

**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, April 21, 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 Aide  
Gail Vizzini - Director/Budget Review Office  
Robert Lipp - BRO  
Lance Reinheimer - BRO  
Linda Bay - Aide to Minority Caucus  
Ben Zwirn - Deputy County Executive  
Allen Kovesdy - Deputy Director/County Executive's Budget Office  
Debra Alloncius - AME  
Robert Kearon - District Attorney's Office  
Vinicio Andino - School of Nursing, Stony Brook  
Frank Casiglia - AME  
Alison Sanchez - Probation  
Cheryl Felice - President - AME  
Gail D'Ambrosio - President - Probation Officers Association  
Peter Quinn  
All Other Interested Parties

**Minutes Taken By:**

Donna Catalano - Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 10:13 A.M.\*)

**CHAIRMAN GREGORY:**

Good morning, ladies and gentlemen. I'd like to welcome you to the Budget and Finance Committee. We're going to start with the Pledge of Allegiance led by George Nolan, Legislative Counsel.

**SALUTATION**

**CHAIRMAN GREGORY:**

Good morning. My name is DuWayne Gregory. I'm the Chairman of the Budget and Finance Committee.

I think we'll start out off with Budget Review just going over the memo. I know you have to get out of here, you have the ratings presentation this morning.

**MS. VIZZINI:**

Thank you, Mr. Chairman. The Budget Review Office issued a memo. It's our hope that the information in the memo will be helpful to you in your deliberations on four of the resolutions that before you which taken together are a plan towards mitigating the budget shortfall.

I'm just going to highlight it. If anybody doesn't have a copy, I have more copies. IR 1205 is enhancing administrative budget deficit control. I want to point out that at the close of business yesterday there was an amended attachment to this resolution. This is the resolution that proposes -- that proposes abolishing filled positions. And there were several changes to it. And I would really defer to the Executive's Office to explain how this list differs from the prior list and to explain any impact or change in the fiscal impact.

However, it does conform generally to the requirement in the administrative code that Civil Service is clearly directed to consider vacancies first before filled positions when abolishing positions. So that was one of the things that had to be reconciled we referenced in our memo.

Based on the earlier analysis we could tell that there were 361 filled positions that were being abolished. I can't tell from the list how many are vacant and how many are filled positions. But I'm pleased to see that there is an effort to conform to the administrative code.

Also this memo that we issued includes an appendix A and B, both of which were predicated on an earlier version of the attachment. Appendix B gives you a general preliminary indication of the impact of layoffs on the departments qualified by the fact that department heads will have the discretion to reassign individuals as the workload and the demands require.

Secondly, IR 1279 institutes a lag payroll for management, Board of Elections and confidential employees. That's a total of 596 employees. The fiscal impact on that is an anticipated annual savings of close to \$2 million and it appears to be reasonable.

IR 1283 establishes a fiscally sound flexible policy for managing budget volatility. What that really refers to is our policy in regards to a requirement to transfer 25% of the discretionary fund balance to the Tax Stabilization Reserve Fund. Right now we have a cap that if that fund is 120 million we do not have to transfer 25 percent to Tax Stabilization Reserve.

What this will do is because IR 1284 reduces the Tax Stabilization Reserve Fund by 30 million, it will bring the Reserve Fund below that \$120 million cap. So it gives you some flexibility through 2012 to opt as to whether you will be adhering to that requirement to transfer 25% of the discretionary fund balance.

In 2009 the discretionary fund balance was \$154 million or roughly that figure. Had we had to make that transfer, if we did not have that cap, the general fund would have had to incur an expense of \$35 million to place it in a Tax Stabilization Reserve fund.

1284 is a responsible plan to address the '09 revenue shortfalls. The highlights of that are, as I referenced earlier, accessing \$30 million from Tax Stabilization Reserve, striking sales tax revenue in the Police Department. Part of what we discussed here is that with the shortfall in sales tax in the police district, this would be a policy decision as to whether the police district also bears the brunt of the sales tax shortfall. What this resolution does is it strikes 3.2 million in revenue to the police district and it also strikes the corresponding \$3.2 million in appropriations.

After this action there would unquestionably not be sufficient appropriations to move forward on police class, which you have added to the budget for 2009. It also caps the Epic Program at the 2008 actual levels of expenditure. It proposes to consolidate the Central Islip Health center with Brentwood and then eventually when we do a regional center, those would be part of the regional center.

Optimistically there's a potential for saving of 1.3 million. The fiscal impact indicates that that consolidation would probably save about a million dollars. There is some concern on our part in terms of whether staff will be transferred, at least county employees at Central Islip will be transferred to Brentwood because there certainly will be an increase demand in terms of services.

And the last item that 1284 addresses is -- it creates 15 positions in Labor Department. There are no appropriations or revenue but the revenue is referenced in the resolution. We do anticipate additional federal stimulus moneys, additional WIA monies. So it would appear that there would be a separate resolution to accept those monies and actually provide the funding for the 15 positions.

**LEG. GREGORY:**

Does anybody have any questions for Gail or BRO? Legislator D'Amaro. And I would like to welcome Legislator Rick Montano who's not a member of the committee but is sitting in today because at least one of the bills is of interest because of the health center in his district.

**LEG. D'AMARO:**

All right, thank you Mr. Chair. Gail, thank you very much for your report. I did have an opportunity to read it. It was very well done as usual. I just wanted to ask you on that last point just for clarification with the new Department of Labor positions proposed to be created in accepting, I guess, federal -- excuse me -- federal stimulus funds to pay for those positions, how does that result in a savings to the County? Why is that part of this bill? If you could just clarify that for me, I'd appreciate it.

**MS. VIZZINI:**

There's reference in the bill to transferring existing employees to those newly created positions. But again there's no line item detail so I can only paraphrase what the intent is.

**LEG. D'AMARO:**

Right. So what would be the savings? I couldn't put a number on it. If those employees were now paid for from another funding source outside of the County, what would be the savings to the County?

**MS. VIZZINI:**

We both agree that, you know, the average salary's about \$45,000 give or take benefits. So theoretically and I don't -- you know, again there's no line items so I don't see that it does this, but if you were to identify people in the General Fund making \$45,000 and transfer them to fund 320, which is the federally funded WIA program, there's the potential for that savings.

**LEG. D'AMARO:**

Okay. Thank you.

**LEG. GREGORY:**

Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Hi. Good morning, Gail. I just want to -- talk to me a little bit more about -- in your memo you talked about 1205 and the revision that needed to be made. And that was the revision, I believe, that was made by the Executive referring to the abolishment of vacant positions first. Can you -- I read what the code says. I read what the bill says. But can you just kind of try to flush that out a little bit more please?

**MS. VIZZINI:**

Sure. Well, basically the memo simply states that the resolution had to be reconciled in some way with the administrative code. During the Halpin administration it was, you know, similar experience awful budget shortfalls, proposed layoffs. And as I had indicated earlier, the -- you are not the first Legislature to go through this difficult economic and budgetary cycle. So Local Law Five of 1991 established a protocol for Civil Service. It directs Civil Service when we -- you know, to consider vacancies first before filled provisions. So there are several alternatives by which we could have adhered to the Administrative Code on this amended copy as of the close of business yesterday. It would appear that there's a resolved clause that was added directing the Civil Service to comply with -- it's the FOURTH RESOLVED CLAUSE, which paraphrases the administrative code.

The FIRST RESOLVE CLAUSE says that all vacant positions in the department, if any, for a titled slated to be abolished in attachment A are hereby abolished. So, you know, you had 361 positions in the earlier attachment A. There 675 positions identified in the amended attachment A. So I would defer to the Executive Office in terms of how many are filled and how many are vacant.

**LEG. BEEDENBENDER:**

But in terms of the practical application of doing that, you abolish a position, so therefore you do this bump and retreat, somebody leaves later on, somebody gets sick, I'm just trying to figure out, we have a department, whatever department you want to say it is, we'll say Public Works since a lot of the list is on here, if you abolish a bunch of positions and then God forbid there are layoffs, now we have people out, there's really no mechanism to hire anybody back for the remainder of the year so we've essentially locked in those savings and locked in the staffing for the remainder of the year. Is that correct?

**MS. VIZZINI:**

I suppose we could look at it that way, you know, you have the law versus, you know, the practicality of administering government.

**LEG. BEEDENBENDER:**

But from the practical standpoint the only way to put somebody back would be to pass a resolution of the Legislature. If we take it out, we have to find the funds through another resolution to put it back in.

**MS. VIZZINI:**

Well, you have to have an authorized slot to put somebody in. It's kind of like a chair at the dining room table. So, for example, if you're abolishing a public health nurse in Health, all the vacancies have to go first, which I believe, you know, unfortunately we did not have an opportunity to -- it takes time to analyze these things and line it up with what's vacant, what's filled, what's by department, etcetera. Again, you know, I would defer to the Budget Office to clarify all those things.

**LEG. BEEDENBENDER:**

Right. But to use your example, Gail, if it was a public health nurse we abolish all the vacancies, and we let somebody go. Later on in the year for whatever reason if we wanted to add another public health nurse, it would require a separate resolution of the County Legislature to do so because there would be no vacancies.

**MS. VIZZINI:**

Well, if you had no slots then you could create the slots, you know, assuming that you had the appropriations; you know, similar to what you're doing in 1284. You're creating 15 positions.

**LEG. BEEDENBENDER:**

Right.

**MS. VIZZINI:**

There's no money. It's referenced.

**LEG. BEEDENBENDER:**

Right.

**MS. VIZZINI:**

You know, so that's acceptable in 1284, that could be an avenue. But it would give you the opportunity to exercise your oversight in terms of positions that are created.

**LEG. BEEDENBENDER:**

Yeah, I was just trying to figure out because -- I just wanted to play that out. And I'm not saying it's either good or bad. I'm just saying that -- I just wanted to have an understanding of everybody here that, you know, when and if this comes to pass, there will be a larger degree of oversight and work necessitated from this Legislature in order to do things like this. Right now this is largely an Executive function. And it would be after this a large Legislative function as well.

**MS. VIZZINI:**

And the only thing I wanted to add, too, is terms of work to do later. With the exception of the police department, there are very few appropriations. You're not striking the appropriations in 1284 with the exception of the sales tax revenue and 3.2 million in the police district. So although the fiscal impact indicates that, you know, we're shooting for 30 million which is a reasonable estimate at least based on the earlier attachment, we are not striking the appropriations. So the Budget Office you will help them in terms reserving things. As you well know some appropriations have money to fill vacancies and some do not. So it really varies.

**LEG. BEEDENBENDER:**

Okay. Thank you, Gail. Thank you, Mr. Chairman.

**LEG. GREGORY:**

I think it would be appropriate at this time if the Budget Office, if they would come forward and if you had any -- I just want the County Executive's Office and the Budget Office to have an opportunity to explain your, you know, bill and attachment because a lot of the questions are pertaining to you. So it would be good if you were able respond. And then you have --

**LEG. KENNEDY:**

Can we go to Gail first?

**CHAIRMAN GREGORY:**

Sure, sure,.

**LEG. KENNEDY:**

Before we hear from Budget --

**CHAIRMAN GREGORY:**

Absolutely. Legislator Kennedy.

**LEG. KENNEDY:**

Thank you. Thank you, Mr. Chair. Gail, I have some questions in your memo. And like Legislator D'Amaro has said, once again you've done a superb job in trying to frame some of what are fairly complex issues. But I'm going to ask you to go to this analysis that you've done with 1283 again and the discussion associated with how the transfer is being contemplated at this point from the debt reserve. It also looks like you're saying to us that we're in somewhat of a bit of an aberration. We're trying to understand these fund balances, particularly because we're looking at the splits between mandatory and discretionary. Pragmatically I mean perhaps maybe it just means we're looking at taking 30 million from Tax Stabilization. But in looking what it is that you're trying to say to us, I think, you're saying that -- what is the consequence for us going forward assuming that the 30 million gets authorized? You're talking about this restoration that we're going to have to immediately be faced with? Our action today portends something for 2010? Or maybe I'm just not following it.

**MS. VIZZINI:**

What 1283 does is it authorizes access to tax stabilization reserve mid year. And the specific amount is \$30 million. What that will do is bring down Tax Stabilization Reserve fund 125, 30 million that it will be at the end of the '09 to roughly 90 something million. But we, you know, recently adopted a cap, the \$120 million cap. So if further gives you flexibility running through 2012 that you need not adhere to the requirement. And it changes, you know, shall to may. So you still can but -- so in 2010, 11 and 12 you no longer have to transfer 25% of the discretionary fund balance to Tax Stabilization Reserve.

Now we've had some pretty hefty fund balances we we've done our best to make you all aware of. Those days coming to an end just due to the economy and sales tax and other factors. But it's a big -- 25% of the discretionary fund balance is a big number. So it gives you some relief to through 2012.

**LEG. KENNEDY:**

Okay. And our projection at this point is those fund balances are dropping precipitously or --

**MS. VIZZINI:**

Yes. As we present it to you in the budget model and, you know, we're -- our fund balance for the General Fund is roughly is -- yeah, is in the \$77 million area as opposed to 154 that we've had in the past or, you know.

**LEG. KENNEDY:**

But the fund balance has been arrived at in a variety of different ways. We'll talk about different things, I guess, but we fund the X number of positions at the beginning of each year or when we adopt a particular budget. If we're eliminating all of the vacant positions at this point, presumably we're also eliminating all of the funding that's associated with those vacant positions. How then would we ever arrive at a fund balance driven by vacant positions in the first instance? Aren't we in essence ending that completely?

**MS. VIZZINI:**

Well, it's an interesting question because although you are abolishing the slots should 1284 be adopted, we're not striking any appropriations. So theoretically the 15, \$20 million that we typically derive in the fund balance from vacancies could continue. It's just that, you know, you're doing -- you're adhering to the administrative code that requires you to abolish vacancies first or to consider vacancies first.

**LEG. KENNEDY:**

But those are funded vacancies or --

**MS. VIZZINI:**

Some of them are; some of them are not.

**LEG. KENNEDY:**

So why would we drop into abolishing live bodies before we had a financial understanding of the elimination of the vacancies? Do we know yet what the vacancies are?

**MS. VIZZINI:**

I don't only because this was, as I said -- I know how difficult it is to put together something like this. And we only got it from the Clerk about 4:45.

**LEG. KENNEDY:**

4:40 it was. As a matter of fact that's what came up on the e-mail.

**MS. VIZZINI:**

You must have gotten your e-mail first.

**LEG. KENNEDY:**

No, I'm more confused than you are, but go ahead.

**MS. VIZZINI:**

You know, there are several ways that Civil Service could approach this, too, and I do not mean to speak for them and I don't know if any of them are here. But having been the person in Civil Service who used to do this, you know, in a former life, instead of abolishing one public health nurse with a live body, we would abolish one public health nurse vacancy. And then there really is a question what have you saved, what was budgeted for that vacancy? So, you know, Civil Service does not do a budget analysis or a cost analysis. That's the Budget Offices who will determine that.

**LEG. KENNEDY:**

Okay, Mr. Chair, I just have one other place to go and that's specifically with 1205 with the bill that was filed yesterday at 4:40. And the FIFTH RESOLVED CLAUSE in particular. And the language that I'm most curious about is savings target for that unit. Do you know what the savings targets for any unit are? Because I've yet to see any of that.

**MS. VIZZINI:**

What we do know from the position control system what a biweekly payroll is equivalent to. So we do have a break down by bargaining unit in terms of what the value of one payroll is. The precise savings target that County Executive's looking for, we do not know.

**LEG. KENNEDY:**

I'll yield, Mr. Chair. I'm all ears.

**LEG. MONTANO:**

Yeah, Mr. Chair, if I may, I'd just like to ask a couple of questions with respect to the consolidation of the Brentwood and CI Health Centers of Ms. Vizzini.

**CHAIRMAN GREGORY:**

Okay. Sure.

**LEG. MONTANO:**

Good morning, Gail. How are you?

**MS. VIZZINI:**

Hello, Rick.

**LEG. MONTANO:**

Good. I got your memo this morning and I went through it. I just have a couple of very quick questions hopefully. First paragraph you talk about the -- apparently it's the administration projection that they're going to save 1.3 million. You estimate it at a \$1 million savings; is that correct?

**MS. VIZZINI:**

Well, actually the fiscal impact statement indicates a million. They're being conservative and --

**LEG. MONTANO:**

Their fiscal impact?

**MS. VIZZINI:**

Correct.

**LEG. MONTANO:**

Okay. So we're looking -- what you're saying, then, is we're looking to save a million dollars on this. So you think you can save a million. The annual rent is 209,000. What is the cost break down for the other savings? Where is that document? Is that in the fiscal impact which I haven't had a chance to look at?

**MS. VIZZINI:**

No. The fiscal impact, you know, basically has a lump sum number of a million dollars. I would --

**LEG. MONTANO:**

Well, how do you break that lump sum down? Million dollars is a big figure. How do you break it down into its various components or where could I find that?

**MS. VIZZINI:**

I'll defer to the County Executive's Office on that.

**LEG. MONTANO:**

Well, why don't we hold -- we'll get to that because I'll ask you that when you make your presentation. I know that Gail was going to finish and I didn't want to deviate from that. All right. We'll get to that.

Next question I had. Do you know how much staff is leaving the CI Center if we consolidate, where that staff is going?

**MS. VIZZINI:**

That will also be up to the department. And I would defer --

**LEG. MONTANO:**

Defer that to the County Executive.

**MS. VIZZINI:**

I realize that Deputy Commissioner Miner is here so really he would be more on target with the precise answers to this.

**LEG. MONTANO:**

Okay. Next page you have the planned consolidation of the two facilities within two or three years, blah, blah, blah, closure of the facility is not imprudent. What exactly does that mean? I understand that we -- the County already sent out an RFP for the building of a new regional health center. And I understand that there's also been a meeting of the proposed bidders so that bids will be submitted shortly to consolidate Brentwood, CI and either have a build to suit or renovate an

existing structure, state of the art structure to deal with the various components of the old Bay Shore Brentwood and CI Health Center. What time period are we talking about in terms of that consolidation?

**MS. VIZZINI:**

I really think you should direct these questions to the department.

**LEG. MONTANO:**

Well, the reason I'm directing them to you is because they're in your memo, at least they're alluded to. So we'll keep going.

Unlikely that the entire patient complement can be absorbed at the Brentwood Health Center. Are you saying that you don't think that Brentwood has the ability to absorb all of the patients in CI? Because that's what it would appear to say.

**MS. VIZZINI:**

There is 2600 patients who currently under care at Cental Islip. So, you know, the memo is intended to raise some of these issues.

**LEG. MONTANO:**

Right, which it has.

**MS. VIZZINI:**

Brentwood is at times very crowded. And we don't know what the overall plan is for the department in terms of what staff will be transferred to Brentwood, what scheduling changes will be addressed. We also, you know, know that when you change the home health care of patients, some of them just drop off.

**LEG. MONTANO:**

Right. I think your memo indicates --

**MS. VIZZINI:**

But many of them do transition over.

**LEG. MONTANO:**

-- a little further that at least 20% is going to drop off. And that 20% will more than likely wind up in the emergency rooms.

**MS. VIZZINI:**

There is that possibility.

**LEG. MONTANO:**

Okay. But at the same time you say that this hidden cost, this increase in the patient care at the emergency rooms can be mitigated, and I'm using your language, through aggressive patient education, sufficient lead time, good planning and assurance of adequate transportation to the gaining facility. I guess that incorporates moving them to Brentwood and also providing for a back up system in case they don't go to Brentwood, that they go somewhere else? Is that what you're alluding in to in the memo?

**MS. VIZZINI:**

Some sort of outreach to those patients to follow up so that they -- you know, they're educated in terms of where the new center is that they can continue health care.

**LEG. MONTANO:**

And how long do you think that process is going to take?

**MS. VIZZINI:**

Well, I think that would take months. But again I will defer to the department.

**LEG. MONTANO:**

Or years or actually could never happen. Am I correct? I think that there's certain percentage that is just automatically -- I mean do you really believe that that's a feasible alternative for 20%? Let me rephrase that. Is there a plan in effect that you have seen that would deal with that component of your paragraph there?

**MS. VIZZINI:**

Again, I defer to the department. You need to have resources to do this. So you, you know, raise some very good questions as I think we'll raise some of these issues in the memo as well.

**LEG. MONTANO:**

Yeah, they are raised well. And I want to thank you. And I will direct these to the County Executive. Thank you. Thank you, Mr. Chairman.

**CHAIRMAN GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you again, Gail. Just a couple of other questions I had with respect to your report. Going back to the Tax Stabilization Reserve fund, you made the point in your memorandum that next year the conditions would probably not exist to tap once again into that fund without the required tax increase -- property tax increase. Can you explain to me how you draw that conclusion? Is that a note of optimism in a sense?

**MS. VIZZINI:**

What happened in the global economy could not have been anticipated when we adopted our budget. You know, in General Municipal Law the conditions under which you can access Tax Stabilization Reserve are very well laid out. It can only be for the General Fund and it can only be for certain reasons. Included in that are unanticipated revenue shortfall. When the County Executive issued the '09 recommended budget, sales tax was estimated to increase by 2%. Budget Review analyzed that and basically recommended to the Legislature zero. So we're on record even we optimistic or pessimistic as you view us, we try to be realistic based on the data that we are; the historical data that we have.

We went back to the '90's once we saw, you know, the beginning of some of the trends. But we could not fathom that we will be projecting negative four in January when we only adopted the budget in November. So I think you truly have the definition of unanticipated revenue shortfall. But what this means in the memo is that we know the economy -- we know what just happened. So we need to be extraordinarily conservative. In our budget model we're at zero in terms of 2010. So as we monitor -- we monitor as you well know sales tax check by check, quarter by quarter, year by year. So we are going to be on the pessimistic side.

So it races the issue in terms of the, you know, the use of one shots in terms of addressing what everyone agrees to be, a very difficult problem, and it also addresses your -- the mandates before you in terms of the State Law. If you're going to have a fund to stabilize taxes, there is some fiduciary responsibility to increase taxes modestly or reasonably or responsibly in order to continue to access that fund. That's really what it means.

**LEG. D'AMARO;**

All right. The second question I had was with respect to the police revenue and then appropriations striking both sides of the ledger so to speak. The report goes on, however, to state that even if do that and receive alternate funding, that we still fall about 1.5 million short into the police district. Is there any --

**MS. VIZZINI:**

No. Let me clarify that, because you're not reading that the way I intended to convey it. What this paragraph talks about is there's a sales tax shortfall. The General Fund could take the whole hit or we could apportion it to the General Fund, to the police district and Water Quality. We're apportioning it to the General Fund and Water Quality but there was a -- in the budget we adopted a 69.3, four million dollar transfer to the police district. What this 1284 does is the police district will also shoulder some of that shortfall. Our calculations indicate that you could probably strike as much as 4.8 million. That's the police district's portion of our projection of how low sales tax is going to be. Not if we get federal stimulus money; we're still going to have a problem. That would be what I meant to convey.

**LEG. D'AMARO:**

Okay, I understand that. It's really on how you allocate the sales tax his between the various funds.

**MS. VIZZINI:**

Correct.

**LEG. D'AMARO:**

Okay. Last question with respect to Epic, the proposal in 1284 is to cap Epic expenditures at 2008 levels. And I just want to ask you if that is a sufficient amount to service all the demands that we have on Epic. I did notice in the report that it seems like Medicare is picking up a larger portion of that funding. But I just want to be sure because it's an important program. It helps low income elderly residents cover the cost of premiums. And 25 percent of copays for pharmaceuticals. And I just want to know that that cap is realistic.

**MS. VIZZINI:**

The cap is based on the 2008 actuals. You actually are not striking the appropriations. As we say in the memo, the County Executive's Office has already reserved 818,586. So the appropriations are still there. What this resolution does, I believe, is give your concurrence as a Legislature to the County Executive's action that the modified budget will show 2.25 million for Epic which is what was spent in '08. And it is something that can continue to be monitored much like the other line items for which we have reserved. If we need money they can allow some of the reserves to flow to the actual line item.

**CHAIRMAN GREGORY:**

Okay. At this time I would like the County Executive's Office and the Budget Office to respond to BRO's memo. And then after that we'll go to the public portion where we'll allow the public to comment.

**MR. ZWIRN:**

Mr. Chairman, would you like Matt Miner from Health Department to address Legislature Montano's concerns first?

**LEG. GREGORY:**

Certainly.

**MR. MINER:**

Good morning. Legislator Montano, with respect to the break down of the savings, the annual operating expenses at the Central Islip Health Center using the 2007 cost control report, and that's the most recent --

**CHAIRMAN GREGORY:**

Matt, you got to speak into the mike. She can't hear you.

**MR. MINER:**

Is that better? I apologize. The 2007 cost control report reports that there is \$3.375 million in operating expenses associated with the Central Islip Health Center. The revenue generated by that facility was \$2.04 million for a net operating loss of \$1.33 million. The Health Department with the consolidation plan estimates that the net operating savings will be one million dollars. We do anticipate the transfer of certain staff from Southside Hospital over to Brentwood as well as all of the county staff. There are approximately 12 employees. They will be transferred. It's not clear if all of them will go to Brentwood or they may support some of the other health center facilities. And that the staff that the County has right now are Wick and Family Planning which are 100% reimbursable and they're not part of the expense numbers that I just stated. The health center numbers are really just for Southside's operation. So the one million dollars assumes a consolidation of Southside staff. We do not need to transfers the 30 employees. We would transfer less than that.

**LEG. MONTANO:**

All right, if I may, then, what I'm asking for is do you have -- and by the way I want to thank you and the Commissioner for your cooperation. We spoke recently and you have been providing me some information but I'm going to be asking for more specific information. And starting with that, do you have or have you done a breakdown of the so-called million dollar savings other than the rent. Because if you take the 200,000, 209,000 for the rent, there's a little less than 800,000. Where is the dollar for dollar estimated breakdown of how we're going to achieve the savings of \$800?

**MR. MINER:**

Again, the bulk of that will be the reduction of Southside Hospital staff. There's a contracted vendor that operates both Brentwood and CI. When we move --

**LEG. MONTANO:**

Right. But could that information be provided to us in terms of --

**MR. MINER:**

No. We've had meetings with Southside Hospital. And we are looking, you know, the volumes of both areas and not just the total patient volume but breaking that volume down into the various pediatrics, adult medicine, OBGYN and ancillary services, we'll see where in Brentwood we need to, you know, beef up those areas. And that staff from CI will come over. We've estimated that it will be probably between six and ten and Southside has confirmed that. So you're reducing staff from 30 down to somewhere around ten so you're taking 20 staff out.

**LEG. MONTANO:**

Right, I understand that.

**MR. MINER:**

That's your savings.

**LEG. MONTANO:**

But what I'm hearing and correct me if I'm wrong is that that analysis has not been completed or is not done at this point. You can't tell me specifically either here publically or privately which positions are going to be cut back, whether this is medical. That's what I'm hearing; am I correct in that?

**MR. MINER:**

It's 95% complete.

**LEG. MONTANO:**

All right. Then what I'm asking is when will the other five percent be complete?

**MR. MINER:**

Again, this is just looking at the move of key personnel from Central Islip to Brentwood. It's only a

handful of individuals. I know that they've noted on the HIV patients were aware of that. We'll be addressing that. We'll be addressing the OBGYN. The specific individuals that is something that Southside and Patient Care Services have been meeting on and will finalize. But we're very confident that the one million dollars savings that we estimate is really a conservative number and that we will achieve that number.

**LEG. MONTANO:**

Right. And I'm confident that you could save a million dollars also. My question is at what cost to the residents in the area in terms of getting health care because it's not all about dollars.

**MR. MINER:**

Could I speak to that just for two seconds?

**LEG. MONTANO:**

Yeah. I mean I have some questions. I don't want to delay the process because I know we're going to be talking further privately but it's certainly appropriate.

**MR. MINER:**

You have raised a couple of other questions with respect to BRO that I wanted to try to touch on.

**LEG. MONTANO:**

Oh, okay.

**MR. MINER:**

The status of the RFP, as you know, there were two mandatory bidders pre-conferences. There's a walk through of Coram Health Center today. We wanted to show the potential bidders what a health center in the county should look like, state of the art facility like Coram. That's going on now. The RFP that we responded to technical questions, Public Works has responded. And we did extend the deadline to May 28th to provide an opportunity for all bidders to, one, have a chance to look at Coram; and, two, respond with, you know, a very favorable bid. We've had over 25 -- at least 25 respondents thus far that have expressed interest. And we're confident we'll get several proposals. The regionalization plan which we've received \$5 million from State of New York to support that plan will consolidate ultimately CI, Brentwood as well as the Bay Shore community and serve as one regional center; will provide full scale health, primary coverage for all those that are under not insured or non-insured.

**LEG. MONTANO:**

Right. I'm aware of that. I think that's the \$5 million HEAL Grant it's called.

**MR. MINER:**

\$5 million.

**LEG. MONTANO:**

\$5 million, right. But the point that I'm addressing and I think, by the way, I've been following that, I think that's excellent. But the point I'm addressing is the closure of the Central Islip facility today versus when the new center is going to be, you know, up and operating. And that's a major concern to me because of the -- because it's my district.

**MR. MINER:**

Sure. It would not be able to close if this resolution was to pass today or next Tuesday. We wouldn't be able to close the next day. It would take some time as was mentioned, making sure that we notify all of our patients that we ensure that we have a plan to accommodate everybody over at Brentwood. And we will have to make some modest changes over at the Brentwood Health Center to accommodate the additional volume.

**LEG. MONTANO:**

Let me address that if I may. One the concerns I have with the resolution as written is that if this resolution passes the Legislature, the SIXTH WHEREAS Clause, the way I read it, gives the administration and the department complete, absolute control over the process of closing of the center. I don't see anything in there that requires -- and this is a side issue, I don't want to debate it today, but I don't see anything in there that requires the Health Department or the County Executive's Office to -- in the very -- in the lease consult with the Legislature once once we sign off on this resolution. We have yielded complete administrative and all other control to the executive branch to simply close the hospital. I mean to close the center. So I know that you have -- what, you say you have a plan. I haven't seen it yet. But if this resolution passes in its form, this is not going to come back to us; am I correct in that?

**MR. MINER:**

We would have to get approval from State Health Department actually. We're regulated -- Article 28.

**LEG. MONTANO:**

Right. But I'm talking about this legislative body that has oversight responsibility for what goes on in this county particularly as it affects health.

**MR. ZWIRN:**

If I might add, that's one of the reasons why it's in the resolution before you so we'll have a vote of the Legislature.

**LEG. MONTANO:**

But the vote of the Legislature simply says go ahead and do what you have to do. It doesn't require you to tell us how you're going to do it, what your time frame is, how you're going to achieve the savings, what you're going to do to take residents in the area that requires services, what your back up plan, it says absolutely nothing with respect to the essential issue of how people receive services in the community.

**MR. ZWIRN:**

Do you want to be able to vote on every step on every part of that or do you just --

**LEG. MONTANO:**

No, but I would like to see every step as it goes through the process. And this resolution doesn't provide it. And the history of this administration is that once you get the power, you don't come back to us. We're simply a side issue but I don't want to get into that. I really want to deal with the substance of what we're dealing with.

**APPLAUSE**

**MR. ZWIRN:**

If I can respond to that?

**LEG. MONTANO:**

No, Ben, I don't want a response to that. We will debate that another time. I really just want to have the questions that --

**MR. ZWIRN:**

Mr. Chairman, I just think it's -- you know, making accusation against me, I just think it's fair if I can have a chance to respond.

**LEG. MONTANO:**

Ben, I don't want to argue with you. I just want to get the questions answered. I'll let the Chair respond. You're the Chair. You decide what to do on it.

**LEG. GREGORY:**

Are you finished with your questions?

**LEG. MONTANO:**

No. I'm not.

**CHAIRMAN GREGORY:**

Okay. I think -- I don't want to get far afield with 1284. I think we'll have an opportunity to debate that once the bill comes up. But since Mr. Miner's here, I think it's appropriate if Legislator Montano considering that it's his district --

**LEG. MONTANO:**

Yeah, I just want to go through the questions that we asked with asked over to the --

**CHAIRMAN GREGORY:**

And we'll give you the chance to respond, Ben.

**LEG. MONTANO:**

Okay. With respect to Gail, the questions that I asked Gail was when are you going to consolidate. And I think you partially answered that. But could just summarize what your plan is? When and where is this event going to take place?

**MR. MINER:**

Okay. We've had meeting with Southside Hospital and with your Division of Patient Care. Assuming this resolution was to pass, we would notify the state of our intention to close. We'd need to get an approved closure plan from the state and then we would begin whatever modifications to the Brentwood Center that are required. And we would most likely have to move out the Chest bureau. They're not exam rooms. There are exam rooms that aren't being used there that would accommodate the additional volume. We would then notify all of our patients, probably several -- at least a couple of mail in's as well as signs and follow up. I estimate that this will take about 90 days?

**LEG. MONTANO:**

So you would be out of the CI Center in 90 days? That's an estimate.

**MR. MINER:**

Again, that is an estimate at this point based on the discussions with Southside. We have not had discussions with the State Health Department yet but I believe 90 days is reasonable.

**LEG. MONTANO:**

Would you need to do any modifications to the existing Brentwood facility in order to accommodate this?

**MR. MINER:**

As I started to say the Chest Bureau which is a separate bureau -- it's within the Brentwood Health Center staffed by county and Southside employees would most likely be relocated outside of the Health Center. All right? They do not see patients but they do have four exam rooms. Those additional exam rooms both the County Health Department and Southside and the Brentwood Health Center Administrator believe our sufficient to take the additional volume on. So we know we have space for the additional volume. And the only other thing we're working on is, I alluded to earlier, is what staff needs to come over from CI in terms of the. Southside staff. And that's probably somewhere around ten.

**LEG. MONTANO:**

Right. And I don't want to belabor this because I know we have other things and I'm not on this

Committee, we'll deal with this when it gets to the Legislature, the plan for the 20 percent of those patients at the very least are permanently going to be lost to the CI facility, what type of plan do you have in place to accommodate some kind of -- and as Gail put it in her memo, the potential hidden cost of closure can be mitigated through aggressive patient education, sufficient lead time, which you're talking about 90 days, good planning which quite frankly I haven't seen the plan so I can't make an assessment as to whether or not it's good or not. And the assurance of adequate transportation to the gaining facility, can that be accomplished within 90 days? Is that what you're saying?

**MR. MINER:**

Yes, I believe so. And again Bay Shore was further away. CI and Brentwood are approximately 2.2 miles away. There's public transportation line. The off hours that CI -- when CI's off, the overflow goes to Brentwood now. There is a cross of patients that use both CI and Brentwood. It's a little different situation. So I would respectfully suggest that the 20 percent is probably over estimated. That may have been what was realized in Bay Shore but I do anticipate that in CI. And again we will be notifying all of our patients both in English and Spanish and doing concerted outreach plus working with Southside Hospital because we recognize as the -- Southside, these patients if they needed care and didn't end up at Brentwood would most likely end up in the Southside Emergency Room. So we'll be working with our partner Southside who again we've been working with both on a regional health center as well.

And the same thing will apply for the regional center; once we build it they'll be the same type of notice wherever that new facility is situated where they'll be transition. We need to make sure that all of our patients follow the health center.

**LEG. MONTANO:**

Matt, and I agree with you. That sounds all well and good. What I'm asking though is where is -- these concepts that you're laying out, where are they? Where could I find them and look at them? Where are they detailed in any specific document, plan or anything of that nature? I mean it's -- I understand the process but, you know, if I were going to open a business, the first thing I'd do is get a feasibility study. Where is the study, the feasibility study that tells us this is what we're going to do. This is how we're going to do it in an orderly fashion and these are the components of the plan that we are going to address. That's simply all that asking for. Does that exist at the moment? And does it exist in a form that you could provide to the Legislature so that we could take a look at it, comment on it and maybe -- you know, and have a debate as to whether or not the plan is a good plan or it's simply a plan to save at the cost of providing health care to residents that need it. And I'm going to add that Legislator DuWayne Gregory and myself toured yesterday both the Brentwood and the CI facility. And I spent the first six months of my tenure as a Legislator in the Brentwood facility because we didn't have an office for me so I was there for 6 months. So I saw the day in and day out activity in the Brentwood Health Center. And I have some very strong reservations as to whether or not you can realistically absorb the -- you say here 2600 patients which I think when we discussed it turns into about 12,000 patient visits per year, I have some strong reservations as to whether or not you can absorb that in Brentwood. And I certainly have some strong reservations as to whether you can absorb it within 90 days. So what I'm looking for is where is the plan?

**MR. MINER:**

The plan is something that we'll be preparing and submitting to the State Health State Department. The resolution has not --

**LEG. MONTANO:**

Why not us?

**MR. MINER:**

Because the regulatory body -- with respect to the Article 28 license that we have is with the State Health Department. I'll be happy to provide a copy to the Legislature of anything we submit to the

Health Department.

**LEG. MONTANO:**

Right. You say that. So what you're basically saying is really not our concern because we're not the regulatory agency although we are the Legislature that's has oversight with respect to these issues. That's really what I'm getting from you, Mr. Miner. And Ben is shaking his head so, you know. Ben, you want to respond?

**LEG. GREGORY:**

Sure, go ahead.

**MR. ZWIRN:**

If the Legislature has questions, the Commissioner of Health is always available to the Health Committee to answer any questions. If Legislator Montano has any questions about how this would be done, he can call Mr. Miner, he can call Dr. Chaudry and get all the answers that he needs.

The purpose of this is to improve the health care delivery system. The difference between the two centers is 2.2 miles with a bus route that goes between. They're looking to consolidate the health centers to make it a super center like the Coram Center so that it could be -- deliver better services for the patients and for the taxpayers. This is not done solely to save money but it does save money at the same time and it doesn't affect county workforce. Not a reduction of the County workforce. These are contracted individuals who work through Southside Hospital.

You know, I take exception saying that this is -- the County Executive is the Executive of the County. He has to do these type of things. We don't do it in a vacuum. We do it here in a resolution which we may not have even had to put it before the Legislature but we have because we want the Legislature's input. And understand your passion, Legislator Montano. This is your district; these are your constituents.

**LEG. MONTANO:**

Well, it's more than that, Ben. I really think that, you know, my job as a Legislator, you know, gives me the -- imposes on me the responsibility to look into these items. And just let me say, you know, and again I did speak with the Commissioner. I did speak with the Deputy Commissioner, Mr. Miner. They were both very gracious in terms of their willingness to answer questions. And I do have here a memo that was sent over to me by the Deputy Commissioner Mr. Miner on April 3rd. It's a four page document. But it really doesn't address the specific questions that I asked today.

And really what I'm asking for, as a Legislator, is to provide me with the details. It's one thing to represent a district. It's another thing to be responsible in terms my approach. I'm not saying that we should not close the CI Health Centre. As a matter of fact I strongly support the regionalization and I have looked at the RFP. You know, we are tracking that very closely.

What I'm addressing now is the feasibility just to save a million dollars when we just gave the Vanderbilt \$880,000 so that they can operate and now we're taking a million dollars to offset that from health care services. So, you know, I question where our priorities are.

***APPLAUSE***

But the reality of the situation is that I think that we as a Legislature are entitled to the answers to these questions because they're not difficult questions. We're not looking to be intrusive. We are looking to be part of the process. And since you put the resolution before us, if you hadn't put it before us, we wouldn't be having this debate. But since you put it before us, I'd like to know what the details are. And until I get the details, I'm not going to be satisfied and I'm not going to be silent because I think people need to know what's going on with the health care. And I don't want to see the fiscal problems of the county solved on the backs of people that need health services when we have other areas that we could possibly cut from. That's the point that I'm making.

## **APPLAUSE**

And I don't want to debate this but, yes, you have been cooperative. But I'm not getting the information that I need. So until we can get what we're looking for at least on my part we're going to continue this dialogue.

### **MR. ZWIRN:**

Look, I can respond. If you have other areas that you can suggest where there can be savings that we have not uncovered, we would be welcome to hear them. I mean it's getting kind of late in the day to get them but we're still open to any suggestions that you might have. This was one area where you can save money and improve services. That's what government should be doing. And the questions with respect --

### **LEG. MONTANO:**

What I think we should do --

### **MR. ZWIRN:**

-- with respect to the details, the Health Department, Dr. Chaudry, we would glad to discuss them. They've already begun the process of discussing them with you prior to today. So, you know, I think the characterization that you made about the County Executive doing this or we're not going to pay attention to the Legislature, we'll disregard, we are here before the Legislature today with four bills trying to address a catastrophic down turn in the economy. This is not fun. Nobody wants to be here with a lay off resolution, how we're going to tap the tax stabilization fund. Going into the very basics, you know, of core government that we provide here. This is not easy. It's not fun.

### **LEG. MONTANO:**

I agree with you there, a thousand percent.

### **MR. ZWIRN:**

Not fun for the people who get off lay off notices. We have to think outside the box. When we see something, it's more obvious than not. We're not trying to balance this on the back -- don't talk about the Vanderbilt with this administration, this is not something that we supported. So just don't --

### **LEG. MONTANO:**

No, and I agree with you. I supported you on that bill and I supported your veto.

### **MR. ZWIRN:**

We're trying to be consistent. We're trying to do the best we can. We don't want layoffs to go through. I mean I know everybody says well, we want to lay people off. We don't want to lay people off. We want to find alternatives to that to try to work together giving from each sector. And we're doing the best we can. We need the Legislature's support. We need the residents support. We need the county workers' support on this. We cannot -- we are at a place where we cannot do this alone. So I appreciate everything you said. You are fighting for your constituents. I understand that and we appreciate it and we will work with you to try to answer every question that you have to make sure that your people -- the people in your community are well served with health care.

### **LEG. MONTANO:**

What I would to see to be quite honest with you to resolve this issue at this stage is simply to delete this section from the Budget bill and send it to the Health Committee or set up a mechanism so that we can have an intelligent, thorough discussion on whether or not this is a feasible part of a fiscal plan, whether or not we're really going to save a million dollars. And if we are going to save a million dollars, at what cost to people that need serves? Prenatal services, my understanding is that in order to get a visit for prenatal services at the Brentwood Health Center, there's a five to six week

delay as it is right now. So I think in order to deal with this issue, we should segregate it from a fiscal bill because we're not simply talking about dollars and cents. And let's have that thorough discussion. And let's not run it through the Legislature as some kind of comprehensive package so that we can get it done and then turn around and this Legislature would have no input in how it's going to be effected. That is a concern to me, Ben. So if you're willing to talk, I'd like to talk to you about those issues and see whether or not you're amenable or the administration is amendable to doing that. I think that would be a good resolution to what we're dealing with as it pertains to the health center.

**CHAIRMAN GREGORY:**

I have a question. It's with reference to 1205. You filed an amended copy yesterday.

**MR. ZWIRN:**

Yes.

**CHAIRMAN GREGORY:**

And from BRO's estimation there are now 675 positions?

**MR. ZWIRN:**

That's correct.

**CHAIRMAN GREGORY:**

Okay. 361. Can you talk to us a little bit about those positions? Are they budgeted positions or funded or --

**MR. ZWIRN:**

I'll work -- Mr. Kovesdy from the Budget Department is here and Kim Brandeau.

**CHAIRMAN GREGORY:**

And what the fiscal impact is because we don't know -- there's no new fiscal impact statement.

**MR. ZWIRN:**

No, the fiscal impact we would agree with Budget Review. Of the 675 positions that are listed, 347 of those are filled positions and 328 are vacant positions.

**CHAIRMAN GREGORY:**

So what's the total savings?

**MR. ZWIRN:**

Pardon me?

**CHAIRMAN GREGORY:**

What's the total savings. 347 filled, 328 unfilled.

**MR. KOVESDY:**

If I might just to give a general -- a general on the fiscal impact without getting specifics, the goal of this legislation was to arrive in the vicinity of \$30 million in personnel savings for 2009. The combination of filled positions and vacant positions would get towards that number. It was the hope when we programmed out a lag payroll, lag payroll was in the vicinity of 26 to \$27 million. This kind of mirrors what would have been if a lag payroll -- so the goal is to get as close to \$30 million in savings. That's the target.

Most of the vacancies are unfunded. They would be in the classification of turnover savings. If you would look in the turnover savings of any given department, you would see a number. Most of the vacancies or funding for that vacancies is included in the turnover savings. We would have to go

into detail in each particular department to tell you the difference between what's in turnover savings and what is -- would be additional savings as Mr. Kennedy had asked. But the basic goal was to get as close \$30 million in savings. It would be one of the arm. \$30 million here, \$30 million in internal savings, \$30 million from the Tax Stabilization. That would get us a long way to solving the \$100 million problem. That was the intent of the legislation. As far as specifics in any given department, John, I don't think we cost that out to the penny but the majority of vacancies aren't funded, they're included in turnover savings.

**LEG. KENNEDY:**

Mr. Chair, if I can just to Mr. Kovesdy, but Alan, how can a good conscience vote then when I'm being asked to basically say, well, you know, we got some of it that's going over here, and we think we got a little bit over there. You must have some numbers that you can put before us before we have to go head and decide whether or not we're going to set the fate of 375 people out there to be cast out of government.

**MR. KOVESDY:**

Again, the intent is not to cast anyone. The intent --

**LEG. KENNEDY:**

No, no, no, let's not talk about intent because we're talking about black and white on a page.

**MR. KOVESDY:**

In black and white if you read the resolution, the resolution basically asks for the county labor force to contribute in some manner to help resolve this problem. They're saying if there isn't cooperation, then another alternative would be to address a reduction of force. The intent is to the the County, its workers, and everyone, ourselves sitting up here include to work together to come up with approximately \$30 million in the reduction of personnel costs. Okay. The resolution doesn't number one say there'll be layoffs. It says the County is asking for all its employees to work together to make a savings. I think if you look at the resolution in that frame, this is an alternative. It doesn't happen. That's simply what it is. The intent is for the County employees, for all of us to work together and generate in the vicinity of \$30 million in personnel savings in this year as one third of the total amount that the County has to reduce. The largest expense in Suffolk County in government after you take out the mandated social service cost is that of personnel. If you don't address the personnel cost within the County, there is no way to close the hole.

**LEG. KENNEDY:**

You and I have been through many lags. I understand that. But I am not the AME or the Probation Department or Corrections. I am a Legislator being asked to go ahead and authorize layoffs. Very simple; very plain. Just like a Legislators being asked to consent to the closure of two health care facilities without any any indication about the impact is going to be to patient population. Other than rhetoric that talks about a 20% fall off. How can go ahead and cast a vote when I don't know what's going to happen to the prenatal teen age care, to the HIV patient, to the family WIC services, how in good conscience can you ask me to cast that vote? That's the question.

**MR. ZWIRN:**

Legislator Kennedy, these are positions taken from different parts of the County. We have tried to do it in such a way working with the Legislature trying to find positions that will have the least impact on county residents. There's no way --

**CHAIRMAN GREGORY:**

Please, please, no --

**MR. ZWIRN:**

I don't think this is very funny. You know, there are a lot of people whose lives are at stake here and delivery of services. We don't have the money to pay for all the expenses that are in the current budget. There is no money to do that. So we had --

**LEG. KENNEDY:**

I have read the sales tax reports just like everybody else. And I agree with you that we have got to go ahead and contract.

**MR. ZWIRN:**

If you have a better plan, we're waiting. We're doing the best we can trying to manage the resources that we have to deal with. You have a better plan, you've had a lot of time to think about it, we're still waiting and there's no pride of authorship if you come up with something that works. Some of the names have been deduced from the list originally are from the Corrections Department. And some from the Health Department; but primarily Corrections because they're trying to work with us to try to work out an arrangement where we can get some of the savings that we need. So those names have been removed in good faith. So there is some movement hopefully that we will be able to have a resolution of this. We are trying to do this as painlessly as we can but it is not easy. We need your help to try to move the process along. And hopefully now that some of the union matters have been resolved through elections and things, maybe we can get down to the bargaining table and get thing worked out. But without that, this is our only alternative right now, John.

**LEG. KENNEDY:**

Well, have we talked about any other approach as alternatives? Have we talked about possibly collapsing offices? We got a Department of Energy that we never had before. We now have a Department of Consumer Affairs over which I'm the committee (sic) on. Have we come forward? Perhaps that's the environment we need to be in now. Let's talk about collapsing some of the growth that we've had in upper governmental structure without any kind of commitment increase in delivery of service. Maybe that's where we need to go with this.

**MR. ZWIRN:**

And you think you can save \$30 million that way?

**LEG. KENNEDY:**

I don't know if we can save 30 million but I bet you we can come up with some savings.

**MR. ZWIRN:**

You want to lay people off in Consumer Affairs? Is that what you're saying?

**LEG. KENNEDY:**

Not at all. What I did say is, is perhaps what we need to do is start achieving some synergies by putting together some of this structure that's grown exponentially. And maybe there's some alternatives as far as layoffs go. I don't know. I don't want to be in a position where I have to go ahead and pick between somebody who inspects deli's and who goes ahead and who handles parolees. But I guess that's where we're getting to now, isn't it?

**MR. ZWIRN:**

But that's your job. That's the job of everybody who's an elected office. When you have a situation like this -- look I have been through this personally when I was a town supervisor. It is unpleasant. It is awful because you affect peoples' lives. And back when I did it and I laid off people, my kids went to public school. And they went to public school with kids whose parents were laid off, who worked for the municipality that I was a town -- and it was not pretty. It wasn't. And I didn't want to do it but we didn't have --

**LEG. KENNEDY:**

Ben, look, none of this is pretty.

**MR. ZWIRN:**

This was back in the early --

**LEG. KENNEDY:**

Furloughs aren't pretty. Lag payroll isn't pretty. I've done it three times. I know what you're talking about.

**MR. ZWIRN:**

But you just -- we cannot.

**CHAIRMAN GREGORY:**

Hold on. Hold on.

**MR. ZWIRN:**

We cannot do nothing.

**CHAIRMAN GREGORY:**

One person at a time. We're going to wrap up. Legislator D'Amaro has a question then we're going to get to public portion.

**LEG. D'AMARO:**

Thank you, Mr. Chair. Just to try and move past that last debate, It's a very, very difficult situation. It's not pleasant. These are not -- there's no quick fix, there's no easy solution here. But, Ben, you keep coming back to we don't want to do this. And I believe you. But then that begs the question what are we doing instead? How are we dealing with the unions as far as concessions or coming to the table? Where are we at?

**MR. ZWIRN:**

We have had discussions with the Corrections Officers and there may be movement there. As I said earlier you have had an election with AME. Cheryl Felice, congratulate her. She's been reelected and her board has been reelected.

**APPLAUSE**

I should have started with that and I would have applause at the beginning. But Let me say that perhaps, you know, some of the distractions and some of the pressure that take place during an election made it much more difficult to sit down and try to negotiate this. I understand that Cheryl Felice and the County Executive are sitting down. We are hopeful that, you know, that something can be resolved so that we can move forward and make this part of history. But unless that happens, we really don't have an alternative. And, you know, if somebody had one and somebody has a magic bullet somewhere, then we've always been ready to listen. But these are the proposals that we have put forward for the Legislature to act on. Today there are these proposals. We would ask you -- we don't expect today to get approval on these but we would ask you to at least discharge these resolutions to the full Legislature so that the entire County Legislature can debate the subject matter of these resolutions. That's all we ask for today. And then the unions can come down and speak before us. It's not just this committee but they can speak before all your fellow Legislators.

**LEG. D'AMARO:**

I'm going to have the same concern at the committee level as I would if this bill goes to the full Legislature. The county's ability to deliver services is going to be severely impacted. The lives of County employees, our workforce is going to be severely impacted if this bill comes to fruition. Are there alternatives? I appreciate the fact that the County Executive's Office as the Budget Officer has put forward a plan. I was one the Legislators asking that to be done and it has been done. And we've had a chance to review it and analyze it. And I appreciate that. We don't have to agree with everything. But I don't think you'll ever put a bill together where everyone's going to agree with everything there. That's 1284. But this bill the 1205 is going to have that direct severe impact on peoples' lives, people who are serving the County. So I urge you and the County Executive to make

the best faith effort that you possibly can to come to some to kind of solution working with our workforce and hopefully not get to this layoff bill.

**MR. ZWIRN:**

We would agree.

### **APPLAUSE**

**CHAIRMAN GREGORY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. I Guess this is to both Budget Review because it's included in their report, but also to the Executive. In the report, says that the County pursuing federal stimulus funds under the cops grant for a police class of 80. I know that the dead line for that application was one week ago. I had spoken to the County Executive. He had indicated that you were going to make that application?

**MR. ZWIRN:**

(Shaking head yes).

**LEG. LOSQUADRO:**

You did. For that amount. For 80 offices. And the reduction in our sales tax revenues and the commensurate reduction in that -- in striking that transfer because of the reduction, I guess, is what makes us eligible for those funds?

**MR. ZWIRN:**

Right.

**LEG. LOSQUADRO:**

And what do we think the likelihood of receiving that is?

**MR. ZWIRN:**

We're hopeful. And the program is for three years. It will fund the Police Officers for three years with benefits. So that -- we're hopeful.

**LEG. LOSQUADRO:**

I understand it's a very significant grant. But the other part of my question, the eligibility of that is based on the reduction in the sales tax --

**MR. ZWIRN:**

Yes. And not having enough money to go forward --

**LEG. LOSQUADRO:**

-- in that fund?

**MR. ZWIRN:**

Yes.

**LEG. LOSQUADRO:**

Okay. Thank you.

**CHAIRMAN GREGORY:**

Okay, we're going to move onto the public portion. And I appreciate that because it's important that those in attendance have information of the discussions so that when they speak they can speak from knowledge and understanding of what was presented here today.

**MR. ZWIRN:**

Mr. Chairman, would you like us to stay here? Should we sit down and just answer questions at the end?

**CHAIRMAN GREGORY:**

Sure, you can stay there. I'm going to ask Vinicio Andino? Okay. All right. Go to the podium right there.

**MR. ANDINO:**

Mr. Chair, my name is Vinicio Andino and I'm with School of Nursing, Stony Brook University. I understand that a lot of people have a lot of issues especially with the budget. I'm going to be getting off the agenda. But my question is practically is there a plan out there to practically make up numbers of some of the students we're going to be losing for the next fall due to the budget cuts. It's had a big impact on staff, the budget cuts, to the fact that from 55 students that we have right now in the junior class this past fall, there's going to be 24 students in the class for next fall. And we know -- we just wonder because nationwide we're having a shortage of nurses as it is presently.

**CHAIRMAN GREGORY:**

I appreciate your concerns. We'll arrange a meeting with you in my office. But it might be more appropriate that you reach out to the State delegation. Because they have more impact over the State budget but we'll certainly work with you in that regard. I understand that there's a shortage. My mother was a nurse; public nurse with the State. I'm familiar with the shortage and the issues of nurses and health care. So we'll certainly work with you.

**MR. ANDINO:**

Thank you.

**CHAIRMAN GREGORY:**

Thank you for coming here today. Frank Casiglia.

**MR. CASIGLIA:**

Good morning, Chairman. I'm going to rescind my request at this time.

Thank you.

**CHAIRMAN GREGORY:**

Okay. Gail D'Ambrosio. Good morning, Gail.

**MS. D'AMBROSIO:**

Good morning. I'd like to -- so many things I'd like to say to you and I have many questions to the County but I am going to ready my prepared speech.

My name is Gail D'Ambrosio. And I am the President of the Suffolk County Probation Officers Association. Once again I am speaking before you on behalf of our 287 POA members. I'd like to remind everyone of what Probation Officers do. Intake. People from the community come to probation to file petitions for child support, custody, visitation, orders of protection, etcetera.

Investigations. Reports required by the court are prepared and written by Probation Officers. All the high profiled cases in the newspapers, Probation Officers are making accurate and informed recommendations to the court for sentencing of those convicted.

Supervision of adults and juveniles. They're monitored and their conditions of probation are enforced by Probation Officers. This doesn't even include the immeasurable prevention work that Probation Officers do every day. The people we service are from the Townships of Huntington and Babylon and go all the way out to Montauk and Greenport. They come from every one of our communities. They are rich, poor, educated, disabled first-time offenders, recidivists, violent,

non-violent drug abusers, alcoholics, sex offenders, etcetera, etcetera. Every one of them is someone's family member.

Probation, as you know, even generates income for the County. Not only by collecting probation fees and restitution, but by supervising people who can stay in a community and continue to support their family and pay taxes.

Yesterday at approximately 4:40 p.m., I received a copy of the most recently amended Resolution 1205 now calling for the layoff of 53 Probation Officers versus 15 from a month ago. Currently there are 37 unfilled slots for Probation Officers in the department which makes dealing with over 15,000 cases already difficult. Any layoffs in times of increasing criminal activity would not be in the best interest of the County. We are peace officers. We must keep the community safe. Even through rehabilitation and treatment of the probation with supervision it's the most viable way for the County to save money. But there won't be enough Probation Officers to do the work.

While probation supervision is the best alternative to incarceration when short staffed, incarceration may become the only option. As taxpayers of Suffolk County, we understand the reluctance of the County to raise taxes. We know that the average taxpayer looks at their tax bill and fails to understand that the portion of our tax bill that funds County agencies and services is so minute.

Probation Officers do not make exorbitant salaries. Many live paycheck to paycheck. Many have second jobs. A lag payroll will make many of our lives financially difficult and emotionally stressed and it will contribute to reduced sales tax revenue. The crisis is not going to be over on December 31st, 2009. We need to come together and come up with a long term solution that's beneficial to both the County and our union. My members need assurances that the County is not going to come to us in January, 2010, and demand another arbitrary and capricious figure of \$870,241, Legislator Kennedy, or face 53 layoffs. I am not requesting that this resolution be tabled. I am now requesting that it be thrown out. I am reasonable, fair and I care about each and every one of my members and the people we service which is everyone in Suffolk County. Thank you.

## **APPLAUSE**

### **CHAIRMAN GREGORY:**

Gail, we have a question. What was the number that you recited? The number that you recited?

### **MS. D'AMBROSIO:**

287 members of probation. Oh, I'm sorry the figure? Our share? \$870,241.

### **LEG. KENNEDY:**

And, Gail, you have 287 members?

### **MS. D'AMBROSIO:**

Correct

### **LEG. KENNEDY:**

And there's 53 that are slated for layoffs?

### **MS. D'AMBROSIO:**

On the new resolution.

### **LEG. KENNEDY:**

Okay. So that's about a 19 percent reduction of workforce. BRO, you had characterized it as five percent across the board? There may be 411 positions but there's only 287 Probation Officers, 53 of which are getting hammered; is that correct?

**MR. REINHEIMER:**

Well, it's 53 positions, some of which are vacant. That was the old -- the impact was the old resolution with 361 positions filled positions being abolished was a five percent reduction overall. I don't know the impact of this new --

**LEG. KENNEDY:**

The percentage is higher than what you have. Okay. Thank you.

**CHAIRMAN GREGORY:**

Thank you. We have Robert Kearon.

**MR. KEARON:**

I'm here to speak on behalf of the Assistant District Attorneys, men and women who work for Suffolk County. Specifically I'm here to speak about IR 1279 which would institute a lag payroll with respect to all of the exempt employees in the County. As far as our office goes we represent about 40% of the management personnel in the County. When you add the County Attorney's Office to that number collectively, we represent a little over half of the management people.

One of the responsibilities I have is to supervise and coordinate the hiring of our new assistants each year. Since Tom Spota was elected in 2002 we've hired about 100 new prosecutors out of law school. Those individuals come to us after four years of college, three or four years of law school, and they usually arrive with about 100 to \$200,000 in debt from educational loans.

We send them to District Court and to the East End. They work weekends, they work nights and they work holidays. And this in addition to coming to work Monday to Friday to staff the courts in both the East End and District Court. We feel it's unfair for these individuals to have to go through this lag payroll. It's happened before where it's become the symbolic thing that management personnel suffer because there is a serious financial crisis going on in the County but no one else does. It's very easy to pass a lag payroll that affects a few hundred people when they have no voice, when there is no one like the many union presidents that are sitting here today to speak on their behalf. We have no one except you. You are our buffer between County Executive and a lag payroll.

We are very cognizant of what's going on in the County in terms of the finances. One of the things Tom Spota has done is he has created certain units that have generated revenue directly to the County. We have a sales tax fraud unit that this year will generate to the County over \$1 million in sales tax revenue that was being fraudulently withheld by merchants. Over the years we have given the County asset forfeiture money to cover certain deficiencies in police overtime. We have made our contributions and we do this by assigning experienced prosecutors to handle these matters while requiring these young assistants making \$55,000 to work nights and overtime and holidays. And they don't get holiday pay and they don't get night differential. And they don't get overtime. Most of them don't even get longevity. They're not here for the money. They're here because they're dedicated. But last year you took their away step increase that they normally have gotten in July of this year. I think that's enough. I'd ask you to at a minimum to table 1279 to see how things develop rather than just take the money from young people who really can't afford it. Thank you.

**CHAIRMAN GREGORY:**

Thank you.

**APPLAUSE**

Cheryl Felice. Let me just congratulate you on your reelection.

**APPLAUSE**

**MS. FELICE:**

And I hope you'll allow me this indulgence. I want to thank Ben Zwirn for his well wishes. I wasn't even aware you were aware of my election. I'm surprised you were were aware of my election.

At any rate, I have a number of comments to make to you. And I just wanted to before I make my comment just mention the time frame that Gail D'Ambrosio from the Probation Officer's Association mentioned. At 4:40 is when this resolution came over on the fax. AME's results were posted at four o'clock. We took that as no surprise. We understand the seriousness of this particular budget deficit, and we are here out of respect to the Legislature and certainly the Presiding Officer's Office who has availed his office and the Budget Review Office of every report, every number, every statistic that we are going to need to make monumental decision.

And I stand before you as the representative of more than half the workforce and as a partner in the other ten unions of which you are asking for \$30 million from. Thirty million dollars, walk into a bank and ask for a \$30 million loan, and don't expect to get any questions from. That's why the unions have given reason to pause. Just like Legislator Montano asked questions of the Health Services Unit and the consolidation of the health clinics, there are many questions to be asked and answered before a decision of that -- of that level that involves saving only a million dollars requires.

And so I don't want to minimize the fact that the unions have been sitting down with the County Executive. And I understand the County Executive's Office has concern, and we do too. You are asking for a \$30 million loan from your workforce, \$30 million that will come out of Suffolk County's economy in this year. That alone represents a million and a half dollars in sales tax that will be lost to Suffolk County only exaggerating the sales tax revenue decline. Those are the questions we're answering -- we're asking.

It's our understanding that because Suffolk County has such a good bond rating that Suffolk County can borrow money at such a low percentage that it would cost about \$275,000 in interest to borrow \$30 million. So we have many questions before decisions can be made of this monumental task. And we also have made other cost saving recommendations to the Legislature and to the County Executive's Office. For example, our membership is being asked to do more with less. You've seen the vacancy report and see how deficient we are with filled positions. We've offered a solution to go with a one-deputy doctrine. Legislator Kennedy mentioned how top heavy we are. I didn't even get into my statement, I'm over my time already. May I have Frank's deferment of time just to finish my statement.

**LEG. LOSQUADRO:**

I was going to ask a question.

**CHAIRMAN GREGORY:**

Sure.

**LEG. LOSQUADRO:**

How long is your statement?

**MS. FELICE:**

Thank you. It will be just a few more minutes. Thank you, Legislator Losquadro. The one-deputy doctrine --

**LEG. D'AMARO:**

Cheryl, just give us a little more of what's on your mind. Can you tell us what's on your mind?

**MS. FELICE:**

Thank you so much. I would love to tell you what's on my mind. And my statement was prepared at one o'clock in the morning. We had other business to attend to last night. We had a well deserved victory because we have a new -- a half returning board and a half new board coming up that will be dealing with you. And we made the -- we took the time in this particular board to give

you a best cross representation of our membership because of we are aware of the issues that have to be debated in this next year to come.

So I'm very excited and I accept your congratulations very humbly. And I think you'll look forward to working with the new slate of officers that we have before us.

But to the -- but back to my opening statement about the one deputy doctrine; it's mentioned that's perhaps we need to do an analysis of if the -- if government is top heavy. And we're recommending that maybe each department do with one deputy. That hasn't been given much -- much talk or consideration, but perhaps that is dialog that could participate.

And I also want to say too, that I believe the Legislature will discharge IR 1205 without recommendation for the debate of the full Legislature. And I'm not necessarily opposed to that because I think the Legislature needs to have more questions asked than answered, the full body of the Legislature. All of these -- these dialogs have taken place just in your committee so far. So again, of a monumental task that has to be entered into, I wouldn't look unfavorably if that were to happen today. I certainly would look very unfavorably if this measure was approved, considering the fact that 300 more people were added to that list virtually in minutes from our standpoint. And we haven't had a chance to analyze that yet.

I will -- I'll read you my prepared statement. *As the -- as the President of the Suffolk County Association of Municipal Employees, I'm proud to be speaking with you today. And I'm encouraged at the amount of votes cast in AME's Election yesterday. 68% of our membership in casting their ballots stated they wanted to take control of their destiny, and to the end; the wealth of this County is the working people. The quality of employees will be directly proportional to the quality of life you maintain for them or in other words how well we demonstrate teamwork. Essential to teamwork is trust. Employers generally get the kind of employee relations they ask for. Our workforce has shown that it is willing to go through many painful experiences when they believe the long term goals, when they believe in those long term goals. To get through this process we cannot treat it like an event. It is a process. We must be treated like partners and when we are treated like partners we will act like partners. As in any relationship when treated with respect, you will get respect in return.*

*We expect that we will be sitting back down with the County Executive's people probably by the end of the day, through the close of the week and we have committed to you meaningful talks in those meetings. Thank you.*

**CHAIRMAN GREGORY:**

Thank you.

**APPLAUSE**

Pete? No questions, okay.

**MS. FELICE:**

Thank you very much.

**CHAIRMAN GREGORY:**

Thank you and congratulations again. Pete Quinn.

**MR. QUINN:**

Members of the Legislature, my name is Peter Quinn. I have long been retired, nonetheless, I still have a great deal of concern and respect for workers and share with the concerns that others had registered. And I'm concerned about what happens to patients at a hospital or at centers for them in Brentwood, in Central Islip. It amounts to me -- it seems to me like it's warehousing when you already have two overcrowded facilities to attempt to consolidate and bring them all together in one

locale for the sake of saving a million dollars.

I'm also concerned about health sanitarians. I understand you're seeking to cut some of them, when they are the ones who inspect our food at restaurants, hotels, supermarkets. And we see prevalence of salmonella about, it seems to me imprudent to cut down on the inspectors now there is less inspection and more contamination and more indifference on the part of the owners of those facilities.

Similarly when you cut a hydrogeologist, for example, when we know how contaminated our water is where we've got considerable pollution, nuclear wastes contamination in our water supply as reported by many, and particularly yesterday on Channel 26 there was a report. Similarly Channel 12 did a report showing a woman holding yellow water, drinking water. It seemed to me that those are the wrong kinds of cuts that ought to be made.

But I've also proposed at the last general meeting that you consider lowering the number of hours that people work. If you have the four-day work week, I believe a couple of Legislators have already proposed that was the amount of money that would be saved, but saving peoples' jobs so that they're still part of the employment in the County and contributing therefore to the County with including they're spending money to increase the amount of sales tax you receive.

So I would urge -- and it seems to me that the police group that's to be formed, the new group, one of the things that's done frequently is to introduce lower base pay to them when they're starting out. You had a lower base pay for three years along with that grant that's coming from the state, perhaps you can save some money there.

But I think you've still got a lot of work to do to justify those 20 pages of 36 names of job cuts, you just can't do it with indifference and I know you've already expressed considerable concerns. So I'll stop there. Thank you.

## APPLAUSE

### CHAIRMAN GREGORY:

Thank you. Alison Sanchez.

### MS. SANCHEZ:

Hi. I'm Alison Sanchez, I'm a Probation Officer. I had previously spoken here at the last full Legislative meeting.

I came here this morning to find out about the change in the numbers that the probation officer numbers had gone from 15 to 53. I'm upset and I'm very angry. And again, I'm just wondering who the rocket scientist was that came up with that for Probation Officers because they could not possibly understand what it is that we do.

The -- the quote before, *the least impact on County residents, the least impact*. As a supervising probation officer, not a supervisor but I supervise probationers in the community, I carry a gun, I wear a badge, handcuffs, pepper spray. I do search of probationer's homes. I find drugs. I find alcohol in the homes of alcoholics of people who are repeat DWI offenders. There are sex offenders being supervised in the community. Burglary's, robberies, recidivists of every type of crime that you can possibly imagine. The crime rate that is held down do to the Probation Officers who are out in the community because these criminals know that they're being watched. They know that their homes are going to be searched. They know that they're going to be checked on to make sure that they're blowing into the tube of the ignition interlock in their cars. They were going to make sure that they all have cars or some sort of a fake license that they're not supposed to be driving. That they don't have paraphernalia in their home that they're not supposed to be doing drugs. To make sure that they're in treatment facilities when they're supposed to be getting treatment. In addition to us trying to rehabilitate offenders, we're also protecting the community. We're making sure that

these recidivist are not out there robbing people, knocking them down, shooting them, hurting other people in the community. We're protecting the community. We are law enforcement officers and I've noticed that we're the only law enforcement officers on this list.

Who is the rocket scientist that put us on this list? You're talking about the least impact on the County residents? We are law enforcement officers. Whose idea was it because I'm just wondering so that when people want to start pointing the finger at why is the crime rate going up, who am I pointing them to? Who am I telling them that that's the person that decided that you don't need Probation Officers in the community. Thank you.

## APPLAUSE

### CHARIMAN GREGORY:

Thank you. Debra Alloncius. Debbie.

### MS. ALLONCIUS:

Good morning members of the committee, Chairman Gregory. I come to you at a time when everybody is totally perplexed as to how we're going to go, where we're going to go. But you are looking for measures, you're talking cost saving measures.

One of my biggest gripes since I have stood before you as the Legislative Director of the Suffolk County Association of Municipal Employees and on behalf of Cheryl Felice, we have begged you to look at the contracting out issue. I venture to say you could save 30 million in a heartbeat if you gave the jobs back to my workers. And I commend Sawicki, your Comptroller for looking at this issue because we know there's a lot of money going out there. All those auto mechanics that was -- that are on the list, all those DPW jobs, that'd be great. We're just -- you know, what a good contract that every -- every job that's done on every police car, every probationer car, your cars. What's going to happen with that?

The pain needs to be shared all around. Pull those jobs back. Give them to my members. And we're talking about layoffs here, we're not talking about layoffs, straight abolishments. The jobs are gone. You're going to cripple the economy. You know, I venture to see the foreclosure rate in Town of Brookhaven go way up there because so many of that DPW staff and a large proportion of our members live in that community.

I agree absolutely 100% with Mr. Montano and Mr. Kennedy and Mr. Losquadro in the health center, everything's got to be fully vetted. It should not be in this committee. I spoke to everyone of you. It should be before Health and Human Services. Okay, it's going to have an impact on the budget but it's going to have much of a greater impact on the community. And it's -- this is not going to work. You're -- my members are telling me that they cannot take another 12,000 visits over in the Brentwood Health Center, no matter who you're transferring over there. Somebody better look long and hard and Legislator Montano had every right to ask every one of those questions because there is no plan. Again there is no plan on the health centers and they're just being closed one by one dismantling the health centers, again like I've spoken of for the past two years.

So that one deputy doctrine, that could save a lot of money. Perhaps if you offered an ERI as many people -- as many of the Legislators have said to me, *well, Steve's looking at what Tom's doing in Nassau County*. The ERI that you offered last year was no ERI, very targeted. You didn't get rid of a lot of the moneymakers in this County. Open up an ERI. It's costs savings in the long run. It would be tough now. And you're not in the position where Tom has to -- where Tom is where he has to go to borrow for it.

There are many, many things that can be done. We're absolutely willing to work with the County, but Mr. Levy has to give the numbers. It's got to be fair. We are giving you a \$30 million loan no matter how you look at it. I can't refinance my house without filling out a five page loan application that two years ago was a one page application.

Everybody's feeling the pain. Take away the money from my members, you're going to put a lot of people in a bad way. And I know nobody likes to raise taxes. Nobody likes it. But the workforce has to bear the brunt of the monies that are lost throughout the entire County. If we give back, we need assurances that next time around you do spread the pain and you spread it with every taxpayer. Because we are taxpayers, everyone of us. And we have already given with the health plan and we gave mightily with the health plan because it's -- it's been nothing but pain for the members. And everybody has to -- everybody has to understand that.

We look forward to working with you. I respect everyone of you. You have a tough, tough job ahead of you. And I thank you for all the support you -- you give AME and to everyone of these unions. And I sit here and I see it day in and day out we couldn't really ask for a better bunch. Thank you.

### **APPLAUSE**

#### **CHAIRMAN GREGORY:**

Thank you. That's the last card that we have. Is there anyone in the audience that would like to -- that hasn't filled out a card that would like to make a comment? Okay. We'll go to the agenda. We have tabled resolutions.

### **TABLED RESOLUTIONS**

***IR 1000, Adopting Local Law No -2009, A Charter Law to enhance budgeting flexibility and responsiveness. (Schneiderman)*** Make the motion to table.

#### **LEG. D'AMARO:**

Second

#### **CHAIRMAN GREGORY:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **Tabled. (Vote: 5-0-0-0)**

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

#### **LEG. D'AMARO:**

Motion to table.

#### **CHAIRMAN GREGORY:**

Motion to table by Legislator D'Amaro. Seconded by myself. 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)***

#### **LEG. BEEDENBENDER:**

Motion to table.

#### **CHAIRMAN GREGORY:**

Motion to by Legislator Beedenbender.

#### **LEG. D'AMARO:**

Second.

#### **CHAIRMAN GREGORY:**

Seconded by Legislator D'Amaro. 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. LOSQUADRO:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator Losquadro. 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 approve.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator Beedenbender

**LEG. LOSQUADRO:**

Explanation.

**CHAIRMAN GREGORY:**

Counsel.

**MR. NOLAN:**

Well, this resolution's actually been amended to provide \$10,000 to this Sponge Project in Babylon Village. The money is coming from the 477 account. I think pretty recently it had different -- it had an offset, but now it's the 477 account.

**LEG. LOSQUADRO:**

This is for stormwater remediation project. Correct?

**MR. NOLAN:**

That's my understanding, yes.

**LEG. LOSQUADRO:**

Okay. Thank you.

**CHAIRMAN GREGORY:**

Okay. We have a motion to approve. Have a second?

**LEG. LOSQUADRO:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator Losquadro. All in favor? Opposed? Abstentions? **Approved. (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. Seconded by myself. 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 table

**LEG. KENNEDY:**  
Second.

**CHAIRMAN GREGORY:**  
Second by Legislator Kennedy. 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)***

**LEG. LOSQUADRO:**  
Motion to table.

**CHAIRMAN GREGORY:**  
Motion to table by Legislator Losquadro.

**LEG. D'AMARO:**  
Second.

**CHAIRMAN GREGORY:**  
Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **Tabled. (Vote: 5-0-0-0)**

***IR 1106, Amending the 2009 Operating Budget to strike \$500,000 in excess energy and parks appropriations. (Cooper)*** I make a motion to table. Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **Tabled. (Vote: 5-0-0-0)**

***IR 1182, Amending the 2009 Operating Budget by eliminating partial funding for legislative newsletters. (Co. Exec. Levy)*** Motion to table by -- motion to table.

**LEG. D'AMARO:**  
Second.

**CHAIRMAN GREGORY:**  
Second by Legislator Losquadro.

**LEG. D'AMARO:**  
D'Amaro, okay.

**CHAIRMAN GREGORY:**  
I say D'Amaro. All in favor?

**LEG. D'AMARO:**  
I'd be proud to call Legislator Losquadro a brother any day. All in favor? Opposed? Abstentions? **Tabled. (Vote: 5-0-0-0)**

***IR 1205, Enhancing Administrative budget deficit control. (Co. Exec. Levy)*** I make a motion to discharge without recommendation.

**LEG. KENNEDY:**  
Motion to table.

**CHAIRMAN GREGORY:**

Motion to table by Legislator Kennedy.

**LEG. D'AMARO:**

All right. I'm, Mr. Chairman, I agree with well, not agree with, but my intention is to try and get the bill to the full Legislature to have the full debate so I'm going to second the motion to discharge without recommendation from this committee.

**CHAIRMAN GREGORY:**

Okay. Second by Legislator D'Amaro. Do we have a second for the tabling motion? Okay. Anybody have any questions? Okay. All right. Okay. All in favor? Opposed? Abstentions?

**LEG. KENNEDY:**

Opposed.

**CHAIRMAN GREGORY:**

We have one opposition. **IR 1205 is discharged without recommendation. (Vote: 4-1-0-0 Opposed: Legislator Kennedy)**

**INTRODUCTORY RESOLUTIONS**

***IR 1207, Amending Resolution No. 1092-2008, implementing budget staff, and taxes for the fiscal year 2009 (Discretionary). (Pres. Off. Lindsay)*** I make a motion to approve.

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator Beedenbender. All in favor? Opposed? Abstentions? **APPROVED. (Vote: 5-0-0-0)**

***IR 1208, Amending Resolution No. 1093-2008, implementing budget staff, and taxes for the fiscal year 2009 (Mandated). (Pres. Off. Lindsay)*** I make a motion to approve.

**LEG. LOSQUADRO:**

Same motion.

**CHAIRMAN GREGORY:**

Okay. All right. How about we go with same motion, same second, same vote. **APPROVED. (Vote: 5-0-0-0)**

***IR 1209, Authorizing amended tax warrant for Resolution No. 1094-2008 (for the Town of Brookhaven) to be signed by the Presiding Officer and the Clerk of the County Legislature. (Pres. Off.)***

I make a motion to approve, seconded by Legislator Beedenbender. All in favor? Opposed? Abstentions? **APPROVED (Vote: 5-0-0-0).**

***IR 1214, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislator (Control No. 805-2009). (Co. Exec.)***

I make a motion to approve and to put on the Consent Calendar, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions?

**APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 5-0-0-0).**

***IR 1215, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislator (Control No. 806-2009). (Co. Exec.)***

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

***IR 1216, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 316. (Co. Exec.)***

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

***IR 1229, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislator (Control No. 796-2008). (Co. Exec.)***

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

***IR 1230, To readjust, compromise, and grant refunds and chargebacks on correction or errors/County Treasurer by: County Legislature No. 317. (Co. Exec.)***

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

***IR 1235, Amending the 2009 Operating Budget and appropriating funds in connection with bonding a settlement for a medical malpractice case. (Co. Exec.)***

I make a motion to approve.

**LEG. BEEDENBENDER:**

Seconded by Legislator Beedenbender

**LEG. KENNEDY:**

Mr. Chair, on the motion.

**CHAIRMAN GREGORY:**

Do we have anybody who can just explain to us briefly what this is about? I assume since we're approving there's been settlement.

**MS. BIZZARRO:**

Thank you very much. I think I can answer a few questions.

**LEG. KENNEDY:**

My questions basically are just did it go to verdict?

**MS. BIZZARRO:**

Actually, we were -- we finished picking a jury, we settled the case subject to Ways and Means approval. We went before the Ways and Means Committee, I believe, it was February 26th, if I am not -- February 25th, I apologize -- Ways and Means Committee approved the settlement of the amount. And now I am before you for monies to be bonded for the settlement.

**LEG. KENNEDY:**

How did the issue arise?

**MS. BIZZARRO:**

The matter?

**LEG. KENNEDY:**

Yeah.

**MS. BIZZARRO:**

It's an Erb's Palsy Case.

**LEG. KENNEDY:**

So it was associated with the delivery then associated with one of our clinics; is that it?

**MS. BIZZARRO:**

I'm sorry?

**LEG. KENNEDY:**

A delivery, in other words, an OBGYN matter with one of our health clinics?

**MS. BIZZARRO:**

Correct.

**LEG. KENNEDY:**

Okay. How old is the victim?

**MS. BIZZARRO:**

I believe she is seven years old at this point.

**LEG. KENNEDY:**

Okay. Fine. Thank you.

**CHAIRMAN GREGORY:**

That's it? Legislator D'Amaro.

**LEG. D'AMARO:**

Is there a motion pending on this?

**CHAIRMAN GREGORY:**

Yes.

**LEG. D'AMARO:**

There is, okay. As Chair of Ways and Means, I wanted to assure Legislator Kennedy that we did take a good hard look at the case and had an at-length discussion with our attorneys, the Law Department. And I'm comfortable with the settlement based on all the facts and circumstances.

**LEG. KENNEDY:**

Thank you.

**CHAIRMAN GREGORY:**

All in favor? Opposed? Abstentions? **APPROVED (Vote: 5-0-0-0)**

***IR 1253, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislator (Control No. 807-2009). (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 1279, Instituting a lag payroll in fiscal year 2009 for Bargaining Units 21, 30 and 24***

*(Management, Confidential, and Board of Elections Employees, respectively and exclusive of Suffolk County Community College Employees), to address revenue shortfalls and avoid a reduction in the workforce of County personnel. (Co. Exec.)*

I make a motion to approve.

**LEG. KENNEDY:**

Mr. Chair, under an ethics opinion, I must recuse myself and exclude myself from any deliberation associated with this matter. I have noted my restrictions with the Presiding Officer.

**CHAIRMAN GREGORY:**

Okay. Thank you.

**LEG. D'AMARO:**

Mr. Chairman, also similar to Legislator Kennedy, please note my recusal on the record as per my filed recusal notice with the Presiding Officer's office.

**CHAIRMAN GREGORY:**

Okay. All right. I take back motion to approve and I make a motion to -- or I amend my motion to discharge without recommendation. Do I have a second?

**LEG. BEEDENBENDER:**

Second.

**CHAIRMAN GREGORY:**

Second by Legislator Beedenbender.

**LEG. BEEDENBENDER:**

On the motion, Mr. Chairman. I wanted to put something on the record, and I think it's particularly important. During this whole process I've heard from many of the County employees that called my office, and I spoke to nearly every one of them called my office. And I've gotten a lot of e-mails and calls. There is this growing kind of -- this growing idea out there that somehow the management employees were not taking their fair share of whatever system or whatever cuts may be in place for the workforce. And I just want to put on the record and make very clear something that one of the speakers said earlier, that not only are the management employees, which are our employees, would they be subject to a lag payroll, they have also lost their step this year.

So for our employees and all the management employees, the salary they were making on December -- irrespective of longevity pay, the salary they were making on January 1st will be the exact same salary they are making on December 1st -- December 31st. And if we go forward with the lag payroll, that will not be the case for all the current civil service employees. They will still receive the step in accordance with the Triboro Agreement.

So that's not to say one group is better than the other. It's simply to put on the record that I just need to counter this idea that the management employees are somehow favored or did better in this situation, when, in fact, they did worse. And, you know, I'm not saying they shouldn't. This is part of the process and everybody has to take part of the pain. And I just think it's important to put on the record that the management employees took two cuts. And we need to make sure that we stop saying out in public that they took nothing, because they took two. So I just thought that was important to put on the record.

**CHAIRMAN GREGORY:**

Legislator Losquadro.

**LEG. LOSQUADRO:**

Thank you. I too, I want to echo some of the comments of Legislator Beedenbender. I think

Mr. Kearon made a very good point. And one that he didn't mention, but I know is forefront in the mind of the District Attorney and Mr. Kearon is employee retention. It's difficult enough already within those who are attorneys in the public sector, you know, be they District Attorneys or public defenders, it's very difficult to retain individuals who you've invested a lot of time and money into training.

Until such time as we have an overall consensus as to what the concessions are going to be and how we're going to deal with this budget shortfall, I do not think it is prudent to take the easy course of action as it had been stated, to simply throw that double whammy onto our exempt employees who we did already take that step away from. So at this time, I'm not in favor of moving this.

**CHAIRMAN GREGORY:**

But you put the unions in a precarious position of coming up with concessions when the exempt employees are not faced with the similar situation.

**LEG. LOSQUADRO:**

Mr. Chairman, I disagree with that entirely. We unilaterally took steps away from these individuals who had very little voice in the process. And we're now asking them to bear more of a burden than would be shouldered by individuals even if they do make concessions. And if they do make these concessions and we move forward with this plan, the exempt employees will be facing greater hardship than the union employees even if they do make concessions.

So I don't -- if union representatives try to make argument, I would like to speak to them about it, because I think our employees, you know, the nonexempt employees throughout Suffolk County have borne quite a burden with this. They are subject to the same reductions and the complaints that people are having about the changes in our health care plan, but they also have faced what we placed upon them with the -- with the freeze in the steps.

So if we do move forward with this at some point, which I would certainly be willing to entertain, if we see that this is going to be something that is across the board, and at that point, yes, the exempt employees would be shouldering more of a burden than the union employees even with concessions that we're asking them to make.

So I don't think at this time it's really the right course of action. I am cognizant of the fact that getting it to the floor would allow certainly greater deliberation on this, being that we have two members have to recuse themselves, but if this is something that coming into the next meeting that we see a real need to move forward with other concessions being made, I would certainly be willing to sign a discharge petition.

**CHAIRMAN GREGORY:**

Okay. So would you be willing to make a motion to table?

**LEG. LOSQUADRO:**

Yes. Motion to table.

**CHAIRMAN GREGORY:**

I'll second that. Okay. Any questions, Brian?

**LEG. BEEDENBENDER:**

Nope.

**CHAIRMAN GREGORY:**

Motion to table. All in favor? Opposed? Abstentions? **TABLED (Vote 3-0-0-0-2 Recusals: Legislators Kennedy and D'Amaro)**

*IR 1283, Adopting Local Law No. 2009, A Charter Law to establish a fiscally sound,*

***flexible policy for managing budget volatility. (Co. Exec. Levy)***

I motion to table, it has to go to public hearing, seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **TABLED (Vote: 5-0-0-0)**

***IR 1284, A responsible plan to address 2009 revenue shortfalls and avoid a reduction in the workforce of County personnel. (Co. Exec. Levy)*** Do I have a motion?

**LEG. BEEDENBENDER:**

Motion.

**CHAIRMAN GREGORY:**

Motion by Legislator Beedenbender. Do I have a second?

**LEG. D'AMARO:**

Mr. Chair, I'm going to second the motion on the same basis. Again, I think this is part of the budget plan similar to the 1205 and I think we're going -- my intent is to get it before the whole Legislature for full discussion.

**CHAIRMAN GREGORY:**

So we have a motion to approve by Legislator Beedenbender, seconded by Legislator D'Amaro.

**LEG. KENNEDY:**

Mr. Chair, on this resolution.

**CHAIRMAN GREGORY:**

Sure.

**LEG. KENNEDY:**

Can I ask, I guess, through the Chair specifically, I heard the discussion earlier today about the application for cops, police funding. However, I made an effort last week to try to attempt some specific information from the police commissioner, I think it was on Thursday and I've yet to hear anything about that at all. So while I appreciate Mr. Zwirn sharing with us some of those items, before Tuesday I would like to see some of the specifics associated with the -- either the amount or the timeframe or what the parameters are that are associated with this. Again I --

**CHAIRMAN GREGORY:**

And just for the record, my office did reach out to Commission Dormer to see if would be here today so they can address any questions and we had not heard back from him.

**LEG. KENNEDY:**

You know, again, Mr. Chair, I know it's incumbent on me to go ahead and not put my head in the sand and ignore this fiscal dilemma, but I also have to say it is extremely difficult for me to go ahead and fulfill my personal due diligence when I don't get response from things that are -- that are significant. Each one of us knows the importance of maintaining public safety. And for the record, from BRO I most recently received an indication that, and I'll share this with the rest of the committee, *in January of 2008 we had an on board complement 1,737 Police Officers. And as of February of '09, we are now down to 1,654 officers.* I am seeing the impact of that firsthand in my district and right in my home community, Mr. Chair, with a public meeting of over 200 residents concerned about armed break-ins and an uptick in drug use.

So I know we need these Police Officers desperately. I know I've heard that in order to access the federal funding we have to demonstrate an inability to obtain or fund these Police Officers on our own. But I have no idea of is what is a timeframe for the remittance of the funds, what is the timeframe for seating of a police class? Again, I am -- I'll relent. I will vote for this today, but this is in no way shape or form indicative of where I intend to go on Tuesday absence something specific

that helps me to make concrete decisions.

**CHAIRMAN GREGORY:**

And I join you with your concerns. In one of my communities we had over 20 break-ins in five weeks. We've met with the -- the local inspector and the precinct and voiced those concerns. We've had on average one killing every month since I've been in office. So I had some real concerns about, you know, law enforcement and those being able to police our communities and the levels of our -- of our officers that are able to provide and protect services for our communities.

But I have other issues with this bill as well and Legislator Montano and myself we went to the Central Islip and Brentwood Health Centers yesterday. That's obviously not in my district, but that is a community that I grew up and it is in my overall community of Suffolk County and I'm concerned about health services being provided to those throughout Suffolk County, particularly as we go through tough economic times. People are getting laid off. They're uninsured, noninsured. And to close a center without a plan to address those -- those -- the need I think is -- is not a prudent course of action.

I had some questions and I don't see Mr. Miner here, with some of the information that's been presented, it's conflicting to me. There's a memo here from Linda Suntup and she talks about physical plant violations at the Central Islip Center. A list of probably 30 or more different violations. I was there. I'm not a, you know, I'm not an engineer or anything like that, but some of this seems to be, you know, overkill. I know that there are some real concerns about personnel being in the basement and storage and not having a fire -- a fire -- a suppression system.

But in the other part of our memo -- and there was another statistic, I believe, from the Commissioner's Office, and it talks about, well -- or it references or implies that there's not a need because over the past several years there's been a reduction in visits. But in the other part of the memo it says that, well, they had to expand their services even to include weekends. So I'm getting conflicting information. Is it the reduction in patient visits, or did we expand our services for -- you know, because they could not meet the demand. So I had some real concerns about that. And for us not to have a say as to what goes on, I'm really concerned, because what I read from the BRO report and from their statements, they're saying this may be a two or three year commitment on these communities to consolidate waiting for the new center. I think that's a lot of ask for.

**LEG. KENNEDY:**

Well, Mr. Chair, the other thing -- and you bring up extra points, and I agree with you, as the dialog was going on with Legislator Montano and the administration, it occurred to me that once again we're being asked to approve a consolidation in one area, yet when we look at funding our health clinics and our health centers, we're really called on to try to operate in an aggregate. And here we are piece meal and carving almost in a vacuum without any of that benefit of the backdrop as to what's our overall direction, where are we going with this.

The other item that I see in there -- and forgive me. I will make a motion to discharge without recommendation then, because the more I speak about this, the more I reflect on rhetoric that was in the resolution that spoke about effectuating a million dollar savings out of youth programs, which I have no idea now that is or isn't supposed to occur, I have no idea how that would affect the Sachem Youth Center right over on Ronkonkoma Avenue. Legislator Losquadro and I know firsthand all the excellent work that's done there. Yourself, with all the youth programs in your community. Again, we are battling with 14, 15 and 16 year old teenagers shooting themselves up with heroine. And at the same time, we're giving a wing and a prayer to some program consolidation in the future. That's not to say that program consolidation shouldn't occur. But I need to know what the roadmap is. I don't even have the general destination at this point. I'll make a discharge without recommendation, but that means that I'll make the calls between now and Tuesday. I need to see a whole lot more concrete information come forward.

**CHAIRMAN GREGORY:**

I agree. I'm not opposed to the consolidation. I'll yield the expertise, if you will, to the local Legislator. He would be more inclined to understand the needs of the community. My concerns are that, you know, speaking to the administrator there, you know, on average, a general patient takes about six to eight weeks for a normal appointment in Brentwood.

Now, you're going to add to that, 12,000 visits. You know, it has to increase. Plus staff. But it's not -- I would find it hard to believe that it would maintain at the same levels.

You know, what kind -- what level of care are we really giving people? And there's certainly a demand for it. And then you're going to include the catchment area of Bay Shore. So have we really studied that impact? I don't know. They may be several miles apart, but I think that there should be some -- a plan that it presented to us. And the administrator there mentioned that she could absorb the -- she has the room to absorb the patients, but that's not without renovations to the building. And as of yet, we don't have that commitment. So I'm not inclined to support this bill at this time. I think it's -- it should be amended and taken out on its own merits. To tie it to the Tax Stabilization Bill, I think, you know, I don't want to be disingenuous, but, you know, I think it's a bitter pill to swallow in my mind.

**LEG. KENNEDY:**

You know what, Mr. Chair? Then what I'll do is -- is I'll amend it. I make a motion to table. We're in a tight cycle with another committee cycle and general session following right on the heels on this session. And perhaps maybe we'll have some additional information that comes forward.

And the more I reflect on it, the more I think of the hard work that my colleague Legislators do in each and every one of their committees where just as we had the exchange before with Legislator D'Amaro and myself about the extensive vetting that goes on with our legal matters. I know that what we do in our committees is important. An overall budget crisis affects all of us, but nevertheless, there should be some measure of vetting that we should be able to do in our own committee before it really does move out to our colleagues. I'll make the motion to table then.

**CHAIRMAN GREGORY:**

Ben, do you have a comment?

**MR. ZWIRN:**

If I might. Gail Vizzini left earlier to go to a meeting with the rating agencies. They understand that municipalities across this country are facing what we are in front of us; I mean, the collapse of our revenue stream coming in from sales tax. The bills we put forth today we ask to be discharged without recommendation so they can -- so the rating agencies will get a message that we're working together to move forward.

We're not asking you to vote to approve them today. We're just saying we're sending a message that we are trying to sort through this and get it before the full Legislature. They see that we can't get these bills out of committee and that they're not moving forward, then there's going to be a price to pay. And I just want everybody to be aware. I'm not -- it's not a threat, it's just -- it's a fact.

And maybe people don't care about the rating agencies, that's possible. We think that's the wrong way to go, but that's -- that's a decision that you guys have to make. But I want you to know that that's also in the cards. So all we're asking for is this to be discharged without recommendation, get before the full Legislature, debate it before your colleagues, and then we'll make our best case there and everybody will have an opportunity to be heard. But I think to stifle it here at this -- at the committee level, I think is just counterproductive at this point. And I thank you for the opportunity just to speak.

**CHAIRMAN GREGORY:**

Okay. Legislator Beedenbender.

**LEG. BEEDENBENDER:**

Thank you, Mr. Chairman. I wanted to ask one question of Mr. Miner, and I guess he's not here now. So regardless of what happens to this bill in the next couple of minutes, I wanted to reference the memo that you mentioned from Ms. Suntup to Matt Miner. Ben, if you could just make sure -- in the first paragraph of this memo, it mentions reasons that the Central Islip Center is no longer sufficient. And it talks about fire codes and things like that. While those are things I'm concerned about, it says, "infection control." And if between today -- I mean, if Mr. Kovesdy could answer that question, that -- it just seems -- that one seemed very concerning.

You know, if we are operating a health center that cannot properly control infections, then -- then I need to know more about that because that's very concerning, irrespective of the discussion we're having now about the budget. So, I mean, if Allen could give more information or if you could just make sure that Mr. Miner can provide, you know, the committee with that information as soon as possible, because that's -- while this is all alarming, that one is extremely alarming.

**MR. ZWIRN:**

That's one of the reasons they want to move into -- move out of that particular facility. But I will bring Mr. Miner back to the General Meeting. Anybody that wants to address any questions at the Health Committee, I'll make him -- he'll be available along with the Commissioner of Health.

**LEG. BEEDENBENDER:**

And I know the backup memo it takes about negative pressure in an exam room can spread airborne pathogens and things like that, but I'm not a doctor and I'm not a health center expert. I need somebody to tell me -- I mean, give a percentage. I don't know what it is. But, you know, are we operating a place that, you know, could make more people sick than it helps? And I just need to have an idea of what that is, because right now, without the proper background because I'm not a medical expert, I don't understand that.

**MR. ZWIRN:**

I think Mr. Miner, in his defense, though that when he was up here to answer questions that he -- I'm just saying -- that he had taken all the ones that he needed and went back to work. Otherwise, he would have stayed for the balance of the meeting.

**LEG. BEEDENBENDER:**

I'm not attacking it, I'm just telling you that that's information that I would really like to know, because that -- I know that some of the fire codes -- I'm not saying they're fungible, but infection control seems to rise about the rest of them. And I would just like more information about that.

**CHAIRMAN GREGORY:**

Legislator Montano, then Legislator D'Amaro.

**LEG. MONTANO:**

I want to thank you for -- I'm not -- no longer a member of this committee, I don't have a vote, but I want to thank you for giving me the opportunity to speak. I only came today because of the Sixth Resolved Clause. And I just want to put some things on the record. Number one, I think it would be a mistake for this committee or any committee to discharge a bill like this. When you look at the bill, this is a fiscal bill, but yet the Sixth Resolved Clause has nothing to do with finances. It's simply one sentence that abdicates the responsibility of the Legislature to be involved in any manner with the closure of the -- of the Brentwood -- or consolidation of the Brentwood and Central Islip School District.

You know, Ben, you said earlier that you're willing to cooperate with me all times. And I have to say, I've been in this Legislature six years. There's been talk about consolidating CI and Brentwood for many years. Not once have you ever or your office ever reached out to me to give me any particulars or discuss anything with respect CI Health Center even though it's in my district. So, you

know, you've done it to us again. You've smooth talked your way into getting this before the full Legislature.

Here we are closing a health center that involves 6000 -- 3000 patients, 12,000 patient visit per year. And we're having a 20 minute or 30 minute dialog on something so important you've merged this into a fiscal bill. You don't have -- you haven't come forward with your plan, you haven't given us the details, you want to throw this before the Legislature again so we can have another 15 minute debate. I don't think that's the way we should be doing things here.

You know, this health center treats -- we were there yesterday. This health treats 90% Hispanic poor clients in my district. All right. There's been no talk about how this transition is going to take place. And once this committee passes this to the full Legislature, if it doesn't get resolved, and it probably won't be resolved because it won't be deleted from the committee, you know, we've completely capitulated, you know, our responsibility in my view in terms of how we deal with these bills.

This particular aspect does not belong in the fiscal part. We should have a plan. We should not be passing anything until we know the details, the ramifications, the specifics. This -- this thing about how we are working cooperatively, yes, I would like to know exactly what the plan is. And there's no way that we're going to get those details, because the questions I asked are on the record, there's no way we're going to get those answers between today and Tuesday.

So, you know, this committee can do what it wants with the bill. This is a specific item in my district. Seems that nobody wants to bother to get the details to put them forward, because I feel that they may not like what they see. This is premature at this point. You need to take this out of the bill. This committee ought to say, we're not going to approve this until we segregate something that's not related to fiscal issue, or if it is, let us see the numbers. And that's the problem I have. And I know it's not going to -- my statements aren't going to affect what happens here, but I want to put them on the record for later use. Thank you very much.

**MR. ZWIRN:**

If I just might real briefly. I think your comments always have impact, and I certainly hear everything that you've said. And I take it to heart. I mean, we would prefer not to have this part, that particular item, in this resolution. And I hear you on, and I understand that. But I do think we are willing to tell -- I mean, I'm sure that the Health Commissioner will go over exactly what they have in mind with notification and every other detailed part of it. And you certainly would be entitled to all that as a Legislator, as a private citizen.

**LEG. MONTANO:**

Ben, it doesn't -- but you know, I don't want to -- you know, I've taken up enough time of this committee. My point is that it does not exist. We can talk about it all day, but I don't work on verbal stuff. I want to see it in black and white, I want to see the plan, I want to have an opportunity to study it because it affects the people in my community. And I'm not getting that. And I'm getting verbal, yes, we're going to cooperate, whatever you need we're going to give you. It's the same old, same old, because I don't get it. I would ask committee -- all right -- and I know it's not going to happen, but the reality is that this is -- we're in April, this has been on the table for a while. Where are the details? Like they used to say in the commercial, "Where's the beef?" I'd like to see it. And it's not here and I'm not going to get it. So we're really spinning our wheels here.

**MR. ZWIRN:**

That's not necessarily true.

**LEG. MONTANO:**

We're not going to get it by Tuesday, because it doesn't exist.

**MR. ZWIRN:**

We'll try to get you as much as detail as we physically can, then you can tell us on the end of the week if you're not satisfied by the Health Committee. I'm just saying that there arguments --

**LEG. MONTANO:**

Ben, I don't think it should come out now because we don't have the details. What you're telling us is to pass something blind. Yes. That's what you are saying. Pass it now and we'll get you the information later.

**MR. ZWIRN:**

No. We're not asking you to pass it. We're asking you to get it before the entire Legislature so you can make these arguments to your colleagues. And I don't think that's so unreasonable.

**LEG. MONTANO:**

I don't have any arguments because I don't have details. That's my point.

**MR. ZWIRN:**

Well, that's the argument you're going to make to your colleagues.

**LEG. MONTANO:**

And I'm not going to get them because they don't exist. You don't have the plan. Mr. Miner, who I respect a lot, was here and said very clearly, "well, we're working on it. We've got these concepts." Where is the plan. It does not exist. Can you tell me that it exists?

**MR. ZWIRN:**

I heard Mr. Miner say it was 95% done. Let's see if we can get it done before the end of this week.

**LEG. MONTANO:**

You're not going to get it done. All right. This is "let's see." I don't think we should be passing things on a "let's see" proposition. That's the point I'm making. I'll leave it there.

**MR. ZWIRN:**

We're not asking you to pass it.

**LEG. MONTANO:**

Do what you have to do.

**MR. ZWIRN:**

We're asking you to discharge it so that the world can see that we're at least taking a step forward. We just have to get it there until Tuesday. At that point, I'm sure you'll be persuasive with your colleagues --

**LEG. MONTANO:**

It's another snow job.

**MR. ZWIRN:**

-- if you're not satisfied with the information that you get before then.

**LEG. MONTANO:**

It's another snow job in my opinion to be quite honest with you.

**CHAIRMAN GREGORY:**

Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you. I have two concerns. I am prepared to discharge without recommendation. And I think when you're dealing with this type of budget crisis it's important to have this debate with all of our

colleagues at the same time. And also, it would give the administration to answer (sic) some of the very legitimate concerns that we're hearing about the health center and some other issues.

I wanted to ask Budget Review about the police funding one more time. Just so it's clear in my mind, we're striking the appropriation, we're striking the revenue that corresponds with the appropriation, but at the same time, we're looking for alternate funding from the Federal Government; is that -- is that correct?

Because I share my colleagues concerns as far as police staffing. During our budget process, I've always supported more police -- cadets into the academy. It is not the time to be cutting back on police protection for our neighborhoods. And similar to some other districts, we have issues in my district with crime, and we are working on many different levels to address. So without belaboring the point, I just want to get some assurance or can you give me assurance that that funding will be replicated from another source so we can continue with the -- the funding for our police?

**MR. LIPP:**

Okay. What I can tell you is the application for Cops Hire and Recovery Program was submitted on April 9th for \$26.6 million for 80 Police Officers for three years. I believe that it's -- the safe thing to say is that everyone is hopeful to get the money, but, you know, in terms of how the actual Federal stimulus is doled out is a bit of a question mark to one and all. So there are no assurances. There's perhaps cautious optimism.

**LEG. D'AMARO:**

Who makes the decision whether or not we receive the funding in response to the application that we submitted for that to the Feds, I guess?

**MR. LIPP:**

I'm not sure who in the Federal bureaucracy actually makes the determination.

**LEG. D'AMARO:**

So what we do know is the application has been made. We don't know the likelihood of it being granted, or is there more of a likelihood than not?

**MR. LIPP:**

That can't be told. I think -- I think the entire Federal Government too is making it up as they go along. There's a lot of money being pushed out the door. They're trying to be as transparent as possible. Some people perhaps are not as happy as they would like to be with that level of transparency, but there is an attempt. And once again, cautious optimism is the best one could state.

**LEG. D'AMARO:**

All right. The other issue I had with the bill was relating to the health center as well, the consolidation issue. Just like with potential layoffs, we're talking about affecting people who need the care the most and have the least access to the care. It's very important that we have a detailed specific acceptable method of dealing with people who are in need of health services.

And I agree with much of what's been said here today about. You know, just to decide overnight that a facility that's getting 10,000 or 12,000 visits in a year is somehow going to absorb those visits, is it possible? Yes. Can it be done? Yes? Do we have to put our faith in the experts who know how to do it? Of course we do. Do I have that expertise? No, I don't. But I do have the ability to analyze and take a look at what the plan is.

I appreciate that Mr. Miner was here today to begin that dialog, but I think that this is a dialog that shouldn't be ignored. I think we have to continue with that rapidly. I am going to support the discharge, but I do think there are some very legitimate questions out there when dealing with how we're going to merge these facilities. I understand that the savings are coming mostly from the

contracted employees -- well, not employees, that's an oxymoron, but the contracted service providers and that County employees would not be affected by the consolidation. But certainly the delivery of health care services will as will the recipients of those health care services will be affected. And it's important that we understand how we're going to deal with that.

But, you know, at some point you need to take the leap of faith sitting on this side as well and say that those folks in the Health Department that are responsible for caring for individuals while making sure that if a consolidation like this is going to take place that it's done with their best interest in mind. You have to take that leap at some point. Am I prepared to do that? No. But I am prepared to put the bill before the full Legislature, and hopefully we can close that gap between then and now.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Thank you, Mr. Chair. Just in an effort to try to understand a little bit more of the information associated with the police funding, Robert, I think you said to Legislator D'Amaro it was a total 26.6 million?

**MR. LIPP:**

Correct. We actually have a copy of the application, and it's for 36 months and it's for 80 Police Officers.

**LEG. KENNEDY:**

Okay. Let me see if I can go back for a second then. Is that -- does that break out to 80 Police Officers? How does it factor out?

**MR. LIPP:**

Actually, yeah. I did some quick math on my own instead of looking at their numbers. And if you assume with the fringe benefits and everything like that, about \$100,000 a cop, which is -- which is in the ballpark, and you take a 6.667% increase, you get 26.6 million for the three years.

**LEG. KENNEDY:**

What are the calendar years then? Is it '10, '11 and '12?

**MR. LIPP:**

I guess it's when they actually start the program running, but --

**LEG. KENNEDY:**

By definition, is 2010 the earliest we could see the class?

**MR. ZWIRN:**

It could be this year. We're hoping it would be this year.

**LEG. KENNEDY:**

The grant application, assuming that we receive the funding and allow for seating immediately upon receipt?

**MR. ZWIRN:**

Yes.

**LEG. KENNEDY:**

Okay. All right.

**MR. ZWIRN:**

You seem disappointed.

**LEG. KENNEDY:**

No. No. I'm eager like my colleagues here. I don't want to be an expert in this, but I absolutely have to see something that points to, you know, the likelihood that we're going to receive it.

**MR. ZWIRN:**

It depends on how many people -- what other municipalities are applying for it. And we don't know what other communities. Some communities are not applying for it all because they know, you know, down the fourth year, they're going to have to pick up the difference, and they don't -- they may not have the money. So not every municipality is applying for as much as they -- we tried to be prudent as well.

**LEG. KENNEDY:**

Is this an application directly to the whatever the federal agency is, criminal justice, or did it go through the State?

**MR. LIPP:**

It's direct to the Federal Government.

**LEG. KENNEDY:**

Can you tell me what -- you know, what? I'll stop these questions. I'd just like to get a copy of what you have.

**CHAIRMAN GREGORY:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Yeah. Just very quickly, Mr. Chairman. Thank you. Again, the reasoning behind the discharge without recommendation, it is not an approval, but this bill does contain other items like tapping the \$30 million from the Tax Stabilization Reserve Fund, capping the Epic. Budget Review Office seems to agree that that can be done without affecting seniors in need of pharmaceuticals and some other items that are in there as well, the Department of Labor.

So it is a package. You know, I would just urge my colleagues to consider we're never going to be 100% satisfied with everything that we're doing. We're not casting a vote today on a discharge without recommendation saying we approve of everything that's in bill, but I do agree that it is important to at least get it up for the debate with the full Legislature and also to show that we are doing something moving forward with tapping that Reserve Fund, especially when Cheryl Felice was here today and some other union members saying, you know, you're asking us to give, but what else is being done. You know, part of what else is being done is very important here; tapping into that Stabilization Fund and pulling out the \$30 million. So this would be a movement in that direction without an approval. We can still have the debate. And I would just urge you to consider that.

**CHAIRMAN GREGORY:**

Legislator Kennedy.

**LEG. KENNEDY:**

Okay. Thank you, Legislator D'Amaro. And I hear what you're saying, and I believe that that's a prudent way for all of us to act. I guess I have one more question for the administration then.

As we're being asked today to demonstrate a broader desire or willingness to partner in recognition of the gravity and the magnitude and the urgency of this, is the administration willing to on Tuesday possibly consider amending this to at the very least pull out the health clinic closure. Out of a bill that's looking to approach multiple millions, we have only one million associated in savings with that. If we can't get --

**MR. ZWIRN:**

Is that saying you'll support the bill? You'll give us a yes vote for a CN if we amend it on the day of the General Meeting?

**LEG. KENNEDY:**

I'm one of 18, Ben. I mean, you know.

**MR. ZWIRN:**

That would be one down. I assume that that's a commitment that you would support it without that?

**CHAIRMAN GREGORY:**

I would.

**LEG. KENNEDY:**

I would support it --

**MR. ZWIRN:**

Two down, ten to go.

**LEG. KENNEDY:**

-- predicated on I --

**MR. ZWIRN:**

I know we have Legislator Romaine. I know he's with us.

**LEG. KENNEDY:**

No. I could make some contact with DCJS or whomever. But is there at least a willingness on the part of the administration to entertain that?

**MR. ZWIRN:**

I certainly will bring that back. And I think there will be --

**LEG. KENNEDY:**

Well, I know you bring everything back. I'm going more. Is there a willingness on the part of the administration to entertain that?

**MR. ZWIRN:**

I can't speak to the County Executive, but let me say this. I think if there is a consensus with respect to the other parts of the bill, then I think there's certainly an opportunity to talk about it.

**LEG. KENNEDY:**

Okay. Fair enough.

**CHAIRMAN GREGORY:**

Okay. We have a motion to discharge without recommendation. It was by Brian Beedenbender and seconded by Legislator D'Amaro. All in favor? Opposed?

**CHAIRMAN GREGORY:**

Opposed. Abstentions? Okay? Motion is **DISCHARGED (Vote: 4-1-0-0 (Opposed: Legislator Gregory))**.

That's all the business that we have, so we are adjourned.

(\*THE MEETING WAS ADJOURNED AT 12:45 P.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY