

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, March 17, 2009.

Members Present:

Legislator DuWayne Gregory - Chairman
Legislator Lou D'Amaro - Vice-Chair
Legislator John Kennedy
Legislator Brian Beedenbender
Legislator Daniel Losquadro

Also In Attendance:

George Nolan - Counsel to the Legislature
Maxvel Rose - Aide to Legislator Gregory
Alicia Howard - Legislative Assistant
Gail Vizzini - Director/Budget Review Office
Paul Perillie - Aide to Majority Caucus
Linda Bay - Aide to Minority Caucus
Ben Zwirn - Deputy County Executive
Allen Kovesdy - Deputy Director/County Executive's Budget Office
Debra Alloncius - AME
Lance Reinheimer - Budget Review Office
Frank Casiglia - AME
Catherine O'Neil - AME
Anne Marie Tracy - AME
Gail D'Ambrosio - Probation Officer's Association
Kathleen Johnson - AME
Tammy Fusco - AME
Michael Finland - AME
Dot Kerrigan - JJF
Suzanne McBride
Sal Russo
Linda Ogno
All Other Interested Parties

Minutes Taken By:

Donna Catalano - Court Stenographer
Alison Mahoney - Court Stenographer

*(*The meeting was called to order at 10:00 A.M. *)*

CHAIRMAN GREGORY:

Good morning, everyone. We're going to start today's meeting with the pledge of allegiance led by Legislator Kennedy.

SALUTATION

Again, good morning. My name is DuWayne Gregory, I'm the Chairman of the Budget & Finance Committee. Happy Saint Patrick's Day. We're going to have a little change in the agenda this morning. We're going to ask Cheryl Felice and some of the other union representatives to come forward and make a brief presentation.

MS. FELICE:

Good morning. Thank you very much, Legislator Gregory, for allowing AME the opportunity to speak with the members of the Budget & Finance Committee today. You want me to sit down?

LEG. BEEDENBENDER:

No, I'm just -- you might be more comfortable.

MS. FELICE:

Then you won't see me. I have this -- I'm vertically challenged.

LEG. BEEDENBENDER:

Okay.

MS. FELICE:

So I want to make sure you see me and that you see and you hear from the members that we have in the audience. But thank you very much for allowing me the convenience to sit. Now is not the time for sitting down, now's the time for standing up and rolling up our sleeves and getting down to work.

My name is Cheryl Felice, I am President of the Association of Municipal Employees and we're here today because of Resolution 1205 and calling for County Executive Levy to, I believe, sit down with the unions and discuss some of the budget deficit issues that are plaguing this County, real or perceived. This union doesn't want to minimize the fact that we are aware of what is happening in this country and across our State. Nevertheless, we are the backbone of this country -- of this County and the workers who provide services day-in and day-out don't deserve the treatment that they have been receiving over this last week.

I think it's unconscionable that before the unions even had a chance to sit down directly with Mr. Levy, and in spite of what you're told and in spite of what the news -- the media is reporting, the unions, and that's all ten unions, have made several attempts to sit down directly with Mr. Levy and obstacles were put in their way. This union made three attempts to sit down with Mr. Levy, and on two attempts was able to sit down with Mr. Levy's operatives, in spite of what you've heard. And in no case were we given an opportunity to come up with problems and solutions, and in no case were we given an outline as to how this problem was going to be addressed after money was being asked for by the unions. There was no plan, there were no steps, there was nothing to give the County workers assurances that this -- that this would be the end of what was being asked of them. And there were no assurances that they were going to be the only ones that have to give.

The imposition of concessions or deferments of payment for County employees is nothing more than a tax on County employees. And this membership, and I'm sure the other memberships who will speak after me will agree, that if this is truly a burden, if this is truly a financial burden, then we need to sit down as reasonable adults and hear what those problems are and come together with what those solutions may be. And again, I implore this distinguished body to show any of the

unions in this room a time when we were given the whole picture; we were never given the whole picture. We were given the picture in piece meals and out of resistance to speak to all the unions together. And I can't emphasize enough how none of us sat down, to my knowledge -- I'll speak just from my union at this point -- but never did we sit down directly with Mr. Levy, and yet our names get bantered across the media pages as to allegations as to what they think we're doing and why they believe we're acting.

There are people in this room who are not only County employees themselves, but their spouses are County employees, and both of their names are on this layoff list. That means their entire salary, who have children at home, are being jeopardized and being threatened before we're asked for reasonable solutions. Everybody in this room should be aware, and if you're not aware you're going to hear the term being bantered around of bump and retreat. So those positions that are called for on this list may not only affect the person in that title, but will affect people in a trickle down affect. If a higher position is on the list and a supervisory position is on the list, then those people who are slated for layoff can bump back to their last held title, and the people in those titles can bump back to their last title. So it's estimated, since there's nearly 400 names -- not names, positions on this list, over 1,200 people may be affected by this action.

And what this County just done, in spite of what our nation's President is calling for and calling for and adamantly about keeping the economy healthy is to keep the workers working and the economy growing. You have just created another pool of workers who are afraid to spend money in Suffolk County. You have created another pool of workers who are now petrified for their jobs, and all because they came to work every single day, and they probably came in early and they problem went home late, and they most likely did not put in for overtime. Because no matter what this union does, we can't encourage our people to just put in a fair day's work, they put in more than that.

And we're here today to encourage you to table this resolution and I implore the County Executive to sit down with the unions in meaningful discussions, meaningful discussions, not intimidation and threats, because that's all that has happened so far.

AME has outlined for you probably six or eight pages, eight pages of solutions that we would like to see this Legislature entertain. We would like to see AME and/or all the unions become part of the Legislative Oversight Committee for budget resolutions, because we need a seat at the table. We cannot continue to address this issue. And if, in fact, there is the magnitude of the issue that's being portrayed through the media, it cannot happen. And all you're going to do is demoralize an already over-worked and under utilized staff.

Our staff right now is -- the morale is at an all-time low, and I want to share a story with you on a conversation that I had with Mr. Levy about a week ago. I went to Mr. Levy's office to talk about some other issues before, I had this meeting scheduled before this resolution was laid on the table. Incidentally, the resolution that was laid on the table, one day after the worse snow storm of the season and nearly a third of the people on this list are the people who made Suffolk County safe on that snow day. And I see you raise your head, because yes, that is indeed true; a third of the people on this list were the division that took care of the roadways in that storm. So isn't that a fine thank you to the members who work so hard, some members who worked 35 hours during that snow storm just to make Suffolk County safe.

So I had a conversation with Mr. Levy in trying to talk about some of the issues with JJ Foley, with our -- with this particular resolution. When it was obvious it wasn't going anywhere and wasn't materializing into anything productive, what I said to Mr. Levy is, "Mr. Levy" -- I didn't call him Mr. Levy, I called him Steve, and I said, "Steve," I said, "You would do yourself and this County a world of good if you would just leave this office, go into work site, pick any work site there is because there's hundreds of them, see what the workers do and extend your hand and say thank you for a job well done, and your workers would work ten times harder for you." And do you know what he told me? He told me, "The press won't cover that." The press won't cover that. And I asked, "Why do you need the press to go say thank you to your members?" And that's what we're being driven

by in this legislation; this legislation is nothing more than a media-hype to a very serious problem that I know this Legislature is entertaining. And I believe the Legislature is of reasonable minds to call the parties together to sit down in meaningful talks and come up with meaningful solutions, and we're prepared to do that. Thank you very much.

Applause

CHAIRMAN GREGORY:

Okay. Mr. Frayler?

MR. FRAYLER:

If I may? First of all, thank you for allowing me to speak here today. I appreciate the opportunity. I know we're all looking at hard times and there's a lot of difficult decisions ahead of all of us, in particular you as Legislators. But based on some of what Cheryl had to say, certain points stick in my head. Steve's ego has been a problem for all of us. There have been times when he's called myself and the PBA names, times when he's denigrated this body; that kind of conduct is unacceptable and is not conducive toward developing trust.

You know, as we've gone on with other issues such as the Deputy Sheriffs taking over the Expressway, we heard things like, "Oh, the Police make \$42,000 a year less"; well, that's absolutely not true. Other things, other statements from the County Executive have been less than honest. I believe he's been less than honest with you, and clearly he's been less than honest with me to the point where on certain occasions he's outright lied. In one particular press conference he did, he alluded to some secret meeting I had with the Governor; I will tell you emphatically that never occurred. That was a lie.

Now, here we have the same individual who every year since he's been in office has predicted doom and gloom, and through his civilianization and efficiencies has averted it and created a tremendous surplus. Nobody believed that. This body here has worked tremendously hard, the workers of this County, the workers who toiled so hard in the streets clearing the roads, making it passable during that horrendous snow storm, right down to our officer on patrol who was murdered in a DWI car accident. These things are horrible, but the workers of this County go on and seven days a week, 24-hours a day, they make it run.

Now we've come to a point in time where more concessions are asked. Concessions have occurred in the past. In my tenure on the PBA, we've done two lag payrolls, when it was a real emergency, back in the days when Pat Halpin was County Executive and it was honest and open dialogue as to just what the circumstance were. The problem that we face with this County Executive is we never get that information; it's all about a press conference, a sound bite, trying to satisfy his ego and make him look good. He would love nothing better than to denigrate the unions and denigrate the Legislature and falsely try to make the public believe that he's the only one out there protecting them. Well, I can tell you this; Suffolk County Police Officers protect the public every single day, 24-hours a day. They put it on the line, they risk their lives every day, he doesn't.

We know there's Federal stimulus money coming. We know there's money that's going to be allocated to hiring policing, hiring Police Officers. Why the rush, in particular when it comes to Police, before we know what the stimulus package is? We know that the '09 Police District budget is good. There may be problems in '10, those problems may occur depending on the stimulus package. We know we're getting 1.3 million from Senator Schumer's Office, a direct grant in JAG money. There are a lot of things that we know; what we don't know is what he intends to do with that money, what use is he actually going to put it to? We know that the Police Department is at least 350 Police Officers shy of what we're budgeted for, Yet we don't know what his intention is with the stimulus. Yet we know what he wants, he wants all the employees of the County to reach into their bank account and give him a check, with no guarantee; "Oh, trust me." He's done nothing in his entire time in office to earn that trust; if anything, he's created a level of distrust and constant argument.

Now before we do it -- and nobody's writing off concessions, but before we do it, we need to know that the problem is as real as he's attempting to portray it. My understanding is that at one of the meetings he had with the Legislature and he wanted the opportunity to lay off, someone brought up the surplus, the \$170 million, and it was, "Whoa, whoa, that's only for an emergency." Well, are you asking all of the workers in this County to write you a check for something that's not an emergency? I think we believe that this nation faces a true and real emergency. I think President Obama is doing an outstanding job in trying to address it, and he's trying to address all facets of it, and he seems to be open and honest with the people, open and honest with labor. And it's not all good news. Clearly, some of what he's speaking of doing to the teacher's union is not acceptable to a lot of people. They're a great supporter of the Democrats, yet he's looking to change that. We all know that there has to be a certain amount of pain felt by everybody in difficult times, and we're willing to bear our fair share, as we have in the past. As I said before, my tenure on the PBA, we took part in two lag payrolls, when the information was free-flowing and the need was truly established.

But in a climate that he's created, both with the people of Suffolk County and the unions, most of us are not inclined to blindly write him a check. And as Cheryl so eloquently said, he's flat-out refused to meet with all of us. We've called and asked. To my knowledge, he hasn't met with any of us; we've all asked. We showed up to sit down with the County Executive and he refused. That is not conducive to working things out. And as Cheryl said, I agree that this should be tabled until all of the information, including stimulus money and whatever other monies are coming forward to this County are in-hand and we know what they are going to be used for. Thank you for the time.

Applause

CHAIRMAN GREGORY:

Probation?

MS. D'AMBROSIO:

My name is Gail D'Ambrosio and I am the President of the Suffolk County Probation Officer's Association, a Senior Probation Officer for the Probation Department, and I've been a taxpayer for Suffolk County for the past 30 years. I would like to address you regarding Resolution 1205 as put forth by the County Executive on March 3rd, 2009, amended March 9th, 2009 and again on March 16th, 2009.

I am speaking on behalf of the 287 active members of the Probation Officer's Association. We, too, are aware of the economic turmoil that our country, State and County are facing. We also see the private sector closings and layoffs that have occurred. We have family members and friends who are affected by this crisis. Probation is a cost effective alternative to incarceration. Those convicted are required to pay a fee for a pre-sentence investigation when requested by the court. These investigations help of court make more informed and accurate decisions in determining sentencing. Once sentenced to probation, the probationer is directed to pay monthly fees for this privilege. In addition, if restitution is ordered by the court in an attempt to give some compensation to the victim, probation officers elect it. Probation is a very cost effective tool that brings revenue back to the County.

October, 2008, marked the 100th Anniversary of Probation. For a hundred years, Probation Officers have been serving Suffolk County by protecting the community and rehabilitating offenders. Last Friday I accompanied my fellow union Presidents to the County Executive's Office to hear a presentation about the County's fiscal crisis; I believe the presentation was incomplete. This is one of the reasons I am here today, I want to thoroughly understand what the nature of the crisis is and look forward to being given more verifiable information as to precisely how much our shortfall is. Yesterday I went to the Legislature Budget Review Office to try to obtain a copy of Attachment A of Resolution 1205 which I was informed would be available on-line after 5 PM. It was at that time I also found out that the resolution itself had been modified. Later yesterday a request was made for

me to attend a meeting with the Director of Labor Relations for this afternoon. When I indicated I would not be available this afternoon, I was told he would not be available any other time this week. I offered to meet with him next week; I also offered to come in at night and meet.

Resolution 1205 is being used to obtain permission from you to layoff County employees if the unions do not give back items for that County -- items that the County previously negotiated for in union contracts. This resolution would grant the County Executive the authority to have carte-blanche on what concessions the unions would have to make. We are asking for fairness. How would laying off Probation Officers, who are already doing more with less, be beneficial to Suffolk County? I am requesting that Resolution 1205 be tabled pending the County's providing more verifiable and complete information. Thank you.

Applause

CHAIRMAN GREGORY:

Okay, thank you. At this point, at this time we're going to go into our scheduled presentation. Ben?

MR. ZWIRN:

Thank you, Mr. Chairman. Just prior to Ms. Corso and Ms. Vizzini doing a presentation, I just -- if I could just respond briefly to some of the comments that were made.

CHAIRMAN GREGORY:

Sure.

MR. ZWIRN:

You know, I don't know how helpful any personal attacks are going to be. Anybody who lives here and can read a newspaper or see anything on television knows that this is a serious problem all over, not just in Suffolk County. Look at Nassau County. Look at your constituents; how many of them have lost their jobs? How many of your family, people that you know about who have lost an income? Thousands and thousands of people, record levels in this country. We are in tough economic times and we have to make sure everybody understands that.

Some of the comments that were made in the personal nature -- and I spoke with the county Executive briefly, he said, look, when he spoke with Ms. Felice about visiting the workforce, he says he does visit the workforce. He said, "But that's not what the press covers."

UNKNOWN AUDIENCE MEMBER:

When; When has he visited?

MR. ZWIRN:

He's visited Child Protective Service Workers, he's met with the Health Department trying to promote the AIDS Program that they've worked on, and he said -- he said it doesn't get the kind of publicity, but he has thanked the workers in the past. And to have, you know, heckling and laughing behind me I don't think is very helpful at this particular point.

Now, we either can draw together and try to come up with a solution, and I think we have come up with some ideas. Now, there's a list here, we talked about layoffs. We are hopeful, truly hopeful that it will not come to that. The County Executive hasn't done what the County Executive in Nassau had to do and asked for a 7% cut in salaries, but he is looking for -- and the biggest part of that would be a lag payroll. And Jeff Frayler of the PBA said it's been done before and we would all share a little bit of the pain in order to get this County through 2009; we're going to have to deal with 2010 going forward.

There will be stimulus money coming this way; how much we're not exactly sure, but we believe it's going to be less than what we originally thought. But if we ignore these problems, if we ignore the

situation now and just say, "Well, you know what, the County Executive is disingenuous and we're not going to wait"; read a newspaper. Look at Westchester, look at Nassau, look at New York City, look at New York State, for crying out loud. You know, you can pander to your membership, but you can't fool the public; they know, they're feeling the pain right now. You go into a store today and there's nobody in there. You go to malls, there's nobody in the parking lots, nobody's buying a car. We have to come to grips with this because the taxpayers just can't keep paying the bill.

We all represent the taxpayers, including the union members. But we can come up with a solution that's going to be paying across the board. We talked about the Tax Stabilization Fund; Mr. Frayler increased it by about 40, \$50 million today which is a wrong number, but it's about \$126 million. That Tax Stabilization Fund, the rainy day fund, there's no question that we're probably going to have to reach into that, no question, to try to make -- to try to balance this. The lag payroll, which is what we have looked for, isn't going to be enough. And we're going to work together. We're not asking that this be voted on probably on Tuesday, but we want people -- we'd like to see it get to the floor so that the entire Legislature can begin to address this problem.

As I said before, we are hopeful that there will not be layoffs. If we cannot reach some sort of agreement with the unions, then that will be an alternative that will be on the table. But hopefully, you know, we'll be able to work together to come up with a solution. Again, I don't know how personal attacks are going to be helpful to trying to solve this and bringing up old scores to settle, but taxpayers don't have the time for it or the patience and they shouldn't have to be burdened with it.

MS. FELICE:
(Inaudible).

MR. ZWIRN:
And I'll let the -- as I hear Cheryl saying, the County Executive has met with the unions, they've --

MS. FELICE:
No, he hasn't.

MR. ZWIRN:
They gave a presentation -- the Budget Office gave a presentation to try to get the unions to understand that there really is a problem, which is the first step, because some of them don't seem to understand that we're facing a crisis in this County.

MS. FELICE:
We deliver the services.

CHAIRMAN GREGORY:
Okay. All right, please, please, no comments from the audience.
Thank you. Gail, you're on.

MS. VIZZINI:
Thank you, Mr. Chairman and members of the committee for the opportunity to present our annual budget model presentation.

This presentation -- the Budget Review Office has used a standard methodology that it's used in the past. The budget model is actually a series of assumptions in regards to how we've ended 2008, how we expect to fair in 2009 and we expect is going to happen in 2010. So as required by Charter, we met with the County Executive's Budget Office to prepare our forecasts and it is a two year model covering '09, 2010.

This is a brief and straight forward presentation. I would like your indulgence to make the presentation, then the Budget Director has some comments and then we will both be here to answer

any of your questions regarding anything about this.

The 2009-2010 budget shortfall is in the magnitude \$313 million in the General Fund and \$16 million in the Police District. When I talk about combined, it's General and Police; combined, it's \$329 million over the two years. As far as the General Fund breakdown, it's 169 million in '09 and 143 million in 2010. Unlike previous shortfalls that have been presented to you, this year we have a current year shortfall in 2009, we're talking about this year, this budget, as well as the 2010 budget. This slide shows you the 313 in the General Fund, the 16 in the Police District and combined 329.

The most significant problem is the economy and sales tax revenue. Last fall when we did the Operating Budget, few could have predicted the magnitude of the downturn in the national economy, and that has had a devastating impact on consumer confidence and particularly on sales tax. In January, our office advised you that we were expecting negative sales tax growth that's probably unprecedented. Middle in sales tax. We ended '08 with a negative \$24 million in sales tax. We are projecting a negative growth of 4% in '09 and 0 in 2010. Based on my conversation with the Budget Office, they are projecting negative 5 in '09 and a 1% growth in 2010.

For the purposes of the budget model presentation, we have demonstrated the magnitude assuming no shortfall mitigation, no Federal stimulus relief, no Medicaid funding, no reorganizations, no property tax increases or other policy directives; we will address that further along in the presentation. But the problem, in the amoral words of Robert Lipp, "It is what it is."

The -- as I said, the budget model makes several assumptions. We have not assumed any program reductions, nor have we assumed the sale of assets. We have not assumed the Police class or a Correction Officer class; these are policy decisions that you will make. We have assumed a continuation of restrictive hiring and restrictive purchasing. We also, as I indicated, assumed negative 4% growth in sales tax for '09 and 0 in 2010. We have assumed that we are still going to subsidize the Police District in 2010 with \$69 million in sales tax, that would also be a policy determination.

In the absence of any relief, Budget Review is projecting that we will end '08 with a fund balance of 69.6 million, and this is about 12 and a half million less than we had adopted when we did the '09 budget. The fund balance, which we all eagerly await for, will not be officially released until mid April. Excluding Medicaid FMAP relief, we are projecting a shortfall in revenue in 2009; this is primarily due to negative sales tax, trend in Federal and State aid and declining property tax collections. This slide shows you the \$136 million revenue shortfall and its components, the largest component being the sales tax shortfall.

We are also projecting that compared to the '09 adopted amount in terms of expenditures, we will spend less; we will spend about \$61.8 million less. This is a continuation of the restrictive hiring and purchasing and the reserving of funds that the Budget Office has taken efforts to mitigate an anticipated '09 shortfall. If no other mitigation occurs, we don't think there will be a fund balance at the end of '09, and it could be a shortfall in considerable magnitude of 87.3 million.

The non-property tax revenue shortfall is estimated at 127.4 million for the General Fund; for 2010?

MR. LIPP:

Yeah.

MS. VIZZINI:

In 2010. We also expect that we will have an increase in expenditures in 2010 over '09 of about \$16.1 million; it will just cost more to operate the County. The cumulative shortfall, therefore, in the General Fund is \$313 million. This slide shows you the non-property tax revenue shortfall; again, in 2010 it will be mostly sales tax and the trends in State and Federal aid.

Frequently stimulus monies. There is some good news. We know that the Labor Department will be

receiving, in addition to its normal {WIA} funds, an additional \$6.6 million in {WIA} funds; this is targeted for adult and dislocated worker training programs. Typically it's accepted in Fund 320, which is the Labor Department. Exactly where these funds will be accepted and expended will be determined, but it will probably provide little relief to the General Fund.

In contrast, however, the largest and most significant relief is in the form of the Federal Medical Assistance Percentage money, affectionately known as FMAP. We will be receiving \$16 million in revenue in '09 and the expenditures in Social Services will be reduced another \$74 million over the 2009-2010 period. This will significantly reduce the magnitude of the shortfall from the collective 313 in the General Fund to a dramatic drop of 223 over the two year period. So with this FMAP money, the shortfall numbers for '09 are now 119 and 103 in 2010. This slide shows you those figures, so we went from 312 to 222 through the efforts of the Federal stimulus on FMAP.

Aside from the FMAP money and the {WIA} money, we believe that there will be Federal stimulus money. Getting a handle on the extent of any Operating Budget relief continues to be a challenge but is forthcoming. Much of that relief probably will be targeted to our Capital Program in terms of energy efficiencies in buildings, highways, sanitation monies, etcetera. So with FMAP you have a '09-2010 shortfall of \$223 million, you have the Police District at 16. Combined, General Fund and Police, it's \$238 million.

I would like to take the opportunity to, once again, caution you that the General Fund, the \$1.9 billion General Fund cannot be sustained on a Property Tax Levy of \$51 million, especially in light of declining sales tax revenue. This recession has demonstrated that caution significantly. In addition, large fund balances cannot be replicated. We will not and cannot replicate those large fund balances that we saw in '05 and '06 and '07.

The State budget. These are the variables that are out there that have not been included in the model but are -- you know, provide some hope. These are among several options for you, in addition to what's before you today. An increase in sales tax, bringing sales tax back up to 8.75, which it was in 1006, would provide -- these numbers are annualized, it's not -- you know, it's not full 24 months '09-2010, but it's roughly a year's worth, because we know any of these endeavors would require time to get the necessary legislation in place. But if you were to consider asking the State for an increase in sales tax, certainly there is no guarantee whether it would be granted, but we could generate \$33 million in additional sales tax revenue.

The cigarette tax, something that we've read in Newsday in regards to Nassau County endeavoring to resolve its problems, we estimate \$16.5. Hotel/Motel, an additional 5.5 million, that would be in a separate fund, not necessarily provide direct relief to the General Fund. The traffic ticket surcharge, we have estimates of \$10 million; red light cameras, we have estimates of 3.5. Other variables include the Tax Stabilization Reserve Fund. At the end of 2009, it's estimated to include \$130 million. I would never suggest you took all of it, but it's there for the purpose of stabilizing property taxes.

The Energy Tax, that is something that Nassau County has now added to its recurring revenue stream. If we were to increase our current 2.5% Energy Tax to the full 4%, it would be an increase of 1.5% and generate, we project, \$31 million in additional revenue.

The lag payroll, one of several possible alternatives as far as union concessions, is estimated at 26 million. Other considerations are property tax increases, sale of assets, consolidations, layoffs, and there's a laundry list of others.

In conclusion, basically with the relief that we know to be a fact, we have a combined problem of \$238 million. In the opinion of the Budget Review Office, this requires a multi-pronged approach to resolve the problems. Included in that approach should be revenue enhancements and expenditure reductions. I know the Budget Director has some comments to make.

CHAIRMAN GREGORY:

Connie?

MS. CORSO:

Good morning, everybody. I guess the first -- before I start my presentation, I feel compelled to read into the record the last six sales tax checks. These were all done after the budget was adopted, it is nobody's fault, we could not have predicted this economy. The budget was adopted, recommended before the crash of the Stock Market, it was adopted before the R word was ever mentioned by the country in January as the recession. So can I read these? Because this is for those who do not believe that this problem is real.

CHAIRMAN GREGORY:

Just before you start, do you have the year-to-date, the comparisons, or just this year's?

MS. CORSO:

I just want to read -- I have the year-to-date comparisons. January 5th, 2008, 68,136,388.38; 5,508,838,888, 7.48% decrease, a loss of \$5.5 million. January -- December 15th, 2008, \$13,910,826, a 1,387,217 decrease, that's a loss of 9%. A little good news, on 12/30/08, 37,525,000, \$372,000 increase, 1%. January 2nd, 2009, \$40,078,141.75, \$5,780,435 million loss, 12.6% decrease from the previous year. January 13th, 2009, 27,027,212, 7,577,105.12 decrease, that is a 21.89% loss. February 6th, 2009, 73,834,243.05, 3,815,515.28 loss, 4.9% loss. So then you get 213,09, a little bit of an increase, 16,816,635, 603,142.37 cents increase; it doesn't compare to any of those losses. And the last two checks, which really blew us away, was March 6th, 16,148,243.90, 6,013,029 decrease, okay, and that is another 9% loss. And the last little bonus, 3/13/09, 12,611,429.98, 4,095,699.11 loss, 24.515% decrease. I don't see any good news there and that is real. Someone challenge me that that is not a real loss.

Those are the losses over 2008. And what did we budget for 2009? A 1% increase, so add 1% to that number; \$33 million, that's the loss, that's real-time as we sit here. So Now I'm going to go into the rest of the presentation.

Remarkably, the budget models are very, very similar. What we have is compared to BRO, we have a \$314.38 million shortfall over the two years, and that's compared to the BRO of 313. We have a shortfall in the General Fund, and this is before FMAP; after you add in FMAP, it's a \$224 million problem. In the General Fund, \$224 million problem, the Police District is a 13 million -- \$13.44 million problem.

Some of the differences that we have is we do use a different methodology and we do use different assumptions. And if there is a shift between 2009 or 2010, it's merely because of some of the timing of some of the revenues and some of the timing of the collective bargaining agreements and some of the assumptions and percentages that we use.

So again, I mean, this is not a problem that either offices could have really predicted. I mean, we tried as hard as we could to mitigate anything we knew was coming down, but I don't think anyone could predict the losses that I just described to you in the sales tax, and that's just one area of the problem. Both offices agree that the 2008 fund balance is going to come in lower. My estimate is more around the \$56 million range, would be a \$26 million loss in the -- just going into 2009 compared to what was budgeted.

I want to talk a little bit, when I talk about the sales tax, all the other taxing jurisdictions that have the sales tax are made whole before the General Fund. So the 477 and the Fund 115, which is the Police District, are really held harmless from -- at this point, from the tremendous decrease in the sales tax. So it's unfortunate that the General Fund takes the entire hit.

I want to really make a note that if I was to take this 5% decrease that we're predicting for 2009,

that would be a \$4.2 million decrease in the sales tax going to the Police District, which would add to the Police District problem 8.4 million over the two years. So that would really change the numbers of the Police District, And I think it may be something that we would have to consider, the allocation of the sales tax.

Some of the other losses are in the bad debt and charity, that's a real loss. I mean, we budgeted \$7.5 million, we expected to get \$7.5 million. And unfortunately, because of the situation in the State, and we run health centers, not all counties run health centers, a lot of the hospitals are in the same pool as us -- and this is the indigent care, people who can't pay their bills -- we have become a much smaller fish in a larger pond. So any of the monies that got distributed, we ended up losing, real-time, \$3 million, we got that notifications from the State early January.

One thing that we did do that was proactive is we did do -- the County Executive issued an Executive Order and directed my staff to set aside up to nine and a half percent of appropriations, so any available appropriations; my staff has done that to the extent possible. The numbers here do not include the elected officials, we did not include elected officials in here, and it's 27.5 million in the General Fund and \$11.2 million in the Police District; and again, this is in the reserves.

And now I think is the part that everybody kind of has been waiting for. I want to take this opportunity to let everybody know of the plan to attack this problem from our side. We expect that this would, as always, be a joint agreement between the Legislature and the County Executive, and I'm going to go out on a limb and say, you know, unions, I need your help, okay? I've never asked for it before and I need it now. I look at this as a three-pronged approach. If you want to add in the Federal Government and the State Government, I need them as well. So this is the way the approach is going to be, according to the Budget Office, this is our proposal. Of course it's open to suggestions or comments, but I want to lay it out for you now.

If you take a shortfall in 2009 of a hundred -- and that's the other problem. This is the first time I've actually come across and sat in front of you. And this is a real-time problem; I'm not talking about 2010, I'm talking about a loss in 2009. And that's why I felt compelled to read those sales tax numbers into the record, because this is happening now, it's happening in 2009. So I just want you, you know, to be mindful when I'm talking that this is something that we need to attack in 2009.

If you're working from a shortfall of \$119 million, the first thing that we would like to propose is that we have many things that we can do under the County Executive, as the Chief Budget Officer, and things that are in his power and we're going to take some administrative actions, and those will create a savings of \$14.4 million. Now, that would be in additional turnover savings, transfer of staff to maximize aid, maybe look to New York State, some of the functions that they should be doing that we're doing, maybe have them take that back over. What I mean by that is they're supposed to do tank inspections and the County is doing the tank inspections, things of that nature that, you know, we want to look at at this point.

Of course we're looking for the unions concessions of \$30 million, which is no surprise. We are going to look to go into the Tax Stabilization Reserve Fund, and at this point we're at a \$25 million number. This is not a number set in stone, but you have to remember, if \$25 million goes into my base for -- or this County's base budget in 2009, that means I need 50 next year; just be mindful of that, it's going to go quick. You know, it will be 130 hopefully by the end of the year, but the end of 2008 and 126.6 million.

We are actively, you know, going after new aid via New York State. We have proposals for the red light camera, we're trying to get ourselves on the bill for the cigarette tax, you know, we're on the motor vehicle, we're looking at vehicle use, the Hotel/Motel, we're looking for a little bit of change in language that would maybe get the General Fund \$1.3 million, and the way I look at it is that every \$1 million is going to help. So we are actively -- we have -- I think Ben was in the State office last week and I think they're going up again tomorrow. I mean, we are, you know, begging New York State to help us.

Also, the New York State budget cuts the budget by \$23 million this year, and \$51 million over the two years. Again, we're trying to get restatement of at least \$10 million of those cuts. If I could get \$10 million back in flexible family services or, you know, youth programs, that would be things that would really help this County.

And the last component would be \$5 million of Federal stimulus. Now, there isn't only Federal stimulus in the form of FMAP, there isn't in just capital, but there are things like food stamp administration, child support payment, and these all go to the admin which would help supplement the funds that we have there already and add savings to the budget. I already got notification yesterday that we'll be getting \$500,000 for child support incentive payment admin, and that is direct relief that will go to DSS. And we hope that that remains in the State budget, because the rest of the stimulus does have to flow through the State budget.

And so that leaves a balance of \$28.4 million. And we're very comfortable that in a \$2.6 billion budget, we will be able to manage that two point -- \$28.4 million without any layoffs if we get these concessions. And I just want to make a note here that there is a task force looking at the Skilled Nursing Faculty and that is not included in my statement. But if we can get \$30 million worth of union unique concessions, we would, you know, pretty much guarantee no layoffs for 2009.

MR. ZWIRN:

If I just might add one more thing, Mr. Chairman. You know, we have a lot of the union leaders that are here today. If we would get a commitment today from them to consent to a lag payroll, which means that you get two weeks of salary when you're leaving service, so you really don't give up anything -- you're giving the County a loan until you leave, and you leave with the higher amount money, whatever step you're at at that time -- we'd tear this list up today; this is the list of titles that would have to be eliminated. We're asking for a lag payroll. The union leaders are here; if they come here and say that they will consent to that, if I could rip this, this is done and we can move on. County morale can improve, everybody gets back to work and we are done; that's all we have to do.

CHAIRMAN GREGORY:

Thank you. We're going to -- we have a comment by Legislator D'Amaro.

LEG. D'AMARO:

Yes, thank you. Before we get started on this, I just wanted to clarify, Connie, one area where you were going into the way we're going to attack, or that you would propose to attack the 2009, the real-time loss as you call it. You had mentioned New York State aid in the form of, for instance, cigarette tax, something Nassau County is looking at, red light tax, hotel/motel, that kind of thing; did you put a number on that?

MS. CORSO:

I don't -- I don't really have a number, I'll have to get back to you. Let me see if I could give you -- I would say it's only 6.2 million for 2009. It's going to be a greater benefit in 2010, obviously, because by the time we get red light cameras, do the RFP, get the person to install the cameras, when is that really going to happen?

LEG. D'AMARO:

Well, and that's still tenuous because it needs to be approved by the State process, so we're not really putting that into the mix at this point.

MS. CORSO:

Listen, if anything we can -- anything we can get, anything that Nassau is looking for, anything that Westchester, Rockland, New York City is asking for, we're trying to tag ourselves on to those bills.

MR. ZWIRN:

And some of these bills we'll have to opt into as a County. The red light camera is pretty much -- it's been -- Nassau County has taken it as revenue for the last two years. I've been up in Albany every week for the last couple of weeks and that's dead on arrival, not going to happen. And we've tried to join some of the bills that Nassau has and we're on some of those bills for cigarette tax, but there's talk among State Legislators that they don't want to increase fees, they don't want to increase taxes this year. It's a very close breakdown with respect to the party in the Senate, so it's going to be very difficult. The surcharge, there's argument whether the surcharge is constitutional or not on tickets. So to start to count some of that speculative revenue is very dangerous at this point.

LEG. D'AMARO:

And also, the New York State reinstatement of aid, you put a number on that of 10 million potential, but in trying to gauge, you know, what remedies we have for these shortfalls, how realistic is that?

MS. CORSO:

I feel a little more comfortable with that because I do know that there is great support to restore the Flexible Family Service monies and the Youth Bureau monies, and those cuts alone were worth about \$6 million. So I feel -- I feel, you know, cautiously optimistic that may be a reality.

Can I just make one comment? And it's kind of a compliment to everybody. One thing that is positive here is that we positioned ourself a lot differently than other municipalities in where we have a 2009 Adopted Budget that's less than 2008, so that really helped us, and that was mainly because of the actions that we took last year in Resolution 283. And I think, you know, we would have been in a much worse situation had we not done that. So, you know, if you had one little thing to think about, and look how good that worked and can't we do that again, I think you would, you know, really think about that for a little while.

CHAIRMAN GREGORY:

Okay. John, you had a question?

LEG. KENNEDY:

Yes. Thank you, Mr. Chair. It's a lot of information to try to go ahead and absorb in a short period. Connie, I'm going to ask you, if you can, I was trying to actually, as you were laying out the balance of the things that the County Executive was looking to do, we are assuming that there would be 30 million realized from what's being sought from the unions, that's being added to a total menu of actions that are going to go to 119 million; is that it?

MS. CORSO:

Yes

LEG. KENNEDY:

Okay. So you have 14 million in unilateral actions that the Exec would take, associated with moving positions, consolidations, things such as that. You're talking about 25 million from Tax Stabilization; can we talk about that just for a one minute? And then I want to go through the rest of the list. Tax Stabilization, at this point, we access -- actually, I'm going to defer to George. How do we -- what is the procedure for us to actually access any portion of that 130 million?

MR. NOLAN:

Well, that's governed by State Law. And the County Executive has to recommend that we tap that fund and the Legislature would have to approve that by a resolution by two-thirds vote.

LEG. KENNEDY:

Okay. So have you actually gone forward then and filed a resolution?

MS. CORSO:

No, because I'm here presenting my plan and I'm hoping that -- you know, if I need you, to agree

with the plan; if we agree to the plan, then of course I'd propose the resolution. This is the plan that everyone's been asking for and I'm just laying it out and I want to see if we get any -- if it takes on any legs and we get support for it. This is the joint budget model, this isn't a -- this isn't a place for me to introduce a new bill. So it may be forthcoming, but it's not here today

LEG. KENNEDY:

Well, but -- so that we're all in agreement, then, that -- whether we look for five cents or we look for 50 million out of Tax Stabilization, the only way that's going to occur is with the County Executive filing a resolution in the first instance.

MS. CORSO:

Absolutely.

LEG. KENNEDY:

Okay.

MS. CORSO:

That's why I'm here asking for your help

LEG. KENNEDY:

Well, we've had conversations that have gone back, all the way back to the last General Meeting. But today is the first time that I am personally hearing that there's any particular amount that the Executive's speaking about at all out of Tax Stabilization. Anecdotally, I've heard about 12 million, I've heard about 25, I've heard about 30, I've heard a lot of hearsay. Today is the vert first time that I'm hearing at all about any amount that the Executive, which apparently is something only he can do, is agreeing that he may do.

MS. CORSO:

Right. And if you look at the checks of March 6th and March 10th, it's not leaving us many choices.

LEG. KENNEDY:

Well, you bring another good --

MS. CORSO:

That is the unanticipated revenue loss.

LEG. KENNEDY:

You bring up another good point that I guess I'm going to probably ask Gail to do, or perhaps yourself, because I don't know who the most appropriate one is to that. I really don't know what the sales tax distribution schedule is. I really don't know what the amounts are that have come back. I'm sitting in a committee now where I'm being asked to go ahead and take an action that possibly may look at 380 layoffs; it's incumbent on me now to go ahead and get that.

MS. CORSO:

Well, those numbers come from the Treasurer, and I believe you can get your name added to the distribution.

LEG. KENNEDY:

That's what I'm going to have to do.

MS. CORSO:

Yeah.

LEG. KENNEDY:

Is that how it goes, Mr. Chair; are you aware of that.

MS. CORSO:

I think there are several Legislators that already have their names on the distribution, so, you know, I encourage you to do that.

LEG. KENNEDY:

I certainly will, I'll call Angie to find out. Can we -- let's go back to the list, though. So you're talking about 25 million from Tax Stabilization, you're estimating right now 5 million from stimulus money?

MS. CORSO:

Yeah. There are several proposals in the stimulus, and I'll leave a copy with you if you'd like, that are not related to capital; let me get it out for you and I'll explain it to you.

LEG. KENNEDY:

Senator Smith did a briefing that several of us were at, actually, on Saturday over at Suffolk Community where there are large sums that are identified, I guess, at the New York State level, but I was a little disappointed that we didn't have breakout for the particular counties.

MS. CORSO:

You know, what happened, New York State, up until nine o'clock last night, has not released their formula. We get -- a lot of the aid that I'm going to mention is formula-based, and until the State -- we know what the pot of money is, but we do not know what the allocation is going to be. We don't know the percentage from the State, so it makes it very, very difficult for us to predict. But there are many things that are coming -- there's money in the Federal stimulus for Child Care Development Block Grant, there's money in the Federal stimulus for Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, additional SSI payments -- now, that will be a pass-thru, that's not going to be a benefit to the County -- Emergency Shelter Grants, Social Services Block Grant, Title 20 Funding, Foster Care and Adoption Assistance monies. That Foster Care and Adoption Assistance, that's going to be administrative monies that we will be able to use to supplement the current budget.

LEG. KENNEDY:

There's also law enforcement money, as a matter fact --

MS. CORSO:

Yes. And the --

LEG. KENNEDY:

-- for new cop hire and for retention.

MS. CORSO:

Right, and we are on that, we are actively pursuing that. But let me just -- let me really explain that; that is not going to fix the budget hole. That is just a dollar-for-dollar, whatever dollar comes in from the Federal government we're going to spend in the Police.

LEG. KENNEDY:

My point there is, is that while there are many areas that are undefined, we did take an action to put I believe almost four million in '09 operating in anticipation of a class of 80 officers in September. Now, in light of 119 million you say, "Well, four million, you know, you're spitting in the ocean." But nevertheless, as -- and I'll go back to your comment, a million here, a million there takes us that much closer to plugging a hole.

MS. CORSO:

Right, but let me just -- let me just clarify. The two models, Budget Review's -- and correct me if I'm wrong, Gail -- neither one of our models includes the Police class.

MR. LIPP:

Correct.

LEG. KENNEDY:

Well --

MS. CORSO:

They don't.

LEG. KENNEDY:

So in other words, there was that assumption that there would not be a class started in September.

MS. CORSO:

Yeah, at this point.

LEG. LOSQUADRO:

Robert, Gail?

MS. CORSO:

And it probably helps our application.

MS. VIZZINI:

Just for purposes of the model, yes.

LEG. KENNEDY:

Gee, that's surprising to me, because I know that we had put that --

MS. VIZZINI:

It's not a policy decision, John, it's just for the purposes of the model.

MS. CORSO:

Right. We have not made a policy decision, it's for the purposes of the model.

LEG. D'AMARO:

How much is that?

LEG. KENNEDY:

But can I --

LEG. D'AMARO:

How much is that?

LEG. KENNEDY:

Wasn't it four million?

LEG. D'AMARO:

Was that -- can I just clarify that?

MS. CORSO:

It's only two, 2.6 million in 2009, because it was starting the September class.

LEG. KENNEDY:

Two point six? All right. I'll yield in a minute, I don't want to monopolize, but I do, if you will indulge me, see where did I not jot down? So I have 14, I have 25, I have five, I have an assumption of, what, 26 or 28 that you're looking for from the -- 1205, or in lieu of 1205?

MS. CORSO:

Yes, 28.4.

LEG. KENNEDY:

Twenty-eight point four. Now, that's not adding to 119, is it?

MS. CORSO:

Yeah, 119 minus 14,4, 104, minus 30 is 74, minus 25 is 49, minus six is 43, minus 10 is 33.

LEG. KENNEDY:

Where was six? I'm sorry, where is six?

MS. CORSO:

Oh, the six is the Hotel/Motel, red light camera, the aid, the revenues.

LEG. KENNEDY:

Okay.

MS. CORSO:

It is speculative, but if we get help lobbying, maybe it will be real.

LEG. KENNEDY:

One other thing that I'm going to ask you. With this list, which we all agree, I -- about five o'clock I got it last night and I've been on the phone already with several departments. A number of the positions in this list appear to me to be aided positions. The Probation Department is an aided department, isn't it?

CHAIRMAN GREGORY:

Excuse me.

MS. CORSO:

Not all positions are aided.

CHAIRMAN GREGORY:

John, I'd rather wait to get to the list when we discuss the bill.

But if you have any questions about the overall plan, I think we should address that now and wait for the attachment to address those issues when we address 1205.

LEG. LOSQUADRO:

Will they still be here?

MS. CORSO:

Yeah, I'm going to stay.

LEG. KENNEDY:

Yeah, as long as they're still there, Mr. Chair. Because I think the notion of aid, aid is playing quite a bit into our discussion here.

So particularly when we go into departments that are heavily-aided departments, like the Department of Social Services or like the Health Department or like Probation, I think it's something that, you know, certainly I need to know before I take any action here at all.

CHAIRMAN GREGORY:

Okay, certainly.

LEG. KENNEDY:

But I'll yield.

CHAIRMAN GREGORY:

Okay.

LEG. KENNEDY:

I'll yield, let's go into, you know, a more generalized question.

CHAIRMAN GREGORY:

Brian then Lou.

LEG. BEEDENBENDER:

I'm actually good. John asked a couple of the questions I was going to ask, so.

CHAIRMAN GREGORY:

Lou?

LEG. D'AMARO:

All right. Connie, here's kind of my general question on the bill that we're looking at today as it relates to the presentations that we're hearing today.

You know, we're talking about and you're presenting, and I appreciate what you're presenting, I know you're trying very hard to come up with the numbers to get through the shortfall in '09, which I like you call that real time and here we are. But you talk about administrative actions, you talk about the reserve fund, you talk about the reinstatement of State aid, the Federal stimulus, but aren't the -- these numbers are not fixed yet.

MS. CORSO:

They're not fixed, but to suspect that I would get \$10 million of reinstatement of proposed cuts, I really won't know until April 1st, but I'm hearing that there's good support for the returning of the flexible services. Again, we need to lobby for the \$6 million. I mean, I think I was pretty conservative there, \$6 million on a \$2.6 billion budget.

I hear what you're saying and I just want you to know that we're working hard to try and get these things through. Let me give you an example, with the \$6 million with the labor; yes, it's going to go into a separate fund, but maybe it is a possibility that I could transfer positions that were in Fund I and put them in that fund and they can help with the increased workload that they have there. So that will be a real savings to the General Fund.

LEG. D'AMARO:

Well, here's my point. My point is that the only number that's fixed is the number that's in this bill today at 30 million. Now, what I'm asking you is just like we have uncertainty around all the other numbers, how can we be certain about this particular number?

MS. CORSO:

I'm not certain, I'm hopeful. I need the cooperation of the unions. I mean, let's look at it. If I get unions --

LEG. D'AMARO:

Well, no, no, no. I don't mean to get to the 30 million, I mean how do we know it's not 40 or 20?

MS. CORSO:

With the concessions?

LEG. D'AMARO:

Correct.

MS. CORSO:

Yeah, we're only asking for 30. We feel like we need to -- you know, we should be in equal pain, but let me explain something else to you.

LEG. D'AMARO:

Well, I would appreciate --

MS. CORSO:

I just want to talk to you about --

LEG. D'AMARO:

Hold on, I want to -- I don't want to dismiss that question.

MS. CORSO:

Okay.

LEG. D'AMARO:

Because it's an important question.

MS. CORSO:

If we could get more than \$30 million, it would be great.

*(*Laughter From Audience*)*

LEG. D'AMARO:

Right, but that's not my question. You know, my question is we're asking -- you're asking --

MS. CORSO:

I don't appreciate the laughter, I'll tell you right now.

LEG. D'AMARO:

We're asking -- we're looking at a bill today --

MS. CORSO:

It's not a funny situation here.

LEG. D'AMARO:

All right. Mr. Chairman, I just --

CHAIRMAN GREGORY:

Please no comments from the audience, please.

LEG. D'AMARO:

Yeah, this is serious business, I agree with you. And I want to -- I'm being asked to cast a vote today that would authorize or send to the full Legislature to consider the authorization of layoffs and that's real-time stuff too, okay, and that's important.

I'm being told that there's a number out there that we should shoot for and it's \$30 million, based on the economy or the presentations we've heard today and where we're at. I'm also being told that the balance of the projected revenue make-ups are somewhat speculative at this point. So I'm having a problem connecting those two concepts because, you know, how do I go to my County employees and say, "This is definitively what you need to be doing," when I really don't know definitively what the rest of the plan is going to be?

MS. CORSO:

I can tell you that --

Applause

Let me bring you back to last year when we had the Plan D, the 2009 shortfall mitigation, we did not solve that whole problem, we left 20 or \$30 million on the table and we were able to make that work. I don't think, you know, it's a stretch for me to be able to save \$28.4 million. You have to remember, I did not strike the appropriations and the cuts. I did not reach the 9.5% that I am allowed to go to, it's an average of about five or 6%. I'll go deeper and cut more cars and I'll cut more, you know, office supplies and more software if I have to do that, and I will strike those -- the Budget Office would strike the appropriations if they need to be stricken. Remember, right now they're in reserves, they are not stricken; we could strike right now appropriations and that's what we'll do.

LEG. D'AMARO:

Right. I appreciate that answer and I do agree with you, that, you know, as part of this mix we need to have everything on the table, including what's in this bill that's before us today. But I want to be sure that before I go to our workforce and ask for concessions or layoffs, that we are doing everything we can to cut and enhance revenue in other areas, and I need to know that and I need to know that the County Executive is committed to doing that.

MS. CORSO:

Yes. And I can tell you, I already know in the State budget there's CHIPS funding, it's for highways and that was in the original Governor's budget and it is no longer in there, so that's \$1.6 million. Again, every \$1 million helps.

LEG. D'AMARO:

Okay. And my other question, I think more to Mr. Zwirn, was how would we implement the lag payroll? I mean, how does that -- what's just the nuts and bolts of that? You mentioned it's more akin to a loan.

MR. ZWIRN:

Well, you would --

CHAIRMAN GREGORY:

Hold on. I don't want to address that, I want to stick to the budget model. We can address that when we get to the bill.

LEG. D'AMARO:

Okay.

CHAIRMAN GREGORY:

Brian, you have a question.

LEG. BEEDENBENDER:

Yeah, I'm sorry.

MS. CORSO:

Well, could I just say one more comment to Lou?

CHAIRMAN GREGORY:

Sure.

MS. CORSO:

Just so you know when you go to your work, when you go to the workforce, I gave you the assurance that there would not be any layoffs. Okay?

LEG. D'AMARO:

So what you're saying today --

MS. CORSO:

If we get the concessions.

LEG. D'AMARO:

Based on your budget presentation, if the concessions hit the target in the bill, that for '09 there would be no layoffs proposed by the County Executive.

MS. CORSO:

That's right, exclusive of -- the nursing home is on a separate task force, I'd rather not discuss that, but no other.

LEG. D'AMARO:

Okay. Thanks.

CHAIRMAN GREGORY:

Okay. Brian?

LEG. BEEDENBENDER:

Thank you, Mr. Chairman. Just a couple of things. Gail, in your presentation you had mentioned the ticket surcharge, something that Nassau is going after, and I just wanted to ask about that. The County Executive's Office, in several of the budget meetings, has said that we're told that's unconstitutional, but my colleagues in Nassau, the Nassau County Legislature, tell me that they're going to get it. So I guess I would ask either to the Exec, to our County Attorney, to Budget Review, on that idea of this ticket surcharge which is in AME's letter as well, is it --

MR. ZWIRN:

We are in support of it. We are looking to get on the bill to get it.

LEG. BEEDENBENDER:

Okay. So you no longer think it's not --

MR. ZWIRN:

Because the Governor's Office said they thought -- it was not in the Governor's bill because his people told him they thought it was unconstitutional. There are bills that are being carried with that surcharge in it and we are asking to be made part of that, we are looking for that revenue.

LEG. BEEDENBENDER:

Fantastic. Just because there has been that disconnect and --

MR. ZWIRN:

We were looking for the red light cameras, although it's jammed up there and unlikely it's going to happen.

LEG. BEEDENBENDER:

Right.

MR. ZWIRN:

We've asked for the cigarette tax, we've asked Senator Foley to carry that for us up there. We have been up there -- as you know, Brian, when you worked in IR -- we lobby up in Albany on a regular basis and we will be up there tomorrow leaving the Dennison Building at 6 AM to be up there, and even our colleagues in the unions know we're up there because we run into them up there.

LEG. BEEDENBENDER:

Well, just to follow up on that and just to finish, though. You know, my colleagues in Nassau, I've spoken to some of the Nassau Legislators and they've been up there, so -- with this ticket surcharge, but that brings me into the second point. I know that the County Executive's Office has been up there. I've been, you know, advocating, it hasn't happened yet, but I think we should go with you to talk about these things, because there are many things we agree 100% on.

MR. ZWIRN:

Well, if you come with us, can we use your EZ-Pass instead of mine?
Not a problem. We have absolutely --

LEG. BEEDENBENDER:

No, but I'm just saying that, you know, I think it sends a powerful message that if there are things we can agree on, and certainly there are things we do not, but there are things that we do; this ticket surcharge, the cigarette tax possibly, I haven't spoken to all my colleagues. But if it helps to have a Legislative Branch talking to that Legislative Branch, which we have done already, and I will travel up to Albany and camp there, if necessary, and I think we would all do that, we would like to be part of that process, and not exclusive of you but together.

MR. ZWIRN:

I agree. Look, we're asking the Legislature in Albany to give us the opportunity to raise revenues on ourselves, we're not asking for them to do it so that they can't be accused. But when we come back, say there's a Hotel/Motel Tax, we're allowed to increase it, you know, my Legislator from the east end, I know I've have been -- you know, I've been hinted at restaurants saying how dare anybody from Suffolk County go up there looking for a Hotel/Motel Tax on a business that's really suffering out on the east end with the hotels. So even some of the things that we're asking for that you would not think would be a heavy lift for the State Legislature are going to find their way here and also going to be heavily debated before.

The problem is is that, as everybody has said, this is real-time, this is happening in 2009. We don't have the luxury -- every week we wait, and we're not asking the Legislature, you know, on Tuesday to make all the decisions unless, you know, everybody gets up here and says, "We'll do a lag payroll," then we can move on with the County's business and other areas. However, we will try to -- you know, we have to do something sooner than later.

LEG. BEEDENBENDER:

I understand. But as you move forward, and I know that I've spoken to the Presiding Officer about it, we want to be included. But the last question, I just want to ask about the sales tax projection. Gail, you said BRO projects -4% for '09 and 0% in '10?

MS. VIZZINI:

Correct.

LEG. BEEDENBENDER:

So that's -4% after -- based off the abysmal '08, not what we projected in '08, so it's off of the real number.

MR. LIPP:

(Shook head yes).

LEG. BEEDENBENDER:

And Connie, I think Gail mentioned that your numbers are -5% in '09 and +1% in '10?

MS. CORSO:

No.

LEG. BEEDENBENDER:

No. Okay.

MS. CORSO:

I'm -5% in '09 and flat in '10.

LEG. BEEDENBENDER:

And zero. All right, so we're relatively close on that as with everything else.

MS. CORSO:

Yes.

LEG. BEEDENBENDER:

Okay. Thank you, Mr. Chairman.

CHAIRMAN GREGORY:

All right, John, go ahead. Legislator Kennedy.

LEG. KENNEDY:

Just a couple of more questions from a structural. I'm not sure if it was Connie or Gail, somebody spoke about 477. Connie, you made a point, I think it was, that subsidiary funds get made whole--

MS. CORSO:

No, you know, I made a mistake on the 477 because that's a percentage. So I want to clear the record on that, that will be adjusted from the sales tax. Only the 115 gets made whole; sorry.

LEG. KENNEDY:

Okay. Well, that kind of shot that.

MS. VIZZINI:

Yeah. Because we've been saying that the Water Quality monies are also impacted adversely.

MS. CORSO:

You know, I think I was thinking in terms of property tax.

MS. VIZZINI:

The point, though, is that the Police District gets a fixed amount. And in light of the decline in sales tax, we may have to revisit that.

LEG. KENNEDY:

How is it a fixed amount, Gail? I thought that we make a determination each year how much up to three-quarters of a percent of sales tax that we can move toward. Isn't it discretionary as to what we put there?

MS. VIZZINI:

Well, when we make that policy decision, we then have a specific amount that goes to the Police District upon which, you know, the rest of the balancing act is the property taxes that we levy for the Police District.

LEG. KENNEDY:

Right, that's separate and apart from where the levy goes.

I don't know, there was something else I wanted to ask in this -- oh, I know. The mechanics associated with lag, I've had the great privilege of having gone through three of them so far, two with the State and one with the County under the Halpin Administration.

CHAIRMAN GREGORY:

John. John?

LEG. KENNEDY:

My recollection is dependent upon --

CHAIRMAN GREGORY:

Can we discuss that when we discuss the bill?

LEG. KENNEDY:

Well, just the mechanics, DuWayne, of how it -- okay, fine. All right.

CHAIRMAN GREGORY:

Jay then Dan.

LEG. SCHNEIDERMAN:

A minor question; it has to do with lag, too, but it's not about the mechanics of lag, it's actually the number. And I'm not on this committee and I appreciate the opportunity, through the Chair, to be heard. I do, as the Deputy County Executive mentioned, come from the east end, so it is quite a drive, but I recognize how important this issue is and what a crisis the County is currently in, so I wanted to hear all the testimony.

But Connie, on your \$28.4 million that you're anticipating in revenue generated by this lag payroll, are you including any kind of hardship exemption for a County employee that could demonstrate that losing that one or setting aside that one pay check might cause them to not be able to make their mortgage or feed their family?

MR. ZWIRN:

It would be a hardship for everybody.

MS. CORSO:

I -- it has -- okay.

MR. ZWIRN:

If I could just Jump in, Jay. We know it's a hardship. Look, this whole thing is painful but, you know, we're looking at a hardship of losing a pay check and then you get it back when you leave service or lose a job; I mean, then you lose your income.

LEG. SCHNEIDERMAN:

But there may be, Ben, some people who are living hand-to-mouth and cannot set aside one paycheck a year without losing their home. And I think if we're going to consider or entertain a lag payroll, there has to be some kind of hardship exemption for those who can demonstrate financially that, you know, they simply are not in a position to give up one paycheck.

MS. CORSO:

I mean, the only thing that I can think is if we set a target of \$30 million and whatever the lag doesn't give us, maybe we can get concessions in another way, that's the only thing I can say. I mean, we can talk about it and review it and I would think that Budget Review Office and my office would want to do an analysis, you know.

MR. ZWIRN:

I can't think of a worse hardship than if you lose your livelihood, that's -- nothing can be worse than that.

LEG. SCHNEIDERMAN:

Well, losing your house would be hard, too.

MR. ZWIRN:

Well, if you don't have an income coming in at all -- look, it's a hardship for everybody.

LEG. SCHNEIDERMAN:

You know, we can do some analysis to see what percentage of the County workforce might fall into this category and figure out what that would cost, maybe allow some of the reserve money to be used in that fashion to offset that. It's just something I'm asking you guys to consider. These are tough times for everybody, but there are some people who are --

MS. CORSO:

I will certainly look into it.

LEG. SCHNEIDERMAN:

-- really struggling. Okay, thank you.

CHAIRMAN GREGORY:

All right. Dan?

LEG. LOSQUADRO:

Thank you. I didn't -- certainly didn't have as far of a drive, but I didn't want to drag myself out of bed this morning; I'm sure you can hear, I'm really not feeling very well. And thankfully I've been able to say quite a lot of the questions that I wanted to ask to legislator Kennedy, but I had a couple specific points I wanted to bring up.

One, I guess, Connie, you did misspeak, earlier I know you were running through a lot of numbers. I had the same numbers that John had down, a negative five and then a 1% for '10; I guess you meant to have it at zero, that's fine.

MS. CORSO:

Oh, yeah, no.

LEG. LOSQUADRO:

But John and I heard the same thing there.

MS. VIZZINI:

That was in my presentation.

MS. CORSO:

Yeah, it was in Gail's.

LEG. LOSQUADRO:

I had you at negative four and zero.

MS. VIZZINI:

Yes, but I spoke for Connie.

LEG. LOSQUADRO:

Oh, okay.

MS. VIZZINI:

We've had a lot of conversations about the budget model. My last --

LEG. LOSQUADRO:

That's fine. As long as we have that cleared up, it doesn't matter. But a point that Legislator Kennedy brought up, or maybe it was Legislator Schneiderman, are those numbers compounded off of the losses that we -- that we're experiencing for the reduction in '08? So what -- those numbers that you're putting forward to us in terms of the reduction in the sales tax revenue are taking that into account, correct?

MR. LIPP:

Correct. We lost over 23.3 million in the General Fund in '08 compared to the estimate. On top of that, there's another 78 and a half million, if it's negative 4%, off of that lower base, 23.3 of the 78 would be because of the lower base.

LEG. LOSQUADRO:

Okay.

MS. CORSO:

Right. And if you looked at the numbers that I read into the record earlier, those are the real numbers, 2008 versus 2009. You have to remember, the 2009 budget has a 1% increase, so you could add 1% to that.

LEG. LOSQUADRO:

Right. And again, compounded because we based that 1% increase on the prior year.

MS. CORSO:

That's right.

LEG. LOSQUADRO:

I found it interesting that, you know, while not certainly having the ability to make policy, that both models did not include the Police class for later this year, even though it's only \$2.6 million that we budgeted for that. What was the projected cost for 2010 for those officers? Because we're only talking about a class of 85 was it?

LEG. BEEDENBENDER:

Eighty.

CHAIRMAN GREGORY:

Eighty, or 75, right.

LEG. LOSQUADRO:

Eighty? The one thing that I've discussed a lot, over and over with this is we've been hiring far fewer people than have been retiring for years now. So we keep talking about added cost, are we taking into account that we're not keeping up with the rate of attrition? So if we have our normal compliment of a hundred or so retirements this year, how are we accounting for that in terms of our projected expenses?

MS. CORSO:

I have people talking in both ears, so I'm sorry, I missed your question.

LEG. LOSQUADRO:

Well, I would have appreciated if he had waited until I was done speaking.

MS. CORSO:

I know. I'm sorry, I apologize. I was trying to get the loss for --

LEG. LOSQUADRO:

You know, we talk about what a serious situation that we're in here.

MS. CORSO:

Right, I know, but I was trying to get the number for 2010, what the Police class cost, so I apologize. I didn't have it in front of me.

LEG. LOSQUADRO:

What I was asking was, and I've asked this question many times when numbers were put out to us, are we taking into account our rate of attrition? For years --

MS. CORSO:

Actually, the rate --

LEG. LOSQUADRO:

No, no, I'm not done.

MS. CORSO:

I'm sorry.

LEG. LOSQUADRO:

For years now we have not kept up with our rate of retirements. I think everyone agrees, we are far below the number of sworn officers -- general employees, for that matter, that we have -- but we're looking specifically at the Police District here, it's sort of a microcosm of the County as a whole.

Every year we know we have relatively steady rate of retirements on the order of between 90 and 120, depending on the year, and we're talking about a class of 80 this year and we only put in approximately 55 last year. Actually, that was -- excuse me, that was the end of '07. We're talking about -- we budgeted \$2.6 million to get that started; how do we account for that rate of attrition? What would be the actual cost associated for '10?

Are we taking into account the fact that we're going to have that many less employees that we're not backfilling?

MS. CORSO:

Okay. Well --

LEG. LOSQUADRO:

How does that work in everybody's budget model here?

MS. CORSO:

Okay, let's just.

LEG. LOSQUADRO:

Because I'm not --

MS. CORSO:

Remember, this is -- you know, we're going on data, we're on real-time. I mean, we have civilianized over 80 positions, so those positions have been redeployed and put out on the street, so that has helped us.

LEG. LOSQUADRO:

Wait, wait.

MS. CORSO:

No, I'm not done.

LEG. LOSQUADRO:

No, I just --

MS. CORSO:

And --

LEG. LOSQUADRO:

I'm sorry.

MS. CORSO:

And I don't think that people --

LEG. LOSQUADRO:

Connie, I need to stop you right there for a second, because we've heard -- I sat through all the Budget Working Groups also, okay, and I -- we can talk about civilianizing titles and putting them out on the street, but we haven't actually filled those civilian titles. So you can say you civilianized them on paper, but --

MS. CORSO:

I think we've civilianized a number and why don't I -- I'll get you that report, if that would help you.

LEG. LOSQUADRO:

Budget Review --

MS. CORSO:

I just want to fit --

LEG. LOSQUADRO:

-- the last report that you gave to us said we had how many more live bodies in civilian positions?

MR. REINHEIMER:

I don't have the exact number, but I kind of looked at it the other day and we're still under 600, we've had as many as 600 civilians. So it's been pretty steady but below what we've had a year and a half ago, in just pure net number of civilians.

LEG. LOSQUADRO:

It stayed relatively stagnant, that's my point.

MS. CORSO:

Right, but we did have -- listen, we did have an early retirement last year on civilian positions.

LEG. LOSQUADRO:

I understand that, we lost some people there.

MS. CORSO:

But the number of -- you're asking about Police on patrol and I'm telling you the Police on patrol are more.

LEG. LOSQUADRO:

I didn't ask you about Police on patrol.

MS. CORSO:

Yes, you did, you said there's less cops on the street.

LEG. LOSQUADRO:

No, I didn't. What I asked you was I'm -- you're a budget person, you're not a policy person, Connie. I like you a lot because you're a good budget person, that's what I'm asking you.

MS. CORSO:

And I'm really trying -- I'm trying to explain to you.

LEG. LOSQUADRO:

How are we accounting monetarily is what I'm asking you --

MS. CORSO:

I'm going to try and tell you why, okay?

LEG. LOSQUADRO:

-- for having less people from retirements?

MS. CORSO:

I'm going to try -- could you let me speak? First of all, we don't have the number of retirees that you're saying, we don't have -- we have maybe -- you know, in a good year, maybe 80. And I believe that in 2009, because of the economy, I think you're going to see less people retire. And now, let's talk about, you know, the COPS Grant; we're going to hope to get the COPS Grant. One of the criteria for getting that grant is layoffs of Police Officers, not scheduling of classes; let's see how that grant pans out before we decide we're definitely, definitely not having a class.

LEG. LOSQUADRO:

I'm not advocating one way or another. I'm just trying to figure out monetarily how -- since both of you took this out of the budget models, I'm trying to figure out if we did want to do something, how it's being accounted for. Maybe I should ask Gail, maybe she's used to hearing my questions.

MS. CORSO:

Oh, thanks.

LEG. LOSQUADRO:

No, in figuring out what I'm trying to -- maybe she has a better way of figuring out what I'm trying to say.

MR. LIPP:

In our budget model for the Police and the General Fund, for the Police we're assuming this year and next year 40 retirements. We're observing that retirements are down, in part because of the economy, because of people losing some value in their 401K's, all that kind of stuff, so we're down from the 80 person range to the 40 person range; that's what we're seeing and that's what's implicit in the model. In the General Fund, we're assuming a -- moving forward from the February 22nd position control register in terms of staffing, so we're assuming any attrition of people associated with retirements or other separations is equal to new-hires, it's the implicit assumption in the model.

LEG. LOSQUADRO:

Okay. Thank you. See, I was just asking budget questions, that's all.

CHAIRMAN GREGORY:

Okay. Brian has one last question.

LEG. BEEDENBENDER:

I'm sorry, as a quick follow-up. We're using this \$26 million number for what we assumed in the lag payroll in your list, Connie?

MS. CORSO:

I have \$30 million in concessions that are not just the lag payroll.

LEG. BEEDENBENDER:

Okay. Well, let me ask you, what would lag payroll be worth?

MS. CORSO:

About \$26 million.

LEG. BEEDENBENDER:

Okay. Does that include exempts or we have to pass another bill for exempts; and if so, how much are they worth? Because it seems if it's included they're factored in, if it's not included then we need to factor that in, too, because that's more savings. Because if we're going to do it for one, we have to do it for both.

DEPUTY COUNTY EXECUTIVE POLLERT:

Yes, they've been factored in.

MS. CORSO:

Right, we factored them in.

LEG. BEEDENBENDER:

Okay.

MS. CORSO:

And remember, the exempts aren't getting their step this year either.

LEG. BEEDENBENDER:

Right. Well, our Counsel isn't here; we'd still have to pass another resolution, right?

DEPUTY COUNTY EXECUTIVE POLLERT:

Yes, you do.

MS. CORSO:

Yes.

LEG. BEEDENBENDER:

Okay. All right, but they're included in that --

DEPUTY COUNTY EXECUTIVE POLLERT:

Yes.

LEG. BEEDENBENDER:

Thank you.

CHAIRMAN GREGORY:

Just from my observation--

DEPUTY COUNTY EXECUTIVE POLLERT:

Excuse me, if I could also just clarify. It's not just exempts, it includes exempts and Board of Elections, both of which would require a Legislative resolution.

LEG. BEEDENBENDER:

Okay.

CHAIRMAN GREGORY:

Okay. From my observation, your numbers are pretty much matched, Budget and BRO.

DEPUTY COUNTY EXECUTIVE POLLERT:

(Shook head yes).

CHAIRMAN GREGORY:

But your plan accounts for, let's see, 91 million of approximately 91 million of a 119 million deficit, and you figure that the rest, the remaining balance is a manageable balance?

MS. CORSO:

Yeah, in a \$2 billion budget, I think 28 is a manageable number. And again, it almost mirrors the number that we left on the table last year.

CHAIRMAN GREGORY:

Your projections for sales tax, as we discussed, is down 5%?

MS. CORSO:

Right, because on a cash basis we're down 10%. So we just hope that that will be -- that second quarter was already a -- the third and fourth quarters were already a decline, so we would already be set with a lower base, so we hope to make that up in the final quarters.

CHAIRMAN GREGORY:

Okay. Now, what was your overall number again for 2010, 2010, in the General Fund? Was that 300 -- no, 312 million was the combined.

MS. CORSO:

It's 314 -- my number is 314 combined; are you asking me or you're asking Gail?

CHAIRMAN GREGORY:

So yours is 314, Gail's was 312.

MS. CORSO:

Yeah, that's without the F-Map.

CHAIRMAN GREGORY:

Okay.

MS. CORSO:

So it's 224.08 with the F-Map.

CHAIRMAN GREGORY:

Okay. Gail, you --

MS. CORSO:

And then the Police District is another 13.4.

CHAIRMAN GREGORY:

Okay. Now, Gail, your number is 169 million approximately for '09, and then another 143 million for 2010?

MS. VIZZINI:

That's also without the F-Map.

CHAIRMAN GREGORY:

And over the next two years you project, I think if I calculated right, it's about \$100 million for F-Map. It was 16 this year --

MS. VIZZINI:

Ninety.

MS. CORSO:

It's 90.3.

MS. VIZZINI:

Which brings the net in '09 to 119. Where are you in '09?

MS. CORSO:

One seventeen.

MS. VIZZINI:

And 2010 is 103.

MS. CORSO:

And I have 107.

CHAIRMAN GREGORY:

All right, thank you. All right, I think now we'll go to the cards.
Is Frank here; Frank Casiglia? Okay.

MR. CASIGLIA:

Good morning, Chairman Gregory and Honorables all. Listening to what's going on here, everything that I wanted to say has changed, of course. But I do want to disagree first with Mr. Zwirn. I don't know what mall she he shops at, but you try to get into the Smithhaven Mall on a Saturday or a Sunday, it is packed. There are no -- there is no parking.

A lot of interesting issues that were brought up, a lot of interesting numbers. Numbers can be very frightening. What happens when you reduce the sales tax and you hold the line on property taxes for five straight years? Well, when you reduce your income, you're eventually going to wind up in debt, which is what happened here, okay. And you talk about -- I'm going to bounce around because I know three minutes isn't a very long time. Instead of a cigarette tax, how about an alcohol tax, maybe save a few lives at the same time.

What I found very interesting in listening just a little while ago, Suffolk County is in absolute dire straights. We have to have \$30 million in concessions from the unions by April 1st or we're going to lay off 400 people. But it's not so dire that a resolution to get into the Tax Stabilization Fund needs to be filed, does it? Shouldn't that have been the first approach, or we can do that down the road.

Applause

And contrary to Connie, I heard somebody referring to her name, she hasn't asked the unions for anything. Back in the 90's we already saved the County once. I'm 31 years in Suffolk County and I've been through this before with the lag, we were called to bail out --

CHAIRMAN GREGORY:

Frank, stop. I'm going to ask that the Legislators return to the auditorium so that we can maintain a quorum.

LEG. BEEDENBENDER:

This doesn't count against your time, Frank.

MR. CASIGLIA:

That's good. Thank you.

CHAIRMAN GREGORY:

All right, Frank, go ahead.

MR. CASIGLIA:

Thank you very much, Chairman. So we've been called upon to bail out Suffolk County once before, and those days it truly was a problem, mismanagement. However, we are a County. The County consists of more than just the employees that service the rest of the taxpayers. We are taxpayers also and we provide the services that they reach out for. Now, when Suffolk County is in trouble, it's not because of the County employees and we should all be facing the pain together, every resident of Suffolk County and not just the employees. Just because we have a captive audience here because they control our paychecks doesn't mean every time that the County government gets into problems that we should have to come forth and bail it out.

Applause

If Suffolk County has a problem, every taxpayer in Suffolk County should be paying some of the share, not just us. Someone gave me a statement before that's very good, "You don't fight poverty by putting people into poverty." And Legislator Schneiderman hit it right on the head, we have single parents, we have dual parents that are living paycheck to paycheck. Maybe if you are making \$150,000 a year, \$100,000 a year, one lag payroll won't hurt as much, but we don't have that in County employ, very few people are making that kind of money. They look for that paycheck every other Thursday so they can pay their mortgage, so they can put food on the table. They're not rich; nobody comes into Suffolk County employ with the intent of getting rich, unless you're a political appointee, of course, that's a different story. But when you take a Civil Service test and you become employed by Suffolk County, you come because there's more to you than just benefits and money, it's because there's something inside you that wants to help, and they do. We -- the mantra in Suffolk County has been doing more with less; now you're asking to do more with nothing.

CHAIRMAN GREGORY:

Frank, you --

MR. CASIGLIA:

I'm going to leave now.

CHAIRMAN GREGORY:

Okay.

MR. CASIGLIA:

But just before I go, I wanted to help Mr. Zwirn with his proposal.

*(*Mr. Casiglia rips up resolution*)*

That's what I think about the layoffs.

Applause

Thank you very much, Mr. Chairman.

CHAIRMAN GREGORY:

Catherine O'Neil?

MS. O'NEIL:

I work in --

LEG. LOSQUADRO:

Pull the microphone down, Ma'am. Thank you.

MS. O'NEIL:

I work in the Environment & Energy Department in the Real Estate Unit and I'm not for this resolution at all. I'm on the last end of my career and I'm also a single parent, alone, ready to retire in a few years, a lot of us are, and we're counting on the little bits of pay that add up so we can afford to retire. I don't think I'll ever be able to retire. Things are getting worse. I have a 30 year mortgage, I'm already 61 and I just got a 30 year mortgage.

I'm on the list, my son's on the list, he's a Probation Officer and he has a family to take care of. I can't even take care of myself and now I'm going to have to try and help him take care of his family. It's just not fair. We don't make a lot of money. I work really hard and I take care of people who come in to redeem their houses that they lost for taxes. I stay there late many nights with people coming in crying, older people shaking because they lost their houses because they didn't pay the taxes, they don't know what to do, and I promise them they'll get their houses back and they do, they get back on the tax roles and they're extremely happy. You know, I'm a nervous wreck when they walk in the door. You know, they don't know what to do and our office really helps them. So we work very hard in the County. That's just one job that I do, but everyone here does something and they really --

Applause

They really work hard and feel for our County. We love the County. We're not going anyplace, we're trying to stay here. I don't know if I can stay here, I really don't. We really need your help. I live from pay day to pay day. I have no money in a savings account and I'm 61 years old, I have absolutely nothing in my savings account. So I really don't know what to do and I would appreciate it if you can get rid of that resolution. Thank you very much for your time, I appreciate it.

Applause

CHAIRMAN GREGORY:

Thank you, Catherine. Linda Ogno, and Anne Marie Leonardi-Tracy is on deck.

MS. OGNO:

Hi. My name is Linda Ogno, I work for John J. Foley Skilled Nursing Facility. I have lived in Manorville for 32 years and I love Suffolk County. I'm a hard working County worker, and as an AME member, I'm opposed to this local resolution.

You know, this woman up here, you know, didn't appreciate us laughing; if we don't laugh, we'll cry. You know, we're taxpayers; we have the same bills as everybody else and a lot of us make a lot less money. I've never thought I couldn't live on Long Island. I've already lost my parents who had to move off Long Island, I've lost a daughter, and I can see me having to leave Long Island, especially -- we've been waiting for the shoe to drop at Foley for over a year.

You know, I sit here and it just makes me sad. And I'm not -- you know, I'm not good on economics and stuff, but to lay people off in these economic times does not seem like the right thing to do. This is the -- we spend as much money in the County, you know, we pay our taxes. You know, we live, we work here, our families live and work here, and we're the ones spending the money out there. And to think that we're going to be laid off and anything coming, that's why we'll be holding up our money, and it's up to you guys to make the right decision. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Anne Marie, and then we have Joseph Stacey? Stasys.

MS. LEONARDI-TRACY:

My name is Anne Marie Leonardi-Tracy, I am a 29-year County employee working at Suffolk Community College. I live in the Town of Mastic Beach, I'm in Legislator Browning's District. I am a single working mother of two children and in real time, I live paycheck to paycheck.

This resolution will devastate the County as well as all of the employees. Employees keep the County with the money coming in, we generate those funds; getting rid of these employees is going to devastate that ability.

As an AME member, I'm in opposition of this resolution and I appeal to you to back us on this. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Joseph, and then we have Brian Kelly on deck.

MR. STASYS:

My name is Joseph Stasys, my Legislator is Ed Romaine, a lot of you I know. I'm a taxpayer. As a taxpayer for the last couple of years, between oil prices and the stock market and everything else, I've lost a lot of money and had to dip into my savings. I'm asking you to tell Mr. Levy to start dipping into his savings account and bail out Suffolk County. And I take offense to Mr. Zwirn putting us in the same category as Nassau County, Westchester and Manhattan who have always done their budget on a wing and a prayer. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Brian, and then we have Gail D'Ambrosio on deck.

MR. KELLY:

I'm Brian Kelly, I work for the Department of Public Works. My job is on the line, it's on that list. I am opposed to this. I'm asking for your help.

Applause

CHAIRMAN GREGORY:

Thank you. Gail, is she here? Okay, Gail.

MS. D'AMBROSIO:

No, I already spoke, remember?

CHAIRMAN GREGORY:

Oh, okay. Kathleen Johnson, and Tammy Fusco is on deck.

MS. JOHNSON:

Good morning, and thank you for allowing me the opportunity to speak with you today. My name is Kathleen Johnson and I live in Mt. Sinai, I'm in the 6th Legislative District; hi, Dan.

I just wanted you to know that not only am I a taxpayer of Suffolk County, but I am also an employee. I work at the Suffolk County Department of Social Services in the Child Support Enforcement Bureau, I am a Child Support Specialist I; I'm sorry, I'm a little nervous. I actually have to go back to work now, I didn't think I would have the opportunity to speak. But I would like you to know that I am in opposition of Mr. Levy's resolution 1205, I do love my job. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Tammy Fusco and Michael Finland on deck.

MS. FUSCO:

Thank you for letting me have the time to speak. My name is Tammy Fusco, I have worked at the Department of Public Works for the last 23 years. I live in Moriches, in Legislator Browning's District. I'm here representing myself, my husband, my brother and his wife who are all on the list. As an AME member, I am in opposition to this resolution and I expect your support. Thank you.

Applause

CHAIRMAN GREGORY:

Michael, and we have Dot Kerrigan on deck. Is she here? There she is, okay.

MR. FINLAND:

Good morning, everyone. My name is Michael Finland, I'm a 31 year employee of the Suffolk County Police Department. I'm a resident of the Town of Brookhaven and also the Village of Lake Grove.

I live from paycheck to paycheck. And I want to reinforce what my co-County workers have stressed to you, that this resolution is unacceptable. I think it deserves further examination over a period of time. Let's not rush to judgment as far as passing something such as this without weighing all the options .

Lag payroll, I went through it in 1991, it's a nightmare. And I'm really imploring all of you to give careful consideration to what's being presented to you today and weigh all the options and please consider the little guy, the County worker and the struggles that we would have to endure, whether it be layoffs or lag payroll. Thank you for your time.

Applause

CHAIRMAN GREGORY:

Thank you. Dot, and we have Suzanne McBride on deck.

MS. KERRIGAN:

Good morning; I think it's still morning. My name is Dot Kerrigan. I'm a nurse at the John J. Foley Skilled Nursing Facility and a long time Suffolk County taxpayer. And before I say anything, I'd like to use the words of one of our great Presidents as a kind of disclaimer to what Mr. Zwirn might say is a personal attack. And please, whenever you hear the word "President", think "Suffolk County Executive."

*(*Laughter From Audience*)*

"The President should be supported or opposed exactly to the degree which is warranted by his good or bad conduct;" these are the words of Teddy Roosevelt, by the way. "Therefore, it is absolutely necessary that there should be full liberty to tell the truth about his acts and any other attitude in an American citizen is both base and servile. His efficiency or inefficiency rendering loyal, able or disinterest service to the nation as a whole should be discussed. To announce that there be no criticism of the President is unpatriotic and morally treasonable to the American public," that would be Suffolk public.

It has been a year now since our current County Executive began his relentless barrage of attacks against the residents of our only County nursing home, threatening their homes and the jobs of almost 300 County employees, which will be in addition now to the list of today which is almost 400; we know we're in there somewhere along the line, maybe not not but it will come up. The facts according to Steve Levy have been touted -- touted over and over through the media, so much that

the public believes his opinions are facts. Those of us here know there are two sides to every story and they usually meet somewhere in between, and that is why our current County Executive will not meet anywhere with the Suffolk taxpayers who now live at the John J. Foley, though once were taxpayers, and the Suffolk taxpayers who work there or the union that tries to meaningfully -- in a meaningful way, have a discussion with him.

We all know that when someone is not heard, they're not represented. He has never been to the facility, he does not meet with the public like he used to. I -- to anyone's knowledge, he's never been to the John J. Foley Skilled Nursing Facility and has never spoken to the people who call it home, yet he's sure it should be closed. Does that say the County Executive is looking out for the welfare of his constituents? Not to me it doesn't. His condemnation and subsequent decision is not about the taxpayers, the sick and elderly, disabled taxpayers who live at the Foley home. It's not about the future, it's not about the resources or a future resource for all of us, as Suffolk County residents, who may need the Foley Nursing Home. It's one more thing our current County Executive would like to take away. It is not, in my opinion -- it's not my opinion but a fact for anyone to see that Mister -- that our County Executive did not even attend his own public hearings to close the facility.

I would like my name on record as strongly opposing Resolution 1205. Mr. Levy is not Suffolk County, he works for Suffolk County. Please do not -- please table this resolution for the sake of your constituents. And I know I'm over time, but I have something very important to say, if you will indulge me --

CHAIRMAN GREGORY:

Just quickly.

MS. KERRIGAN:

-- about Resolution 1206. I am strongly for that resolution; I mean, it was presented by Presiding Officer Lindsay, I believe. Just last month I received these mailings from County Executive Levy. I don't know how much this cost me as a taxpayer, but my husband got one and I got one; you could see the address is the same. How much does this cost us? I know Levy saved us 66 cents last year on my tax bill. This response, which was totally inappropriate to the mailing which I find really appalling, this letter was 39 cents each.

CHAIRMAN GREGORY:

Okay, Dot, we get it.

MS. KERRIGAN:

So this is a total of \$2 worth, more than he saved me last year on my property taxes.

Applause

CHAIRMAN GREGORY:

Okay. Thank you. Suzanne McBride, and we have Sal Russo on deck.

MS. McBRIDE:

My name is Suzanne McBride, I work up at the 911 Center as a Dispatcher. I live in Patchogue, Jack Eddington's District. I'm a proud AME member, a working mom and I oppose Resolution 1205.

We're sitting here today listening to everyone talk about this being several legs to a stool; the only leg that's here right now to be chopped off is my fellow County worker's jobs. Why aren't the resolutions for the exempts, why aren't the resolutions for the Board of Elections, and why isn't the resolution to touch the surplus all being considered right along with our jobs? Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Sal Russo.

MR. RUSSO:

My name is Sal Russo, I'm from Farmingville. I'm --

LEG. LOSQUADRO:

Just pick that mike up, sir.

MR. RUSSO:

I'm a Suffolk County worker for 25 years, I raised four children in this -- in Suffolk County. I've lived here since all my life, I bought a house here, I have a son that's on this list and he also is looking to get engaged to a women that's in Iraq, she's waiting for him to come back so he can also buy a house here. If he loses his job, he's not going to be able to buy a house here. You talking about young children living here? He's a young kid, he wants to live here. This is what built Suffolk County. So I oppose this resolution. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Joan Travan? Okay, I'm sorry if I messed up your name.

MS. TRAVAN:

You don't know my name? Joan Travan, I'm an AME member and I have been a civic leader for 30 years, many of you know me.

The President has given out a message of hope. He has given tax incentives for first-time buyers, tax incentives to purchase new cars. The stock market is up. Bernacki has said we may be out of the recession by the end of the year. Mr. Levy is sending out a message of doom and gloom; this makes the taxpayers, the citizens of Suffolk County reluctant to go out and purchase anything which will bring the taxes -- the tax revenue down.

Now, let's see what these cuts would do to our budget. If you lay people off, the County is self-insured; how much will you pay out in unemployment insurance and exit pay? Lag payroll; at the end, you're bonding out our children's future, you pay double. So I'm sure that there are solutions to this budget that everyone could agree upon. And with the economy, which is actually getting better, we should sit down and take another look at it. You should deny this resolution and bring hope not only to the hard-working workers of Suffolk County, but the residents of all of Suffolk County. Thank you.

Applause

CHAIRMAN GREGORY:

Thank you. Now I'm going to go to the agenda.

Tabled Resolutions

We have Tabled Resolutions, ***IR 1000-09 - Adopting Local Law No. 2009, a Charter Law to enhance budgeting flexibility and responsiveness (Schneiderman)***. I make a motion to table.

LEG. LOSQUADRO:

Where's Legislator Kennedy? Could you just ask the Legislators to come back?

CHAIRMAN GREGORY:

Can I have all Legislators please back into the auditorium?

LEG. BEEDENBENDER:

Are you going to start?

CHAIRMAN GREGORY:

Yeah, we're waiting for Legislator Kennedy. Okay, we'll take a two minute recess and we'll be back.

*(*The meeting was recessed at 12:07 P.M.
& was reconvened at 12:19 P.M. *)*

CHAIRMAN GREGORY:

Okay, can I have all Legislators back into the auditorium? We're going to come back to order now.

Okay, I'm going to make a motion to take IR 1205 out of order.

LEG. LOSQUADRO:

Second, Mr. Chairman.

CHAIRMAN GREGORY:

Second by Legislator Losquadro.

LEG. KENNEDY:

Mr. Chair, on the motion.

MR. NOLAN:

Well, let him just take it out of order.

LEG. KENNEDY:

Okay.

CHAIRMAN GREGORY:

Let's take it out of order. All in favor? Opposed? Abstentions? Okay, **1205-09** is before us, ***Enhancing administrative budget deficit control (County Executive)***. Legislator Kennedy.

LEG. KENNEDY:

I'll wait until a subsequent action, Mr. Chair.

MS. MAHONEY:

Please use your microphone.

CHAIRMAN GREGORY:

I make a motion to table for purpose of discussion, IR 1205.

Applause

LEG. BEEDENBENDER:

Second.

LEG. KENNEDY:

Mr. Chair?

CHAIRMAN GREGORY:

Second by Legislator Beedenbender.

LEG. D'AMARO:

On the motion?

LEG. KENNEDY:

Mr. Chair, on the motion?

CHAIRMAN GREGORY:

On the motion.

LEG. KENNEDY:

I have been advised by Counsel, Mr. Chair, that I must recuse. And so I'm going ask the Clerk to note that through the regular conventional recusal process I take no action, nor should I be counted nor included in any aspect of this vote.

CHAIRMAN GREGORY:

Okay, thank you. Legislator Losquadro.

LEG. D'AMARO:

Mr. Chair, if I may just also go first on the recusal message. Also, in accordance with the County Charter, I filed a recusal notice with the Presiding Officer as well as with the Ethics Commission. I need to also at this time recuse from any participation or voting on this particular legislation.

CHAIRMAN GREGORY:

Okay, thank you. Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I'll try to keep this brief, mainly because I don't know if my voice will hold out. But I just want to make one thing very clear, that if this does get tabled today, I want to make very clear to everyone in this audience and everyone out there who might pay attention to this that this is not a victory of any sort, that the problem that you heard presented here today is still very real and must be addressed. And what -- the budget model that was put forward today as this -- these concessions from the union are part of the plan representing only about one-fifth of the overall problem that we face. This must be addressed. We do not have the luxury, as other levels of government do, to run a deficit.

At the end of the day, come heck or high water, this County has to have a balanced budget. If we do not reach some sort of accord, if we do not come to some sort of agreement, the next time, as much as I disagree with this list, which I do, if we wait until the next month's cycle, you will see a list far worse than the one just put in front of you. Because every month we wait means it's going to take more to fill that budget hole. The earlier in the year we address this problem, the easier it is. The longer we wait, the harder it gets.

I encourage all sides here to come together, put aside whatever past differences they may have. Drop the rhetoric from the 12th floor, drop the rhetoric from the outside and let's get down to finding a mutual solution to this that is not going to necessitate us having to take the position of voting on adding to the problem. Because I heard a couple of people saying they expect this to get better in the short-term, meaning our economy. I am not that optimistic and I am not that optimistic about this Federal stimulus funds coming into suburban areas when I heard yesterday that the Federal Government is considering giving over half a billion dollars to the Detroit City School System. We have to watch out for ourselves here, we have to fix our own problems, and at the end of the day, we are responsible for that.

So again, I encourage all sides to work together here. We are going to continue to do our part as a Legislature, as we did last year, as I know we have done during my five years in office to put together a balanced budget and one that, where possible, holds the line on taxes. Because we know what the problems are, we're taxpayers just like everyone else. We're facing the same problems, costs, increase in services that everyone else is. We don't want to add to the problem or add to the unemployment roles in Suffolk County. Thank you.

Applause

CHAIRMAN GREGORY:
Legislator Beedenbender.

LEG. BEEDENBENDER:

Thank you, Mr. Chairman. I echo the comments of my colleague, Legislator Losquadro, I think that was very well said. I just want to add to what I had said before, and maybe in a bit more proactive nature.

From a lobbying perspective, we have an opportunity here. To all the union leaders in the room, instead of just talking about it, let's do this. So I would offer you the following; call my office, we're going to set up a time where we're going to go up to Albany and I'm going to bring as many of my colleagues as I can, without violating the Open Meetings Law -- and if we have to, we'll invite Rick Brand so we can bring more of them -- but I will invite you as well. We'll set up a time where we'll go in and right behind us will be AME and right behind AME will be PBA and right behind PBA will be the Corrections Officers, the Probation Officers to talk about all the things that we've talked about already.

Applause

And we're going to need to do a lot of work here. And like Legislator Losquadro said and I've said to many of you, the last thing I want to do is go to bed one night and know that we've laid people off. However, something is going to have to be done. Is there a trust problem? No doubt. Is there an economic problem? No doubt. Must we all come together? No doubt as well.

So from a lobbying perspective, I invite all my colleagues, we'll organize it; I've never been to Albany, it will be a fun trip. So we'll organize -- probably not. But we'll organize and we'll go up together. But make no mistake, in the end we -- I'm happy to hear more of a plan today, it's important. We are going to need to tap the Tax Stabilization Fund, we are going to need some concessions from the unions, but we can do this together. And if working together to go lobby brings us in more of a cohesive fashion, perhaps that's a first step towards many. But it's a difficult problem.

(*Legislator Romaine entered the meeting at 12:28 P.M. *)

The union -- you know, we have over 10,000 employees at the County, but we have 1.5 million residents, of which you're a part of, in Suffolk and we need to solve the solution for everybody, including you, including the taxpayers, including all of our constituents. And something is going to need to be done, and I'm happy to hear that several of the union leaders here today said, "We do not push concessions off the table entirely. We do not eliminate possibilities," and that is a positive step forward we look forward to getting that done. Because I will say as well as Legislator Losquadro, as ugly as layoffs are, something does have to be done. This will have to be one part of the stool; not laying off but concession from labor, as well as the Tax Stabilization Fund, some help from New York State, God willing, and many other facets, many which we haven't even talked about today. So something is going to happen and I am committed to working to make that happen, it has to happen; without it, I don't see how we get out of the woods.

So I invite everybody, my colleagues and the unions, we'll coordinate in my office a way to go up to Albany, all as one and coordinate our message, but we have to work together and we're going to have to do something. So thank you.

Applause

CHAIRMAN GREGORY:

I thank my colleagues for their comments. As you all could see today, with the budget model presentation today, we have a serious problem. Usually our BRO, our Budget Review Office and the Budget Office, the numbers are not similar at all, and today they were remarkably similar. I think that's proof positive that we have a serious situation.

I come from a union household. My mother was a Public Health Nurse for New York State for 30 years, my father was an auto mechanic, so I come from no means, a middle class family. And going through the State budget, my mother was actually laid off at one point and she was able to get her job back. So I understand the ramifications of layoffs, I appreciate that. But you have to understand from our point of view that we have a serious, serious, serious financial situation. And I made this comment before, that during our Budget Working Group, you know, we kind of planned for a thunder storm, a financial thunder storm, and we got a tsunami. You know, no one could predict the circumstances would be where we are today a few months back. I think it took us all for a loop.

And as Dan Losquadro had mentioned, we have we have to balance our budget. We can't run at a deficit, we have to balance it. So we need all facets to come together and work together to resolve this issue.

This is going to take everyone's collective effort to make this happen, and in a steadfast way. Because each day, every week that passes, there's going to be another name, another dozen names added to that list. So it's incumbent upon those here today to come sooner rather than later, because you're only going to make the situation worse for yourself and for us as a whole.

Now, I have just a question for you, Jeff, just to clarify. If the bill were tabled today. What would your actions be; would you still have to mail out notices? Were there notices mailed out to potentially affected employees? How does that work?

MR. TEMPERA:

Fred's moading (sic) next to me, excuse me. Notices haven't gone out yet; my office is gearing up based on the resolution moving forward. There are certain unilateral actions that the County can take. I wouldn't want to speculate as to whether notices would or wouldn't go out with regards to individuals in positions that don't require legislative approval. So I think clearly from the standpoint of the resolution, layoffs can't occur until the resolution is passed by the Legislature, adopted by the County Executive authorizing the layoffs. In terms of notices, that's a contractual obligation with regards to certain unions in the County and I'd have to go back and look at the contract and see what our leeway is there.

*(*Presiding Officer Lindsay entered the meeting at 12:32 P.M. *)*

CHAIRMAN GREGORY:

Okay. Now, I think it was Legislator Kennedy who kind of alluded to earlier, what's your plan if this were to go forward in processing or implementing the lag payroll? Because I've heard two different schemes; for every pay period you lose a day, or every pay period you're paid a day later.

MR. TEMPERA:

Again, I can't give you -- I can tell you what went on back in 1991. I can't tell you ultimately what would be decided here because it's all a product of negotiations. Back in '91, the lag payroll was something that was negotiated by all of the unions but for the Police unions that went in a different direction. The Police unions decided a holiday pay deferral of ten days worked better for them, and that's the options that you see before you in this bill. No one is saying it has to be lag payroll. Lag payroll just happens to be a piece of it that gobbles up, you know, 26 million of a \$30 million hole. If there are other options out there that the unions can come up with that satisfy the \$30 million, that's a product of negotiations.

The '91 lag payroll did involve exactly what you alluded to, it was a sliding of the payroll date, one day every pay period. So people were still getting paid every two weeks, but the -- for ten days, but

rather than being paid on Thursday, the next pay day you would be paid on Friday, the following pay day you'd be paid on Monday, Tuesday, Wednesday, and it would go on for ten pay periods until, in effect, you had two payrolls overlapping. And one of those payrolls is held in abeyance until someone retires or separates from service and then it would be paid out.

I've heard that there's another notion out there that instead of being paid for ten days you'd be paid for nine days, one day being held in abeyance; it's all subject to negotiations. As long as the numbers can be verified, as long as the Budget Office is satisfied, that the Legislature is satisfied that we've come up and we've met the \$30 million, then whatever we can agree to is on the table.

CHAIRMAN GREGORY:

Okay. And I guess for Fred or Connie, you have a lot of numbers, I guess a large portion of this comes from the Department of Public Works?

DEPUTY COUNTY EXECUTIVE POLLERT:

Yes.

CHAIRMAN GREGORY:

Okay. Now, your numbers in Social Services are less than I would imagine because they're one of your larger departments; why is that?

DEPUTY COUNTY EXECUTIVE POLLERT:

That's in part because of aid. When we put together the proposed layoff plan, we attempted to avoid grant-funded titles, titles that were 100% funded because they really don't generate any savings to the County. Again, because of legal requirements with bump and retreat, you really can't be assured that individuals in funded spots won't ultimately be impacted, but the list was generated to maximize the savings with respect to a layoff and try to minimize the total number of employees.

CHAIRMAN GREGORY:

That's a good statement, you bring up a good point. Because you're looking for approximately \$30 million in concessions through the lag payroll. But with bump and retreat, there may be far less than that. Well, you can assume safely, I would think, that it would be less than that, because if you had a higher position, you're going to go to your last position which is presumably at a lower pay.

DEPUTY COUNTY EXECUTIVE POLLERT:

That is correct, yes.

CHAIRMAN GREGORY:

Okay. So your \$30 million is just a projection.

DEPUTY COUNTY EXECUTIVE POLLERT:

The \$30 million relates to union concessions. So part of that RESOLVED clause within the resolution, the first RESOLVED clause that the County Executive is authorized to achieve budgetary and cash flow savings with trying to negotiate some sort of union concession package, but the layoffs by themselves will not achieve \$30 million this year. If we were attempting to do that, the layoff list would have to be far larger.

CHAIRMAN GREGORY:

And just to clarify what I stated; 30 million is inclusive of the layoffs, the layoffs are approximately 26 million.

DEPUTY COUNTY EXECUTIVE POLLERT:

That would be over a two-year timeframe.

CHAIRMAN GREGORY:

Twenty-six million over a two year --

DEPUTY COUNTY EXECUTIVE POLLERT:

Well, actually it would be slightly more than that. The first year -- because of the bump and retreat, it's going to be an iterative process. It's much like the Early Retirement Incentive Program; we have a forecast, but until you actually know the individuals that are leaving, their termination pay, we won't be able to, with a great deal of certainty, be able to tell you exactly what the savings are in 2009.

In 2010, however, the savings are going to be far greater because the people would be off the payroll for an entire year and we won't have to deal with the SCAT pay. You'll also have the savings in the fringe benefit costs as well. So over a two-year timeframe, we will be achieving, in all probability, more than \$30 million. But in 2009, the savings from the layoff will not achieve the \$30 million.

CHAIRMAN GREGORY:

Okay. And I think that's some of the concerns that the unions have voiced, is that well, you know, this is a gross number, it's not a net number. If the end number is less than what you're looking for, are you going to come back later on looking for more concessions?

DEPUTY COUNTY EXECUTIVE POLLERT:

It's definitely going to be, with respect to the concessions, no. With respect to the layoffs, that's going to be a moving target. So we may have to come back again, depending upon what the final value of the layoffs are and where we are with respect to the rest of the package and we may have to do a second round with respect to the layoffs. With respect to the concessions, you had the assurance of the Budget Director, you have my assurance that the concessions would obviate the need for layoffs in 2009 with the exception of the County Nursing Home which is progressing down a different track with a management team looking at problems with respect to the finances of the nursing home.

MR. TEMPERA:

If I may, let me just follow-up on Fred's comments. There was a presentation on Friday, you heard about that, that the Budget Office sat down, we had all the unions come in and they laid out the depth of the problem in terms of the finances within the County. At the conclusion of that meeting, I started setting up meetings with the unions to try and sit down and get the ball rolling in terms of trying to negotiate something. But one of the things that was said at that meeting and that I have said again to the groups that I've sat down with, we're coming to the unions once in 2009. No one's talking about 2010 because we don't know, quite frankly, what's going to happen.

But if we are able to negotiate the \$30 million in concessions and avoid the layoffs, then we are not going to come back to the unions. What Fred has stated publicly today is something that we've even decided after that meeting, that if we get the \$30 million in concessions this year, we're not talking about layoffs again this year.

We went so far as to approach the unions and say if you come with us today and you say there'll be no -- that you will agree to the \$30 million in concessions, not that we would have the specifics today;

No one is looking to start a panic going around the County. We sat down and said, "Stand with us today, say you understand the depth of the problem and that you will agree to a lag payroll or some other concessions that will equal to the \$30 million, and we will not move forward with this layoff list." Nobody Wants to start panic out there. And we were told we didn't believe that the problem was what the problem is being stated here today, and that's unfortunate.

I'm not going to get into responding to everything because I think you're right, I think it's time to deal with the problem and let's tone the rhetoric down and let's get to the table and let's get

something done that addresses the financial situation we're facing.

CHAIRMAN GREGORY:

Okay. Presiding Officer, do you have anything, you want to comment? No? Okay. Anyone else?

P.O. LINDSAY:

I know when to follow them.

CHAIRMAN GREGORY:

Okay. We have a motion before us to table. All in favor? All Opposed? Abstentions? ***The motion is tabled (VOTE: 3-0-0-0-2 Recusals: Legislators D'Amaro & Kennedy).***

We have **IR 1000**.

I make a motion to table.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator D'Amaro. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

On the motion --

CHAIRMAN GREGORY:

On the motion.

LEG. SCHNEIDERMAN:

On the motion if I can be recognized. I know that I'm not a member of the committee. I don't know why you wouldn't allow full discussion in consideration of this. This gives the Legislature some flexibility. Right now, the County Executive can make budget amendments at any session of the Legislature. We can only do it four times a year. As you know, the last one is really too late to effectively make those changes. So this would give us the flexibility that I think we need as a coequal branch of government. And I ask you to allow the full debate with the full Legislature by discharging this bill. Can I also ask BRO if they've had an opportunity to review this and if they have any problems with allowing budget amendments as the Legislature deems necessary?

MS. VIZZINI:

No. As you pointed, Legislator Schneiderman, currently, the Legislature is limited to amending the budget only four times a year. That fourth time becomes particularly problematic if it involves and changes to contract agency fundings or anything of that nature where it's almost -- December is almost too late to expeditiously move any budgetary changes. So this would give you the opportunity to amend the budget during the usual Legislative meeting cycles.

CHAIRMAN GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Through the Chair to the sponsor. The County Executive is the Chief Fiscal Officer, I think, under the Charter. It's the County Executive's budget to manage day-to-day, week-to-week, month-to-month. We are not charged with the same responsibility, and I think that's the justification for permitting the County Executive Branch the flexibility to amend as managing that budget on a daily basis as opposed to the Legislative Branch where we craft the budget, we go through a budget process, and we agree on a final budget for the coming year. If you allow the Legislature then to go forward and amend this budget just about every cycle if it so chooses, I think

it would make the budget a lot less manageable.

LEG. SCHNEIDERMAN:

Really, it depends on the actions of the body. It allows us to file these amendments. They don't necessarily have to be approved, some things get tabled. You can approve them as the Legislature deems appropriate. But it would give us more flexibility particularly at a time of fiscal crisis.

It doesn't add anything to the budget. We still have to do offsets. But it will allow us without the necessity of necessarily going to the 12th Floor and asking for a CN so we can have the County Executive put in a budget amendment. It would give this body the same ability. And I don't know the history, it seems kind of antiquated or archaic that we would only have these four opportunities a year. I don't know where that comes from, but it seems like we should have the same flexibility. And, you know, I certainly don't think that we would abuse that flexibility. It's typically minor corrections, Omnibus types of corrections that we do at this level.

But to have to wait to three months and then find out that it's too late in the year anyway for the County Executive to execute the contracts, it just creates more problems. And I think giving us the flexibility would respect this institution and also allow us to deal with the things that come up through the year in a more timely fashion.

CHAIRMAN GREGORY:

All right. All those in favor?

MS. BIZZARRO:

Mr. Chairman.

CHAIRMAN GREGORY:

Yes.

MS. BIZZARRO:

I'm sorry. You're voting on a motion right now to table?

CHAIRMAN GREGORY:

Yes.

MS. BIZZARRO:

Okay. I can remain quite.

CHAIRMAN GREGORY:

You want to make a comment about this bill?

MS. BIZZARRO:

I was just going to throw my two cents in that the Law Department took a look at it, and we do believe that it violates the separation of powers doctrine between the County Executive and the Legislative Branch. And it would, as Legislator D'Amaro, could debilitate the County' Executive's role in its day-to-day functions in dealing with the budget. So, you know, in light of the fact that it could -- would encroach upon the powers of the County Executive, we see it as a problem from a legal standpoint. Thank you.

LEG. SCHNEIDERMAN:

How on earth does this encroach upon the powers of the County Executive?

MS. BIZZARRO:

For him to do -- I mean, basically under C-2 -- Charter Law Section C-22, the Legislature can alter the budgetary process, but it has to be mindful of the Charter provisions that give the County

Executive the power and the ability as the administrative head and Chief Budget Officer to run the departments as he sees fit on a day-to-day basis. And this could infringe on that ability. So as such, we see that --

LEG. SCHNEIDERMAN:

Not at all. This is something that limits the power of this body, but has no effect on the County Executive's Branch, period.

MS. BIZZARRO:

It would limit, it would actually increase the power of the Legislature.

LEG. SCHNEIDERMAN:

It would affect the power of the Legislature, because right now our hands are tied. Right. It would untie our hands.

MS. BIZZARRO:

Four times a year, correct.

LEG. SCHNEIDERMAN:

Right.

MS. BIZZARRO:

Right.

LEG. SCHNEIDERMAN:

Maybe, you know, Counsel, if you could review this section or give any comment on that.

MR. NOLAN:

I would say that up until ten or 15 years ago, the Legislature didn't -- didn't even have this authority, to amend the budget four times a year. It used to be we couldn't do it at all during the year. And the Legislature passed the law, enacted it to allow us to amend the budget four times a year. And having done that, I think it follows logically that we probably could change the Charter to allow us to do it throughout the year without running afoul of that doctrine. But, you know, that's something we can certainly look at.

MS. BIZZARRO:

I'd also add in that a permissive referendum would be appropriate on this type of a bill as well.

LEG. SCHNEIDERMAN:

Well, you're not curtailing your powers. You're expanding your powers.

MS. BIZZARRO:

Curtailing the powers of the County Executive. An argument can be made in that regard. And I will just note that in 1995, when this specific -- when the powers to amend the budget four times a year were put, you know, forward and approved by the Legislature, they did it by permissive referendum as well. It was in 1994 going into 1995.

LEG. SCHNEIDERMAN:

By permissive referendum.

MS. BIZZARRO:

Correct.

LEG. SCHNEIDERMAN:

Right. So it's, like, a 30 day waiting period or something.

MS. BIZZARRO:

I believe it's 60 days.

LEG. SCHNEIDERMAN:

Sixty days. There's no public vote on it, right?

MS. BIZZARRO:

It's not mandatory, correct.

LEG. SCHNEIDERMAN:

Right. So this is language in the bill that would allow it to go to a ballot if it was challenged.

MS. BIZZARRO:

If a petition were filed, correct.

CHAIRMAN GREGORY:

Okay. All right. All in favor? Opposed?

LEG. KENNEDY:

Opposed

LEG. LOSQUADRO:

Opposed.

CHAIRMAN GREGORY:

Motion passes -- tabled, excuse me. **TABLED (VOTE: 3-2-0-0 - Opposed: Legis. Kennedy and Losquadro).**

IR 1003, Repealing home energy nuisance taxes on Suffolk County residents. (Alden)

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN GREGORY:

Motion to table by Legislator Beedenbender, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED VOTE: 5-0-0-0).**

IR 1004, Establishing a program to reduce unfair home energy nuisance taxes on Suffolk County residents. (Alden)

Motion to table by Legislator Beedenbender, seconded by myself.

LEG. D'AMARO:

Just on the motion just to the Budget Review Office. Gail, in your presentation to us at the beginning of the meeting, you talked about raising the energy tax. Is this the same tax that's addressed by this bill?

MR. LIPP:

Yes.

LEG. D'AMARO:

It is? Okay. Thank you.

CHAIRMAN GREGORY:

We have a motion to table. All in favor? Opposed? Abstentions? **TABLED VOTE: 5-0-0-0).**

IR 1024, Adopting Local Law No. 2009, A Charter Law to impose further controls on County debt and debt service payments. (Gregory)

I make a motion to table.

LEG. D'AMARO:

Second

CHAIRMAN GREGORY:

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED VOTE: 5-0-0-0).**

IR 1060, Amending the 2009 Operating Budget to provide funding for the Babylon Village Sponge Project. (Horsley)

I make a motion to table.

LEG. BEEDENBENDER:

Second.

CHAIRMAN GREGORY:

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions? **TABLED VOTE: 5-0-0-0).**

IR 1077, Amending the 2009 Operating Budget and transferring funds to Literacy Suffolk, Inc. (Kennedy)

LEG. KENNEDY:

Motion to table

CHAIRMAN GREGORY:

Motion to table by Legislator Kennedy.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED VOTE: 5-0-0-0).**

IR 1099, Amending the 2009 Operating Budget and transferring funds to BiasHELP, Inc. (Gregory)

I make a motion to approve.

LEG. BEEDENBENDER:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator Beedenbender. On the motion, Legislator Losquadro.

LEG. LOSQUADRO:

This isn't Omni money?

CHAIRMAN GREGORY:

No, it's not

LEG. LOSQUADRO:

Isn't it the same offset that Legislator Kennedy had for his last one that we were concerned about that we just tabled?

CHAIRMAN GREGORY:

I don't think so. I don't know.

LEG. KENNEDY:

What did we just use on mine? I think we used Social Security benefits.

LEG. LOSQUADRO:

Yeah.

LEG. KENNEDY:

Mr. Chair, on the motion, if I can.

CHAIRMAN GREGORY:

Sure.

LEG. KENNEDY:

BiasHELP is actually located in my district. As a matter of fact, I'm somewhat familiar with the work that they do. They're located over in the industrial park. And I know you and I have had numerous conversations about the good work and how they wound up becoming a causality. Nevertheless, I'm going to respectfully ask that you consider that we table it.

CHAIRMAN GREGORY:

I'll withdraw my motion and make a motion to table.

LEG. D'AMARO:

Second.

LEG. KENNEDY:

For no other reason just based on what we had for the last two hours, Mr. Chair. I think we need to be able to continue to deal with these types of things. But we've got to get our arms around the bigger picture. So I'll make a motion to table.

CHAIRMAN GREGORY:

I withdrew my motion to approve. Motion to table, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

IR 1105, Amending the 2009 Operating Budget to strike \$500,000 in excess energy appropriations. (Cooper)

Do we have a motion?

LEG. LOSQUADRO:

For the purposes of discussion, I guess I'll make motion to continue to table just so we can get an answer.

LEG. D'AMARO:

And also, I'll offer a motion to approve.

MR. NOLAN:

I just wanted to advise the Legislature that they did receive -- there was an amendment yesterday, and it's not -- no longer striking the money but transferring it to the Police Department's Patrol Special Operations Unit to fight violent street crime and gang activity. So it's really not striking

anymore, it's reappropriating it for a different purpose.

LEG. D'AMARO:

George, has that amendment been filled? I'm sorry.

MR. NOLAN:

It was filed yesterday.

LEG. D'AMARO:

It was? Okay.

LEG. LOSQUADRO:

I just want to ask a question, and maybe you guys can address this. I mean, we're calling this "excess energy appropriations." How much more -- how much excess do we have in this account? And are we holding on to that to hedge against possible fluctuations in the market the rest of this year? I mean, look at what happened last summer. Fuel costs skyrocketed, asphalt was up over \$800 a ton. You know, I mean, do we think it might be prudent to hold on to this money in an energy account, given that we don't know what the market is going to do?

MR. ZWIRN:

If we may, Mr. Chair, if Mr. Kovesdy could speak to that.

CHAIRMAN GREGORY:

Yes.

MR. KOVESDY:

We have already moved some of this money into the reserve as part of the reserve amounts that Connie spoke about this morning. So we have moved the money into reserve from the energy. We use the estimate that the Department of Public Works gave us. And we moved anything above that into a reserve account. So as far as we're concerned, that money has already been taken and put in the reserve.

CHAIRMAN GREGORY:

Okay.

LEG. BEEDENBENDER:

I second the motion to table

LEG. D'AMARO:

Just on the motion. Just on the motion. I would prefer to go ahead and support this bill and move it to the full Legislature, because what it's funding is the Special Operations Unit as it's been explained to me, which is a unit in the Police Department that goes not just in any one district, but Island-wide in targeting gangs and guns in our neighborhoods and in our communities.

It's been -- it's been an issue in my district, it's been an issue in many other districts. This is the kind of core expenditure and priority in my mind that we need to be making when it comes to how we're going to be spending money. There are many other budget amendments and other proposed spending that I don't support because they don't fall into that category. But I think this truly does. And the fact that it benefits the Police Department, it benefits the Special Operations Unit, it funds that unit. I think it would help all of the residents in Suffolk County, not just any one particular district. And that's why I would intend to support this.

CHAIRMAN GREGORY:

Legislator Beedenbender.

LEG. BEEDENBENDER:

Gail, if I could just ask you, how can we transfer money from the General Fund into the Police Department? I mean, because these -- the money isn't collected from the same group of people. And it's not -- how can we General Fund money into the Police District? Is this routine? I don't recall us doing this before.

MR. REINHEIMER:

I wouldn't call this routine. We didn't transfer. Actually what we did is we reduced the transfer from the Police District to the General Fund.

LEG. BEEDENBENDER:

During the budget process.

MR. REINHEIMER:

This budget amendment modifies the inter-fund transfer from the Police Department to the General Fund in the amount of \$500,000. It also transfers -- it amends the inter-fund transfers to Fund 16, which are supported by many funds. So it's a lot of budget lines to accomplish what we did. But the short answer is we amended the transfer from the Police District. We reduced that.

LEG. BEEDENBENDER:

I guess my concern is that they are two different tax lines. So we took from one and gave to the other.

MR. REINHEIMER:

But the net difference in the Police District is no change in their overall appropriations. The transfer from the Police District to the General Fund is an expense. Rather than incurring that expense, they're increasing their overtime which is another expense.

LEG. BEEDENBENDER:

Okay. I see. All right.

MR. ZWIRN:

If I might add, the Police Department has its own budget, and there should be sufficient funds to do this. I mean, we can ask the Police Commissioner. But before we start transferring money, I want to make very clear that there's money in the Police Department budget that should cover this.

CHAIRMAN GREGORY:

Renee, we have a first second to table?

MS. ORTIZ:

Yes, we do.

CHAIRMAN GREGORY:

All right.

LEG. LOSQUADRO:

Just very quickly. I actually wasn't aware that there was an amendment made to this, but --

MS. ORTIZ:

It was e-mailed yesterday afternoon.

LEG. LOSQUADRO:

Yeah. I mean, I just got a chance to see it. As you can imagine, I haven't been spending too much time reviewing paperwork in the past 24 hours. But regardless of its intent, which in this case is certainly very laudable, I disagree even with what the Executive Branch has done in already accounting for this money as part of the surplus.

I think if the past 12 months has shown us anything is that the energy market is so volatile that we should have left this money parked. And if the savings did materialize, then at the end the year, great, we roll it back into our surplus. But I think it should just stay parked exactly where it is. I think there are a lot of things going on on the -- on the global level as far as conflicts go that may exacerbate some of the moderate stability we see at this time and lead us back into a situation like we had last year. So I don't think this is prudent to take money out of an area with such volatility in the market.

LEG. D'AMARO:

Yeah. Just very briefly.

CHAIRMAN GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

I appreciate what you are saying, Legislator Losquadro, but you also need to appreciate that people are getting shot in Huntington Station. And, you know, to park money and wait and see where we land in most instances is the right thing to do, but I think in this particular instance when lives are at stake, I don't think that's prudent.

LEG. LOSQUADRO:

Through the Chair, unless we're going to be hiring more Police Officers with this money, which we're not going to be doing, I find in the uncomfortable position of agreeing with Mr. Zwirn. The Police Department has their staff and they have a budget. And I know maybe this could go towards overtime or some other areas. But I know that the Police Department can come down very heavily on given areas when necessary. They can swarm, they can focus overtime efforts. The Gang Unit does a very good job.

And I think it would be prudent to sit down with the Commissioner, with the Commanding Officers from that area and try to work out a plan to deal with this and come up with, you know, maybe a budget. Instead of just saying, "Here's a half a million dollars to throw at the problem," let's come up with a budget and say, "All right. We do need \$75,000 additional in overtime, and that will help us to implement this plan that we want to put in place to address this growing problem." I don't think this is the right solution. And then maybe we can pick one area or another where there is excess appropriations and put it towards a set budget instead of just throwing a blank check at this problem, which I agree, is a very serious problem.

LEG. D'AMARO:

I don't want to speak for -- I appreciate that. And I don't want to speak for Legislator Cooper, who is not here, but in my discussions with him, it's my understanding -- and I've been involved in this as well through my district Office -- that we have sat down with the Police Department. And I know I had a meeting with Chief Moore as well in my District Office about the increase that I'm seeing in certain areas in my district with respect to gangs and guns. And part of the solution was that there are these Special Operations Unit that can go into troubled areas and really have an impact. They really are effective.

But as part of any discussion that we have these days, it's always a question of funding. And we're being told that, in fact, that if we want to increase that presence and have that impact that we need to provide this funding. And those discussions have already taken place. Again, I don't disagree with you as far as a budgetary concern, but where I do differ with you is that this is one of the priorities where I think we need to make a budget adjustment, especially in more difficult economic times when we may see an increase in certain gang activity or increase in crime. I think this is an appropriate response to that kind of increase.

And this Special Operations Unit, you're getting a lot of bang for your buck. They're effective.

They're Suffolk County-wide, they operate Suffolk County-wide. They're deployable on a moment's notice if there's a problem in an area. And their operating history has shown that they've collected hundreds of guns within the areas that they've been policing.

So I don't -- I don't disagree with you about the economic climate, I don't disagree with you about trying to be prudent. All I'm saying is that there's a very real problem out there in certain communities where this unit, we're being told by the Police Department, needs more funding to operate effectively. And that's why this budget amendment.

LEG. LOSQUADRO:

I don't want to belabor the point, Mr. Chairman, but I will just say that, you know, when we see grants to do target enforcement for a given area, be it traffic safety, drugs, whatever it might be, usually it's on the order of, you know, \$35,000 in overtime, \$85,000 in overtime, sometimes 100,000. For one individual unit within the department, a half a million dollars seems like a lot of money. Again, we're not hiring anyone new here. This would be utilizing the same staff we currently have.

I'd really like to see some sort of budget associated with this. Unless this -- you know, you're looking at doing other things with this money infrastructure-wise like cameras or things like that, but none of that going is noted in this. Half a million dollars for an individual unit which is unfortunately probably smaller than it should be with our department but is of a finite size within our Police Department seems like a lot of money, you know, with no clear plan in place as to how that money is going to be spent.

So, you know, I might be inclined to support it if we could see exactly how they're planning on spending that money and what portion of it would be towards overtime and what portion might go towards things like security cameras, community programs or maybe incentives for people to turn in weapons. And in that case, maybe we could look to the DA's Office or the Sheriff's Department for asset forfeiture monies. So at the moment, I won't be supporting this.

CHAIRMAN GREGORY:

Okay. I think it's a moot issue at this point because the funding is no longer there. So we have a motion to table in front of us. All in favor? Opposed? Abstentions?

LEG. D'AMARO:

Opposed.

CHAIRMAN GREGORY:

We have one opposed. **TABLED (VOTE: 4-1-0-0 - Opposed; Legis. D'Amaro).**

IR 1106, Amending the 2009 Operating Budget to strike \$500,000 in excess energy and parks appropriations. (Cooper)

I make a motion to table.

LEG. BEEDENBENDER:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator Beedenbender. All in favor? Opposed?

LEG. D'AMARO:

Opposed

CHAIRMAN GREGORY:

Abstentions? **Tabled (VOTE: 4-1-0-0 - Opposed; Legis. D'Amaro).**

IR 1124, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 313. (Co. Exec.)

I make a motion to approve and put on the Consent Calendar, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? APPROVED and placed on the CONSENT CALENDAR (VOTE: 5-0-0-0).

IR 1125, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 314/ (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

IR 1126, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 803-2009). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

IR 1136, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 804-2009). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

IR 1137, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 802-2009). (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

IR 1157, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 315. (Co. Exec.)

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

IR 1182, Amending the 2009 Operating Budget by eliminating partial funding for legislative newsletters. (Co. Exec.)

MR. ZWIRN:

We would ask that be tabled at this time.

CHAIRMAN GREGORY:

Okay. I make a motion to table.

LEG. LOSQUADRO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

IR 1206, to suspend the publication of newsletters. (Pres. Off.)

LEG. BEEDENBENDER:

Motion to table.

CHAIRMAN GREGORY:

Motion to table by Legislator Beedenbender, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

HOME RULE MESSAGES

HR.1, Requesting the State of New York to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any hybrid, fuel efficient, alternative fuel, "Clean Fuel", or electric motor vehicle (Assembly Bill A.3159). (Romaine)

I make a motion to approve.

MR. ZWIRN:

Is there a companion bill with this?

MR. NOLAN:

No

MR. ZWIRN:

Is there a Senate bill?

MR. NOLAN:

No.

MR. ZWIRN:

So isn't a Home Rule Message a little premature on these without a companion bill?

MR. NOLAN:

Well, if there's a Senate bill that comes down later, we'll have to do a separate Home Rule Message for that.

LEG. LOSQUADRO:

I'd like to second that, Mr. Chairman.

CHAIRMAN GREGORY:

Seconded by Legislator Losquadro.

LEG. D'AMARO:

This is Home Rule? Can I just get an explanation on the bill?

CHAIRMAN GREGORY:

Sure.

MR. NOLAN:

It would just authorize the County of Suffolk to exempt from sales tax the purchase of hybrid vehicles. This is a resolution we passed a Home Rule on last year as well, identical bill.

LEG. D'AMARO:

All right. So it would -- it would -- it's requesting that the State legislate an exemption for clean fuel vehicles?

MR. NOLAN:

To give the County -- we'd have to pass implementing legislation, but we're asking the State to give us the authority to do that. If they pass this both Houses and the Governor signed it, we'd have to pass a bill to actually implement it later.

LEG. D'AMARO:

All right. Thank you, Mr. Nolan.

CHAIRMAN GREGORY:

We have a motion, we have a first and a second. All in favor? Any question? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0)**.

HR.2. Requesting the State of New York to adopt and act to amend the Tax Law, in relation to the allocation of revenues from sales and use taxes to villages wholly or partially contained within Suffolk County (Assembly Bill A. 1902) (ROMAINE).

Do I have a motion?

LEG. D'AMARO:

Again, Mr. Chairman, I'll offer motion to approve for discussion, but I would like an explanation.

CHAIRMAN GREGORY:

Motion to approve, I second.

MR. NOLAN:

This would actually require that the additional 1% sales tax that we imposed, that the State Legislature has actually given us the authority to impose. Now we would have to give some of that money -- some of that revenue to villages. And the formula is described -- in the law it's difficult to understand, but that is the gist of the bill, that we'd have to take some of that revenue and distribute it to villages. And we don't do that now.

LEG. D'AMARO:

I guess we're talking to the sales tax that's negative growth or flat growth anticipated. So we're going to divvy up the pie a little bit more. I'm not -- you know, I don't want to be too facetious about this, but are -- is that what we're talking about here?

MR. ZWIRN:

If I might jump in. We did this in Nassau County back when I was on the Board of Supervisors. And if you notice in Nassau County this year they just suspended all sales tax aid to the villages because of the current crisis.

LEG. D'AMARO:

I mean, we already make the towns whole, I believe, on any deficiency in collection of property taxes.

MR. ZWIRN:

And they get the mortgage tax.

LEG. D'AMARO:

And they get the mortgage tax. And we're talking to our employees today about potential layoffs, and now we're going to dole out some more sales tax to the villages. That's what this bill would ask? I'm not going to support this. I withdraw my motion.

CHAIRMAN GREGORY:

Okay. I make a motion to table.

LEG. BEEDENBENDER:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? Tabled. (***HOME RULE MESSAGE 2 WAS WITHDRAWN BY THE SPONSOR***)

HR.3, Requesting the State of New York to amend the Tax Law, in relation to authorizing the County of Suffolk to elect to be exempt from certain taxes related to any energy saving, fluorescent light bulb (Assembly Bill A.3149). (Romaine)

LEG. D'AMARO:

Just again, an explanation.

CHAIRMAN GREGORY:

Explanation.

MR. NOLAN:

This is similar to the Home Rule Message Number 1 in that this would -- is asking the State Legislature to authorize us to exempt purchases of energy-saving light bulbs from County sales tax. Again, this is one, I believe we Home Ruled it last year, the identical legislation.

LEG. LOSQUADRO:

I make a motion.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Motion by Legislator Losquadro, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0)**.

LEG. ROMAINE:

Mr. Chairman, I'm not a member of the committee, but I appreciate it. All of these three Home Rule Messages I introduced at the request of Assemblyman Theile. I think we all got that request. But considering the lack of support, I'd like the clerk to withdraw HR.2, Home Rule Message 2, please.

(*HR.2 WAS WITHDRAWN BY THE SPONSOR*)

CHAIRMAN GREGORY:

Having no further business, we are adjourned.

(*THE MEETING WAS ADJOURNED AT 1:15 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY