due to changes in Federal and State Medicaid regulations, the need for the AIDS Services Access Program has just upped a few more notches. People with HIV formerly are up until January 1st of '08, were eligible for an opt-out for Medicaid from that mandatory HMO participation. That will change on January 1st.

The hundreds and hundreds of residents of Suffolk County living with HIV will be forced to chose an HMO to cover the multiple needs from case management to vital health services to substance abuse. This will require Thursday's Child to be there for these people to assist them through this complicated maze. We maintain that there is no health care without vital access to essential social services.

**CHAIRMAN MONTANO:**

Thank you Mr. Noone. Right on time. I think we spoke earlier and you're aware of the budget schedule and the committee meetings that we're going to be having, so just stay on top of that. I think I indicated to you that there are a number of programs that were funded last year that have not been recommended for funding this year. You have been recommended for funding, but you're looking for additional funds that would if it's included have to go through the omnibus process.

So just be aware of, you know, the schedule. I don't know if you received something in the mail yet, you should shortly and, you know, you may want to discuss these issues with the Health Department in terms of, you know, their position vis-à-vis your grant application.

**MR. NOONE:**

Yes, we have. In fact, over the course of the summer, we've met both with the Commissioner of the Department of Social Services, Ms. DeMarzo, as well as Dr. Chaudhry from the Department of Health Services, all who understand the complexity of the needs of this targeted population, this very vulnerable population that we serve. Both my co-worker and myself and all the members of Thursday's Child are available to answer any questions at your leisure. I know we made appointments with many of you and will be meeting with you at your -- to address any questions or

concerns that you may have.

**CHAIRMAN MONTANO:**

Good. Thank you for coming.

**MR. NOONE:**

Thank you.

**CHAIRMAN MONTANO:**

Okay. Is there anyone else that would like to address the Legislature? Hearing none, we're going to move right into the Tabled Resolutions.

### **TABLED RESOLUTIONS**

First resolution on the agenda, **1434, Amending the 2007 Operating Budget and transferring funds to the Suffolk County Girl Scouts. (Pres. Off. Lindsay)**

**LEG. COOPER:**

Motion to table.

**CHAIRMAN MONTANO:**

You need a second on that?

**LEG. STERN:**

Second.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstention? Motion carries. **TABLED (VOTE: 5-0)**

**IR 1436, Amending the 2007 Operating Budget and the 2007 Capital Budget and Program and appropriating funds for a police officers and firefighters memorial in the Village of Amityville, Town of Babylon (CP 1661). (Mystal).** I'm going to make a motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Second by Legislator Cooper. All in favor? Opposed? Abstention? Motion carries. **TABLED (VOTE: 5-0)** Okay.

**IR 1438, Amending the 2007 Operating Budget and transferring funds for a contract agency in the Department of Social Services. (Stern)**

**LEG. STERN:**

Motion to table.

**CHAIRMAN MONTANO:**

I'll second that. All in favor? Opposed? Abstention? Motion to table carries. **TABLED (VOTE: 5-0)**

**IR 1701, Repealing home energy nuisance taxes on Suffolk County residents. (Alden)**

**LEG. ALDEN:**

Actually, maybe not this cycle, but maybe the next cycle when we get a little bit deeper into the budget would be more appropriate to deal with these next two. So I'll make a motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Second by Legislator Cooper. Any discussion? I'll just say that -- is this something that you want to take up with the Operating Committee also? I believe your on --

**LEG. ALDEN:**

Yes.

**CHAIRMAN MONTANO:**

Okay. So we're going to do it in that format or you want to take it up in this committee?

**LEG. ALDEN:**

Both of them.

**CHAIRMAN MONTANO:**

Both, okay. All in favor? Opposed? Abstention? Motion to table carries. **TABLED (VOTE: 5-0)**

**IR 1702, Establishing a program to reduce unfair home energy nuisance taxes on Suffolk County residents. (Alden)**

**LEG. ALDEN:**

Motion to table.

**CHAIRMAN MONTANO:**

Same motion, same second. All in favor? Opposed? Abstention? Motion carries. **TABLED (VOTE: 5-0)**. Moving onto the introductory resolutions.

#### **INTRODUCTORY RESOLUTIONS**

**1873, Amending the 2007 Operating Budget and transferring funds for the Probation Department's Combating Graffiti Vandalism Program. (Pres. Off. Lindsay).**

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

A second on that? I'll second it. Any discussion? All right. We want to hear from the representative of the County Exec's Office.

**MR. KOVESDY:**

Good morning.

**CHAIRMAN MONTANO:**

Good morning. How are you?

**MR. KOVESDY:**

Fine. Thank you. Before I start, I'd just like to mention that the County Exec's recommended budget has been presented last week. It does not take any deductions for the sales tax that we have not received from the State. It's our understanding the Legislature will be meeting on October 22nd, the State Assembly hopefully will take it up on that date. And we look forward to answering your questions and having an open dialogue. And anything that you have, either myself, Fred or Connie if, you direct the questions, we'll try to get back to you with an answer. We've already started a dialogue with Budget Review. So we'd like to work with you if you have any particular questions as the process works on.

In respect to this particular resolution, there are two problems that we've come across with; number one, is the Probation Department says that's there's money internally within the American Red Cross contracts that they do not need this transfer. I have a memo from Karlene Maimoni who laid it out for me that there's more than enough money to fund this program through the existing contracts within Probation, that's not necessary. And number two --

**CHAIRMAN MONTANO:**

Excuse me, do we have a copy of that memo? Or do you want to share that memo with us or you rather not?

**MR. KOVESDY:**

I can read it to you if you'd like, or I'll share. Doesn't matter.

**CHAIRMAN MONTANO:**

Well, why don't you read it into the record.

**MR. KOVESDY:**

Okay. This is from Probation, Combat Graffiti Vandalism Program Resolution.

**CHAIRMAN MONTANO:**

Is that it from the Commissioner?

**MR. KOVESDY:**

No. It's from Karlene Maimoni, she is the -- Karlene Maimoni, she's the finance person --

**CHAIRMAN MONTANO:**

Okay.

**MR. KOVESDY:**

-- the contract person within the department. I have several problems with this. My initial reaction is that the Legislature allocated \$170,000 in the Omnibus for the LIAC JD Advocacy Program under 3140-498. You adjusted my estimate to \$170,000. Now, if you take \$30,000 out of this line, I won't have \$170,000 for LIAC.

Secondly, we just negotiated a new contract with American Red Cross based on a RFP starting January 1st. This contract specifically includes the Graffiti Program. Why are we asking for money for this component already?

Thirdly, in addition the County gives the -- in addition to the money the County gives the Red Cross, they receive funding from DCJS and DCPA. In total of that, there's like \$300,000.

And fourth, as you indicated, the Red Cross is not going to be asked to move out of the building at the North County Complex there. And it just says that they have additional money and they don't need the transfer.

And the second area that I just wanted to bring to your attention, and this will be consistent throughout here, is the County Exec in the recommended budget -- there are two columns that should affect you. Number one is the estimate for the current year, for 2007. We adjust the estimate and the recommended line. In this particular case, we took out all the money in this line that we thought we wasn't going to be spent. So we, in the Budget Office, to balance the budget, had taken out any additional money that was in the 4980 line. So we have already adjusted that down, and that's part of the recommended budget that you're going to be reviewing.

So from our standpoint in the Budget Office there is no money to take out of that line, because we already took that money out and reduced it. So this one in particular has two things; one, the

Department says they don't need the money, American Red Cross has the money internally; and number two, in the budget, we adjusted the estimated line to reflect all the actual contracts and no other expenses for the balance of the year.

**CHAIRMAN MONTANO:**

Well, if I may. You raised two points, and I have two questions. I'm going to yield to the Presiding Officer, because he's the sponsor of the resolution, but with respect to your second point, we haven't approved the budget yet and we can make those adjustments when we actually, you know, go through the Omnibus process. So I don't think you're implying that we are not able to pass this resolution simply because you estimated that this revenue would be used for next year. Is that what you're saying?

**MR. KOVESDY:**

No. That's why I started with the comment that we look forward to working with you on this budget. I'm just saying if you take 30,000 or 20,000 here from the way we presented that budget, that's 20,000 or 30,000 that gets it a little bit off kilter at this particular point in time. And this is beginning of October, there's another three months. But we took that money out already in our presentation, and we wanted to bring that to your attention.

**CHAIRMAN MONTANO:**

We'll get to that. But the Presiding Officer, I think, wants to address the first one.

**P.O. LINDSAY:**

Just really couple of points and I'm going to defer to Budget Review in terms of the offset. This money is to put on another crew chief in the Graffiti Removal Program, and they do need the money, I've had discussions with Red Cross. We can't keep up with the amount of graffiti around the County. They can't keep up with the current staff they have.

You guys view it as an expense, but it's also a savings, because the crew chief takes young people and older people that would normally be sentenced to jail. Our jail population's at an all time high right now. I just heard this morning, it's like 1800. These type of programs instead of locking people up where the supervisor puts them to useful use within our community. I think it's a very worthwhile program. And for the cost of \$30,000 for another supervisor, we could save a hell of a lot of money by not locking people up for doing something wrong that's appropriate. At least to give our judges the ability to assign more people to community service, which I think they're kind of limited now because of the amount of supervision that we can provide.

As far as -- I'll defer to Gail in a minute about the offset, but in all honesty, Mr. Kovesdy, I think it's a little bit premature for you guys to start taking money that's in the '07 Budget that -- and I guess you're assigning it to turnover savings or something not to use in '08. I mean we're only -- we have that chance four times a year to modify the budget, we're only in the third cycle. I know what you have to do and I know it's a tough budget, but I just think that you are a little bit premature with this. Thank you. Gail, do you have any questions about the offset? Is the offset inappropriate?

**MS. VIZZINI:**

The offset is actually funding that was included in Probation. It was a Legislative initiative to move forward with housing for the mentally ill. Unfortunately, the Department of Probation through a variety of reasons was unable to move forward to the magnitude of the dollar amount that the Legislature included in the Department.

I'm happy to report, however, that the 2008 Budget has recognized that it's a good concept, a good initiative, and money has been included in 2008 in the Health Department, not to the magnitude that the Legislature included, but, you know, the same initiative is going to move forward in 2008.

The point is the Probation money will not be spent at -- for the purpose we put it in there. This is an ATI Program, it's the closest thing to what the money was originally put in there.

I'd also want to underscore, the 2008 Budget is a recommended budget. The 2007 column is an estimate. There are many things, many line items in the budget and many things will happen between now and when you amend and adopt the 2008 Budget. Those lines will go up and those lines will go down.

**CHAIRMAN MONTANO:**

Right.

**MS. VIZZINI:**

It's just going to happen naturally. The recommended budget is out there. And also, I underscore for you this is your third cycle for amending the budget. You also have the opportunity in December. That would also contribute to changes in that estimated column.

**CHAIRMAN MONTANO:**

Okay. Allen, I just had a question. The memo that you read, was that actually provided -- the sponsor is not here, but was it provided to the sponsor before the meeting? Is he aware of what you read? Or was this the --

**MR. KOVESDY:**

No. I got -- I'm sorry, I got this yesterday. I'd be more than happy to share it with Mr. Lindsay --

**CHAIRMAN MONTANO:**

Okay.

**MR. KOVESDY:**

-- after the meeting.

**CHAIRMAN MONTANO:**

If you don't mind, I'd like to see a copy of that also.

**MR. KOVESDY:**

Sure.

**CHAIRMAN MONTANO:**

If you could share it with the committee, I think --

**MR. KOVESDY:**

I'll share it with both of you.

**CHAIRMAN MONTANO:**

Okay.

**MR. KOVESDY:**

Again I just want to --

**CHAIRMAN MONTANO:**

No, my point is and it's not critical, my point is that it probably would have been better for our discussion if we would of had that earlier, because I wasn't aware of the, you know, what's in your memo there.

**MR. KOVESDY:**

Well, what we had done is we had -- we ask all the -- anytime there's a movement between departments or taking money from a department, we ask the department if they have any input, do they have a contract with this agency, is there a contract out there, is this extra money. The responses came back; this one came back yesterday. I would be more than happy to --

**CHAIRMAN MONTANO:**

Right.

**MR. KOVESDY:**

-- share this.

**CHAIRMAN MONTANO:**

Right.

**MR. KOVESDY:**

If you'd like to make copies you can -- we can make copies for you on this particular one.

**CHAIRMAN MONTANO:**

And I agree. But the only problem is that if we're going to vote on it, you know, I think it's better that we have the information maybe before the committee so that when we do vote we know what objections --

**MR. KOVESDY:**

Well, could I ask you --

**CHAIRMAN MONTANO:**

-- if any are out there from the department.

**MR. KOVESDY:**

-- if you'd like to take a -- if you skip this and come back to it after you read the memo from the department that might be another way of approaching it and come back to it at the end that way you have a chance to read it.

**CHAIRMAN MONTANO:**

Well, you read into the record so, you know, on this one we'll just a -- I think Legislator Alden had some comments.

**MR. KOVESDY:**

Okay.

**CHAIRMAN MONTANO:**

Do you want to go first, Ben? I'll give you the courtesy of going first.

**MR. ZWIRN:**

The only thing I was going to say is that, you know, this was a quick turnaround because the General Meeting is a week away.

**CHAIRMAN MONTANO:**

I understand. I said, I didn't mean to be critical. I just meant in terms of the process.

**MR. ZWIRN:**

And the only thing I was going to add is that I came to a meeting yesterday where some of the Legislators were present and we talked about some the budget issues. And I don't know -- I came in late. And I don't know if this was -- if this had been discussed, this particular resolution, had been discussed at that meeting. It should have been, if it wasn't.

**CHAIRMAN MONTANO:**

And, Ben, I also got there late --

**MR. ZWIRN:**

Yeah.

**CHAIRMAN MONTANO:**

-- so I missed the discussion on budget.

**MR. ZWIRN:**

Yeah.

**CHAIRMAN MONTANO:**

And that's why I said I didn't mean to be critical. I just -- in terms of process. Legislator Alden has some questions, I believe, on this issue.

**LEG. ALDEN:**

You gave up the copy of the memo?

**MR. KOVESDY:**

Yes, I did.

**LEG. ALDEN:**

So you don't have it in front of you? Because my question goes to one of the -- content of that.

**MR. KOVESDY:**

No. I'm making copies for all of you. You asked for it, so.

**CHAIRMAN MONTANO:**

You want to skip it, Bill?

**P.O. LINDSAY:**

I don't care.

**CHAIRMAN MONTANO:**

All right. Why don't we skip this, we'll pass over it until the memo comes back and we'll move onto the second resolution.

**1874, Amending the 2007 Operating Budget and transferring funds for the Hampton's Shakespeare Festival. (Schneiderman)**

**LEG. SCHNEIDERMAN:**

Motion to table.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Motion to table, second. Any discussion? All in favor? Opposed? Abstention? Motion to table carries. **TABLED (VOTE: 5-0)**

**1875, Amending the 2007 Operating Budget to provide additional funding for EAC Child Advocacy. (Losquadro)**

**LEG. COOPER:**

Motion to approve.

**LEG. STERN:**

Second.

**CHAIRMAN MONTANO:**

Motion to approve, second by Legislator Stern. Any discussion? All in favor? Gail, just one quick question. This is money from the -- where is this money coming from? This is omnibus money?

**MS. VIZZINI:**

That's correct.

**CHAIRMAN MONTANO:**

Okay. All in favor? Opposed? Abstention? Motion carries. **APPROVED (VOTE: 5-0)**

**1876, Amending the 2007 Operating Budget and transferring funds for the Bay Shore Business Improvement District Management Association. (Barraga)**

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

I'll second that. Again, omnibus funds?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

All right. Comments from the County Exec's Office?

**MR. KOVESDY:**

Yes. Again, the Health Department took this money out and it doesn't show in the recommended budget. So again this is one of the thousands of items that were adjusted when we did the budget so as far as we're concerned the recommended budget does not have funding for this so that thousand dollars as far as we're concerned doesn't exist.

**CHAIRMAN MONTANO:**

Gail, would you respond to that?

**MS. VIZZINI:**

We're in 2007, we're talking about appropriations in the 2007 adopted budget.

**CHAIRMAN MONTANO:**

Right. So this is as I understand this is a process we go through all the time in terms of moving monies from one aspect of a program to another. And you're saying what? That this is now to be included in turnover savings.

**MR. KOVESDY:**

I'm saying that this -- we view this as savings in this total budget. When we did the budget --

**CHAIRMAN MONTANO:**

So you -- what you're saying just so I'm clear --

**MR. KOVESDY:**

Turnover savings only deals with staff. But if you're saying this is saving.

**CHAIRMAN MONTANO:**

The same concept, different term. Okay.

**MR. KOVESDY:**

Same concept, fund savings, right.

**CHAIRMAN MONTANO:**

All right. So you unilaterally decided that this is not going to be spent and therefore your saying that we can't move it from one category to another.

**MR. KOVESDY:**

No, we're saying we recommended that this money is not spent and it doesn't show in the document you have in front of you.

**CHAIRMAN MONTANO:**

Any comments? All right. We're going to move, there's a motion on the table and a second. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0)**

**MR. ZWIRN:**

If I might, Mr. Chair, the only point we're trying to make is that when the 2008 Budget has been done we have tried to take every savings that we could anticipate to put it toward the 2008 Budget, to try to avoid a tax increase. So every time that we're taking money from funds that we've already -- we have anticipated putting toward next year it's just going to put an added additional burden on next year's budget. That's all. That's all I wanted to make clear.

**CHAIRMAN MONTANO:**

I think we're aware of that. Legislator Alden you have any comments?

**LEG. ALDEN:**

And just to the County Executive's representatives, the problem that we have is the pressure to generate some kind of turnover savings and unfortunately what that goes back to and equates to is a spending plan that we approved and took before the taxpayers and told them here's where your money is going to be spent this year and now all of a sudden -- not all of a sudden as the year goes on there's huge differences in between what we've told the taxpayers we're going to do with their tax dollars and what we actually do. And I believe that for '07 that's up to over a \$150 million worth of a spending plan that got changed, abandoned, discarded, whatever you want to call it. Am I sort of correct in the amount of money we told people we were going to spend for certain things and then we didn't?

**MR. ZWIRN:**

You're talking about carrying the fund balance forward?

**LEG. ALDEN:**

No. I'm talking about creating a fund balance.

**MR. ZWIRN:**

Well, it's the same thing. If you don't --

**LEG. ALDEN:**

Carrying it forward it's a, you know, that's an act of arithmetic. But I'm talking about creating it. And as you go along, you've got to make tough decisions, and the management, that's what it is, making tough decisions. But unfortunately, we're getting up to the magnitude where it's more than just a little bit of a change that we're actually making happen as opposed to what we told people we were going to spend their tax dollars on.

**MR. ZWIRN:**

I don't disagree with what you said, and that's one of the reasons why I think the Chairman, Legislator Montano, put together a task force to take a look at how to deal with the fund balance and try to get a handle on it. I think that was one of the things that was passed earlier -- earlier this year. And the County Executive is in support of that, because it is -- it's a recurring problem that

just isn't going to go away.

**LEG. ALDEN:**

Good. Because it makes me feel a little bad about, you know, telling people here's what we're going to spend money on, and then 150, 160 million of that we don't spend that money on what we told them we were going to.

**MR. ZWIRN:**

But having said that, over a year's time, things change; the economy slows down, speeds up, sales tax revenue which we're so dependent on goes down, goes up. We have to be very careful to watch -- you have the subprime markets. I mean, there's a lot of things that happen in a year that have a direct impact on the amount of revenues that are coming in to the County.

**LEG. ALDEN:**

No doubt about that. But years ago, that was five to \$10 million worth, the change, maybe \$20 middle. Now we're up to 150, \$160 million. That's a huge difference from the first couple of years that I was here, the first four or five years that I was here, maybe even more. That's a huge difference.

**MR. ZWIRN:**

It may be, but I think the point is you use the fund balance to cushion any property tax increase or not to have a property tax increase at all. And I think that taxpayers have said that that's what they would like.

**LEG. ALDEN:**

But I don't think they want a phony -- they don't want a document given to them that's kind of phony. I don't think they want that either. I think they want, you know, like straight forward, transparency. I think they want to see a spending plan, and then I think that they want to see us try to stay to that spending plan within reason. And that's where I draw the comparison to, you know, just a few years ago, the fund balance was somewhere between five and maybe \$20 million. Now it's \$160 million. That's a big difference.

**MR. ZWIRN:**

And you have to try to hit that number every year unless you want to raise taxes.

**CHAIRMAN MONTANO:**

You know what? Legislator Cooper, do you want to --

**LEG. COOPER:**

No.

**CHAIRMAN MONTANO:**

All right. I'm going to move on. Any further comments? I'm going to move on to a vote. All those in favor? Opposed? Abstention? Motion carries.

**1877, Amending the 2007 Operating Budget and transferring funds for certain contracted agencies in the Youth Bureau and Office for Women (MYSTAL).**

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

Motion to approve by Legislator Cooper, I'll second it. Any discussion on this? Gail, omnibus money?

**MS. VIZZINI:**

Yes, it is.

**CHAIRMAN MONTANO:**

Okay. I'll call for a vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0).**

**1878, Amending the 2007 Operating Budget and transferring funds for the Smithtown Parkinson's Therapy Association (KENNEDY).**

I'll make a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Second. On the motion, Gail, again, omnibus money?

**MS. VIZZINI:**

Yes.

**CHAIRMAN MONTANO:**

Okay. Any discussion? All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0).**

**Moving to 1880, Amending the 2007 Operating Budget and transferring funds for contracted services in the Division of Handicapped Services.**

I'll make a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. Again, Gail, omnibus money?

**MS. VIZZINI:**

Yes, this is.

**CHAIRMAN MONTANO:**

Any discussion? Call for a vote. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0).**

**1882, Amending the 2007 Operating Budget to transfer funds from the Water Quality Protection Fund and amending the 2007 Capital Budget and Program and appropriating funds in connection with a Watershed Study of Lake Panamoka (ROMAINE)**

**CHAIRMAN MONTANO:**

Do we have a motion on this?

**LEG. COOPER:**

Motion to table.

**CHAIRMAN MONTANO:**

There's a motion to table, I'll second it for discussion. Any discussion on this?

**MR. ZWIRN:**

This was tabled by CEO. It is completely -- there is no public access apparently to lake Panamoka. Whoever lives on the lake is going to be the beneficiary of this, and that's why they tabled it.

**CHAIRMAN MONTANO:**

Gail, this is not omnibus money.

**MS. VIZZINI:**

No. This is 477 funding transferred to the Capital Program.

**CHAIRMAN MONTANO:**

Okay. We have a motion to table on the floor.

**LEG. ALDEN:**

Can I just ask one quick question?

**CHAIRMAN MONTANO:**

Sure. Legislator Alden.

**LEG. ALDEN:**

What was this trying to do, a study for --

**MR. ZWIRN:**

A study for Dick Amper, I think is what the study was for. It was in the Environment Committee, and now it's been transferred to Budget.

**LEG. ALDEN:**

Ben, do you think this is, like, a study of pollution that's going into the lake or?

**MR. ZWIRN:**

We don't know what was -- this was not on the list for them to be looking at at the present time. So the Environment Commissioner Carrie Meek-Gallagher didn't know where this originally came from. It came out of the Town of Brookhaven. It had been recommended by one of the Town Board members.

**LEG. ALDEN:**

This had nothing to do with our new program, Custard's Last Stand.

**MR. ZWIRN:**

I'm not familiar with Custard's Last Stand. No, I don't think.

**CHAIRMAN MONTANO:**

All right. There's a motion to table on the floor, am I correct on that. All in favor? Opposed? Abstentions? Motion to table carries. **TABLED (VOTE: 5-0).**

**1893, To readjust, compromise, and grant refunds and charge backs on correction of errors/County Treasurer by: County Legislature No. 283 (COUNTY EXEC).**

I'll make a motion to approve and place on the Consent Calendar.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. All in favor? Opposed? Abstentions? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR**

**(VOTE: 5-0).**

**1905, Amending the 2007 Operating Budget and transferring funds for Cornell Cooperative Extension of Suffolk County (ROMAINE).**

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

Motion to approve by Legislator Cooper, I'll second it. Any discussion? Any comments from the County Exec's Office? Allen, I see your hand, go ahead.

**MR. KOVESDY:**

Thank you. We have no problem with the resolution as -- from a financial point. Our only concern is whether they can do this in the calendar year, whether they have the ability with the weather that's coming after the contract to see the clam beds within the fiscal year 2007. So we're just asking that they make sure they can actually do it so we can give them the money and it doesn't get spent. That's our only concern.

**CHAIRMAN MONTANO:**

Well, is there a contract on this already? There's no --

**MR. KOVESDY:**

No. We'd have to modify a contract.

**CHAIRMAN MONTANO:**

That's what I'm saying. So you'd have to get the contract in on a timely basis so that they can do the work.

**MR. KOVESDY:**

Once it's passed, yes. So that's our concern, whether it actually can be done this year with only three months left. We have no problem with the transfer.

**MR. ZWIRN:**

We just wanted to put it on the record, that's all.

**CHAIRMAN MONTANO:**

Okay. I got you.

**LEG. ALDEN:**

Just one quick question.

**CHAIRMAN MONTANO:**

Go ahead, Legislator Alden.

**LEG. ALDEN:**

Omnibus money?

**MS. VIZZINI:**

Yes.

**P.O. LINDSAY:**

Could I just --

**CHAIRMAN MONTANO:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

We're not going to give them the \$6000 up front. I mean, they have to complete the work and give the receipts in order to get reimbursed. So if they don't complete the work before the year ends, you guys aren't going to have a contract anyway.

**MR. ZWIRN:**

Absolutely true. I just want to put on the record that in the event we don't come back in January and say, well, you never got the money because -- we just want to get this on the record. We're not objecting to the transfer. We just want to say on the record that we just hope they can get it done before the end of the year.

**CHAIRMAN MONTANO:**

Okay. But that really is an issue between your office and them. Once we approve the money, they have to get their contract from you in a timely fashion, they have to complete the work in a timely fashion.

**MR. ZWIRN:**

Absolutely true.

**CHAIRMAN MONTANO:**

Okay.

**MR. ZWIRN:**

I just don't want to come back here next year and have Legislator Romaine say, you know, you stiffed us. We should want to say we think there may be a problem with them getting it done. That's all.

**CHAIRMAN MONTANO:**

Okay. Hopefully the problem will be resolved.

**MR. ZWIRN:**

We're just trying to protect ourselves.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstention? Motion to approve carries. **APPROVED (VOTE: 5-0).**

**1906, Amending the 2007 Operating Budget and transferring funds for contracted services in the Department of Economic Development and Workforce Housing, the Department of Social Services and Youth Bureau (ALDEN).**

**LEG. ALDEN:**

Motion to approve.

**CHAIRMAN MONTANO:**

All right. I'll second it for the purposes of discussion. On the motion, is this omnibus money?

**MS. VIZZINI:**

Yes, it is.

**CHAIRMAN MONTANO:**

Okay. Any further discussion?

**MR. ZWIRN:**

If I might.

**CHAIRMAN MONTANO:**

Ben, go ahead.

**MR. ZWIRN:**

Thank you. I had the opportunity to talk to Legislator Alden beforehand, because the groups that are involved here are listed. I know early in the year when we were -- the budget -- the 2007 Budget was being debated and adopted and there were vetoes going back between the County Executive and the Legislature, and then all the anguish that was going on back then. There were a number of groups that I know Legislator Alden was concerned about in his district. In fact, all the groups that have -- are listed here, you know, we noticed these were the groups that there were some major complaints to the County Executive that they were taking funding away from these groups and it was their livelihood and they needed this money to operate. And we just noticed now, they're part of the omnibus, they're being transferred to other groups in the district. So, you know, we just want to make sure -- you know, the County Executive took a beating publically for taking money away from these groups. Now, the sponsor's taking money away from these groups and giving it to some -- some other groups, which are all worthwhile. But -- and normally we wouldn't say anything, but since -- since, you know, we took such a public thrashing, just thought might bring up today. And I had a chance to bring this up with Legislator Alden before the meeting today, I didn't want to blind side him. But it was something that we were -- we were just concerned about and certainly didn't want to pass without us, you know, having to, you know, just noting it.

**CHAIRMAN MONTANO:**

Legislator Alden.

**LEG. ALDEN:**

I appreciate the fact that you did let me know, you know, two minutes before the meeting started. But I'm going to say this too, Ben. I'm going to just take what you said as a public apology for the actions of the County Executive earlier this year when you tried to stiff the groups in my district, because this is not all the groups that were involved in that -- in that money that was taken away that were vetoed. There were other groups that were vetoed and they are getting the funding. These are groups that are so disgusted with the County Executive that they have changed their plans.

And in mass, we sat down, and they decided that there was other worthwhile causes in my district that they would rather see this money transferred to, because they have such a bad taste in their mouth with dealing with the County Executive's Office and all the crap that went on with it, that they didn't even want to go through the process of filling out the paperwork. So that's the short version of it. And I'm glad that you brought it up today. So I will accept what you said as an apology and a public acknowledgement that the money that I put in the budget originally was a legitimate government concerns and legitimate government programs, because you just said it just now.

So this is being transferred from one group who is disgusted with the process and the way it happened to other groups who felt that they could use the money a little bit more than these -- the first group. And it's not all. So this is not the complete group that you vetoed -- chose to veto, nor is the other group that's getting the money the complete group that was chosen to be vetoed, except that -- I'm glad that -- and you know what this needs too?

**MR. ZWIRN:**

Every one of these groups that are having money taken away from them were groups that were vetoed by the County Executive.

**LEG. ALDEN:**

Right. But didn't you veto more? Didn't the County Exec veto more? He took the whole thing --

**MR. ZWIRN:**

He may have, but I'm --

**LEG. ALDEN:**

-- from the Legislative Tenth District.

**MR. ZWIRN:**

These groups --

**LEG. ALDEN:**

That's the point, Ben. Take that back to the County Executive.

**MR. ZWIRN:**

With all due respect --

**LEG. ALDEN:**

That's the point.

**MR. ZWIRN:**

-- these groups were at a press conference saying that they could not operate without this funding.

**LEG. ALDEN:**

No. No, Ben. Don't put lies on the record. Those people did not attend the press conference.

**MR. ZWIRN:**

Well, some of them did. I saw them on News 12.

**LEG. ALDEN:**

No, Ben. Don't lie on the record.

**CHAIRMAN MONTANO:**

I'd like to just --

**MR. ZWIRN:**

The County Executive is not apologizing. I just want to make that very clear.

**CHAIRMAN MONTANO:**

No one asked him for an apology. Let Legislator Alden finish. If you have any comments, you make those. If not, let's move on to Legislator Cooper.

**LEG. COOPER:**

Okay. I just had a question for the sponsor. The \$17,000 for the Islip Union Free School District, do you know the purpose that they'll be using that fund for? I just want to make sure that it's appropriate.

**LEG. ALDEN:**

Yes, I do. There's a whole bunch of ones, and it will go to -- George -- actually even though it doesn't -- I have run passed our Legislative Counsel, most of these activities. But it does go to the County Executive's Office for approval. The official approval -- -

**LEG. COOPER:**

Your belief is that they're all appropriate expenditures.

**LEG. ALDEN:**

Just what Ben enumerated just now as being legitimate government purposes; after-school programs, things of that nature. I think there might even be a breast cancer awareness, a school program so the kids would have some place to go so they don't go out and drink and get killed on

their prom night, things like -- things of that nature.

**LEG. COOPER:**

Thank you.

**CHAIRMAN MONTANO:**

Just for the record, we're approving these -- if we approve this out of committee, and it's approved by the Legislature, then it's going to go to your department for execution of the contract etcetera, etcetera. So, you know, at this level, we don't have any legal objections, I understand, from Counsel on this, so we'll just move forward unless we do.

**MR. NOLAN:**

No. At this stage, there are no legal objections to doing this.

**CHAIRMAN MONTANO:**

All right. I'll call for a vote. We have a motion to approve on the table. All in favor? Opposed? Abstention? Motion carries. **APPROVED (VOTE: 5-0).**

**1907, Amending the 2007 Operating Budget and the 2007 Capital Budget and Program and appropriating funds to support the restoration of the World war II Memorial Park, Town of Riverhead (ROMAINE)**

**LEG. COOPER:**

Motion to table.

**CHAIRMAN MONTANO:**

All right. I'll second the motion for the purposes of discussion. Gail, could you give me an explanation on this, and then I'll recognize Legislator Alden.

**MS. VIZZINI:**

This uses \$20,000 from Public Works rental account and transfers it to the Capital Program so that they can move forward on this memorial.

**CHAIRMAN MONTANO:**

So this is not omnibus money?

**MS. VIZZINI:**

No, it's not.

**CHAIRMAN MONTANO:**

Okay. Legislator Alden.

**LEG. ALDEN:**

That was my question.

**CHAIRMAN MONTANO:**

All right. We have a motion to table -- a motion to table on the table. Is there any other motion? All in favor? Opposed? Abstention? Motion to table carries. **TABLED (VOTE: 5-0).**

**1908, Amending the 2007 Operating Budget and transferring funds for M'Yad L'Yad (STERN).**

Any motion?

**LEG. STERN:**

Motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. Just on the motion, omnibus money, Gail?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstention? Motion carries.

**APPROVED (VOTE: 5-0).**

**1909, Amending the 2007 Operating Budget and transferring funds for the contracted agency Nassau/Suffolk Services for the Autistic (STERN).**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN MONTANO:**

I'll second that. Very quickly for the record, omnibus money?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstention? Motion carries.

**APPROVED (VOTE: 5-0).**

**1919, To readjust, compromise and grant refunds and charge backs on correction and/or errors/ County Treasurer by: County Legislature No. 284 (COUNTY EXEC).**

I'll make a motion to approve and place on the Consent Calendar. I need a second.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. All in favor? Opposed? Abstention? Motion carries. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0).**

**1925, Amending the 2007 Operating Budget and transferring funds for the contracted agency Hills Foundation for the enhancement and enrichment of children (STERN).**

**LEG. STERN:**

Motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. For the record, omnibus?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

Okay. All in favor? Opposed? Abstention? Motion carries. **APPROVED (VOTE: 5-0).**

**1927, Amending the 2007 Operating Budget and transferring funds for the contracted agency Friends of Edge-wood Oak Brush Plains Preserve (STERN).**

**LEG. STERN:**

Motion to approve.

**CHAIRMAN MONTANO:**

Seconded by myself. Omnibus money?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

All in favor? Opposed? Abstention? Motion carries. **APPROVED (VOTE: 5-0).**

**1929, Amending the 2007 Operating Budget and transferring funds to purchase equipment to produce veterans identification cards (COOPER).**

**LEG. COOPER:**

I was actually advised this morning by the County Exec's Office that the Veterans Service Agency found this money in their budget. So based on that assurance, I plan on withdrawing this resolution.

**CHAIRMAN MONTANO:**

All right. Do you want to table it now, or would you like to withdraw it on the record?

**LEG. COOPER:**

Sure. If I can withdraw on the record.

**CHAIRMAN MONTANO:**

Okay. The resolution is withdrawn by the sponsor.

**1930, Amending the 2007 Operating Budget and transferring funds for CAST, Huntington Freedom Center, Huntington Station Business Improvement District and Police Department (COOPER).**

**LEG. COOPER:**

Motion to approve.

**CHAIRMAN MONTANO:**

I'll second it. Is this, Gail, omnibus money?

**MS. VIZZINI:**

Yes, it is.

**CHAIRMAN MONTANO:**

Okay. Any discussion? Comments from the County Attorney's Office. Go ahead, Allen. You both raised your hand, who wants to go first?

**MR. KOVESDY:**

Budget, please.

**CHAIRMAN MONTANO:**

Budget. Go ahead, Allen.

**MR. KOVESDY:**

Thank you. The Budget Office doesn't have any problems with transferring the money into CAST, the Huntington Freedom Center or the Huntington Station Business Improvement. We do have a concern about moving money into the Police Department overtime. How the Police Department spent --

**CHAIRMAN MONTANO:**

Into the Police Department overtime?

**MR. KOVESDY:**

Yes.

**CHAIRMAN MONTANO:**

Okay.

**MR. KOVESDY:**

We have a problem with the \$10,000 transfer into the police overtime. We don't have a problem with any of the other transfers or where they are coming from. It's our belief that the Police Department, number one, has sufficient money if they want to do a program; number two, it's up to the Police Commissioner to determine with input from other people what programs to do. So what we would ask is if the Legislature's wisdom is to put money from one program to another, we don't have an objection to that, but we do have a strong objection to putting more money in the Police 110 Account -- I mean, 112 Account Overtime to do that. That should be worked out between the Legislature, the County Executive and the Police Commissioner.

**CHAIRMAN MONTANO:**

Gail, I just want to ask. Is something that -- I'm not aware that we normally do that. Is that something that we have done in the past?

**MS. VIZZINI:**

Budgetarily, it's something we've done whereby it's a community program, and the only way that the Police Department can operate it is to have a police officer, you know, accommodate the school schedule. That might mean staying after his normal shift, his or her normal shift on overtime. I would defer to the sponsor in terms of the precise program that this is. But I know we have done this in the past for the Huntington area.

**CHAIRMAN MONTANO:**

Question, though. I know the sponsor is going to address it, but just from a budget standpoint, once we put this money into -- assuming that we do -- we put this into the Police Department overtime, I mean, if the overtime isn't authorized -- I mean, we have no control over that, am I correct?

**MS. VIZZINI:**

There would certainly have to have been some sort of mutual agreement that this was the area to go.

**CHAIRMAN MONTANO:**

Right.

**MS. VIZZINI:**

But I would defer to the sponsor in terms --

**CHAIRMAN MONTANO:**

But it's not like a dedicated -- I mean, once it's in overtime, it's in a general category, am I correct?

**MS. VIZZINI:**

Well, it's in the overtime area. I mean, it could -- it should be used be used for other --

**CHAIRMAN MONTANO:**

But it merges with all the other overtime money that's there. Right.

**MS. VIZZINI:**

The only reason we would do this is if there was an impediment to moving this program forward, the impediment being we have to pay this individual on overtime, there is insufficient monies. So we would address it by --

**CHAIRMAN MONTANO:**

Legislator Cooper, go ahead. You're next, Legislator Cooper is on the list.

**LEG. ALDEN:**

My questions are going to be for Legislator Cooper, so I don't know if he wants to address everything at one time.

**CHAIRMAN MONTANO:**

Let him -- he is the sponsor. Let him address the concerns and then you're on the list.

**LEG. COOPER:**

I just want to say that these are legitimate questions. I actually have reached out to Commissioner Dormer's Office. Hopefully, I'll hear back from him today. But I want to work with him cooperatively. I certainly don't want to micromanage the Police Department. I have provided funding in the past for the Second Precinct for increased police patrols in Huntington Station with -- unfortunately, there is a serious crime problem and gang related violence and the like. The \$40,000 that I'm redirecting was all serving constituents in Huntington Station. I was trying to find appropriate alternate organizations to direct the monies to.

If in my discussions with the Commissioner we're not able to reach agreement on the expenditure of this \$10,000 for increased -- I'd like to see increased bike and foot patrols, but if I can't reach agreement with him on that, then I'm willing to reallocate the money. There's still time for me to amend this resolution. So I do hope to here back from Commissioner Gallagher this afternoon, and I want to work with him -- Dormer. But it's -- actually, the last time I did this was with Commissioner Gallagher. But in any case, I'm awaiting a call from Commissioner Dormer.

**CHAIRMAN MONTANO:**

Okay.

**LEG. COOPER:**

I'd like to move forward on this, because I do have time to amend the resolution. I will only move forward with the \$10,000 for the police patrols if I have the support of Commissioner Dormer. If I don't, then I'll modify this resolution before then and reallocate the \$10,000.

**CHAIRMAN MONTANO:**

You know, I know we haven't discussed this. I'm uncomfortable with the merging of the transfers from one agency to another and then also into a police overtime fund. But what I'd like to do is just make a motion to discharge without recommendation. Would you have a problem with that?

**LEG. COOPER:**

That's fine.

**LEG. SCHNEIDERMAN:**

I have a question.

**CHAIRMAN MONTANO:**

Sure. Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

As part of the resolution includes moving funds into a separate tax district, the money is going to a function that -- is that a whole-County function or it's just a Police Department function?

**MR. KOVESDY:**

Police District as written.

**LEG. SCHNEIDERMAN:**

It's Police District. I couldn't support this, because it doesn't have any, you know, proportion of money going outside the Police District. So to me it would be inequitable to do that.

**CHAIRMAN MONTANO:**

Before you answer, let me just get back some order.

**LEG. SCHNEIDERMAN:**

But it's still County funds going into -- what Legislator Cooper is saying, well, it's omnibus money, but it is still whole-County funds going into a district that only performs activities for those within the tax district. So it's another way of taking whole-County funds and giving it to a partial County function.

**CHAIRMAN MONTANO:**

Right, but if I may, this money is going into the fund for a specific purpose, and it's going to go into the fund for a specific purpose in Legislator Cooper's district. As I understand this, this is omnibus money transferred into the Police Fund for that purpose. But I skipped over Legislator Alden. He has the podium or the floor or whatever.

**LEG. ALDEN:**

This raises a whole bunch of questions and issues that are, you know, quite interesting, but also quite troubling. And I'll give you a for instance. If you're talking about a bike patrol, that's usually COPE. And in my district, we need COPE Officers, but we don't have any, because they're in sector cars, because we don't have enough police, sworn personnel, to man all the sector cars and put them out and then also man fully the COPE Units and the other units that we have in Suffolk County.

So this is addressing an overall County problem, but only in one area, Jon, which I commend you for trying to take care of your area. However, I have areas in my district that need foot patrol and they need bike patrol, they need COPE Officers, but I don't have any.

And secondly, we had the opportunity as Legislators last year to address this, and we did address it. We authorized a class. I wanted to see a class of 150 officers, because at that time we were down a couple of hundred. Now we're down another maybe 90 or so. And we still don't have a class. The class might start in December, or maybe it's scheduled now to start. But those officers will not be on the street until next year sometime. So we've got a problem that's actually snowballing, and that's the number of sworn personnel that's out on the street protecting us.

And I know there's been testimony about, you know, civilianization and we're taking people from behind desks and stuff like that, but I can tell you what I see in the street. And what I see is a lack of COPE patrol. And also, in my district -- Legislative District, a lack of sector cars, because I lost one sector car to Legislator Montano's district, and I lost another one to what used to be Legislator Carpenter's district, which is now Legislator Barraga. They actually removed sector cars from my area, moved them over. And we have cars that are tied up, which that's not supposed to happen

either at certain times.

So I think we have a much broader problem that has to be addressed. And I would like to see a policing plan that took care of your district properly, took care of my district properly, Legislator Montano's and every other Legislator sitting at the desk, because that represents all of Suffolk County. So to fix one little problem, I don't think it -- number one, I think it really is not absurd, but it's drawing attention to the fact that there's a major problem here with our policing, the people are at risk. But it only addresses one small problem in Suffolk County and ignores the other Legislative Districts. So I think there's a much bigger problem we have to address, not just go in this manner.

**CHAIRMAN MONTANO:**

Wait. Hold on. There's a list, and I have a question. Legislator Cooper is next. Gail, before we move on, though, how much is in the Police overtime budget now? Isn't there a lot of money left? And my point is if there's money left in the overtime budget and this is a problem, why doesn't it just get resolved by the Police Commissioner, you know, resolving it? Because if we put this 10,000 in, I'm thinking it's going to wind up as turnover savings anyway, so.

**LEG. ALDEN:**

I can take a cheap shot here if I wanted to.

**CHAIRMAN MONTANO:**

No. Legislator Cooper is next.

**LEG. ALDEN:**

I can go on the list.

**CHAIRMAN MONTANO:**

I'm going to -- you don't have to give me a dollar amount, but I'm sure there's a lot of money left in the overtime account; is there not?

**MR. KOVESDY:**

We budgeted for police overtime \$19,189,000.

**CHAIRMAN MONTANO:**

In 2007?

**MR. KOVESDY:**

In 2007. That's what we estimated --

**CHAIRMAN MONTANO:**

And how much do you have left at this point in 2007?

**MR. KOVESDY:**

I wouldn't have any idea of knowing that, because I wouldn't -- I can tell you -- I can find out for you what --

**CHAIRMAN MONTANO:**

What is the estimate according to your budget there?

**MR. KOVESDY:**

Nineteen million one-eighty nine, and we budgeted 19,319,000. So we figured that --

**CHAIRMAN MONTANO:**

So you're going to have 200,000 -- is there a \$200,000 difference there?

**MR. KOVESDY:**

Yeah, 180,000 at this point in time.

**CHAIRMAN MONTANO:**

All right. So that could conceivably resolve this issue?

**MR. KOVESDY:**

It could, sir.

**CHAIRMAN MONTANO:**

Okay. Legislator Cooper had a comment. By the way, I made a motion for discharge without recommendation, is there a second to that motion.

**LEG. COOPER:**

I made a second.

**CHAIRMAN MONTANO:**

Oh, you did second it. Okay.

**LEG. ALDEN:**

Can I go back on the list?

**CHAIRMAN MONTANO:**

Yes. Legislator Cooper, then Legislator Alden -- I stand corrected. Legislator Cooper, Legislator Schneiderman, then Legislator Alden.

**LEG. COOPER:**

I appreciate the comments of Legislator Alden, and I really don't want to get into it at this point whether this is a problem that extends beyond my district. It may well be a County-wide problem, but I am here to represent the needs of my community. And I know that I have constituents in Huntington Station that are clamoring for more foot patrols and more bike patrols. And I would like to see more COPE Units, more patrol hours by COPE Units in Huntington Station.

And as I said, I'd like to work cooperatively with the Police Commissioner to get his support for this and also the Inspector of the Second Precinct. If that doesn't happen, then I am willing to reallocate these funds. But I believe that there is a need in my community because of the increasing problem with gang related violence. Some of the other funding that I've reallocated with the CAST Program, which is our targeting at-risk youth to try to keep them out of gangs. And the Huntington Freedom Center likewise. These are all attempting to address the same problem in the community.

So I believe that it is appropriate for County dollars, omnibus funding, to be spent for this purpose within my district. You are certainly free, if you have available omnibus funds, to allocate them. And I would support -- if you wanted to have increased COPE patrols in your district and you had omnibus funds, I would support that and Legislator Schneiderman likewise. It's all setting priorities within our districts. So for me, I thought that this was an appropriate expenditure of \$10,000. But as I said, I do want to work with the Police Commissioner try to get him on board. But if not, I'll move to Plan B before the vote at the General Session.

**CHAIRMAN MONTANO:**

Legislator Alden.

**LEG. ALDEN:**

Schneiderman is ahead of me.

**CHAIRMAN MONTANO:**

Sorry. Go ahead, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

I don't want to second guess the Legislator from the district in terms of how his omnibus funds should be spent if he feels that this is the right way to spend them. I just want to make sure, if I were to take my omnibus funds and use it to give it to, let's say, East Hampton Police Department or Southampton Village Police Department to increase foot patrols that that would be legally permissible. And maybe that question is for Counsel.

**LEG. COOPER:**

How about it, Counsel?

**MR. NOLAN:**

That's an interesting question. I'll probably have to get back to you on this, because obviously, in the case of Legislator Cooper, he's transferring it to a Suffolk County Department, and you are talking about transferring it to an entity outside Suffolk County Government.

**LEG. SCHNEIDERMAN:**

There have been monies given to the fire departments and the ambulance departments.

**MR. NOLAN:**

I know. That is true. And generally speaking, the County can transfer money to other taxing entities, other towns, to fire departments and the like as long as there's -- and to schools, this is in my opinion, as long as there's -- it serves a valid public purpose. So I can't give you a definitive answer now, but generally speaking, we can make that type of transfer, and we have.

**LEG. SCHNEIDERMAN:**

Well, there's a motion to discharge it without recommendation. So all I would ask, Counsel, is if you could give me a definitive opinion by the time this hits the floor next week. You don't have to give it to me today. I'll support the discharge without recommendation.

**MR. ZWIRN:**

If it would help any, we would be opposed to that as well.

**LEG. SCHNEIDERMAN:**

No surprise there.

**CHAIRMAN MONTANO:**

I'm back on track, I believe. Legislator Alden, did you go?

**LEG. ALDEN:**

Just to answer a couple of the comments that Legislator Cooper made. I wholeheartedly support after school programs and anti-gang programs. However, that's not in our program for policing. When the Commissioner along with whoever else develops this plan for overall policing in Suffolk County, they look at what assets we have, they look at where the needs are, and then they come up with a policing plan that provides safety or should provide safety and an equal type protection to all in all of Suffolk County.

This is a dangerous area to get into when each Legislator has to advocate for, you know, his own policing in his own Legislative District. Because quite frankly, Legislator Montano has most of my old district, and I think that, you know, for anybody to advocate for more policing, it would be him or Legislator Mystal, because there's a couple of hot spots in those areas that would warrant more policing. So I think that we -- we're going into a very dangerous area here. And then I have one other just a question. What was the overtime expense for the County Executive's State of the County Address? Wasn't there police overtime expense associated with that?

**MS. VIZZINI:**

I'm not sure that we ever really got that information.

**LEG. ALDEN:**

Well, I believe that the Comptroller actually did an in depth study and came up with a number, and that report was issues to everybody in Suffolk County. So it's ten or 14 or \$15,000 or something like that for one night. I believe it's somewhere in that neighborhood. We should check, and I'll get it for the next meeting so that we could put the official number on the record. Thank you.

**CHAIRMAN MONTANO:**

Before we call the vote, I'm just going to say I have some real concerns about using omnibus money for police overtime. If there is a problem in anyone's district, we should be able to alert -- if they don't already know -- the Police Department, and they should use whatever resources necessary to -- to solve that problem. I think it's a bad precedent to say we're to take, you know, contract agency money simply because the Police Department don't think that this issue is worthy enough of either, you know, handling it through their regular budget or their overtime budget. You know. You know, but having said that, there's a motion to discharge without recommendation on the floor. I believe that there is time to amend this resolution.

**MR. NOLAN:**

Yes.

**CHAIRMAN MONTANO:**

Before next Tuesday's meeting. I know that some of the Legislators are engaged in conversation. But I'm not aware that this was done before. I think from a budgetary standpoint, mixing omnibus money with police personnel or police overtime money is a bad practice.

**P.O. LINDSAY:**

Mr. Chairman.

**CHAIRMAN MONTANO:**

Go ahead, Mr. Presiding Officer. That's just my opinion.

**P.O. LINDSAY:**

I remember us doing this in the past.

**CHAIRMAN MONTANO:**

From omnibus or from another personnel --

**P.O. LINDSAY:**

I'm not sure.

**CHAIRMAN MONTANO:**

Okay.

**P.O. LINDSAY:**

I'm not sure. You know, but what I think you're doing though is I don't think they're going to spend the \$10,000.

**CHAIRMAN MONTANO:**

That's the other concern I have. We're going to wind up with -- this is going to wind in --

**P.O. LINDSAY:**

I mean, you know, that's entirely up to the sponsor.

**LEG. ALDEN:**

You'll have no controls, and the money won't get spent. And they'll take your 10,000 and use it

elsewhere in the district.

**CHAIRMAN MONTANO:**

I don't want to be in the position where I call the Police Commissioner and I say, "There is a problem in my district," and he says, "You know what? If you think it's a problem, take money out of omnibus and put it into our budget and then we'll take care of it." I think that's the message here. I am personally --

**P.O. LINDSAY:**

Why don't we just discharge it --

**CHAIRMAN MONTANO:**

Without recommendation.

**P.O. LINDSAY:**

And let Jon work with the Police Commissioner.

**CHAIRMAN MONTANO:**

Exactly. I agree with that. I'm going to call the vote. I'm sorry. I did say to Legislator Stern that he would have an opportunity to address this, and I forgot to put him on the list.

**LEG. STERN:**

Yeah. Thank you. Mr. Chairman, I'm going to support the motion to discharge without recommendation. I'm going to do so because I want to give Legislator Cooper the opportunity to speak with the Commissioner and see what, if anything, can be resolved. I do share everybody's concerns about the process as well. So I would like to see what the Commissioner is able to come back with.

But I also want to discharge without recommendation, because I think it's important that this legislation come before us, because it does include those other contract agencies.

**CHAIRMAN MONTANO:**

Right. Absolutely.

**LEG. STERN:**

So I would like it to come before us so that Legislator Cooper can possibly amend if he has to, but at least we have those other agencies that we can vote on at the General Session.

**CHAIRMAN MONTANO:**

Absolutely. Legislator Alden.

**LEG. ALDEN:**

This is to Legislative Counsel. If this gets discharged and we want to support his other initiatives, because it is his -- you know, it's pretty a district-initiative, which, you know, I, in the past 100% I support everybody's initiative, even though it hasn't been -- there hasn't been the reciprocity there, but I'm not going there. But, Jon -- is there a possibility that Jon could split that one out? Because it seems like if he gets going in the right direction with the Commissioner we want to pass the other ones and then leave that 10,000. I would -- I would hope that there's a point where he could amend this resolution and take that out.

**LEG. COOPER:**

There is still time for that.

**MR. NOLAN:**

Yeah. Because of the nature of our schedule this time around where we have a week between the committees and the General Meeting, he has until, I believe, Monday to make an amendment. If he

wants to leave one of the lines, he has time to do that.

**CHAIRMAN MONTANO:**

Until Monday?

**LEG. ALDEN:**

I'll make a suggestions then. Create a new -- you know, split it into two resolutions. And hopefully you have the ability to do that, because I'm going to abstain on this, because I can't support, you know, that whole concept of if you need something in your Legislative District from the Police Department, you have to go and supply the money for it. You know, basically take away from other initiatives in your district. That's a bad -- that's a bad precedent that I can't -- I really can't set that. But I will support, you know, any initiative you come up with. I will leave that to your discretion, especially even the \$10,000. If it doesn't go to overtime, it should be used in your district for other types of programs.

**LEG. COOPER:**

Fair enough.

**CHAIRMAN MONTANO:**

All right. We have a motion to discharge without recommendation. All those in favor? Opposed? Any abstentions?

**LEG. ALDEN:**

Abstain.

**CHAIRMAN MONTANO:**

One abstention, Legislator Alden. Motion carries. **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 4-0-1-0 - Legislator Alden abstained).**

**LEG. SCHNEIDERMAN:**

What I do on the floor will depend on Counsel's judgment.

**CHAIRMAN MONTANO:**

Same here. I think we're simply just moving this out of committee. We'll take that up if and when it becomes an issue at the full meeting.

**1933, Amending the 2007 Operating Budget and transferring funds for the Smithtown Township Arts Council, Friends of Est Northport Library, Smithtown Historical Society and St. James Chamber of Commerce (NOWICK).**

**CHAIRMAN MONTANO:**

I'll make a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper Gail, omnibus money?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

Allen, I see your hand. Go ahead.

**MR. KOVESDY:**

Sorry to keep bothering you guys.

**CHAIRMAN MONTANO:**

You're not bothering.

**MR. KOVESDY:**

Again, we do not have a problem with the transfer at all, but the contract for the Smithtown Performing Arts was mailed out to the vendor already. And I just wanted to alert you that the contract was mailed to them. We don't know if they're going to sign it or not, but the contract for the \$15,000 is at the vendor. So they have a contract which they can sign. So if they sign the contract, the money won't be there. So all we ask is to make sure that the vendor is not hoping to sign the contract. But the contract is in the vendor's hands at this particular point in time.

**CHAIRMAN MONTANO:**

I'm sorry, but you lost me.

**MR. KOVESDY:**

Economic Development mailed out a contract to the Smithtown Theater Performing Arts in the amount of \$15,000. It hasn't been returned one way or the other.

**CHAIRMAN MONTANO:**

That's where we're getting the money from, is that --

**MR. KOVESDY:**

Right.

**CHAIRMAN MONTANO:**

Oh, I see what you are saying.

**MR. KOVESDY:**

We're just asking that you might just table it or do something to make sure that they're not going to sign the contract.

**CHAIRMAN MONTANO:**

That does create a problem, because if they sign the contract and then if you cosign it -- go ahead. I want to hear from Counsel on this.

**MR. NOLAN:**

Generally, the County executes the contracts last.

**CHAIRMAN MONTANO:**

Right.

**MR. NOLAN:**

So if the money is transferred, I'm assuming the County will not execute that contract. All the County contracts are subject to appropriation. So, again, I believe the Legislature could move ahead if they want to in this particular case.

**CHAIRMAN MONTANO:**

Right, but my concern and I think Allen's concern is -- or at least he's alerting us to the fact that do we want to pull a contract that's in the middle of possibly being executed. And I would like to here from the sponsor on this.

**MR. KOVESDY:**

That's all we're asking is if you can just hold it to that point. If they're not going to sign the contract, we have no problem with it.

**CHAIRMAN MONTANO:**

I'll tell you what? I'm going to change -- I'm going to withdraw my motion. I'm going to make a motion to discharge without recommendation, and we can take this up at the floor. I need a second.

**LEG. COOPER:**

Second.

**LEG. ALDEN:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Alden.

**LEG. COOPER:**

Thank you.

**CHAIRMAN MONTANO:**

On the motion, all in favor? Opposed? Abstention? Motion to **DISCHARGE WITHOUT RECOMMENDATION** carries (**VOTE: 5-0**).

**1934, Amending the 2007 Operating Budget and transferring funds to the Village of Bellport (BROWNING).**

I'll make a motion to approve.

**LEG. COOPER:**

Second.

**CHAIRMAN MONTANO:**

Seconded by Legislator Cooper. Again, is this omnibus money?

**MS. VIZZINI:**

Yes, it is.

**CHAIRMAN MONTANO:**

And this is going to the village?

**MS. VIZZINI:**

Correct.

**CHAIRMAN MONTANO:**

Okay. I'll call for a vote. Any comments? All in favor? Opposed? Abstention? Motion carries. **APPROVED (VOTE: 5-0)**.

**1944, Amending the 2007 Operating Budget and transferring funds for St. Catherine of Siena Hospital (KENNEDY).**

I'll make a motion to approve for the purposes of discussion.

**LEG. COOPER:**

Motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN MONTANO:**

Motion to table takes precedent. On the motion, Gail, is this omnibus money?

**MS. VIZZINI:**

The omnibus added enhanced monies for DPW rent.

**CHAIRMAN MONTANO:**

Oh, okay.

**MS. VIZZINI:**

Similar to Legislator Cooper's resolution where he withdrew it, and similar to one of the other resolutions. This not the same as a Legislator identifying a particular contract agency, and then somewhere along the line in 2007, the agency saying they're not going to move forward with the expenditure. So it's different from that. But the offset is money that the Legislature included in DPW rent.

**CHAIRMAN MONTANO:**

I understand that. Legislator Stern.

**LEG. STERN:**

Yeah. Thank you, Mr. Chairman. I have a question for Counsel. This would be to transfer funds to fund cardiac catheterization procedures at the hospital. Is that an appropriate expenditure? Is that something that we can do. I mean, the hospital is a -- it's a facility that is, you know, technically governed under State Law. Do we have the ability to fund that kind of a program? And let me say this just for the record, my mother passed away way too soon from cardiac problems due to diabetes. I would like to see nothing more than to fund this kind of program. My question is can we.

**CHAIRMAN MONTANO:**

Go ahead, Counsel.

**MR. NOLAN:**

First let me say, I have not really considered this question before today. If it's a non-profit organization and the Legislature determines a valid public purpose, then, yes, we can do the transfer. That is a policy determination or decision really for the Legislature, to determine if it serves a valid public purpose.

**CHAIRMAN MONTANO:**

I have a question. Is this -- and I have been through these procedures -- is this -- you say it's for catheterization. Is this for patients that don't have medical service?

**MS. VIZZINI:**

According to the resolution, this is to augment the purchase of equipment.

**CHAIRMAN MONTANO:**

Okay. We have a motion to table on the floor. This is not omnibus motion (sic). Are there any other motions? All right. I'm going to call for a vote. All in favor of tabling? Opposed? Abstentions? Motion to table carries. **TABLED (VOTE: 5-0).**

**LEG. ALDEN:**

Mr. Chairman.

**CHAIRMAN MONTANO:**

Legislator Alden.

**LEG. ALDEN:**

If you're now done, I have a little business that I just would like to --

**CHAIRMAN MONTANO:**

We have to go back to a resolution. All right. Let's go back to **1873, Amending the 2007 Operating Budget and transferring funds for the Probation Department's Combating Graffiti Vandalism Program.**

I believe we have a motion to approve and a second before us; is that correct? Yes. Allen, I think at the time we left, you didn't have the memorandum in front of you. And I believe that Legislator Alden has some questions. I think that's where we left off.

**LEG. ALDEN:**

Allen, right where it says, "I have several problems with this," the first paragraph after that, the \$170,000 allocated to LIAC JD Advocacy Program, now, have you anticipated that money not to be spent, and that's included in the fund balance for '08's Budget or for '07's fund balance to be used in '08?

**MR. KOVESDY:**

If you ask other questions, I'll look in the budget. I didn't anticipate that question. Let me see if I can find it.

**CHAIRMAN MONTANO:**

What was the question.

**LEG. ALDEN:**

It says that they have 170,000, and then from this -- from this memo from Theresa -- it's from Theresa, I guess --

**MR. KOVESDY:**

It's from Probation. Ms. Maimoni works for Probation.

**LEG. ALDEN:**

Oh, from Ms. Maimoni. But she states that they wouldn't have enough money for LIAC. But if that money is included in, you know, a fund balance for next year, they still have a problem anyway.

**CHAIRMAN MONTANO:**

Right.

**MR. KOVESDY:**

I don't know the answer. I can get back to you on that answer. I don't have that answer in front of me. I'll keep looking while you are speaking.

**CHAIRMAN MONTANO:**

Any other questions, or do you want to wait for the answer?

**LEG. ALDEN:**

Are you talking about getting back to me at some time in the future or today, because --

**MR. KOVESDY:**

I'll get back to you as soon as -- I'm going to phone Probation when I leave here.

**LEG. ALDEN:**

All right. You know what then? We're going to discharge it or are we going to approve it?

**CHAIRMAN MONTANO:**

Well, there's a motion to approve.

**LEG. ALDEN:**

So we'll have the answer though -- my point is you'll have the answer before --

**CHAIRMAN MONTANO:**

The meeting.

**LEG. ALDEN:**

The meeting.

**CHAIRMAN MONTANO:**

Right.

**LEG. ALDEN:**

That's fine.

**CHAIRMAN MONTANO:**

And if there are no further comments, I am going to call for a vote.

**LEG. ALDEN:**

Fine.

**CHAIRMAN MONTANO:**

Motion to approve. All in favor? Opposed? Abstentions? Motion carries. **APPROVED (VOTE: 5-0).**

Legislator Alden, you have anything you want to bring before the committee before we adjourn?

**LEG. ALDEN:**

Yes. The last time we met, you had invited down the Comptroller, and he gave us a pretty much in depth presentation about debt. I also asked the Comptroller to develop a little bit of a look-back, and then to basically look at how much debt we had and what the trend was. And it looked like starting in '97 -- I think everybody got a copy of it, because it was cc'd at least to this committee, and I hope to get a copy of that report to everyone in the Legislature -- but that debt trend presents a very disturbing picture. From 1997 to 2003, it's on a downward line. You know, it jumps a little bit around, but it's pretty much downward, and it goes down to -- did Budget Review get that memo?

**MS. VIZZINI:**

Yes. It was talking about paying off the debt service within --

**LEG. ALDEN:**

Our debt in '97 was 903 -- approximately \$905,628,000. It went down in -- to 2003 -- each year it went down. And in 2003, we had 700,880,000 in outstanding debt. 2004, five and six, it's gone pretty much straight up to the point now where we have 946,818,000. And I'm not talking about the statutory limit, because statutory limit is no big deal, but what I'm talking about is if we incur debt -- if we incur debt, it's got to be repaid. And the way we repay debt is out of taxes.

So this is a disturbing trend that I think we should look at, because as was brought up at the last meeting or meeting before that in Budget, we do have an outstanding program, would be the jail, we also have that quarter cent that is put out there -- to modify the quarter cent, which is a pay-as-you-go program to modify that and borrow three, \$400 which should kick this up way over a billion dollars. And if you add the jail and you add that program together, that's a half a billion -- over a half a billion dollars right there that would be added to this -- this debt that's outstanding. So

I think it's something we should start looking at very seriously, because it's a disturbing trend. And I would hate to see us saddle future generations with tons and tons of just debt service.

**CHAIRMAN MONTANO:**

Do you need to address that? I don't think so. If you want to, but I think this -- I think we'll take it up in the budget process unless you -- do want an answer, Legislator Alden?

**LEG. ALDEN:**

No, but it's something that we as Legislators better start looking at --

**CHAIRMAN MONTANO:**

Oh, I agree with you.

**LEG. ALDEN:**

-- because that's a disturbing trend.

**CHAIRMAN MONTANO:**

I don't disagree with you, I think these are items that we will look at.

**MR. ZWIRN:**

You vote on it. I mean, all the debt that has been created that you've been on the Legislature is debt that you either voted for against.

**LEG. ALDEN:**

Well, then we'll get into it a little bit more then, because also, that coincides with the time that the pay-as-you-go is done away with. And I noticed in this budget, the budget recommendation --

**MR. ZWIRN:**

That's a small amount compared to.

**CHAIRMAN MONTANO:**

All right. I don't think we need to --

**LEG. ALDEN:**

But it's a philosophical --

**CHAIRMAN MONTANO:**

It is.

**LEG. ALDEN:**

And then just on a personal note. I find it real interesting that we just voted on about 20 resolutions that dealt with omnibus money, and the only comments that came from the County Executives Office were on my district. So once again, he continues this singling out --

**CHAIRMAN MONTANO:**

Ben, don't answer that. Legislator Alden has a the floor. And I'm going to make a motion to -- Allen, do you really have to say something?

**MR. KOVESDY:**

The \$170,000 is in the budget for LIAC.

**LEG. ALDEN:**

It's in the budget?

**MR. KOVESDY:**

Yeah. It's in the budget.

**LEG. ALDEN:**

You used it for turnover?

**MR. KOVESDY:**

No. It's there in it's entirety.

**LEG. ALDEN:**

It stayed in the entirety. You're not using it for '08 in the surplus.

**MR. KOVESDY:**

No.

**LEG. ALDEN:**

Okay. Thank you.

**CHAIRMAN MONTANO:**

All right, with that, motion to adjourn. Meeting is adjourned.

(\*THE MEETING WAS ADJOURNED AT 11:40 A.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY