

**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 7, 2008.

**Members Present:**

Legislator DuWayne Gregory - Chairman  
Legislator Lou D'Amaro - Vice-Chair  
Legislator Thomas Barraga  
Legislator Edward Romaine  
Legislator John Kennedy  
Legislator Brian Beedenbender  
Legislator Kate Browning

**Also In Attendance:**

George Nolan - Counsel to the Legislature  
Maxvel Rose - Aide to Legislator Gregory  
Barbara LoMoriello - Deputy Clerk of the Legislature  
Gail Vizzini - Director/Budget Review Office  
Linda Bay - Aide to Minority Caucus  
Ben Zwirn - Deputy County Executive  
Allen Kovesdy - Deputy Director/County Executive's Budget Office  
Ivan Young - Board of Elections  
Justin Litell - Aide to Legislator D'Amaro  
Paul Perillie - Aide to Majority Caucus  
Vito Dagnello - President - SCCOA  
Matt Bogert 1st Vice-President - SCCOA  
Debra Alloncius - AME  
Rick Brand - Newsday  
All Other Interested Parties

**Minutes Taken By:**

Donna Catalano - Court Stenographer

**(\*THE MEETING WAS CALLED TO ORDER AT 10:05 A.M.\*)**

**CHAIRMAN GREGORY:**

Good morning, everyone. We're going to rise and start off with the Pledge of Allegiance led by Legislator Beedenbender.

**SALUTATION**

**CHAIRMAN GREGORY:**

We're going to start off with the public portion. We have one card, Debra Alloncius from AME.

**MS. ALLONCIUS:**

Good morning, Chairman Gregory, Members of the Budget and Finance Committee. I stand before you on behalf of Cheryl Felice and the Association of Municipal Employees and speak to the fact when you are doing your budgeting with -- and all your work with trying to manage a budget in such lean times, I remind you that I have sat here for the past better part of the year and a half, a little longer, and listened to you try to bring jobs to Long Island. You work very hard at keeping people here. Every day you're confronted with the brain drain on Long Island.

I want to remind you that part of that would be the 300 people that you're considering just letting go in a time when I don't think it's really fortuitous to give up your assets at this point. I think we can work with you. And I just find it very hard to believe that we're willing to give up that many jobs, that you will have the direct responsibility of those jobs when you work so hard to get more here.

I hope that you listen to the better part of reasoning and not just go for the almighty dollar. Remember, you've got a big investment here. A bigger investment than just a building and the ground that it's on. Thanks.

**CHAIRMAN GREGORY:**

Okay. Thank you. We don't have any more cards, but is there anyone in the audience that would like to come to the podium, make some comments? Okay. Next, I'm going to invite Ben Zwirn and members of the County Executive's Office to come up and talk about the state of our budget.

**MR. KOVESDY:**

Good morning. Allen Kovesdy, County Exec's Budget Office. Fred Pollert asked that I present this letter to you today. It provides a snapshot of the economic conditions that affect the budget and Suffolk County from the day that we put the budget print to yesterday at five o'clock in the evening. It lists the four major categories of concern, which I'm sure you are all very well-versed in.

It deals with the State budget, the fact that the Governor will be calling the Legislature back to deal with the shortfall of the State. It deals with the housing market, it deals with the economic conditions, and it also deals with the problems in the securities market.

The basic theme of the letter is that the County Exec's office would like to work cooperatively with the Legislature, the Budget Review Office, so that when the budget is finalized that the revenues and the expenses form a strong basis of strength for the County for 2009 going into 2010.

Ben and myself would be happy to address any specifics in the letter or any general questions you might have on the budget. We know this is the first time you've had a meeting since we presented the budget. I know Gail will be coming out with a detailed report next week where she'll go over all the line items in detail. But we're here. We would give you this opportunity to address any, you know, general questions that you might have. Thank you.

**MR. ZWIRN:**

And if I just might add, is that we're here just to -- we don't really have to remind you, if you read the newspapers everyday and you listen to your constituents, you know how bad things are. We had the largest bank failure in our history with Washington Mutual, Lehman Brothers going out of business. People are concerned about -- governments are concerned about going out on bond issues, is anybody going to be out there to buy them.

The fact that this past summer we came back and asked you -- asked the Legislature to come back time and time again for special meetings to try to get the tobacco securitization deal done has proved very fortuitous. Today if we had to go out and do this deal, if we had waited, it would be very problematic as to what the results would be. Certainly we would have to -- it would have cost us a lot more if we could have sold the issue as it is.

So we appreciate your work over the summer. It was not done in vain. We are in uncharted territory this year. It is a serious problem. The national -- I know Allen was working on a report yesterday. The Stock Market was down about 800 points while he was doing the report. It kept getting worse and worse. I think it finally closed about 350 points down, but this was after the bailout plan was approved.

These are very, very difficult times for everybody in this country and the people here in Suffolk County. So we just ask you to be mindful as you go through the budget process. We're here to work you with on all the issues that are before you and hope that we can come out with a product this year together that will help the taxpayers in Suffolk County. And we're here to answer any questions you might have.

**CHAIRMAN GREGORY:**  
Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. Mr. Chairman. Good morning. I was concerned with -- I've been -- what I see in the media where the Governor of the State of New York has now stated that sometime maybe late November, early December, the State will have to be considering additional cuts. Seventy percent, I believe, of the State budget involves aid to local jurisdictions. And I wanted to know, Allen, if you have any thoughts on what you think the impact of those proposed cuts in further revenue review from the State may do to our budget.

**MR. KOVESDY:**

I can just give you general philosophy. The first cut the State did this year was a 2% cut where they left most programs alone. They came back in August and they did a 6% cut. This cut was even greater. It went into the Youth Bureau, went into Veterans, went into some Social Service areas that previously were left out. The State came out with a report on October 3rd, which we reference here, you can get online. They're saying conservatively they need \$1.2 billion to balance the budget between now and March 31st. We fully expect that part of that cut will be passed on to the County. We're not sure where. The only saving grace in the last cut was it was on all future claims. It didn't go retroactively back to April 1st. So our major concern is 2009, not 2008, because the full impact will carry in there.

We're concerned in the aging programs where we provide services where the State has been cutting back. We're concerned if they go into the Medicaid areas in Social Services, the discretionary areas. We really don't know, but they have been broadening the area. We're concerned that they're going to areas like Day Care. As of right now, we have no feedback whatsoever other than the report that the State Budget Office put out two days ago.

**LEG. D'AMARO:**

And cuts were made in aid to day care; is that correct?

**MR. KOVESDY:**

Yes, sir.

**LEG. D'AMARO:**

Yeah. So it's possible or almost foreseeable at this point that we'll go through our budget process here, we'll craft our own Operating Budget, and then soon thereafter, that Operating Budget, depending on X amount of State pass-thru grants, aid, whatever it is, that could change. And if it does, then we're left with -- what's our -- what's our remedy in that situation? What do we do?

**MR. KOVESDY:**

Well, it's our hope that collectively the numbers in the budget are conservative and give us flexibility. That would be the only realistic answer I have, because we don't know what the extent -- what the extent of the cuts will be, whether -- there's a law that it would take a supermajority of the Legislature to pass on any cuts. I know that, you know, our direction right now has not been to pass on any cuts to the taxpayers. So we hope to do a conservative budget with strong fundamentals.

**LEG. D'AMARO:**

It will take a supermajority to pass that on to taxpayers, or we could, of course, do the corresponding cut in services.

**MR. KOVESDY:**

Correct.

**LEG. D'AMARO:**

If it affected services.

**MR. KOVESDY:**

Like what happened with day care.

**LEG. D'AMARO:**

Right.

**MR. ZWIRN:**

If I might add, Legislator D'Amaro, back in the early 90's -- maybe Legislator Barraga will remember, he was in the State Assembly back then -- there were cuts made after the -- the Town of North Hempstead, when I was Town Supervisor, we did our budget, then the Legislature went back into Special Session when Governor Cuomo called them back, and they made additional cuts. And I had a \$7 million General Fund tax levy. And at the end of the year with less than two months to go in the calendar year, we lost an additional \$2 million in State aid. So we wound up going forward with a deficit that -- there was just no way to cut \$2 million in two months in a town. It was impossible. And -- so it's happened before, and it's not -- it's not pretty.

**MR. KOVESDY:**

Yeah. Our major concern is the April 1st, 2009, to the end of the year, because we don't know what they're going to carry forward. It's two budgets. It's the amending of this year's budget, and it's their 2009-2010 budget, which will affect the County. So that's a double concern that we have.

**LEG. D'AMARO:**

All right. I had one other question while you are here. The proposed budget included some additional funds allocated towards debt services above and beyond what the securitization permits called for. Is that accurate?

**MR. KOVESDY:**

I really don't know the answer. I'll go back and research it and get back to you, if you like. I don't know off the top of my head. I don't know, maybe Gail does. But I don't know off the top of my head.

**LEG. D'AMARO:**

Okay.

**MR. KOVESDY:**

I'll check it out for you.

**LEG. D'AMARO:**

All right. Thank you.

**CHAIRMAN GREGORY:**

Legislator Barraga.

**LEG. BARRAGA:**

Thank you, Mr. Chairman. A number of us on both sides of the aisle now for the last year or so have been very, very concerned about the fiscal plight of not only the County but the State and the nation. And as Mr. Zwirn has pointed out, if you take a look, especially over the last several months, how fast this has moved in a negative frame. It is almost overwhelming. You know, the question is, you know, is this sky falling. And basically, I've been a bull all my life. The reality is, the sky is falling. And we've seen it happen, even from one meeting to the next.

And we talk about, you know, it really started with, you know, Bear Sterns, and then you moved on to Fannie Mae and Freddie Mac, and you've seen what happened to a number of other companies; AIG, all right. And the Federal Government, even a couple of weeks ago, you know, when they passed this \$700 billion bailout, they had to pork it up with another 150 billion. On top of that, they have already spent or are obligated to spend, between these other entities; Fannie Mae, Freddie Mac, AIG, another \$400 billion. We're already one to one trillion four hundred billion dollars. And they're running the printing presses. The cash is generated.

It is a fiscal crisis unlike anything we've seen in the last 50, 60 years, and it will affect this County. The County Executive's budget, in my judgment, is conservative, but doesn't go far enough. We don't have any visibility in terms of what's going to happen here. When you see those people, CNBC and the networks and their economists and their brokers and their so-called fiscal experts, they don't know anymore in terms of what's going to happen with this economy than you and I. They don't.

The State of New York, 20% of all revenues come from Wall Street. As Mr. D'Amaro points out, 70% or whatever comes to Albany comes back to local municipalities, a lot less is going to come back. I was there in the early '90s when they made the cuts. What happens this late in the year, you don't have too many big pockets of monies left; Health, Social Services and Education.

If Paterson is calling for a Special Session of the Legislature November 18th to cut another \$2 billion, we are going to take a hit here. There's no escaping that. Unfortunately, when the Legislature met the last time, they didn't really give him what he wanted. He went from a 21 to a \$26 billion deficit. It's probably gone back even higher than that. There's just no way for him to determine that. Now, when he was in the Senate he was quiet. Now he's Governor, he has to take responsibility and he has to come out and be in the forefront of saying we're facing a rather fiscal disaster in New York State, which has an affect on every county, all 62 counties in the State, and every town, every village.

In Suffolk County, we have to shut this place down on the spending side. I've been saying that for months. I sit here voting no, no, no on all spending plans, not because I want to, because eventually, I don't want to get to a point where I have to lay off a thousand people in Suffolk County. Don't think something like that cannot happen. This thing can turn on a dime within 24 hours, 48 hours. You see what's happening day-to-day in this State and this nation and now worldwide. It looks like a global meltdown. And here you have a county of a million-five hundred

thousand people, population greater than 22 states. We're a big County, we're a big entity. We can be easily negatively affected.

This is not about partisan politics anymore or individuals, who you like, who you don't like. This is all about money and money that is not going to be there. So I advise or suggest to my colleagues as we move along here with this budget that's been given to us by the County Executive, don't be adding things back. There's no dollars. Don't be adding things back. If anything, my own personal feeling, give him what he wants. Approve his budget as is. Hopefully it's conservative enough that he doesn't have to come back here in a month or two months -- and he may well have to -- for further cuts midyear. And where do you go? Do you raise taxes? Do you lay off people. Those are very, very difficult decisions. Some of the decisions we've made so far have been tough. But least we've made an attempt to close a \$150 million gap, which could break out again at any moment.

I guess the only question I do have, and you don't know the answer, is what the affect these cuts will have from the State of New York in a couple of months on this County. And you have no idea, and you shouldn't have any idea. Because there's going to be instant shock I know for school districts, Health, Social Services, right across the board. And we can't backfill. We don't have the means to backfill at this end.

**CHAIRMAN GREGORY:**

Okay. Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Well, unfortunately, I share the gloomy outlook of my colleague Legislator Barraga. And it's not unfortunate that I agree with him, it's just unfortunate that I think he's correct. One of the things I wanted to ask you about, Allen, was sales tax. I know that in the County Executive's proposed budget, the -- I believe it was 2% growth he anticipated for 2009; is that correct?

**MR. KOVESDY:**

Yes.

**LEG. BEEDENBENDER:**

All right. The last number I saw for the last sales tax report was about one and a half; is that right?

**MR. KOVESDY:**

We got a check in two days ago. Pleasantly, it was above last year. It was \$1.2 million above last year. We're running now about 1.2, 1.3% over last year's budget. That's down from the 2.25 we budgeted, so we're hopeful that we have enough of a cushion to offset anything in the end of year and we'll come in at the 1%. I just want to caution everybody that 2% is above the reduced 1% for the year. It's not over the budgeted amount, it's above the estimate. So it's 2% over a lower number. But right now we're still on target as of the check. You are going to get one more check --

**LEG. BEEDENBENDER:**

How can we be on target, though, Allen?

**MR. KOVESDY:**

Because we've reduced the numbers for this year.

**LEG. BEEDENBENDER:**

Okay. You reduced the numbers. Okay. I see what you're --

**MR. KOVESDY:**

We all agreed that it would come in around the 1%.

**LEG. BEEDENBENDER:**

Well, I guess my question would be -- and this kind of plays off something that Legislator Barraga

said -- that I think Steve's budget was conservative, but I have trouble -- and I'm not an economist, but I have trouble seeing how we're going to hit 2% next year. And is it still the general rule -- general rule that every 1% is a \$10 million hit just about?

**MR. KOVESDY:**

Yes. Well, we were hopeful when, you know, we crafted the budget, you know, we know that Tanger Mall is opening on the 23rd of this month. There are 60 stores originally, there's another 15 that are opening. We're hoping that that would be a significant push. Our research shows that they provided that -- they hope the majority of people will be coming from Nassau County and even buses from Queens and Brooklyn into Tanger. So we're hoping that that would be an influx. We're also hoping that with the price of gas dropping that people will spend more on retail sales. We were hoping.

**LEG. BEEDENBENDER:**

I don't disagree with the theory behind it, I just -- where I would disagree, I suppose, is I -- and this isn't a criticism of the budget. You know, the Legislature gets the benefit of another almost quarter of information on sales tax over and above what the County Executive gets when he has to submit his budget. I just think that as a Legislature -- I know I've sat through a couple of the working group meetings -- I think the more appropriate path for us to take before we start talking about what we can possibly back or what -- if we might have different priorities than the County Executive is to look at that number, because when you talk to people, people are almost at the hiding-it-under-the-mattress point, because they don't trust the banks, they don't know -- you know, there are people -- I've spoken to people in the past couple of weeks that have taken hits in 401Ks that equivalent to -- equivalent or more to a lot of people's yearly salaries.

So I think the appropriate spot to take would -- path to take would be to start with what do we really think is the sales tax, because I think it would be foolish of us to go forward and start adding things when we could realistically believe that there is a \$10 million hit, if not worse, that we're going to be taking in this budget just out of the box. And like I said, it's not a criticism, it's, I just think, a realistic situation.

The only other point I wanted to make, we talked about the bond markets a little bit before. For those people on this committee that are not on the Public Works Committee, later today, Rich Tortora, our financial advisor, is going to be coming down. And he is coming to Public Works because this has a dramatic affect on our ability to actually have serial bonds purchased. And we have a hundred million dollars in serial bonds going out in November, we have an \$85 million DTAN going out this month, and possibly a \$300 million tax anticipation note going out in December.

And my concern is that two weeks ago, nationally, people went out for about -- governments went out for about \$6 billion worth of bonds and \$100 million got sold. So I guess my concern both for budget and for Public Works projects -- because that has a double hit; if we don't prime the pump, as you would say, and put projects out there for people to work, then less people are working while we're doing less work. And I just think that this has a potential to cause a spiraling problem to spiral even faster. So for anybody who's interested that is not on that committee, please feel free to come, because I had a long conversation with Rich last week, and I guess it has put me in the appropriate doom and gloom and sour mood, because this is bad situation.

If we can't -- I mean, between now and the end of the year, this County is going to try to sell almost half a billion dollars in bond in a climate where the nation didn't sell half a billion dollars in bonds. And we need that for cash. We need that to meet payroll. And we're not there yet. And the good news is we didn't get involved in any of the really bad things like Nassau did or Jefferson County, Alabama. But we are in about as good a position as we possibly could be to face this, but we still are in a bad spot because it's so bad.

**MR. ZWIRN:**

If I might add, if the Legislature looks at the budget and decides to be more conservative on sales

tax estimates going forward, in light of recent events, I don't think the County Executive would -- would have any quarrel with that.

**LEG. BEEDENBENDER:**

Can I just ask Bob a quick question? Bob, you are much more knowledgeable on this than I would be. So I was talking about the sales tax, and I mean, I know you're putting together a model, maybe you're not there yet for the report that you're going to give to us probably in a week or so, but could you just talk to me about sales tax and where you think it's going?

**MR. LIPP:**

Sure. Okay. We aren't quite there yet. That being said, preliminarily, it's -- as has been stated here, these are very difficult times to read in part because we are facing a situation where historically we don't see, okay, we've been there before and here's how we've gotten out it, we get it. This is not the case here. It's worldwide, and we keep on getting more negative news on almost a detailed basis. For instance, just yesterday, we went from it was a US problem to okay, now Europe is falling apart. And, you know, where is the next shoe? Perhaps the credit markets. You know, a lot of people have a lot of debt, they're not spending a lot in part because they have high credit card debt. They need to get their debt levels down.

That being said, the consensus, which remains to be seen, because, like I said, you know, the projections change on a daily basis is that we'll start to pick up and improve in the second half of next year. If that was true -- one of the largest words in the English language, if -- then the 2% should be a good number. Of course, that's a risky proposition. It looks like the 1% is probably pretty good for this year subject to -- Friday we should get our -- the last check of the quarter. And it's a quarterly system the sales tax, so the preliminary checks really are sort of odd numbers. It's the final check of the quarter that counts.

So subject to how we do with that check, which have a lot of weird adjustments in it, we'll have a better idea. But it looks like at this point, 2008 sales tax number in the recommended budget looks pretty decent. The 2% is -- can we do it? Yeah. Is it a risky situation? Yes, because, like I said, very volatile. The rule of thumb, by the way, is -- for the General Fund now is 11.2 million per 1%.

**LEG. BEEDENBENDER:**

Okay. Just to add the one point on there, just to close the thought out, I would rather -- knowing that New York State is going to cut -- cut back to Suffolk County and guessing that that could have an impact of anywhere from five to 15 to 20 million depending on what they cut, and that's just talking about the County, never mind what's going to happen to people's school taxes, I guess it would be -- my approach, I think, would be better, to be conservative in as many places as possible, because if we know we're going to take another \$15 million hit, why budget what we think could be another 11 million, or, God forbid, more than that?

I would rather be pleasantly surprised and maybe even be able to restore some things as we go than to cut now and realize later that we have to cut even more. And I think there would many people around this horseshoe that would think -- believe that we're already at the bone. And I don't know -- you know, you've got to keep cutting through at some point. So I would rather put together a plan that estimates that -- forget rainy day, you know, we're talking about locusts. You know, I'd rather anticipate that and then adjust from there than having to keep going back, so.

**CHAIRMAN GREGORY:**

I think Legislator Beedenbender brings up a good point about the bonding. I know on the town level having been a former town employee, they notoriously underfund their lines for snow. So -- and then a lot of times they have to go out for bonds. So if you're going to have difficulty getting bonds just to plow the streets, I mean, a good snowfall costs a million dollars. So you're going to have to shift funds. I'm not sure if the County's policy is similar to that, but, you know, clearly we're in a tight fiscal economy, it's going to impact the budget on many levels, we have to be frugal where we can, but I believe as government, we have a certain responsibility to provide essential services. And

we have to make policy decisions on where our tolerance levels are. But clearly, we're all going to have some important decisions to make in the near future. Legislator Romaine.

**LEG. ROMAINE:**

Thank you, Mr. Chairman. Obviously, when the Executive's staff put together the 2009, Operating Recommended Budget you did not have all the facts you now have that change every single day in a very rapidly changing environment in which the economy seems to be taking some major hits. Is the budget you presented to this Legislature the third week of September, is it sufficient to see us through if it was adopted without change for 2009? Is it sufficient? Can you give us assurance -- knowing that we're -- and I understand we're in a very rapidly changing environment.

**MR. KOVESDY:**

Ed, I can't give you assurances on what the Stock Market is going to do.

**LEG. ROMAINE:**

I know that.

**MR. KOVESDY:**

You know, we're very concerned that the cost of County contributions to pension funds is going to go way up if the Stock Market goes down. I just said, everybody knows the saving grace for the County for the last 15 years is the shrewd investments on the pension funds, which have lowered the County contributions. If that goes the other way, it's going to be tremendous increase for the County. But we stand behind the budget that we're presenting based on the information that we have now. But if things change, you know, they change. I can't --

**LEG. ROMAINE:**

Can I make a request then? If things change and they change on a day-to-day basis, and today is October 7th, and four weeks and two days from now on November -- four weeks and one day from now on November 5th, we'll be voting on a budget. Can you provide us a list of additional changes between now and then at any time that you would recommend in addition to the budget you presented? Because I understand what you are saying, you obviously can't predict the future. But obviously, if there are additional changes, what I would want to see from the Executive Branch is, yes, we made these recommendations as of the third week in September, but here is an amended additional recommendation for the Operating Budget that we now see we would be prudent to recommend to the Legislature. Can that be done?

**MR. KOVESDY:**

All I can say last is the two paragraphs of this letter, in it, Fred and staff strive to work with the Legislature to give you the information that you need to present a budget. The Legislators call -- if the Legislature, the Committee, the Presiding Officer would like the office to work with us -- with you, we would be more than happy to do it. This is basically what we're trying to do. We're trying to provide you the information on a daily basis with what's happening. I know Connie is in contact with Gail all the time. We'd like to work cooperatively to get the best document. It's the Legislature's call on how they want to use the County Executive. It's not our call to intercede on your behalf.

**LEG. ROMAINE:**

We read about him every day in the papers and his missives through our various members and our Presiding Officer. Let's talk about sales tax.

**MR. KOVESDY:**

I'm trying to give you an honest --

**LEG. ROMAINE:**

Let's talk about sales tax growth, because that was mentioned before. Right now, your 2009 Operating Budget is projecting what in terms of sales tax growth over this year?

**MR. KOVESDY:**

We're projecting 1% over this -- over -- this year, we're projecting 1% over 2007.

**LEG. ROMAINE:**

What are we projecting for 2009 was my question.

**MR. KOVESDY:**

Two percent growth over the 1% this year. Two percent.

**LEG. ROMAINE:**

Two percent growth is what you're predicting?

**MR. KOVESDY:**

Yes.

**LEG. ROMAINE:**

So you're saying that sales tax if you look at 2008 and you look at 2009, at the end of 2009, 2009 should have grown 2% over whatever was collected in 2008; is that correct?

**MR. KOVESDY:**

Over the number that we estimated in 2008, yes.

**LEG. ROMAINE:**

So it's a 2% growth?

**MR. KOVESDY:**

Yes.

**LEG. ROMAINE:**

Do you think that may be one of the things that you may want to revise if you speak to this Legislature between now and November 5th?

**MR. KOVESDY:**

I think we'll give you an analysis after the adjustment comes in. You get the adjustment, as Robert said, in two weeks. That will give us a better idea. We're flying blind without the third quarter numbers.

**LEG. ROMAINE:**

Okay. I understand that you're not the Comptroller for this County that is responsible for doing borrowing, but Legislator Beedenbender raised several points about the multiple -- the multitude of borrowing that we're planning to do between now and of the year, including \$85 million to cover delinquent taxes. Obviously, we don't have a program to sell tax liens in this County now. So we have to cover -- we have to cover those delinquent property taxes for all the other municipalities; the ambulance district, the fire district, the school district, the towns, the sidewalk district, the water district, whatever other little entities that are out there. When people don't pay their property tax, we make the entities whole. And we're going to have to borrow 85 million for this. What does our prospects look like for borrowing -- since we're going into the market I assume in the next week or so.

**LEG. BEEDENBENDER:**

October 28th is the date.

**LEG. ROMAINE:**

Okay. Two weeks, okay.

**MR. ZWIRN:**

Rich Tortora is going to be here this afternoon. He might be better able to speak to that.

**LEG. ROMAINE:**

All right. Let me ask you this: I read in today's Newsday the article entitled, *Levy: Don't Use Reserve Funds*. And in that article, and I want to quote, because it caught my attention. In fact, I mentioned it to Legislator Barraga. The County frequently borrows from the Reserve Fund for short term purposes, but is required by State Law to repay this. And it indicated also later on in the article that if we had difficulty borrowing for the DTAN that it could tap the Tax Stabilization Reserve Fund.

You know, it appeared in Newsday. Obviously, with Rick here, I always believe Newsday. But I wanted to ask about what is the procedure for borrowing from the Reserve Fund? Because if the County Executive says don't use the Reserve Fund and yet we're using it to do borrowings throughout the year and the Legislature is unaware of it, I don't know what the procedure is. What is the procedure? Could you tell me what the procedure is to tap the Reserve Fund, to use the Reserve Fund throughout the year and borrow against it? Is there a set procedure?

**MR. KOVESDY:**

I know that the County moves money from fund to fund, but I think the -- I think that's a better question to ask the Treasurer than it is to ask me.

**LEG. ROMAINE:**

I will tell you, and our Counsel is with us today, I am going to ask him to draft a resolution that would prevent the use of any money from the Reserve Fund to be borrowed without a two-thirds vote of this Legislature. I think Legislative oversight of the Reserve Fund is absolutely critical. I say, and I join the County Exec, don't use the Reserve Fund without the appropriate authorization of this Legislature.

I don't know if we have borrowed or we haven't. It appeared in the newspaper, and I'm saying, wow, I never knew we borrowed against the Reserve Fund. Obviously, when you borrow against the Reserve Fund, there should be some checks and balances in place. I believe that Legislative oversight over any borrowing -- so my message -- I know the County Executive said to the Legislature, don't use the Reserve fund. As a Legislator, I'm saying to the County Executive, don't borrow against the Reserve Fund without the approval of at least a two-thirds vote of this Legislature. Because I'm a Legislator, I don't know that we're borrowing against the Reserve Fund that we've set aside. So I just want to raise that concern. I'm going to ask Counsel if you would draft that resolution that would say that before the reserve funds can be used and borrowed, that a two-thirds vote of this Legislature is required. Thank you.

**MS. VIZZINI:**

Mr. Chairman.

**CHAIRMAN GREGORY:**

Gail.

**MS. VIZZINI:**

If I could just clarify on that. Each year the Legislature does authorize by resolution -- or reauthorize the authority for the Treasurer to borrow from within the County for our own cash flow needs. We've done this for many, many years. And it is -- it's basically what it is since the General Fund pays so many other funds, we borrow from Assessment Stabilization Reserve, Water Quality Fund where there are large balances of cash sitting there, including the Tax Stabilization Reserve Fund. We do pay back with interest. So far this year, the Treasurer has borrowed -- we just looked at this the other day -- over May and June, \$71 million to make the General Fund whole, which was paid --

**LEG. ROMAINE:**

What is the interest rate that we pay ourselves?

**MS. VIZZINI:**

Two percent.

**LEG. ROMAINE:**

We pay ourselves 2%.

**MS. VIZZINI:**

Yes.

**LEG. ROMAINE:**

What is the investment rate that we would be getting had we deposited those monies in the bank?

**MS. VIZZINI:**

It varies with the market rate, but it's somewhere in there. You know, it's two, two and a quarter.

**LEG. ROMAINE:**

You're telling me on \$71 million -- I mean --

**MS. VIZZINI:**

We are earning interest on the cash.

**LEG. ROMAINE:**

I can go to Hudson City and for \$500 I can get a CD that will pay 4%. I mean, what you're --

**MS. VIZZINI:**

But the CD doesn't give you the liquidity that we would need.

**LEG. ROMAINE:**

Right.

**MS. VIZZINI:**

I mean, you're certainly free to, you know, require more scrutiny, but I just want to clarify for the record --

**LEG. ROMAINE:**

It's not a question of scrutiny, it's a question of oversight. What I think I'm going to do is I'll sit with Counsel and I'll establish a threshold where if we borrow from any of our reserve accounts, it would require a vote of this Legislature at a certain threshold. Because I think unless we start putting checks and balances into this government, we're going to have many of the same problems that we had in Wall Street, because at the end of the year, we could face a problem where we borrowed from reserve accounts and because the economy has tanked, we don't have the ability to pay back those reserve accounts. And that would result automatically in higher property taxes. And that's a major concern.

**MS. VIZZINI:**

If I didn't say before, the law does require that these funds be paid back by the end of the fiscal year or it is a misdemeanor. And we do everything practically possible to assure that we're in compliance with General Municipal Law.

**LEG. ROMAINE:**

Thank you.

**MR. KOVESDY:**

In addition, if I might add, the Cash Flow Committee consists of representatives from three -- four elected branches of government as controls. The Treasurer sits on it, the Comptroller sits on it, the Executive, I think BRO also sits on it and the Presiding Officer. So there is control in the cash flow, and that is known ahead of time. So there are checks and balances. I didn't want you to think that there aren't checks and balances. But they do meet on a regular basis to control that.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Allen, I just had a couple of questions with the -- with the memo. And I appreciate you bringing the various items to our attention. I'll save the day care for last. I was interested when I just scanned this and I read about Erie County's latest borrowing. Is that just indicative of what everything we've just been talking about, either the inability to vend or the fact that municipal bonds are just going at an ever increasing rate because folks aren't purchasing?

**MR. ZWIRN:**

If I might, from the article that I think that you were reading from, the second paragraph said, government, schools and hospital around the country tried to borrow a total \$6 billion last week by selling bonds on Wall Street. The sale of all but \$100 million.

**LEG. KENNEDY:**

I was talking about page three of Mr. Pollert's memo, Ben.

**MR. ZWIRN:**

This is where the information came from. It was a story in the -- in the paper about Erie County. And it wasn't just -- so it wasn't just Erie County, it was everybody.

**LEG. KENNEDY:**

Is there any other counties in New York that are having a similar experience as this at this point? Anything that we know of?

**MR. ZWIRN:**

I think we're looking right now. I think everybody is kind of very tentative about putting out any issues to see what's going to happen. But this is only one that I think we've been aware about. The State of California, you realize, they were looking, I think, for \$7 billion to make -- pay their bills, make payroll, pay the regular bills of the State of California. You know, the State of California is probably one of the -- would be one of the largest countries (sic) with a gross national product in the world. And they're having trouble paying their bills.

You know -- the good news in the County is that we took action early this year not knowing really how bad it was going to get. But, you know, the sale of the health plan, tobacco securitization, raising filing fees, we have done things and taken -- as Legislator Barraga said, we've already made some tough decisions.

Fortunately, we acted. You know, the sale of the health plan, you know, if this had happened later than sooner, maybe it wouldn't have happened, maybe we wouldn't have been able to get the financing in place to make the purchase. So we did act quickly over the summer, and that has helped us and put us in a much better position than Erie County. But we're going to find out fairly soon, because I think as Legislator Beedenbender said, Suffolk County is in better shape than just about anybody else. And we're going to see what kind of response and who's out there to take our issues when we go to the market.

**LEG. KENNEDY:**

Okay. Thank you on that. The other question I have is, if we go to page four, when we talk about the continued slump in the housing market. Have things changed; does the County now receive a

portion of mortgage tax?

**MR. KOVESDY:**

The middle of the month we're starting to get it. I spoke to the Clerk yesterday, and we expect it the third week in October, we'll start to get that money coming in.

**LEG. KENNEDY:**

The County of Suffolk is now receiving a portion of mortgage tax collection?

**MR. KOVESDY:**

No, I'm talking about -- oh, I was talking about the final fee. I'm sorry. My misquote. I spoke to Nicole yesterday, and nothing has changed since we did the budget.

**LEG. KENNEDY:**

So then I guess what we're getting is an alert here not only for ourselves but also for our towns and for State Ed and all others that take under these revenue streams, because the County of Suffolk, as far as I know, we still don't take mortgage tax.

**MR. KOVESDY:**

Right. I'm sorry, I misspoke.

**LEG. KENNEDY:**

That's fine.

**MR. ZWIRN:**

And that's important because there are certain towns in Suffolk County that are not making their tax payments.

**LEG. KENNEDY:**

Ben, I saw that and I'm aware of that. For clarification purposes, I want to understand what's being presented to us.

**MR. ZWIRN:**

Two East End Towns in particular are really struggling.

**LEG. KENNEDY:**

Well, I've seen them across the board. I know Smithtown too, as a matter of fact, the Supervisor just made adjustments twice now during the course of the term in order to adjust for the reduced mortgage tax revenues. I just thought something might have changed and now the County was taking that directly. I wanted to clear that up, because that's the impression I got when I read this.

**MR. KOVESDY:**

Part of the 10% comes -- the President of Coldwell Banker at a symposium made a statement that he feels that a 10% drop in the price of housing will be necessary for the markets to pick up, so that was part of the reason for that -- where that information came from.

**LEG. KENNEDY:**

And the other two items that we have in that category there with our property tax receipts, we continue to operate under this long-term notion that we will be made whole and better than whole by holding our tax delinquencies and actually recovering them rather than doing what some of us have talked about as far as vending the commercials and the vacants.

So we're consistently reminded that we're in a position where we're seeing a reduction, but philosophically, we've resisted doing any sale of property tax liens. So it's kind of like, you know, what's good for the goose is good for the gander.

**MR. KOVESDY:**

That's true. If you just peruse the narrative where we discuss it, we've had three years now where the property tax receipts have been lower than budgeted. So we're hopeful that that money will start to come back in and help us achieve the number in 2009. And we make that statement, because we've had two really bad years, and the year before we got a payment on the last day, which boosted us up. So we're hopeful that after three bad years, that money will start coming up -- coming back in and reach the 98% level and make the County whole, and hopefully even better.

We were very conservative, just to let you know, on the interest. We've kind of said even if things are bad, we hope that we get the interest and the penalties. So we tried to cover ourselves on both ends of that. We were very conservative on that number, John.

**LEG. KENNEDY:**

Well, I appreciate the conservatism, but, however, as all of us are sitting here and cognizant of the fact that we're in a new time where business as usual needs to be thrown out the window and we need to return to core missions, perhaps we may be able to revisit this dialog of possibly vending some of those delinquencies so that we can address our immediate cash needs, because who knows what we're going to look like in two or three years from now. I throw that out as an offer. I'll yield.

**CHAIRMAN GREGORY:**

Okay. One question, Legislator Barraga.

**LEG. BARRAGA:**

Very quick question. I've read and you mentioned this morning with reference to your comments with reference to the Tanger Mall opening, and certainly we're all hopeful that they do well when they open. It depends on what disposable income is really left for people to go out and buy especially during the holiday season. So I don't know what you're putting down or have in mind in terms of additional revenues from Tanger, but understand something, and I'm sure you do, that if I am shopping at Tanger, I am not shopping someplace else. So there will be stores that will suffer because Tanger is opening.

**MR. KOVESDY:**

We took that -- we tried to take that into consideration. We also tried taking into consideration the US Open will be at Bethpage, the Black Course, and that they're going to be running people from there to Tanger. That also picked up -- the last time it picked up all the hotels and motels within 30 miles that had complete occupancy for that period in June which usually wasn't. So we picked up something for the US Open and we picked up something for Tanger. Again, we did this budget -- you know, the sales tax was put to bed the second week in September. A lot of the stuff has happened since then.

**LEG. BARRAGA:**

It's just that historically, when these new shopping centers open, they usually do very well, but at the expense of someone else.

**MR. KOVESDY:**

Yeah. We're hopeful the expense is Nassau County not Suffolk.

**CHAIRMAN GREGORY:**

Okay. Legislator D'Amaro has been waiting very patiently.

**LEG. D'AMARO:**

Thank you, Mr. Chair. Once again, in my initial questions I was concerned about State budget cuts prospectively in November and the affect it would have here in Suffolk County. I'm a member of the working group working on the proposed budget as submitted by the County Executive. The mindset that I'm trying to bring to that process is that we need to go back to core functions.

You know, when the sky is falling, when we're in difficult economic times, government still serves a purpose. There is a certain limited amount of revenues available to us, and I think we have to first set our priorities at the core functions, not necessarily shut down the spending, but certainly look to make some cuts perhaps, and certainly not increase our spending in difficult economic times. And that brings up all of these issues that we'll be exploring in the next couple of weeks, whether it involves the nursing home in Suffolk or maintaining the police force and at what level and issues like that.

But I wanted to get a little past that. And one of the things brought up here today was the Reserve Fund by Legislator Romaine. First of all, you know, as far as borrowing, do we borrow against the Reserve Fund or do we actually take the cash out? Do we collateralize it or do we take the cash out?

**MR. KOVESDY:**

We move cash from fund to fund.

**LEG. D'AMARO:**

Has the Reserve Fund ever been depleted and not repaid?

**MR. LIPP:**

Actually -- no. If you look at this years for instance, when we borrowed 71 million, as Gail had said, it was only for two weeks. And paid it back with interest. Currently, we also have another 30 million --

**LEG. D'AMARO:**

Who made that decision? Who made the decision to borrow the 71 million?

**MR. LIPP:**

There's a resolution, as Gail said, to authorize the Treasurer to act on the County's behalf. And they do an analysis, a cash flow analysis, and they see what their needs are.

**LEG. D'AMARO:**

So we pass the resolution giving the Treasurer the flexibility and authority when managing cash flow to tap into that fund on a short-term basis with interest?

**MR. LIPP:**

Basically.

**LEG. D'AMARO:**

Okay. Well, just -- Legislator Romaine, when you have Counsel draft that bill, I will not be supporting it. I think we need to give the managers on a day-to-day basis the flexibility as long as they do it within the parameters of the law.

**LEG. ROMAINE:**

With the Chairman's permission. You have yet to see the bill. Obviously, what I'm going to do is put some triggers in there in terms of various amounts. I don't think passing a one time blanket resolution near the beginning of the year authorizing anyone to borrow any amount from any fund for any reason without oversight is a wise decision.

So my resolution will put in some high level triggers if you're dealing with borrowing more than several million of dollars. And it will request that this Legislature, perhaps not by two-thirds but by a simple majority would at least approve such transfers. Also, I'm interested in how we collateralize these accounts, I'm interested in the interest we pay, what the prevailing interest rate is in the market place. These are all things that I'm starting to work on now.

And again, I want to thank Newsday, as he leaves, and his colleague Reid Epstein, for making me aware about the Executive's message, because my message to the Executive, to the Treasurer, the

Comptroller is very simple. I think we need some form of a Legislative oversight. I don't know where that is. I'm certainly going to consider that in the next couple of days. I certainly want to invite the Budget Office, the Executive's Office, the Budget Review Office to offer their opinions and advise. But I am going to do a bill, and I welcome your input too.

**LEG. D'AMARO:**

Well, I just see it as not so much oversight as overkill. I mean, you have --

**LEG. ROMAINE:**

I want to avoid overkill, but I do want to have --

**LEG. D'AMARO:**

Hold on. You have independently elected officials charged with the responsibility of doing exactly what you are saying they should be doing. There's never been a problem in the past. And any trigger amount that you may pick is arbitrary. So, you know, whether it's 7 million or 71 million, if that's what the cash flow needs demand as determined by independently elected officials, what judge -- are we going to replace our judgment with independently elected officials? I mean, where would we go with that.

**LEG. ROMAINE:**

No. We would never replace our judgment. What we would instead put in is some checks and balances where the Treasurer and the Comptroller or the Budget Office or the Budget Review Office comes and says, this is why we are doing this, this is what we need, this is the rate of interest we're paying, this is how collateralized this, and this is when we intend to pay the fund back. Because if -- obviously, the Legislature shouldn't use the Reserve Fund, then I think the reserve funds and dedicated funds should not simply be available for cash management without some minimal oversight, not a one-time --

**LEG. D'AMARO:**

But we have the oversight already. There is a commission or a board established with elected officials who have knowledge and responsibility for that Reserve Fund to provide that oversight. We as a Legislature give that authority and I think rightfully so to that board and to these independently elected officials to make cash flow management systems. I think that's the way this system should be working, and I think those are checks and balances. That's my only point.

**LEG. ROMAINE:**

I don't disagree. I think there should be an additional level of checks and balances. And as far as that committee or commission is concerned, I have never once in the archives of Suffolk County in the 24 years I've been an elected official received a report, read a minute of the Legislature where this commission reported on their activities.

So I have to tell you either we're a policy-making body of this County or we're not. So I welcome any input that you have in terms of triggers, in terms of the types of additional minimal oversight that should be exercised. But a one-time blanket resolution at the beginning of the year leaves me pondering whether there should be some more. I'm going to work with Counsel. I certainly will invite you. This is not going to be a rush job. Budget Review, Budget Office, the Exec's Office, I welcome their input.

**LEG. D'AMARO:**

I just want to make one more point that when you borrow the cash from the Reserve Fund on a short term, subject to the oversight of independently elected officials, that is a very different use of that fund than what we're talking about here in the budget process of spending the money. I mean, that is a completely, completely different use. So to say, you know, the County Executive is saying don't use the Reserve Fund, but he does, what the County Executive is saying there is don't spend the Reserve Fund. And I want to ask a question about that in a moment. He's not saying don't borrow it short term for cash management. And that's just, you know, mixing apples and oranges in

my view.

But anyway, I want to get -- I want to get past this issue. I have a couple of other quick things, Mr. Chair, if you don't mind. One -- you need two and a half percent to get into the Reserve Fund. The County Executive has proposed not to do that or chosen not to do that making policy decisions in the proposed budget. What is 1% increase equal to the average County taxpayer in dollars in the General Fund?

**MR. LIPP:**

Okay. If you are doing 1% as opposed to you need two and a half percent, as you said, to trigger -- if you did 1%, that would be equivalent to 92 cents to the average homeowners, other things being equal. So we'll say a dollar, round it off.

**LEG. D'AMARO:**

So two-fifty roughly or a little less for two and a half percent.

**MR. LIPP:**

Two dollars and thirty cents is on two and a half percent. So you raise it by two and a half percent, which is, like, one point -- less than \$1.3 million. That winds up being \$2.30 cents to the average homeowner. At that point, should you choose policy issue, you could then access the Tax Stabilization Reserve Fund.

**LEG. D'AMARO:**

All right. So two and a half percent property tax increase to the average taxpayer would equal roughly \$2.30 cents to the average taxpayer.

**MR. LIPP:**

Yes. It should be clear that to the average taxpayer we're talking just the General Fund, we're not talking the Police, for instance, which is in the neighborhood of \$450 million. The General Fund tax is just over \$51 million.

**LEG. D'AMARO:**

Right. So the impact in the Police District of a corresponding increase would be much more significant.

**MR. LIPP:**

Yes. But the Police District cannot access Tax Stabilization Reserve, so there's no --

**LEG. D'AMARO:**

I'm not saying that. Right. Just by comparison though. I represent a portion of Babylon, I represent a portion of Huntington. Both towns have announced a property tax increase of roughly between two to three and a half percent, I believe. The impact dollar wise on the town level would be less than the impact on the County level, 1%, or do we not know that?

**MR. LIPP:**

I'd have to run some calculations. I'm not sure, because their budget is different, and actually their -- you know, their tax base is obviously smaller than the County's. We'll have to get back to you on that. I can do the calculation for you, but not this minute.

**LEG. D'AMARO:**

You know, one of the things I'm concerned about is when we talk about \$2.30 or two and a half percent, you know, we hear talk about, well, it's really not a significant amount. Well, that's a relative subjective term. You know, people, as Legislator Barraga points out, who really believe that the sky is falling and are struggling just to make a payment or buy school supplies for their children may see that as significant. And we're going to have to grapple with that and I recognize that.

But what I want to ask you as an expert, as an economist, is when you have these cumulative increases, we can anticipate a problem with the State aid coming in after November, maybe tax increases at the school level, the town level, the County level, when you add it all up, what affect does that have on the economy? I mean, in other words, what I'm trying to decide is whether or not -- can you justify the increase -- maybe you can justify it in a dollars and cents way, but on a more indirect consequences of doing that, especially when other jurisdictions are doing it at the same time, what the impact? Does it -- does it hurt consumer spending? Does it hurt consumer confidence? We hear about these things on more of a macro level all the time, but would we be contributing to that?

**MR. LIPP:**

Well, I mean, it's clear, you know, higher -- first of all, higher taxes the more local you are have a more adverse affect, because people could vote with their feet. If they're at a higher level in the State or even the national level, that's not as much the case. So the impact isn't as great. That being said, it is very minimal whatever economic impact it is. It's a message thing, though, I get that. Part of the dilemma though is you're -- what you are doing is you're trying to balance what the economic impact is of higher taxes, which is an issue, no doubt, versus the viability of the budget.

We have issues structurally, long term, moving forward with balancing a \$2 billion General Fund budget on a \$51 property tax. That is a dilemma, okay? That being said, unless -- unless, you know, there are clear ideas as to how to deal with that problem moving forward, which has been accentuated by the short term gain we got from tobacco securitization, that's creating -- that further pushes out this long-term structural problem that we have to deal with on a fiscal level. Not a complete answer. There's a very, very minimal impact that the -- that this \$2.30 would have clearly on a homeowner. That's not really going to be -- it's a blip.

I mean, it's clearly, though -- you know, everybody needs to understand that globally, schools are two-thirds of the action, we have one of the highest property taxes in the nation. I think we were listed as number 12 in the nation among counties in terms of globally our property taxes, not the County, but overall. That's from your commission too.

**LEG. D'AMARO:**

Right. All right. Well, you know, I want to get -- I want to get a little past that also. I know there's no real set-in-stone answer to that question, I just wanted to get your thoughts on that. Let me take it a step further. You are going to two and a half percent, you increase the take to the County for the average taxpayer of \$2.30, what's the total? What kind of revenue are we looking at with two and a half percent?

**MR. LIPP:**

Okay. Well, it's, like, less than \$1.3 million. The point to be made, though, is that gives you the ability to access Tax Stabilization Reserve.

**LEG. D'AMARO:**

Oh, I understand that. I'll get to that in one minute. But the revenue generated or anticipated from the -- well, it's pretty much certain, because we know -- well, it's not really certain. I guess they have to still set the other rates, but it's about \$1.3 million that would be generated from a two and a half percent increase. That's a drop in the bucket also, given our, what, \$2.6 billion budget?

**MR. LIPP:**

Well, we're looking specifically here at the General Fund budget. We're just under two billion even.

**LEG. D'AMARO:**

So the rational then really for the two and a half percent would be then to get to the Reserve Fund, right?

**MR. LIPP:**

Yes.

**LEG. D'AMARO:**

Now, let me ask you this. What -- did you want to say something?

**MR. LIPP:**

Another good point is if you add to the property tax, which is a policy statement, then you are addressing the -- in part the fiscal problem of adding reoccurring revenues.

**LEG. D'AMARO:**

Oh, because it's a permanent --

**MR. LIPP:**

Albeit, only 1.3 million.

**LEG. D'AMARO:**

It's a permanent tax hike.

**MR. LIPP:**

It's not a one-shot because if you're raising the property tax, that's the new higher base. We're not getting to that yet.

**LEG. D'AMARO:**

So -- okay. I'll get to that now, the Reserve Fund, right? Now, let me ask you this. How much are we permitted to take from the fund if we go the two and a half percent?

**MR. LIPP:**

We could take it all.

**LEG. D'AMARO:**

There's no limit?

**MR. LIPP:**

Right.

**LEG. D'AMARO:**

Okay. How much should we leave there for cash management purposes, given the fact that your memo -- I'm sorry, not your memo, but the Budget Office says that taxes and borrowings this week sold 50% of a typical week, we're at the highest cost of borrowing in eight years, Suffolk last week for the County's backup plan -- we got called from a rating agency for a backup plan. You know, my concern is that -- and I'm not saying we're going to do this, but I want to know what the options are. If we tap that fund in our Omnibus Bill and then we get into a cash flow crisis, then what? What's the backup plan?

**MS. VIZZINI:**

Well, in addition to Tax Stabilization Reserve, we also have the Water Quality Fund, we have \$69 million in Assessment Stabilization Reserve. These are dedicated funds for specific purposes, just as Tax Stabilization Reserve is, but they're also cash cows. So you would -- and this is why the Comptroller does a cash flow analysis, the Treasurer does a cash flow analysis, and they borrow from within first in accordance with General Municipal Law and in accordance with our own, you know, legislation and Charter. Then when we need to, we go and do the \$85 million DTAN and the 300 million, which we will be borrowing in the beginning of '09 to address our short and long term needs.

**LEG. D'AMARO:**

Okay. That's a good answer. So there is -- there are other cash funds available that are significant. Whether they're sufficient is another story, but at least there's a significant amount in there. And historically they have been a sufficient amount.

**MS. VIZZINI:**

Yes.

**LEG. D'AMARO:**

Okay. All right. I just wanted to be sure. I didn't know that. Now, the next question I have is, okay, so if we tap this Reserve Fund and we use it to prop up the 2009 Budget, now we've established a new base in '09. What do we do in 2010 to replace the revenue from tapping the Reserve fund. Do you recommend we then again increase taxes two and a half percent? I mean, we're going to need it if it's the new base.

**MR. LIPP:**

Well, okay, the increased recurring revenue is however much you would raise property taxes theoretically in this discussion.

**LEG. D'AMARO:**

Right. The 1.3.

**MR. LIPP:**

Right.

**LEG. D'AMARO:**

Right.

**MR. LIPP:**

Right. Then however much you would in theory hypothetically decide to tap into the Tax Stabilization Reserve would not be recurring. That would be as is sometimes referred to as a one-shot, okay? The purpose of Tax Stabilization Reserve Fund is to stabilize taxes during hard times. Unless I'm mistaken, these are hard times, so that therefore, that's a consideration policy-wise what you want to do. Then you need to determine, okay, are times going to get better, do you have a plan, then structurally deal with that.

**LEG. D'AMARO:**

So the best case scenario would be that we see an improvement in the sales tax where we can meet the new base of make up for what we took out of the Reserve Fund without raising taxes again to get to Reserve Fund. I mean -- I mean, you have this trigger event to get to your one shot is the issue in my mind. Gail, go ahead. I'm sorry.

**MS. VIZZINI:**

You opened the door to the issue of the allocation of that sales tax; how much of that sales tax you allocate to the Police District, how much of that sales tax remains in the General Fund.

**LEG. D'AMARO:**

Which we have discretion over.

**MS. VIZZINI:**

As a separate coequal branch of government, at the time that you amend the adopted Operating Budget, you can exercise your discretion at that point.

**LEG. D'AMARO:**

Right. Meaning that we can free up more funds in the General Fund by obtaining the revenue in an increase in the Police District.

**MS. VIZZINI:**

That's one option, sure.

**LEG. D'AMARO:**

Okay. Last question. Let's assume we make policy decisions, we're, you know, doing our jobs, weighing out, you know, dollar and cents versus delivering core services and we need more funds to do that over what the County Executive has proposed, we go ahead, one of the things that I certainly am going to be looking at is, you know, where can we make additional cuts, if anywhere. And that's something that I'm sure the working group wants to look at as well.

But let's say we go the route with the two and a half percent and we accept that it's going to bring in \$2.30 or \$1.3 million cumulatively to Suffolk County, and we tap the Reserve Fund. What happens as far as our credit rating? Because it's always been my understanding that that is a major factor in the higher credit ratings to decrease our borrowings cost.

**MR. LIPP:**

It's not a simple question to answer, but, number one, obviously, it would depend on how much you would tap in. If you took the whole 130, they probably wouldn't look at that too well. If you took a small amount, I don't think that would be a major consideration. At the end of the day, they are going to not just look at that one thing and say we're going to give you an upgrade or a downgrade based upon that you tap, you know, a certain amount from there, whatever that might be. They will look at the overall finance of the County. And to be perfectly honest, from my understanding of reading rating agency report, they like it when you raise taxes, because it's, A, a recurring revenue, and, B, it puts your financial house in order. I'm not saying that you should be doing that. And personally, I don't subscribe budgeting by what the rating agencies say.

**LEG. D'AMARO:**

All right. Just one more point. The sale of tax liens comes up. Legislator Romaine, I think you have a bill pending. The first one on today includes that. And I was thinking about that as a source of revenue also. And I don't know if anyone knows the answer to this, but it's my understanding that the Suffolk County Tax Act would prohibit us from selling tax liens. Does anyone know the answer to that question?

**MR. KOVESDY:**

We did a pretty thorough analysis. It doesn't prohibit us, but it puts severe restrictions on the matter.

**LEG. D'AMARO:**

Let me see if I -- just, I want to see if we're on the same page. And I, Legislator Kennedy, you know a lot about this also. My understanding is that if you were going to sell a tax lien in Suffolk County, you would have to sell it for 100 cents on the dollar. You could not discount it, because the County is required to get full tax arrears, interest and penalties. So whoever buys the lien would then step into the shoes of the County and have to bring -- paying 100 cents on the dollar to the County, then would have to bring a foreclosure proceeding, sell the property at auction and then, if there was a surplus above and beyond the 100 cents on the dollar paid to the County, it would have to be returned to the owner of the property as a surplus. Is that accurate?

**MR. KOVESDY:**

I think that's my understanding also. There were -- from the proposals we got in and the analysis of them, we found that none of them met the criteria which the Legislature had addressed of getting sufficient funds to the County without endangering the long term benefits. So your analysis is very succinct, to the point.

**LEG. KENNEDY:**

Mr. Chair, can I add just a component to this only for illustrative purposes? The Suffolk County Tax

Act, unfortunately, I do know something about it only because I wrestled with it for tax delinquency purposes for the better part of nine years when I was in the Clerk's Office. It is permissive for the County of Suffolk to acquire all of the delinquent tax liens in the first instance.

There's a provision in the Suffolk County Tax Act that gives us, if you will, in essence a built in right-of-first-refusal. If we declined that right on a category or class of liens, then, in fact, they would be available to be vended. If they were vended, let's say vacant properties, and there were individuals who purchased for 100% of whatever the lien was, those individuals would then have the option whether to be made whole if a property owner elected to pay at another period of time prior to foreclosure or that individual could perfect their interest by foreclosing. Now, I think it's with Legislator Montano's resolution that we get to that obligation to make individuals whole beyond the amount of lien.

**LEG. D'AMARO:**

Even putting that aside, John, even if you don't meet the criteria in that resolution, it's my understanding that the Tax Act would then, if I were the foreclosing buyer of the lien, if I have a surplus beyond making me whole, it would still have to go back to the owner.

**LEG. KENNEDY:**

I'm not certain on that one. George, do you -- do you -- maybe Lynne. Does Lynne know?

**MR. NOLAN:**

Off the top of my head, I think the Montano law, I think, would only apply to the County sale. If we sold a lien, I don't -- I don't believe that the Montano law where you have to send money back to the original, I don't think it would apply, but I'd have to look at the statute again.

Just one other thing I wanted to say regarding the tax liens. I think one of the reasons that the -- when they put out the RFP on the tax liens why it wasn't going to generate enough revenue was I think there were very sharp restrictions on what liens we were going to sell, like, you excluded residential, and that cut down the amount of money the County could realize. But again, that was a policy decision.

**LEG. KENNEDY:**

And the residential was excluded because at this point, we don't have the ability to differentiate between owner-occupied and residential rental properties. And that's not something that necessarily, I guess, we need to go in right now since we're talking about that more mackerel. But nevertheless, there are revenues that could be realized out of that. Lynne, do you have anything to add to that?

**MS. BIZZARRO:**

I would say that -- I would tend to agree with George without having to look at it. I think it had to do with the auction sale so that the money would go directly back to the owner. With respect to liens, when I was in private practice doing that, you have to make an application to the court for the surplus, and the court would make that decision. And you can be a lienholder, another lienholder, perhaps even a judgment creditor, and you can be entitled to those monies. So it doesn't necessarily go back to the owner.

**LEG. D'AMARO:**

Well, there's a lot of open issues then if there are -- if there are subordinate lienholders on these properties, you know, what's the incentive is what I'm saying for someone to buy a tax lien 100 cents on the dollar, go through a proceeding, foreclose, sell at auction and not realize anything anyway, which is going to happen 90% of the time. That's my only point.

**LEG. KENNEDY:**

And you're right. Although, it has worked under the general tax collection statutes in other counties throughout the State of New York. There is a very active tax lien auction in vending that goes into

the private sector, and it is an opportunity. My point from before was that if we're being counseled against that, in fact, we only had an actual collection of 35 million on property tax revenue as against the projected 51 million and we're going to engage in a DTAN now of possible 85 million reflective of those two or three years worth of below projected collections, we do that with eyes wide open saying we continue to embrace this policy going forward that we're getting some kind of gain. As my colleague, Legislator Barraga, points out to us, the house is on fire right now, right now.

**LEG. D'AMARO:**

All right. Well, thank you, Mr. Chairman. My only point in that whole thing was really I think you need State Law modifications in order to go ahead with the tax lien sales. So it's a not a, today, in my mind, a serious source of revenue for this budget cycle. Mr. Chairman, thank you for the time. I appreciate it.

**CHAIRMAN GREGORY:**

We are about an hour and 20 minutes in. We haven't gotten to the agenda yet, but I'm going to let --

**MR. KOVESDY:**

Just two quick points. Number one, we did include residential on it. And the best return was 72% from all the counties in New York State that we polled compared to the 98% we were getting back. And that the town part of the tax warrant is 19.6%. The County general and community is 1.3% of the total tax warrant. The Police District is 9.8%. You had asked that question and we had had that number for you.

**CHAIRMAN GREGORY:**

Thank you.

**MR. KOVESDY:**

You're welcome.

**CHAIRMAN GREGORY:**

Legislator Barraga.

**LEG. BARRAGA:**

Just very quickly. Just a statement. I think the fundamental question here is how do we want to be remembered in terms of how we dealt with this fiscal crisis. Do we want to put ourselves in a situation where in the end all we did basically is raise taxes? I mean, wasn't the point of all the efforts we made in the last seven or eight months to avoid just doing that, to raise taxes or to lay off people? That's what we did. Early retirement, tobacco securitization, we cut back on agencies in terms of cars and all this other stuff. Wasn't that the purpose, to avoid layoffs, to avoid tax increases.

Do you really want to go down the same road as Nassau County where you have a County Executive who runs around calling for a 4% cap on school spending or the CPI, whichever is less, then comes home and raises taxes by 4%? You know, I've heard over and over with different bills, here and in Albany, how, oh, it's only going to cost 50 cents, another dollar, another 2.50, another \$3. It's cumulative.

There is a reason why you and I spent January 1st to May 10th, almost four and a half months paying off taxes before we could put one single penny in our own pockets, because the bottom line from my constituents is the bottom figure on that tax bill. I know this is only 13 cents of every dollar on the County level, but the bottom line is it's an eight, nine, ten, 15, \$20,000 property tax bill that they can't pay.

We've taken enough steps here. What we don't know is the unknown. Unfortunately, the unknown is happening every 24 hours. But we've taken steps here, we should be able to get through this

without increasing taxes, without going into that two and a half percent, without going into that Reserve Fund. We shouldn't do that. That's not in our best interest, it's not in the best interest of the people we serve.

**LEG. D'AMARO:**

I just have to say something just very quickly.

**CHAIRMAN GREGORY:**

You guys are killing me.

**LEG. D'AMARO:**

I'm sorry. I don't disagree with Legislator Barraga. And I just wanted to be very clear that my questions here today were for informational purposes only. I am not advocating or even suggesting, especially this early in the process that we go down the tax increase road. In fact, I would like the other way, and, of course, look to be more efficient and to cut spending if we can similar to what my School Commission had recommended earlier in the year information. So in my mind, it was informational and I tend to agree with what Legislator Barraga, the points that he just made. Thank you.

**LEG. KENNEDY:**

Mr. Chair, I have just one other point, if I can, and it's something actually I'm going to ask of BRO germane to what Legislator Romaine talked about with this action amongst the funds and the short term borrowings. And it's one word that Ms. Vizzini mentioned.

Gail, since we choose to do business like this, we then necessitate that we keep funds liquid. You mentioned that, liquid. Now, everybody's hearing interest rates at this point are going God knows where. But if you take a certain amount of money and commit that you will hold it for a particular period of time, presumably you get a higher rate of interest. By acknowledging that we'll do business amongst these cash cows, we decide to be liquid and then we do reduce the amount of interest we can have in the mediums we park them in, I believe.

**MS. VIZZINI:**

Well, I think what you are saying is, you know, when we take the cash out, then we're not earning interest on it.

**LEG. KENNEDY:**

Not only that when we take it out we don't earn interest, but by definition, since we may have to go there in 15 or 30 or 45 days, we keep it in money market rather than a 90 day T or something along those lines. We, by definition, keep it at a lesser amount. Is there any way to go ahead and identify that?

**MS. VIZZINI:**

You know, the Treasurer -- between the Treasurer and the Comptroller, they have the short term cash analysis, you know, what we will need liquid to pay the child care providers, to pay the people who we do business with, the contract agencies who then have to go and borrow because our delayed payments delay their cash flow. So there's a definite need for us to have liquidity, there's a definite need for us to have the short term and the long term needs addressed.

We are earning interest on, you know, the longer term investments. I know we do have certificates of deposit, but I'm not hands-on, so some of these questions should probably more appropriately be addressed by the Treasurer's Office.

**LEG. KENNEDY:**

If you would like, I mean, I'll pose them to, you know, Treasurer Carpenter for sure. And we are going to see Mr. Tortora this afternoon. I guess I'll try and raise them as well. I think it's important that we, as we go forward, we, again, have all of the items on the table; what the cost is for the way

we decide to go ahead and operate. That's all. Thank you.

**CHAIRMAN GREGORY:**

Just for the committee's information, we've already reached out to the Treasurer to have her come before the committee. So she'll probably be here the next meeting.

Okay. Let's go to the agenda. We have Tabled Resolutions.

**IR 1363, Authorizing a competitive long term business plan to stabilize County finances and prevent disruption of essential County services and programs. (Romaine)**

Do I have a motion?

**LEG. ROMAINE:**

Motion to table for the time being, but it may be something that obviously this Legislature has a little bit more interest of in the future.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN GREGORY:**

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

**IR 1603, Repealing home energy nuisance taxes on Suffolk County residents. (Alden)**

Do I have a motion?

**LEG. BEEDENBENDER:**

Motion to table.

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Motion to table by Legislator Beedenbender, seconded by Legislator D'Amaro. All those in favor? Opposed?

**LEG. ROMAINE:**

Opposed.

**CHAIRMAN GREGORY:**

Abstentions? One opposed. **TABLED (VOTE: 6-1-0-0 - Opposed; Legis. Romaine).**

**IR 1604, Establishing a program to reduce unfair home energy nuisance taxes on Suffolk County residents. (Alden)**

**LEG. BEEDENBENDER:**

Motion to table.

**CHAIRMAN GREGORY:**

Motion to table by Legislator Beedenbender.

**LEG. D'AMARO:**

Second. And on the motion, Mr. Chair.

**CHAIRMAN GREGORY:**

Yes.

**LEG. D'AMARO:**

Very briefly. This resolution and the past resolution I took a look at them once again just to confirm that whether you repeal this tax or reduce this tax, you're looking at 100% increase in property taxes or a 50% increase in property taxes, and I don't think that's the right direction at this time. Thank you.

**CHAIRMAN GREGORY:**

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

**IR 1749, Adopting Local Law No. 2008, A Charter Law to cap County fee increases. (Schneiderman)**

Do I have a motion? Actually, I make a motion to table for a public hearing.

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED** for a public hearing **(VOTE: 7-0-0-0).**

**IR 1808, Amending the 2008 Operating Budget and the 2008 Capital Budget and Program and appropriating funds for the installation of public bike racks associated with energy conservation at various County facilities (CP 1664). (Romaine)**

I make a motion to table.

**LEG. BARRAGA:**

Second.

**CHAIRMAN GREGORY:**

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

**LEG. ROMAINE:**

Opposed.

**CHAIRMAN GREGORY:**

One opposed. **TABLED (VOTE: 6-1-0-0 - Opposed; Legis. Romaine).**

**IR 1814, Amending the 2008 Operating Budget to fund a Middle Income Home Energy Assistance Program (MI-HEAP) to protect residents of Suffolk County against a cold winter. (Horsley)**

Do I have a motion?

**LEG. BEEDENBENDER:**

Motion to approve.

**CHAIRMAN GREGORY:**

Motion to approve by Legislator Beedenbender, seconded by Legislator Browning.

**LEG. BARRAGA:**

On the resolution.

**CHAIRMAN GREGORY:**

On the motion.

**LEG. BARRAGA:**

Certainly, I understand where the sponsor is coming from. I mean, it's something that you would normally want to do. But you already have existing programs at the State and Federal level. In fact, you have the HEAP Program, but I also recall very recently, if my memory serves me right, and someone can correct me if I'm wrong, that Governor Paterson took action several weeks ago to appropriate approximately \$49 million to help increase the amount of money available for people who were of middle to lower-middle income for this type of program. But none of the money came, if I recall it correctly, out of his budget.

I think he went through some of his agencies and did some further cuts. He went to NYSEDA, got some money from them out of their budget. And if I recall correctly, I think he went to LIPA as well to get some additional funding. So it didn't really impact his State budget. Certainly there's a cost associated with this, and I'm not so sure at this point we can afford to do it. And it isn't as if there aren't other programs already in place, and the Governor's most recent program is now in place.

**MR. KOVESDY:**

Thank you. The Budget Office doesn't want to comment on the merit of the bill, but we have problems with the offset. The \$500,000 that they're using has been stricken from the budget in the recommended budget. So if you were to pass this bill, you would basically have a half a million dollar hole in the budget for '09.

**LEG. D'AMARO:**

Well, this only -- this ends in December of '08, I believe.

**CHAIRMAN GREGORY:**

Right.

**MR. KOVESDY:**

Correct. But that money was already taken out of the budget. The department requested that we zero it out, and we zeroed it out.

**MR. ZWIRN:**

It went to the fund balance. So it would be going against next year's starting -- you'd have half a million dollars more starting at the fund balance in June. You would have to make up for it in '09.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you. I'm not certain I understand how it is that the departments voluntarily, I guess, reduced by those amounts. I know Parks and Recreation is struggling. Is this -- so you're saying that this is an '08 voluntary reduction that these two departments brought forward?

**MR. KOVESDY:**

Let me say it really simply. The departments were requested to come in with a zero growth. And in order to come in with a zero growth, they made certain reductions in their -- in their proposal to the County Executive. Some departments included these as part of their proposal. And in order to balance the budget without an increase in taxes and things, we accepted those proposals. That's why the money isn't in there.

**LEG. KENNEDY:**

Really, I'm trying to understand it, Allen. Is it here in '08 or not?

**MR. KOVESDY:**

If you look -- if you look, it's in the adopted column, but if you look in the estimated column, you'll see it's been zeroed out.

**LEG. KENNEDY:**

I'm going to shift to a different topic, but then I'm going to go to BRO. My recollection is that Legislator Alden and a group of us two years ago adopted similar legislation, and we labored long about the criteria and that in actuality, there are only a handful of individuals that actually ever wound up receiving any assistance through this.

Ben, do you -- do you recall that? Didn't we have a resolution two years ago that was heating assistance above the Federal HEAP level because of our concern with senior citizens and others who might not meet Federal HEAP criteria, but yet, stood just on top of that? And it's essentially impossible to access or there were very few applicants. Janet administered the program.

**MR. NOLAN:**

Legislator Kennedy, I think Budget Review can speak to that. My understanding is there was a supplemental HEAP Program approved a couple of years ago with, like, a million dollars. I don't know how much was actually ever accessed. I don't think it was close to the one million, but I'll defer to the Budget Review Office, because I know I spoke to them about this.

**MR. REINHEIMER:**

Yeah. I don't remember the exact number, but last year we had a supplementary HEAP Program also. This program only runs through December 31st of 2008. We don't anticipate, because of the time period that this is just starting -- the winter is just starting, there aren't that many people that will need assistance unless, you know, December is a cold time. We don't foresee that this whole \$500,000 will be spent through December, which will go to cash flow.

The appropriations are there. What the County Executive's office is saying is that they in their estimated budget, when they come to the end as to whether there's a surplus or deficit in the budget, they're estimating that we will not spend these. But the appropriations, the legal authority to spend this money is there and the legal authority to move this money. These appropriation were put in the budget by the Legislature during the working group. The working group included these for situations like this, because we thought the economy was going to have problems. We put extra money in Economic Development, in Parks, for subsidizing rather than having fee increases. So we are shifting this money for an economic-need program. These are funds that we put in the budget, we, the Legislature.

**LEG. KENNEDY:**

So it was Economic Development that was going to implement it, then, Lance? I thought it was DSS.

**MR. REINHEIMER:**

No. We put the additional appropriations in Economic Development to have free to pass -- to transfer to other parts of the budget and Social Services so that we can shift these appropriations to where we feel there was economic need.

**LEG. KENNEDY:**

Did any money ever get spent at all out of this category?

**MR. REINHEIMER:**

No. These two categories are appropriations. What the County Executive is saying is that he is estimating zero is going to his fund balance.

**LEG. KENNEDY:**

I hear what you are saying about these two categories, but did any money previously for people

above HEAP level that we're anticipating we're assisting through this get it?

**MR. REINHEIMER:**

No.

**LEG. KENNEDY:**

No. Okay. Well, then it's a great idea, but we can't --

**LEG. BEEDENBENDER:**

That's not true.

**MS. VIZZINI:**

Is your question the last time we did the Suffolk HEAP was money spent, is that your question?

**LEG. KENNEDY:**

Yes.

**MS. VIZZINI:**

Yes. That's not what he was answering. He was answering the other one. Your recollection is right. We did have a local HEAP Program in the past. The Legislature added, I believe, actually about a million dollars about two years ago. Because there were other efforts on the part of the State at that time, you know, expanding the pool of people, the need was not that great, but I think about 200,000 or in that category was actually expended in terms of the local program. I can check that for you, but that's my recollection.

**LEG. KENNEDY:**

All right. Do we have a motion on this, Mr. Chair?

**CHAIRMAN GREGORY:**

Yes, we do.

**LEG. KENNEDY:**

What's our motion?

**CHAIRMAN GREGORY:**

To approve.

**LEG. KENNEDY:**

I'm going to make a motion to table just because it seems at this point that we have some confusion regarding the underlying sources. But more importantly, I'd very much like to hear about --

**LEG. BARRAGA:**

Second.

**LEG. KENNEDY:**

-- from the department, the actual department charged with administering this. I don't disagree with the concept at all. I think the concept is extremely important, but until I can hear that we can actually do it, I don't think it's prudent to adopt it yet.

**CHAIRMAN GREGORY:**

We have a motion to table and a second. Legislator D'Amaro.

**LEG. D'AMARO:**

I had just a couple of quick questions. Lance, if we could use the 500,000 -- if we approve the bill and there's successful applicants for the funding meeting the criteria and we spend the 500,000 in the next two and a half months, how does that impact the '09 Budget?

**MR. REINHEIMER:**

Well, based on the estimated budget, it would reduce the fund balance all things being equal. But there's pluses and minuses within the budget. The estimated column is what it is; an estimate. So there are things that we estimate that come in better or worse than we estimated. In the past, our fund balance has come in higher than we have estimated.

**LEG. D'AMARO:**

Okay. I understand that. So there's wiggle room, as Gail likes to say.

**MR. REINHEIMER:**

And that helps us in the 2010 budget.

**LEG. D'AMARO:**

But all things being equal, we don't know what those changes will be. So all things being equal, if that money were spent in '08, in '09, we need to come up with that.

**MR. REINHEIMER:**

It would adversely impact the '09 fund balance.

**LEG. D'AMARO:**

Which would be, like, 40% of our two and a half percent tax increase right there.

**MR. REINHEIMER:**

Right. All things being equal.

**LEG. D'AMARO:**

Okay. So that's one thing. The other thing is let's assume that the program works and we decide to go ahead with this, the sponsor had passed out a chart showing I think the guidelines for the Federal Program; this is making funds available to those who exceed the Federal guidelines by 35%, and there are several tiers, I guess. And the higher the tier that you fit into, the less funding is available to you. Is that the way this works?

**MR. REINHEIMER:**

Yes.

**LEG. D'AMARO:**

It is? All right. And in tier one, if you make -- if you fit the criteria, the Federal criteria of tier one plus 35%, what's the maximum that a homeowner could receive in assistance from this program?

**LEG. BEEDENBENDER:**

Mr. Chairman, can I answer Legislator D'Amaro's question.

**CHAIRMAN GREGORY:**

Sure.

**LEG. D'AMARO:**

Thank you.

**LEG. BEEDENBENDER:**

When you look at the chart, Legislator D'Amaro, tier one is household size, so that's a household size of one. Under the program that Legislator Horsley and I have proposed, the benefit for anybody that met up to 35%, depending on your household, would be a maximum of \$800, which coincidentally after Legislator Horsley and I announced this, that's similar to what the State did. I'm not going to draw causality, but it's similar to what they did. So that's to answer your question. I'll save the rest of my comments for later. This charge is household size, so that's where you get the

maximum income where they'd be eligible for what we get.

**LEG. D'AMARO:**

Oh, there it is right at the top, household size. So that's one per -- one person per household, two persons, three --

**LEG. BEEDENBENDER:**

It goes up depending on how many people in the house.

**LEG. D'AMARO:**

All right. So you're talking about \$800 max per depending on the number of -- it's always \$800 maximum irrespective --

**LEG. BEEDENBENDER:**

That's the maximum benefit you could receive under the program we've contemplated.

**LEG. D'AMARO:**

Okay. Even if you had a ten people household -- ten household?

**LEG. BEEDENBENDER:**

That's correct.

**LEG. D'AMARO:**

All right. So that's roughly -- you can help about 600 people.

**LEG. HORSLEY:**

Six twenty-five.

**LEG. D'AMARO:**

Six twenty-five if you do the math.

**CHAIRMAN GREGORY:**

Households, not people.

**LEG. D'AMARO:**

Households. Which is a lot more people.

**CHAIRMAN GREGORY:**

Right.

**LEG. D'AMARO:**

Is the point. Okay. And just, Brian, I guess you're a cosponsor of the bill, and the sponsor is here if he wants to answer, but what's the anticipated need?

**LEG. BEEDENBENDER:**

Well, to answer that question, I'll -- I hate to sound like a -- like the Vice-Presidential Debate, but to answer that question, I'm going to answer another one first. When the program was done the last time, there was a million dollars allocated for it. And it was a much narrower band than the one that is contemplated in this bill. And under that, I believe, it helped about 300 or so families, but it was a much narrower addition. It wasn't 35%. I don't recall what it was, but it was a much smaller allocation.

So I know there were some concerns about whether or not this would -- this would work, but under this program, you know, we can help up to 625 households with an \$800 allotment. And the reason that went up is because as fuel prices have gone up, the old allotment under low income HEAP provides you with little to nothing and doesn't -- I mean, anybody -- you know, I went through only

the end of a winter as a Legislature -- as a Legislator -- excuse me -- but the allotment, I remember there was a couple that we helped; they got the maximum allotment and it was gone, because, you know, you divide \$200 by \$4 a gallon, and you get nothing.

So the need that we are seeking to address is that while hopefully the State will be able to come up with more money, and Governor Paterson has done that to kind of offset the Federal problem. There are a great band of people just above that. And in that band, and the illustration I can give you is the average Federal Social Security check throughout the country is just about \$1100. And in New York, it's a little bit higher for understandable reasons. If you double -- if you take a couple, a senior citizen couple, and they're both making what would be the average out here, they -- if it's just tick -- and I want to say a tick -- a few dollars above the average, they could price themselves out of LI HEAP.

And I certainly don't think that we would ever say that two people making the average Social Security are wealthy or well-to-do. So the need we're attempting to address is that there is this group of people that through no fault of their own they have -- they might have other funds available to them, they have -- they're priced out of what is presumed to be low income HEAP. And I just think that the Federal guidelines don't address the need on Long Island and the differentiation between the standard of living and the cost that's over here.

Now, I do agree totally. You know, I was the one that was, you know, screaming about the sky is falling and crying wolf a few minutes ago. And I thought about this a lot, because we've proposed this before, you know, a lot of this stuff started happening. And we did think about it a lot, and this would go towards the fund balance. But when I get to the end of the end of this, what I really believe is that this is a need for people that -- you know, this need exists.

And when we get back to core functions, this might be an addition of a core function, but the ramifications of people just freezing or making horrible choices between prescriptions and food and oil are so far reaching and so devastating. And I would also argue, the cost of which are so much greater to government that I think in the end when I thought about the times and whether to support this, you know, given the situation, I just think that the need and the benefit outweigh the potential up to \$500,000 fund balance differentiation that we're going to have to talk about. So I think I answered your question, but if I didn't, I at least believe I effectively talked about enough things that you don't remember what it was.

**LEG. D'AMARO:**

My question was about the need, you know, what's the need, and I think you sufficiently explained that -- what I got from that was that there is a higher cost associated with being in Suffolk County than in most other parts of even the State if not the country. And therefore, this would help to meet that need and demand and avoid, in some cases, of people having to make very difficult choices. And that would be a sufficient core function of government. So I appreciate that answer. Thank you, Mr. Chairman.

**CHAIRMAN GREGORY:**

Absolutely. We have the sponsor here with us who would like to make a comment. Legislator Horsley.

**LEG. HORSLEY:**

Thank you very much, Mr. Chairman. As we all know, we live in a high cost area on Long Island. And I just heard on the radio coming over here today that, you know, we've all heard that well, maybe the price of oil is dropping, the barrels -- the cost per barrel. But they said the price of home heating oil is going to increase this year, this winter, for every home on Long Island approximately 20%.

So we're going to have with the numbers of people that are being laid off in the City of New York, and I'm not saying the Wall Street guys, but every time a Wall Street guy gets laid off, we've got 1.5

people that are supported by those Wall Street jobs; people that are living here, the middle-class people of Long Island that are living -- living here trying to make -- trying to hang on by their fingernails. There is going to be a choice to be made this winter whether or not we're going to have people eat or have heat in their homes.

And this is -- this is a possibility that we can maybe save 625 people. If you don't go -- if we don't go to protect people with this, then what? What role does the government have in that last --- that last role for our -- our people before they fall off the deep end? With the foreclosures and things like that, I can't see how we cannot vote for this.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Mr. Chair, I -- my comments before had nothing to do with the need. And I agree with the two sponsors more than ever as far as a desire to address all of those folks out there that are hurting now and will be hurting in the future. And I will be more than happy to withdraw the motion to table and support this motion to go forward, notwithstanding issues of fund balance provided you can do one thing for me. By Tuesday, if we can pass it, give me a phone number to somebody who I can succeed in calling on the behalf of my client -- my constituents, because when I tried to do it two years ago, we got no place. We dealt with a department that was mired in bureaucracy, inefficiency, and no answers whatsoever. So I'm happy to support something that works.

**LEG. HORSLEY:**

Don't you get mired in bureaucracy, get mired in government, good government and what good for the people of Suffolk County. We're doing our job.

**LEG. KENNEDY:**

I agree with you 100%. Unfortunately, our good job oftentimes gets lost in that morass called departments. So I'll withdraw the motion to table, but then I'll ask you to please, since you've put a lot of time, effort and work into this, share with me who to get to so it works. Thank you.

**CHAIRMAN GREGORY:**

Thank you. Okay. Legislator Barraga.

**LEG. BARRAGA:**

I guess the question I have, I don't care who answers it if you can answer it, how does Paterson's action, which appropriated an additional \$49 million to help these people and didn't raise the ceiling, if I recall, to \$800, how does that affect some of the people that you're trying to get at in your legislation? Will they now be umbrellaed into Patersons? Will his -- his dollars flow to them? Do you really need this?

**CHAIRMAN GREGORY:**

Well, if I can, I think Paterson's actions raise the ceiling on the amount of funds available. But what Legislator Horsley and Beedenbender have done is they've raised the income cap, which -- so they can reach more people, because the State Program is more geared towards low income where they're trying to reach that notch in the middle, where the too -- as Legislator Horsley said, too rich to be poor and too poor to be rich or something like that. When they're in the middle, they don't qualify. You know, they don't make enough -- they make too much to qualify for assistance, but not enough to live comfortably. And they're trying to just provide a safety measure.

**LEG. BARRAGA:**

So these are some middle income people?

**CHAIRMAN GREGORY:**

Yes.

**LEG. BARRAGA:**

These are some middle income people who receive these funds at the expense of other middle-income paying who will be paying the taxes so these other people can receive the funds.

**CHAIRMAN GREGORY:**

That's every program.

**LEG. BARRAGA:**

Well, it is what it is.

**CHAIRMAN GREGORY:**

We do that now. Even with the HEAP, you know, there's poor families that don't qualify because it's not based on -- I mean, yes, there's an income level, but it's based on the funds appropriated. So once those funds are expended, no other families are eligible. We ran out, I think, just a month or so ago for HEAP.

**LEG. BARRAGA:**

So you would agree though that this is going to be funded by a lot of those middle-income people, some of which will get some of the money, but the rest, the majority, will just pay into whatever they're paying in terms of taxes to fund the program.

**CHAIRMAN GREGORY:**

But unfortunately, it's a first come-first serve basis.

**LEG. BARRAGA:**

And this program is unique. So I mean, the programs in existence at the State and Federal level are not adequate based on the sponsor's proposal to meet the needs of lower-middle income people. You have to raise the bar to get to other individuals at the expense of many others. Thank you.

**CHAIRMAN GREGORY:**

Okay. The motion to table has been withdrawn. We have a table to approve -- motion to approve, excuse me.

**LEG. BEEDENBENDER:**

Do we have a second?

**CHAIRMAN GREGORY:**

Yes, we do.

**LEG. BEEDENBENDER:**

Okay.

**CHAIRMAN GREGORY:**

All in favor? Opposed?

**LEG. BARRAGA:**

Opposed.

**CHAIRMAN GREGORY:**

One opposed. Abstentions? **APPROVED (VOTE: 6-1-0-0 - Opposed; Legis. Barraga).**

**IR 1825, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 304. (Co. Exec.)**

I make a motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Second. Put on the Consent Calendar. Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 7-0-0-0)**.

**IR 1826, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 305. (Co. Exec.)**

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

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 7-0-0-0)**.

**IR 1835, Amending the 2008 Operating Budget to accept and appropriate 95% State grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voter education/poll worker training and authorizing an increase in the fleet of the Suffolk County Board of Elections for transporting voting machines and personnel to and from various seminars and community events. (Pres. Off.)**

Is there a motion?

**LEG. D'AMARO:**

Motion to approve.

**CHAIRMAN GREGORY:**

Motion to approve. I second.

**LEG. D'AMARO:**

Just on the motion.

**CHAIRMAN GREGORY:**

Okay. On the motion.

**LEG. D'AMARO:**

Is someone here from the Board of Elections that can answer any questions on this?

**CHAIRMAN GREGORY:**

Yes. We have Ivan Young. All right. Ivan, just state your name and position.

**MR. YOUNG:**

Good morning. Ivan Young, representing Commissioner Anita Katz from the Suffolk County Board of Elections. And Tom Noble, also here representing Commissioner Cathy Geier from the Board of Elections.

**LEG. D'AMARO:**

Mr. Young, thank you for coming down today. And I realize this is 95% reimbursed, so I don't want to spend a lot of time on this, but -- and I know it into the whole HAVA compliance. But I wanted to ask you, what's an "ask Ed problem solver?"

**MR. YOUNG:**

"Ask Ed problem solver" is a Device that will be used by the poll workers at the polling sites. It is a handheld device that the poll coordinators will have that will have all the voter information on this handheld device so that if -- and it's really geared for troubleshooting and to help assist voters when they go through the polls a lot more efficiently and a lot more easily, because the poll worker will now have the information in their hand as opposed as having to call the Board of Elections to get the information. So if a voter goes to a polling place and is at the wrong polling place, well, now the poll coordinators will know whether their registration -- they're registered or not, where their polling place is and even providing information how to get to the polling place.

**LEG. D'AMARO:**

We're coming into the 21st Century as far as making information accessible and available to our poll inspectors on the spot?

**MR. YOUNG:**

Absolutely.

**LEG. D'AMARO:**

And this is new technology, something we haven't done in the past or has it been tested?

**MR. YOUNG:**

We have not done it in here in Suffolk County, but it has been implemented in other jurisdictions around the country.

**LEG. D'AMARO:**

Okay. And the other quick question I had was four of the vans proposed for transportation of poll workers to and from seminars and community events. What -- you know, what do you have in mind when you talk about that?

**MR. YOUNG:**

Well, because we are going to be implementing a new voting system next year, the key to a successful voting election would be the more community outreach, public education we have on the use of these voting machines. So the idea is that we will have vehicles available to transport these machines and poll workers to community events, to civic associations, to meetings so that the public can hands-on learn how to use these machines ahead of --

**LEG. D'AMARO:**

That's great. That's great. And, you know, let's get them up to 100% especially before next year's election. But don't we already have vans that transport the machines now? I mean, why do we need six new vehicles to transport to seminars?

**MR. YOUNG:**

Well, we actually have -- we do have a trucking contract, but the trucking will charge us money every time we need to transport these vehicles. So if we're going to have let's say -- in the Town of Babylon, let's say we have a meeting at a civic association in Deer Park one day and then we have another one in the afternoon that same day, well, as opposed to having the carters --

**LEG. D'AMARO:**

So you're saying the seminars you're contemplating are open to the public.

**MR. YOUNG:**

Absolutely.

**LEG. D'AMARO:**

Okay. So you anticipate doing a multitude of seminars where it would just be cost prohibitive to

higher the contractors each time to work with us.

**MR. YOUNG:**

That's exactly it.

**LEG. D'AMARO:**

This is a cheaper way to go.

**MR. YOUNG:**

Correct.

**LEG. D'AMARO:**

Okay. Thank you.

**CHAIRMAN GREGORY:**

Ivan, just so that I'm clear in my mind. With this device, would that eliminate the need to have an affidavit ballot? So if I come to the poll, I just registered, but my name's not in the book, you can look on this device in the database and see that I'm actually registered?

**MR. YOUNG:**

Yes, it will.

**CHAIRMAN GREGORY:**

Okay. We have a motion, we have a second. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-1; Not Present - Legis. Kennedy).**

**IR 1836, Amending the 2008 Operating Budget to accept and appropriate 100% State grant funds from the New York State Board of Elections to the Suffolk County Board of Elections for voting access for individuals with disabilities - polling place access improvement. (Pres. Off.)**

I make a motion to approve.

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Place on the Consent Calendar. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 6-0-0-1; Not Present - Legis. Kennedy).**

**LEG. D'AMARO:**

Just can I ask a quick question, Mr. Young, while you're up there? The privacy booths, which are an integral part of the method of voting with optical scanners, have they already been ordered, do we have them, you know, what's the anticipated date that they get here?

**MR. YOUNG:**

Well, we submit an order under this grant to the State for their approval. We're just waiting for the approval from the State Board of Elections. But if we can -- the key to this is that if we are able to purchase a certain number of privacy booths under this grant, it would just alleviate the need for the County to purchase additional privacy booths from other sources.

**LEG. D'AMARO:**

Thank you.

**MR. YOUNG:**

Thank you.

**CHAIRMAN GREGORY:**

Legislator Kennedy?

**IR 1847, Amending the 2008 Operating Budget to provide funding for the Smithtown Alumni Association. (Kennedy)**

Do I have motion?

**LEG. KENNEDY:**

Mr. Chair, I'll make a motion to approve.

**CHAIRMAN GREGORY:**

Do we have a second?

**LEG. ROMAINE:**

Second.

**CHAIRMAN GREGORY:**

Seconded by Legislator Romaine.

**LEG. KENNEDY:**

This is merely a change of entity, Mr. Chair. When I identified this last year for omnibus funds, I mistakenly utilized the Smithtown Education Foundation, which, in fact, is not a legal entity. It is actually the Smithtown Alumni Association, which addresses the not-for-profit types of support activities that stand next to the school district in proper. So it is merely just a change of entity for previously programmed money which may be going the way to the dinosaurs, I guess, this year.

**CHAIRMAN GREGORY:**

We have a motion and a second. Anyone else? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 7-0-0-0).**

**IR 1860, Authorizing the County Comptroller and County Treasurer to close certain capital projects that have sunset under Local Law No. 15 - 2002, Suffolk County, New York, a Charter Law establishing common sense capital project sunset policy for Suffolk County. (Co. Exec.)**

Do I have a motion?

**LEG. BROWNING:**

Motion

**LEG. BEEDENBENDER:**

Motion.

**CHAIRMAN GREGORY:**

Motion to approve by Legislator Browning, seconded by Legislator Beedenbender. On the motion, Legislator Romaine.

**LEG. ROMAINE:**

I just had some questions. Obviously, their projects are not moving forward. And I looked at the attachment A and none of these projects have had any money spent in them. But I'm looking at, for example, jail utilization study of 150,000, a security booth for corrections officers for 10,000, security equipment at the Correctional Facility in Riverhead for \$750,000. Those type of -- a mammography van, replacement of the existing outdated mammography van for 300,000. Obviously I'm going to vote for this, but I'm wondering why when these projects -- for them to be

sunseted, they must have been approved well over five years ago. And I'm wondering why they hadn't moved forward.

You know we approve things in the budget, in the Capital Budget, and we approve them under the assumption that things are going to get done. And what we never find out about as Legislators is why these projects don't move forward. You know, I sit next to my colleague, Legislator Kennedy, and before -- just before I got to the Legislature and left the County Clerk's Office -- himself and Legislator Cameron Alden were excoriated because they didn't vote for money that they were told was needed immediately in December, I think, of 2005 or 2004 for the jail. That money has yet to be spent.

And you wonder why. And I would only make that point. I'm going to vote for this resolution because clearly none of these monies have been spent. But when we authorize something, I'd like to know why it isn't being done. I have no problem closing out -- obviously we can't afford to go ahead with any of these, but it's like I vote for a lot of things, and I guess it really doesn't matter because other people determine whether they go forward or not. And the Legislature is never informed. It's almost as if no matter what we do it doesn't really matter because someone has extra super power that doesn't permit this to go ahead, and the Legislature's will can be ignored.

And I just want to put that on the record, because clearly we are -- we should not wait the five years and say, oh, okay, no money was spent, we're obviously going to close these projects out. I want to know why. So in the future, what I simply would ask is, you know, progress reports on these things, because some of these may have been important projects that should have gone forward, and others of them we may have approved and for whatever reason, a change of circumstances, doesn't justify them going forward. But I don't know which.

**MR. ZWIRN:**

If I might, Mr. Chair, I can explain. I know one of the ones that was -- that sticks out is the mammography van. And that was -- originally it was Legislator Caracciolo who was the one who was the biggest advocate for that. And what the Health Department asked for at that time instead of the mammography van, which is not as accurate, it's not as good as the modern technology where you have a stationary unit, the digital, and what we did then was that we made a commitment with Legislator Caracciolo to put one in Riverhead, which is finally about to go in. We're also bringing digital ones --

**LEG. ROMAINE:**

Years after.

**MR. ZWIRN:**

Part of it was that -- and we explained it at the time, when the money was appropriated, was that we didn't have the space for it yet, we didn't have the location, even though we bought the machine. And ultimately we changed -- we built the new facility over there, we renovated it, and that's where it's going to be going. We've also added digital units that are coming to Coram and to Brentwood. So we have decided to go, at the Health Department's request, in a different way. So there was a change of circumstances.

With respect to the video equipment at the County Jail, that was Sheriff Tisch who asked for that originally, and there was a lot of resistance from people who worked at the jail, weren't really in favor of this, because they thought that it was going to maybe take away posts. So that never got any traction --

**LEG. ROMAINE:**

I know there are reasons for everything, but --

**MR. ZWIRN:**

I'll give you the reasons before you vote. So those are the two most, I think -- ones that were --

what is it -- stick out the most in this resolution, and there are reasons for that. And that's why I just wanted to put that on the record.

**CHAIRMAN GREGORY:**

Okay. Legislator D'Amaro, and then Legislator Kennedy.

**LEG. D'AMARO:**

Thank you Mr. Chairman just very quickly. I'm also, like Legislator Romaine, going to support this resolution. My understanding is that the plan -- the budget, the Capital Program, which is what we're talking about here is really is a planning document. You know, that really means that, yes, some -- most things will go forward, some things may not. I'm sure there's explanations. Whether they are acceptable or not is something we can look at at a case by case basis. And that gets to whether or not we can get an update or progress report on capital projects. I don't want to make work. Basically, if I have a question on monitoring my district, I have a copy of the budget. If there's a project there that I see is not moving forward, I can pick up the phone, I can call you, I can write you a letter. That's good enough for me. That's it.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Three items in here, I guess, I have a question on. CR 67, Exit 57, that project is, I guess, for all intent and purposes, completed and has been completed for quite some time? Does anybody know? Does BRO know that?

**MR. ZWIRN:**

CR 57? CP 57?

**LEG. KENNEDY:**

It's Motor Parkway. County Road 67, it's Exit 57 of the Expressway, which is within my district.

**MR. ZWIRN:**

Do you have the Capital Project Number, Legislator Kennedy?

**LEG. KENNEDY:**

It's 5172, Ben, point 112, one-one-two. While you are looking, I guess the other thing I just want to confirm is this is funding that has already been raised in support of a particular project, and it's something in some cases. I'll speak to the mammography in a moment. I'm going to disagree with the position, having just sponsored the mammography van two days. But I'm going to assume with CR 67 it's just there was more funding raised that was necessary to complete the project? Is that safe to assume? You know what? I don't want to make --

**MR. ZWIRN:**

I'll get that answer for you maybe before this afternoon.

**CHAIRMAN GREGORY:**

We're about 35 minutes over.

**MR. ZWIRN:**

And let me add, if there are any questions that you have on this that are particular that I don't have answers to, I'd be glad to get them for you before -- either today or before the meeting.

**LEG. KENNEDY:**

I'm going to -- my vote is going to be in the negative specifically because of the mammography van, Ben, only because I know having just speaking to the techs how they say that they're out every day, particularly out on the East End, and that, in fact, there is technology available now that allows for

digital mobile based. And that the van they are using at this point is well beyond its useful life.

That notwithstanding, mechanically, not with the technology for the mammograms that are being administered, but they're indicating they're booked six and seven days a week taking that van out to Greenport and to the South Fork, out to Springs, and Amagansett and places where seniors can't even physically get up to Riverhead to go to the fix-based mobile -- fixed-based mammography units. So I would

disagree with that assessment as far as the van not getting the degree of use. I have no center up in my district. Actually, it was very productive on Sunday when it was there. So I may be in the minority again, but I see it as something that actually has some use and should be supported.

**MR. ZWIRN:**

Well, we weren't going to disregard the one that we had, but we just weren't going to add a second one. Instead we went to hard -- to hard stationary units that we thought at that -- at least at that time were far superior and gave a better reading and were much more beneficial.

**LEG. KENNEDY:**

But I'm suggesting the one that you have is probably near outliving its useful life. So if the idea is to abandon this funding, then we may very well be seeing the need to just put it back into the next Capital Budget to replace.

**MR. ZWIRN:**

That's always an option. I mean, that's always something that the Legislature can do.

**LEG. KENNEDY:**

Okay.

**CHAIRMAN GREGORY:**

We have a motion, we have a second. All in favor? Opposed?

**LEG. KENNEDY:**

Opposed.

**CHAIRMAN GREGORY:**

One opposed. Abstentions? **APPROVED (VOTE: 6-1-0-0 - Opposed - Legis. Kennedy).**

**IR 1872, Amending the 2008 Operating Budget to provide funding for the Long Island 2 Day Walk to fight Breast Cancer. (Browning)**

Motion to approve by Legislator Browning, seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 7-0-0-0).**

Motion to adjourn, second. All in favor? Opposed? Thank you.

**(\*THE MEETING WAS ADJOURNED AT 12:08 P.M.\*)**

**{ } DENOTES BEING SPELLED PHONETICALLY**