

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, January 26, 2010.

Members Present:

Legislator DuWayne Gregory - Chairman
Legislator Lou D'Amaro - Vice-Chair
Legislator Ed Romaine
Legislator Jay Schneiderman
Legislator Daniel Losquadro

Also In Attendance:

George Nolan - Counsel to the Legislature
Maxvel Rose - Aide to Legislator Gregory
Barbara LoMoriello - Deputy Clerk of the Legislature
Gail Vizzini - Director Budget Review Office
Robert Lipp - Deputy Director - Budget Review Office
Linda Bay - Aide to Minority Caucus
Paul Perillie - Aide to Majority Caucus
Ben Zwirn - County Executive's Office
Allen Kovesdy - Deputy Director - County Executive's Budget Office
Dennis Brown - County Attorney's Office
Catherine Stark - Aide to Legislator Schneiderman
Justin Littell - Aide to Legislator D'Amaro
Dot Kerrigan - AME
Rick Brand, Newsday
All Other Interested Parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:11 A.M.*)

CHAIRMAN GREGORY:

Good morning. Welcome to the first meeting of the Budget and Finance Committee in 2010. We're going to have the Pledge of Allegiance led by our newest member Jay Schneiderman.

SALUTATION

Okay. Before we get into the agenda, we are going to ask that the County Executive's Office come up. They wanted to make a statement.

MR. KOVESDY:

Good morning. Happy New Year to all. First, I wanted to say that the next committee meeting that I'm here, I will be providing breakfast for everyone. It appears that Robert's estimate of sales tax was a lot closer to the actual. And I can't eat crow, but I can provide breakfast. So my next time here I will provide some bagels for everyone here. As I said at the time, I'm --

LEG. SCHNEIDERMAN:

That's the bad news and the good news, right?

MR. KOVESDY:

I did speak to Gail before. We are fairly close on the numbers for -- that we are ending the year. There are two more checks due in February that will be accrued back to 2009. And it appears the number will be considerably closer to a little bit over 8% as a hit than it will be at the number that's in the budget, the 6% range.

Just to give you a little bit of the history, the thing that really through it out of whack was the last check in every cycle is an adjustment check. The State adjusts the numbers. In 2008, we had a positive adjustment of \$4.9 million. Unfortunately in 2009, we had a negative adjustment of 4.6, that's a \$9 million swing. Two million of the adjustment or 2.6 of the adjustment was for the first six months of 2009. The other \$2 million was for 2008 and 2007.

We don't get any warning as to what that number is, but we did get a warning three days before it came out. But that was a \$9 million swing that we hoped wasn't in the budget. Some years we have positive swings, some years we have negative. This is the worst swing that we have ever had. Last year was positive, this year was negative. But if you add the two together, that's a \$9 million hit. So that kind of brought the number from the \$7 million range up over eight. But anybody realistically looking at it will say that we project the number is going to be over 8% this year, whether it's 8.2, 8.4.

P.O. LINDSAY:

You said seven million or eight. You mean seven or 8%.

MR. KOVESDY:

Percent.

P.O. LINDSAY:

Right. But you said million.

MR. KOVESDY:

I'm sorry.

P.O. LINDSAY:

I was getting excited it was only eight million.

MR. KOVESDY:

It's a good between 22 to \$27 million short in dollars and cents. Of course, that number will lower the base going into next year. So instead of the base being at a 6% rate with a 4% increase, it's going to be at a 24-\$25 million less carrying it forward to next -- to this particular year. The adjustment for the second part of this year, July 1st through December 31st, we don't get until June. So if there's any adjustments over the Christmas or holiday season, that won't happen until later. So I just wanted to tell you.

Property tax has leveled off. So we -- according to the Treasurer, the number in the budget between property tax and interest and penalties will be met. A lot of people pay their bills in December and January. As of yesterday, payments for this year matched all of last year. So we're -- we should meet the number. Unfortunately, it's a low number. But the 21 million and change number, it appears that we're going meet, unless something drastic happens in the next two or three weeks. Interest and penalties were a little bit higher, so the combination of those two numbers won't be any hit to the 2010 Budget.

I would defer to Gail on any other questions you have on sales tax. The number is, you know, what the number is. I can give you a little bit of a head's up on the State budget if you'd like or we can handle sales tax first, then go to the State budget next. Whatever you prefer.

CHAIRMAN GREGORY:

We will do the sales tax, then we'll come back to the State. Gail.

MS. VIZZINI:

We did speak before the meeting, as Allen indicated. And we wanted to bring these concerns to you. We will be reaching out to the Budget Office to have our customary meetings in regards to the budget model, which is the consensus revenue and expenditure projections for the two years; 2010 and 2011. And we typically do a presentation to this committee on or before -- it's around St. Patrick's Day that we usually do it. So we will be talking with them.

If you were to ask me today what -- you know, how sales tax is coming in for 2010, we have not changed our projections of a positive 2.75 growth. Although, as Allen indicated, now your -- you know, your base is lower, your 2009 base is lower. So that has the potential of adding to the \$25 million shortfall in 2009 an additional 40 something million. So together, we would -- sales tax alone could contribute to a shortfall of about 66 million.

This presents, you know, for us an extreme challenge to identify any possible line items in the budget that present -- offer a surplus for the purposes of offsets for changing priorities when the -- both offices are concerned that the revenue is not coming in. So there will budget amendments coming before you in the next cycle. And it's, again, I reiterate, very, very challenging to find any offsets that are defensible in light of these economic factors.

The other thing I want to mention to you has to do with IR 1024, the acquisition of the IRS Building. So if we want to go to the State budget --

LEG. SCHNEIDERMAN:

Can I ask?

CHAIRMAN GREGORY:

Yes.

LEG. SCHNEIDERMAN:

Gail, you just said that our budget model projected a 2.75% growth in sales tax. What I recall in the budget process is something like the County Executive was projecting something like six and we reduced it down to five.

MS. VIZZINI:

For 2010 it was five. We reduced it to four.

LEG. SCHNEIDERMAN:

Five. So what is this 2.75?

MS. VIZZINI:

Well, that was the Budget Review Office recommendation.

LEG. SCHNEIDERMAN:

Oh, so, okay. That's what you recommended, but that's not what we actually adopted.

MS. VIZZINI:

We were -- no.

LEG. SCHNEIDERMAN:

Okay. And it's too early to say -- we can't project whether even that was -- even your 2.75 or the four that we projected may be quite overly optimistic. We don't have enough numbers from January, right?

MR. LIPP:

Actually, 2009, as Allen had said, isn't quite over yet. Most of February is accrued back to 2009. So we haven't even started 2010 yet. We can project, of course, we have projected. It remains to be seen. We don't have one piece of information yet in terms of actual numbers for 2010.

LEG. SCHNEIDERMAN:

If it turns out to be flat in 2010, basically no growth, how short will we be in our budget model?

MR. LIPP:

Well, with that 2.75% even, we're talking a total of over \$60 million just in the General Fund, combined 2009 and 10.

LEG. SCHNEIDERMAN:

But if we don't get that 2.75, if we get zero growth or something?

MR. KOVESDY:

We agree with Robert, it's about \$11 million a point. So for every percent you don't get, it's another \$11 million.

MR. LIPP:

What we're talking about is if it goes -- well, if it's flat, then we're talking about flat from 4%.

LEG. SCHNEIDERMAN:

So we're talking about another 30 million on that 66. No?

MR. LIPP:

Yes. That's correct. Exactly.

LEG. SCHNEIDERMAN:

So we're closing in about \$100 million potential shortfall in the budget model if there's no growth in the -- in sales.

MR. LIPP:

We're not projecting that though. If that was true though. But we're not projecting that.

LEG. SCHNEIDERMAN:

Right. You're still optimistic.

MR. LIPP:

Well, no. What we're saying is -- I don't think we're saying we're optimistic. What we're saying is as of now our projection from the review back in October was 2.75%. We still think that's the case. The optimistic would be that we come in on budget. So we would be -- really the over \$60 million is another 37 million, let's say, short just for 2010 if our number came in. Hopefully it will do better. I'll be honest with you, we were hopeful that we would do better than we had in the review, and that's coming in now. We don't want to see a deficit, but unfortunately we're facing that.

LEG. SCHNEIDERMAN:

And how early would you have some numbers from this year so we can do some contingency types of planning?

MR. LIPP:

Well, February -- a piece of February stays in 2010. That will be the first 22 days of January for the large vendors. It's a very small piece, so it doesn't provide a lot of information. We'll probably redo our forecasts once the quarter is officially over in mid February, but those numbers from 2009 are consistent with what we projected to begin with. So I really don't think we're talking any set of significant deviation from the 2.75. Hopefully things pick up. But one of the things that actually benefited us at the end of the quarter was actually we did better for motor fuels tax, you know, gasoline prices have gone up. So it would have been, other things being equal, even worse if not for that.

LEG. SCHNEIDERMAN:

And, Robert, just tell me what's our balance in our rainy day fund, our Tax Stabilization Fund?

MR. LIPP:

We're closing in on 100 million I believe at the end of 2010 based upon what the budget adopted.

LEG. SCHNEIDERMAN:

Okay.

MR. KOVESDY:

If I could just point out one fact. Part of the estimates for next year concerns the fact that 2009 numbers were dramatically less than 2008. So the base eroded. In the beginning of the year, we were taking nine and 10% hits on every single check. So mathematically, you should see some type of increase because the base has eroded so much. I just wanted to point that out. We're not talking about 2008 numbers which were higher, we're talking about 2009, which the base was completely destroyed for the first half of the year.

CHAIRMAN GREGORY:

Legislator Lindsay.

P.O. LINDSAY:

That's the point that I wanted to make to add to the discussion is 2009 was so bad. When you talk about a four or 5% positive growth over one of the worst fiscal years in history -- so even if the County Executive's 5% was realized, it would probably be less revenue than 2008.

MR. KOVESDY:

Half.

P.O. LINDSAY:

Half. Right. Half?

LEG. LOSQUADRO:

Half of the difference.

P.O. LINDSAY:

Half of the difference. So it's an anomaly, because you compare one year to the other. If you're -- you know, "oh, we're getting a 5% growth," yeah, but off of the worst year in history. So just keep that in mind. And, you know, with all due respect to the economists, the working group, one is saying 2.75, the other is saying five. We were in the middle, you know, because I don't think anybody really knows what's going to happen. And I don't think -- I don't think we're that far off either way, all right? Thank you.

MR. LIPP:

Point of information. I agree with Legislator Lindsay that it's -- you know, the projections are difficult. And a 1% swing either way is a very good forecasting error, which is clearly over \$10 million. That being said, our projections, for what it's worth, were showing that the growth would be pretty weak in the first half to get to the 2.75% and that they would pick up in the second half of 2010.

That being said, the first half will be telling, because what we were looking at is, well, we think 2.75 would be coming in, but it will be off of a weak start to the year as bad as '09 was. What is a weak start? It's flat to 1% or so. Hopefully it will be better than that. But we still -- that was based in part on we still see a very poor labor market. So, you know, even though the number of jobs is declining -- I mean is decreasing at a decreasing rate, it's still declining; more people are out of work, even if it's a handful compared to a lot more. That cuts people's disposable income. And you add on top of that with all the problems that occurred; you know, there's -- you know, many people are talking about there's a likely upward long-term trend in savings rates. So that cuts down on consumer spending too. Hopefully it will be better. Hopefully that the destruction of consumption in '09 will be a low bar that will be -- we will easily jump over, but, you know, that's what we're seeing from our projections, 2.75. I hope it's better.

MR. ZWIRN:

Mr. Chairman, if I may add one other thing. One of the things that makes it very difficult to make projections is when we get the information from the State and we get these adjustment checks, they're all over the place. So, I mean, there was an article recently in the newspaper from Nassau County saying that, you know, we -- all the counties take the State at its word. But there's such a swing in some of these -- these adjustments -- we can put them on the record if you want -- but that's -- that's what makes it almost -- as Presiding Officer Lindsay said, I mean, it's almost -- you're talking numbers -- it's almost impossible for local governments to make those kind of projections; whether it's BRO or the County Executive's Office.

So, you know, if we could get better numbers from the State or somebody could take a look at the numbers from the State to make sure that we're getting our fair share. Because the State is in such trouble, you know, there's always a temptation that maybe the State -- like they took the surcharges from the cell phone fees for the General Fund for many years and that money was supposed to go to public safety. And it was in large part trying to balance the State budget.

CHAIRMAN GREGORY:

We have Legislator Losquadro, then D'Amaro, then yourself.

LEG. LOSQUADRO:

Just a follow up on what Legislator Lindsay was saying. Last year's benchmark obviously was so low when taken in its totality. But being that we came in at the end of year with the number that we see, that meant that towards the end of the year we were starting to see a slight positive upswing from those just -- I mean, the numbers were still terrible, but they weren't -- I know we're sort of nuancing words here -- they weren't abysmal as they were in the beginning of the year, they were

just horrible.

So that's what got us to the number at the end of the year that we saw, You know, that came out to that average. So I think if that trend continues to where we are, I would probably expect to see something like what Robert was saying; you know, sort of flat to where we were at the end of last year and hopefully with that positive trend increasing. At least that's what we were talking about with the working group. You know, we hope that those sort of forecasts continue. But, you know, the State budget is something I know we're going to get to you, and that's the X factor.

CHAIRMAN GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Just very briefly. I understand going into 2010, that you had -- the BRO had 2.75, we settled on four, and we'll have to wait and see where that lands. But could you explain to me one more time 2009 shortfall; you know, what was projected and what ultimately we concluded? Just give that to me again.

MS. VIZZINI:

Well, like Allen said, the estimate for '09 when we adopted the 2010 budget from the County Executive was negative six. Budget Review was at negative 8.6. So there was a concern -- and that difference is roughly \$25 million, which is where we've arrived at. If it comes in as both Allen and Robert are projecting; 8.2, 8.6, we're in the mid 20s in 2009. So it will be \$20 million less than we thought when we adopted the 2010 budget.

LEG. D'AMARO:

All right. But that's still based on a projection, not a final accounting.

MS. VIZZINI:

Well, you know, 98% of the receipts are in. There are two more checks that could have -- even if they have positive reconciliations in them, we're still -- we're taking that into consideration.

LEG. D'AMARO:

So you're looking at definitively around a 20 million shortfall for 2009?

MS. VIZZINI:

Yes.

LEG. D'AMARO:

He's saying no.

MR. KOVESDY:

A little higher.

MR. LIPP:

We only have -- she's saying -- two checks left, okay? And that's worth maybe \$50 million, which is di minimus for an overall billion dollar sales tax. So we're talking like \$24 million is what we're seeing. At best, we'll be \$20 million short. And at worst, it will more than the 24 just in the General Fund. So even though it's not complete, the year, we can expect -- you know, a good scenario would be minus 20 million.

LEG. D'AMARO:

All right. Thank you.

P.O. LINDSAY:

Remind me not to invite you guys to my birthday party.

CHAIRMAN GREGORY:

Legislator Romaine, you had a question.

LEG. ROMAINE:

Just one. Ben made a point about State revenues, he mentioned cell phone revenues that were diverted by the State contrary to legislation that established this \$1.20 charge. We're going to have to deal with this. As you know, Ben, the County Executive vetoed, I believe, the cell phone tax - correct me if I'm wrong -- the local cell phone tax for 30 cents. Is that correct, did he veto that?

MR. ZWIRN:

Yes.

LEG. ROMAINE:

Yes. Okay. He vetoed that, and I could understand why, because there's \$1.20 a month cell phone tax for 911. And your contention is that the State has diverted that money from its original intention, which was to take care of localities and peace apps with that money, and instead expended it for other purposes. Is that the contention of your remark?

MR. ZWIRN:

If I could just answer that. What you said about the money being diverted is true. In this year's State budget however, the Governor has proposed to put \$50 million of revenue from the cell phone tax on the State level to put that into a fund to be distributed to peace apps across the State, which is -- which is what the original intent of that money was. But now there's \$50 million being segregated that if the peace apps on Long Island -- there are a dozen of them -- working with FRES putting together a plan, that money will be available to move from analog radio to digital.

And if a peace app had already gone to digital, then for the first time, that money would be available for operating expenses for the peace apps. So what you say is correct. With respect to the veto, the County Executive's veto is pretty much because of the amount of money that would be diverted to the peace apps except for the Police Department. Which the difference between his bill, which he proposed, was 8%, which -- because that's the number of calls the peace apps handle outside the Police District versus 20% which was in Legislator Horsley's bill.

LEG. ROMAINE:

While I may not agree with his reasoning, serendipitously I may agree with his veto, because I have a differing point of reasoning which is the State is taxing us, every cell phone owner, \$1.20 a month. The State, if they're diverting that, we should sue them. Every time they set money aside for a specific purpose that is supposed to aid localities; peace apps, local government in any way that they divert that money we should bring a lawsuit. We should bring a lawsuit. This is outrageous that the State has the freedom to do this, particularly for 911. That \$1.20, if we had got that \$1.20 and if it was fairly distributed throughout the State by the people who paid that \$1.20, we would be rolling in dough.

I'm also concerned -- but that's for another day -- about our conversion, which we have converted, I believe, 911 from analog to digital with the Motorola, how we did that and the time involved in that and how that time -- the time sheets of those involved in the conversion took place, that's a totally separate issue, and I would ask your office to take a look at the time sheets and how that time was claimed and if those people actually claimed time at work or claimed they were working at home. So I would ask you to look into that issue. And I'll be happy to share that information. That's a separate issue.

But I agree that the \$1.20 should have gone to -- each and every month should have gone for 911. We should sue on every occasion the State steps out, legislates something for the good of the State that most people agree to and then diverts the money. That's an outrageous act in my view. Thank you.

CHAIRMAN GREGORY:

Okay. You had wanted to make a comment about State aid.

MS. VIZZINI:

Mr. Chairman, just before we get to that, if you don't mind. To follow up on Legislator Schneiderman's question regarding, you know, when will we know the magnitude of the shortfall and contingency planning. All of you received a copy of Executive Order No. 1 of 2010. The County Executive has already authorized the Budget Director to identify line items for a set-aside very similar to what we did last year whereby Charter and Administrative Code, the County Executive can set aside 10% of appropriations in a department. So the Budget Office is currently identifying lines where monies can be set aside in it, primarily due to the shortfall in sales tax in 2009 and concerns regarding the State budget, which Allen will highlight.

CHAIRMAN GREGORY:

Okay. Thank you.

MR. KOVESDY:

Thank you, Gail. I was going to mention that. The State -- the impact of the State budget has to be looked at in two ways; number one, if everything was in a perfect world and we were getting all the revenue in, the proposed amount of Governor Paterson's cuts would not be catastrophic to the County. But in light of the fact that we're projecting to start the year with a revenue shortfall, any cuts whatsoever just add to the problem the County would face. As you know, it's a long way between what the Governor proposes and what the State Legislature disposes.

We have -- I can give you the categories of the cuts. The departments are still working on the specifics. But I can tell you where the -- where the State is proposing cuts. And as we go along, the departments will be able to provide additional information. And when we have a full analysis, we will be more than happy to share it with you.

First one is elimination of funding for the Summer Youth Employment Program. They'll be taking out the money for that program. Number two is the Federal Block Grants. The biggest hit would be in Title 20 in Social Services. The department has said that they -- there definitely will be a hit in the actual reimbursement we're going to get from Title 20. A 10% reduction in funding for the Community Operational Prevention, that's called COPs. If you remember during the budget process, we had one or two contract agencies that came in at the end of the year and that they had lost funding. You provided two of them with the County share in the budget. Two of them you eliminated the funding for those groups. The additional funding is in jeopardy. But when you did the budget, you already recognized what had happened last year to a large extent in that.

There is some other projected cuts in Youth. Article 6, some Article 6 -- Article 6 is the Health Department reimbursement. There's a question on some cuts in the aid to the Health Department. The Health Department is looking at ways of working around these cuts and to come up with a program to maximize reimbursement as we speak. Department of Aging for the first time will be hit in the Islip Program, SNAP Program and some other small programs, there's projected cuts for our aged programs. The first time. I don't know if you remember, last year, the State actually increased funding to Aging. This time they're taking away some of the increase that they gave last year.

State Transit Operation, there's a possible cut. Local aid to Probation, they're putting a possibility of a 10% reduction in local aid to Probation. And we have no idea, but there's significant cuts to nursing homes throughout the State. And if there are cuts to nursing homes, that reimbursement would cut to the John J. Foley, and that would be a significant hit there.

We don't really have -- I don't want to give you a quantitative number, we don't really have it at this particular point in time, but we are concerned with the hits in Social Services, Probation, Youth and

Aging with the Health Department. We'll provide you with additional information. I do have summaries from New York State Association of Counties which highlight that, and, you know, I'd be more than happy to present you with that if you'd like.

CHAIRMAN GREGORY:

Thank you. Legislator D'Amaro.

LEG. D'AMARO:

Okay. Hearing all this bad news; 24 million in '09 roughly, some kind of shortfall coming into 2010 and then the State cuts. Gail, you mentioned a -- the contingency Executive Order 1. Looking now to where we make up the shortfalls, did you mention how much that amounts to, what that could amount to? I guess that would be in savings in effect.

MS. VIZZINI:

Last year, the potential was 42 million. Do you know what it is?

MR. KOVESDY:

I think we beat last year's target because the County Executive was, with the help of the Legislature, controlled staffing position control. Unfortunately, turnover -- in order to meet this year's budget, position control was very tight. There were higher turnover savings this year than there was ever in the past. So the amount of money that can be saved by not filling positions isn't as great as it was last year.

What we usually do is we take savings out of the equipment and supplies, the 200s, the 300s and the 400s, and then we request from each department a hiring plan and we review the hiring plan. Obviously health and safety of the County comes first, then we look at reimbursement, and then those -- and then the other ones have to fight for whatever is left. As you know, just a point, this is for the -- all the departments that fall under the jurisdiction of the County Executive. The elected officials have not been formally approached. I'm sure they will do that in a different venue. So this is just for the departments at this point in time.

LEG. D'AMARO:

So last year that was approximately 42 million.

MR. KOVESDY:

I think it was over 40, sir.

LEG. D'AMARO:

Over 40. But you had more of an opportunity with the turnover savings in position control than you do going into 2010. So we're not prepared to put a number on that -- that contingency savings yet.

MR. KOVESDY:

No. And if you remember, last year we also eliminated the police class which was significant savings.

LEG. D'AMARO:

Okay. Thank you.

CHAIRMAN GREGORY:

I know it's probably too early, but I know yesterday the President had a press conference talking about some, you know, budgetary measures and reducing aid. And I think Senator Reed was talking about pay-as-you-go, implementing pay-as-you-go and reducing some of the aid to the States, which will in turn reduce some of the aid from the State to the local municipalities. Have you gotten any preemptive feedback on that and how much that can affect us?

MR. KOVESDY:

No. But we will be listening to the State of the Union very attentively. What he said was he was freezing discretionary funding, but he was going to pay for the entitlements. That was the word that we got. So the entitlement program would go ahead, but the discretionary funding would be capped.

MR. ZWIRN:

In addition, Mr. Chairman, I know one of the first meetings that the County Executive had with the new County Executive in Nassau County, County Executive Mangano, they met to talk about perhaps, you know, joining together to get a lobbyist in Washington to make sure they could fight for every dollar for Nassau and Suffolk County, doing something together and to maybe get a joint lobbyist to make sure that any money that is available out of Washington we have access to.

CHAIRMAN GREGORY:

Absolutely. Yes. Legislator Lindsay.

P.O. LINDSAY:

Just to really my colleagues. We're getting close to the February cycle when we put in budget amendments. There is no money. So any new programs, there's no money and there's no place to get the money from. So if we could just keep that in mind when we're dealing with our constituents who want a new program or want something, we don't have any money.

LEG. SCHNEIDERMAN:

Those are offsets by our own rules.

P.O. LINDSAY:

Yeah, I know, but there is no offsets. All right? You know, we all go to Gail and we ask for offsets and she'll throw out something. If there's any excesses in any of the accounts, we're going to need the money.

CHAIRMAN GREGORY:

Okay. Not having any questions, we don't have any cards.

LEG. SCHNEIDERMAN:

One question.

CHAIRMAN GREGORY:

Yes.

LEG. SCHNEIDERMAN:

And I know you probably didn't want to get into any number projections on any of those State cuts because it's hard to predict, but in terms of orders of magnitude, there was something like eight different cuts you identified, is this -- we're talking about a million dollars, \$10 million?

MR. KOVESDY:

I would say that it's more in the range of the five than the ten.

LEG. SCHNEIDERMAN:

Five to ten million.

MR. KOVESDY:

Right. A lot of the stuff is based on how many -- Social Services is based on how many clients come in the door and Probation and things like that. But range would probably be much closer to five than it is to ten as we see it today.

LEG. SCHNEIDERMAN:

Some of those are where the County matches a portion of a State -- if the State cuts the funding

and then County cuts its funding likely too, the program the closes, so there might be some savings? Not that we want to see those programs close, but there may --

MR. KOVESDY:

I think it's better that when we get more definitive information that we pass it on to you rather than to speculate.

LEG. SCHNEIDERMAN:

Right. But your estimation is somewhere between five and ten million potentially.

MR. KOVESDY:

In the \$5 million range.

CHAIRMAN GREGORY:

Okay. All right. We don't have any cards, but is there anyone in the audience who like to come forward and speak? No? Okay. All right. Let's go to the agenda.

INTRODUCTORY RESOLUTIONS

IR 1024, Adopting a Local No. -2010, A Charter Law to implement a cost saving measure to help mitigate budgetary shortfall by purchasing 5000 Corporate Court, Town of Islip. (Co. Exec.)

LEG. LOSQUADRO:

Mr. Chairman, I know this needs to be tabled for a public hearing, so I'll make that motion, but I just wanted to make a comment.

CHAIRMAN GREGORY:

Okay. And I second that for discussion -- for the purposes of discussion.

LEG. LOSQUADRO:

I would just like to say that given the discussion that we just had, the concept of waiving our own rules for the offset requirement without a corresponding dollar reduction and increasing our debt service in this way, I think we need a very clear rationale and a very clear projection of, you know, what sort of cash positive this might be for us and real long-term projections in terms of guaranteed leases and other, you know, facts and figures associated. Again, the discussion we just had I think really makes that imperative.

CHAIRMAN GREGORY:

Okay. Before I let you comment, I know Legislator Romaine wants to make a comment.

LEG. ROMAINE:

I just want to add to what Legislator Losquadro said. I don't know if piercing our debt ceiling to accomplish this goal is the right way to go at this time. We are piercing a debt ceiling that was established by this Legislature and by this Executive. That debt ceiling said, "Guess what? When we adopt a Capital Budget, that capital" -- and by the way, when we adopted it, I believe we were criticized by the County Executive because it was a little bit more than what he had proposed.

So a few weeks after he criticized us, a few months after he criticized us for going a little bit above what he had proposed, he's now proposing that we pierce the debt ceiling for this purpose. I don't know if that's why it's fiscal policy. Obviously, I'm going to listen with great intent to -- at our next meeting to testimony on this and to the public hearing, but the contrast -- what a difference a few months makes -- is start listening. Thank you.

CHAIRMAN GREGORY:

Legislator Lindsay. Oh, okay, go ahead.

MR. ZWIRN:

Mr. Chairman, it's tabled for a public hearing. But again, this proposal will stand on its merits. You know the County Executive. And if this didn't make as much sense as it does, then he would never have even suggested bringing it to the Legislature. But all the numbers will be produced. It will all be out on the table, and then ultimately the Legislature will have the opportunity to think it's a good deal or to pass on it. But that's all part of the process. And we understand that comments you made; they're fair. And if we can't meet that test, then this resolution will not pass. But we're confident that after you see all the facts and figures that it is really a good deal for Suffolk County.

CHAIRMAN GREGORY:

Legislator Lindsay.

P.O. LINDSAY:

I've heard the spiel -- I went through the building, it's a beautiful building -- that's it's cash positive and all of that. BRO needs the numbers. I've asked -- I've asked that those numbers be shared with BRO. I've asked BRO for a report on this purchase. They haven't gotten the information. And I for one am not going near it until they look at the numbers and verify the numbers.

The second thing, and it goes back to the end of '09, and I'll get on my high horse again, when this was originally proposed in December, this would have been neutral as far as our debt service is concerned, because there were offsets that we wouldn't have to bond anymore. And there was total turnaround here. And the Executive put forth a bonding resolution for the Legacy funds, \$15 million that this Legislature went through. So we appropriated the \$15 million. And now we are looking to appropriate \$22 million to buy the building. So instead of going from neutral, we've increased our debt service, if this passes, by \$37 million. And whether it's, you know, cost positive or neutral, that's something that has to be looked at. The original proposal was sound fiscal policy. This isn't as fiscally sound as the original proposal.

CHAIRMAN GREGORY:

Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Either the debt ceilings, the capital loss, that's why all these measures were put in place, to protect our taxpayers, right? So wanted to make sure that we don't see increases in property taxes or other expenses. What we're looking at here potentially is something where we waive these things so that we can actually save money for our taxpayers.

What I'm going to need to see to make a determination is a bunch of things; obviously the relocation costs for the building we're in; what the rents are likely to be from the outside vendors who rent some of the space here, including what percentage might remain unoccupied, as we see a lot of empty office spaces around; obviously what the debt service on the borrowed money would be; the utility cost; the maintenance of the building; how our credit rating might be affected by the increased debt in terms of all the future borrowing and what additional interest payments we may have to make. So we can really take kind of a global look at this and say, "Does this make sense or doesn't this make sense?." If it does make sense, sure, I'll support it. But we really have to see that whole picture. And I don't think any of us have seen the full picture.

Also, in terms of accessibility to the -- I haven't been to this building. You know, we're obviously asking the employees that are currently working at Rabro to go to this new location. So for some it may be closer, some it may be further. But in terms of the traffic generation, is this -- is this property easily accessible? I don't know any of those things. I haven't been there. Hopefully, I will get to see it and see if this is a logical spot to put County offices that not only these employees need to go to but probably the general public also needs to access.

MR. ZWIRN:

We agree. And there's going to be information that you are asking for and additional information. It's also important that you understand what our lease payments are now in the County and how -- how that will be affected; if we're paying \$20 a square foot for leases now and if we can bring that down to nine or ten dollars a square foot, then that has to be -- that has to also be looked at.

And there's been a great deal of detail looked at this, including the school taxes that are paid on that building now, because the building is owned -- is owned privately, so there are school taxes that go to, I believe, the Sachem School District, I believe it is. So that's been analyzed, a couple of hundred thousand dollars that will have to be -- be dealt with whether through pilots or some other program. There's been great detail put into this, and that information will be forthcoming. And all your questions would have to be answered before you can even consider it. And we understand that.

CHAIRMAN GREGORY:

Are these the same people that located this building that were trying to locate the sex offender shelter in my district?

MR. ZWIRN:

I don't think this meets the sex offender guidelines.

CHAIRMAN GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. In response to our Presiding Officer, Legislator Lindsay, I agree with you, we need to be very concerned about the amount of debt that we're authorizing. But just a point of clarification, and please correct me if I'm wrong. But when we appropriated the funding for, what was it, the Legacy Fund, which was about to expire, that only authorized the issuance of the debt. We are not servicing that debt unless and until the funds are actually expended. And for that to happen, a municipality would have to come forward with a 50% match, which -- which is unlikely right now.

The second point is that even if a municipality came forward with a 50% match, this Legislature then has the opportunity to decide whether or not to expend those funds. So we do still have -- I agree, we need to control the debt, but we do still have control over whether or not the funding that we appropriated at the end of the year actually gets spent and then we use taxpayer funds to service the debt.

MR. ZWIRN:

Yes, Legislator, that's absolutely correct. And the reason that we kept the Legacy funding alive was not so much for this coming year, but hopefully the economy will get better in the years to come and that money would be available, otherwise it would have expired.

LEG. SCHNEIDERMAN:

Can I just say? There are municipalities that will be able to come up with that 50%, I promise you. Some of them have their own CPF revenues. And though they may not be coming in at what they used to come in, there's still significant revenue sources; East Hampton, Southampton in particular.

LEG. D'AMARO:

I'm not here to -- all I'm saying --

LEG. SCHNEIDERMAN:

To have this \$15 million Legacy Fund -- that will be matched, I promise.

MR. ZWIRN:

We can use quarter penny money for that, if I might add. We don't have to use the Legacy Funding

to match, we can use other funds.

LEG. D'AMARO:

And my point also is that in agreeing with the Presiding Officer that, you know, we have to be concerned about the debt service. So even though we authorize this debt, we are going to take a hard look, I'm sure, in this coming year as to every debt obligation that we take on, whether it's for open space preservation for any other capital project. That was my point.

CHAIRMAN GREGORY:

And just to add, if I may, Legislator Lindsay and myself and former Legislator Beedenbender, we went to the building. It's a beautiful building, as Legislator Lindsay had stated earlier. But I have some concerns as well as to our debt service. And I know that we have tenants there now. But I think, you know, looking at recent elections and the climate of the country and Suffolk County, I think there's some grave concerns as to where we're going with our budgets and the economy and the talks of our Federal officials about cutting -- you know, they may be ending the unemployment assistance and things like that. I think, you know, people are going to be cautious.

So, you know, BRO, they're going to need those numbers so that they can do their calculations and their evaluations. And I'm sure our colleagues will be doing the same. So, you know, this is going to be a tough year, as you have stated earlier. So we all need to work together. Did someone else have a comment? Oh, yes. I'm sorry.

MS. VIZZINI:

I just wanted to share with the committee that in an effort to complete the white paper on this, I have at least four times asked the Chief Deputy County Executive for specific information, pretty much along the lines of what Legislator Schneiderman requested. And several of you and others who are not on the committee have asked me very reasonable questions; does this make sense from the dollars and cents point of view.

We need not only to know the specifics in terms of the numbers, and there's probably roughly about a little over \$500,000 in the rent that we are paying for those locations that are likely to, in the future, move into this location. Mr. Kent and I have had some general conversations, but he seems to be reluctant to give me any specifics. So I echo the sentiments of the committee. If Mr. Zwirn could relay those to Mr. Kent or I can send another e-mail and copy you, Ben. But there are a few things -- a lot of things that if we're going to do this policy we need specifics.

MR. ZWIRN:

I will bring that back right away. I don't have an answer, but I will make sure that -- if the information doesn't come to Legislature, we don't expect the Legislature to be able to act on in it. So in good faith I will go back and make sure that BRO gets all the information that they need.

CHAIRMAN GREGORY:

Okay. Great. All right. We have a motion and a second to table. All in favor? Opposed? Abstentions? Okay. Motion is **TABLED (VOTE: 5-0-0-0)**.

**IR 1025. Requiring disclosure of specific information regarding closed capital projects.
(Romaine)**

I'm going to make a motion to table.

LEG. D'AMARO:

Second.

CHAIRMAN GREGORY:

Seconded by Legislator D'Amaro.

LEG. ROMAINE:

I make a motion to approve

CHAIRMAN GREGORY:

I just have one -- I haven't had a chance to call you, Ed, but I had one suggestion. I know that we went through this process last year. And I thought it probably be best or maybe you can consider, as being the, you know, sponsor of this resolution, to put some type of threshold in there, because I think it would be more prudent instead of having every project, whether there's a \$450 balance or 50,000 balance -- \$50,000 balance that we put a threshold in there, maybe \$20,000 so that those with significant surpluses, if you will, or unexpended funds, that we get a list of those projects.

LEG. ROMAINE:

Well, if I could, Mr. Chairman. This resolution requires that any resolution proposing to close out a capital project has to include the following information; one, a detailed justification for each project that be closed out; two, an estimate of the reduction in bond authorization associated with the closeout of that project; three, the reduction in debt expenses by fund associated with the closeout and all resulting revenue to the Operating Budget be stated.

This is just basic information that should have been provided all of these years. Normally, we get a list of closeouts. And we got this last, I guess it was June, we were in Riverhead or it was August, one or the other. And we asked -- resolution closeout. And some of them, the funds had never been expended. Some of them there were significant balances. Some of them you questioned, "Did they do the project?" If they didn't do the project, let me just scratch my head. I voted for that. You voted for that. This Legislature as a body authorized those projects. Now, they're coming out without explanation and say, "Close it out," and we don't have the information. Well, what happened to that? And how is this going to affect our debt authorization?

All this is transparency in government. There should be no threshold for transparency. This administration, as any administration, should be supporting this effort. This should be an effort to let us all know what's going on and not keep us in the dark. We discover, sometimes well after the fact, that capital projects that we've authorized aren't going forward. Now guess what? You, me, collectively this Legislature didn't say, "Don't go forward with it." Someone, usually the Executive, decided not to go forward with it. Well, last time I looked, this is a two-branch government. He doesn't have that authorization to decide which projects to expend and which not to expend.

If he wants to cancel a project, if he wants to reduce an expenditure to a project, rather than use the closeout, come to us, put a resolution on the table, and we'll cast a vote on it. That's the way it works once the Capital Budget is adopted. This is an effort for transparency. So I'm opposed to tabling this. I think if there's any amount left, we should know why and what's happening and how it affects our debt and where that money is going if it goes back to the General Fund. So I just think more information is better than less information. And I think that's an obligation of the Budget Office. Thank you.

CHAIRMAN GREGORY:

All right. We have Legislator D'Amaro, then Legislator Schneiderman.

LEG. D'AMARO:

Thank you. Legislator Romaine, you make some very important, very valid, in my opinion, points, especially about transparency. I want to ask our Budget Review Office, do we have access to some or all or none of the information that Legislator Romaine has put into the bill?

MS. VIZZINI:

Well, Mr. Kovesdy can tell you that the Budget Office does a very diligent job in identifying which capital projects are ready for closeout. In order to come forward with just the list of the names of the projects, they have already determined why they haven't gone forward, what the amount of money is that's actually cash or whether there's savings to the unauthorized debt.

This comes down to a question, which we've had over the past two years. Two years ago, actually Legislator Beedenbender had to have us do a separate resolution, because there were projects on it to be closed that the Legislature was opposed to or portions of the Legislature were opposed to and there was absence of information.

As far as whether we have access to this, we would have to replicate -- we the Legislature or we, Budget Review, we would have to replicate the efforts that the Budget Office did to arrive at this. We'd have to contact the departments again. We would have to contact the Executive Office. So it appears to be somewhat unnecessary duplicative.

MR. KOVESDY:

Mr. Chairman, could I just chime in or should I wait?

LEG. D'AMARO:

Before you do, I just want to be clear. I'm sorry, Gail. Did you say you do have access to that information or --

MS. VIZZINI:

We would have to go to the Budget Office, ask them for the work that they already did in order to, you know, save them from adding another column on the spreadsheet that they give us. We would have to reach out to departments. So it would be a lot of additional work for us since they already do it in order to come to this point.

LEG. D'AMARO:

The Budget Office has already made these determinations when deciding whether or not to go forward and close out the capital project.

MS. VIZZINI:

Exactly.

LEG. D'AMARO:

So rather than reinvent the wheel, if that information were supplied, it would -- it would provide the information in Legislator Romaine's bill?

MS. VIZZINI:

Yes.

LEG. D'AMARO:

Okay. So to the Budget Office, is there a reason why this information cannot be supplied over to the Budget Review Office?

MR. KOVESDY:

I can answer it a little bit easier than that. We supply the Legislature with a list of all the capital projects, we supply this, and it come to the committee. Last year -- actually, two sessions before it was voted at the Legislature, we provided the list. You gentlemen had specific questions on certain projects, and I know that Ed was not part of the committee at that particular time. We got -- we answered every question that you had asked, we provided in writing from the departments.

There was major concern on the Health Department on which projects were being closed in the Health Department. Mr. Alden had a series of questions that we answered. We provided the committee with an answer to every specific question. We also provided -- at the Legislature, we had our entire staff there to provide answers to any particular question. So we provided the Legislature, through the committee, with a chance to ask the questions, and we answered them. We provided the committee a packet of answers for every question on any particular project they had. It's a lot of additional work.

As with the Budget Review Office, when things are bad, there's a myriad of work that has to be done. We would prefer to provide the list and to answer any questions. Mr. Chiusano or myself would be more than happy to come here to get the questions, to answer the questions, to meet with any of the Legislators or Legislative Aides to provide it. But you're asking for an additional set of work when things are bad and we're trying to save every -- every particular penny. We provide that information, we answer all the questions that you have. And we -- not only do we answer them verbally, we provided you an answer for every question that you had in writing last year --

LEG. ROMAINE:

Then you should have no problem with this resolution.

MR. KOVESDY:

No. I think you're making a lot more additional work for our office that doesn't have to be made.

CHAIRMAN GREGORY:

Okay. All right. Let's focus now. Go ahead, finish your statement.

MR. KOVESDY:

We did provide that time for the question. And we are always willing to answer any particular question any Legislator has. If they call the office or they call me or they call Connie, we will provide you an answer either in writing or for any particular one. But to do this for all these projects is an additional layer of work. Thank you.

LEG. D'AMARO:

Just a follow-up, Allen. I appreciate that. I don't want to make work for the Budget Office, but if the work -- work product is already there in order for you to make the decision to put it on the list in the first place, you know, how much more burdensome is it when you're asking us to vote to agree with you to close out that project to provide this type of information?

In a sense, it almost seem to me that if you just provide the information up front, it would be less work than answering ad hoc all the different questions and all of that. Any response to that, any thoughts on that?

MR. KOVESDY:

When this came up last year, we looked -- because it did get -- to be honest, it did get a little bit messy at the Legislature. There was a myriad of questions that were asked. And instead of passing it one-two-three, it became a nine o'clock item, which isn't fair to you and it's not fair to all the people that were there.

We could set categories on a spreadsheet which would list "project never started," "savings" and things like that, but it's when you start to write the written explanation next to it which takes the time. We could set it up on a spreadsheet the categories of where they are and then, you know, respond to that. But when go and start to write the details, that's where the time is. But to identify, if you had various categories and what they are and you know -- actually you even could limit the money between zero and a thousand dollars, a thousand to ten. That wouldn't be the end of the world. But to start to write written explanations with each one, that starts to take a lot of time.

CHAIRMAN GREGORY:

Jay and then you, Dan.

LEG. SCHNEIDERMAN:

Allen was getting at where I was about to go to, which is, you know, in the resolution -- and I think the intent is a good one. You know, in making these decisions, we ought to have good information. I remember the process, you know, probably more than 90% was simple housekeeping type of things, projects, money left over in projects or projects that never got started.

In Legislator Romaine's resolution, it does call for a detailed explanation, and it doesn't really define what a detail explanation is. I mean, for me, yeah, a category probably is enough to trigger questions, and then on a few of those things, then we could ask you those questions. I think that would be helpful if that's not too hard to do.

But I'm also concerned on the fiscal impacts how much of your time might be involved with trying to determine what the impact, you know, the financial impact on each one of these, you know, hundreds of items might be and how that may -- you know, because sometimes asking for information seems simple from our end, but then if it's adding hundred of hours of staff time on things that may not really matter that much, we're going to end up paying more in staff time than we're going to get in savings here and there. So how can we take that piece and reduce that to something that's a little but more manageable in terms of the overall financial impact of closing out these projects?

MR. KOVESDY:

If you indulge me, if you could table this for one session, I will have Mr. Chiusano, who does the vast majority of this work and his staff here at the next committee, and he might be able to address some kind of a compromised way of doing this, which will provide you the information that you need and BRO needs in a much better -- because I'm not the -- I really handle the Operating Budget more than the Capital Budget. But he could -- he could answer your specific question better than I could. I'll have him here for the next meeting, and he could give you much better details than I can.

LEG. SCHNEIDERMAN:

That's fair to me.

CHAIRMAN GREGORY:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I mean, you seem like a pretty savvy and sophisticated bunch. I don't think these calculation are being done on scrap paper. When you do this, I'm sure this information is plugged in somewhere.

LEG. ROMAINE:

Absolutely.

LEG. LOSQUADRO:

I don't think you look at this and say, "Where is that legal pad? I don't remember where that is."

LEG. ROMAINE:

Where's that Post-em (sic)?

LEG. LOSQUADRO:

The info and the analysis is done already. This is providing information that you already have. I really -- I mean, Legislator D'Amaro's point of answering questions ad hoc potentially from 10, 12, maybe all 18 Legislators, especially now that Legislators are more sensitive to this given the situations that we have encountered recently, I think it would be much easier and much more efficient to simply provide the information you already have, even if that means scanning those Post-it notes and e-mailing them to us than going through this charade. So just give us the information you already have and let's pass this legislation.

CHAIRMAN GREGORY:

Legislator D'Amaro.

LEG. D'AMARO:

Yes. Just very quickly. Through the Chair, directed to Legislator Romaine, the items -- items two and three; an estimate of the reduction of bond authorization and a reduction of debt expenses, I think is a more of an objective number to be supplied. But the detailed justification, I'd like to ask through the Chair to the sponsor, what do you consider a detailed justification? How detailed --

LEG. ROMAINE:

One sentence. For some of them, "project was not started," "project never initiated." That's why the balance is there. And then when we get that --

LEG. D'AMARO:

Well, that's more of a status as opposed to a justification. A justification is more of a subjective type of assertion as to why the project did not go forward. Is that what you're looking for?

LEG. ROMAINE:

That's what I am looking for. But I can tell you if this passes, that's not what we're going to get. We're going to get one sentence justifications, okay, because they're going to give you the minimal possible. But what that would do is it would give us the ability at least to ask for other questions at the Legislature when this comes up; at the committee or the full Legislature. So if it says, "project never initiated," that's the justification why there's a balance, we can say, "Oh, really, who made that determination? I remember us all voting for that project." "Oh, the Executive did." "Did he come to the Legislature"?

And now that we know that there's a balance in that, maybe we don't want to close it out, because maybe we need that for an offset for something else. That's one of the reasons obviously that we're not -- you know, we're not getting the information, because if we know there's money in the Capital Budget that isn't being expended for whatever reason, we can't use it as an offset, because at the last minute, we're dealing with the it as a closeout. So, I mean, we have less control over our finances each and every day. This is going to give us a better control over our finances. And even that one sentence is going to give us pause for thought. Most of them, I guarantee you 95% of them are going to be probably pro forma. It's the 5% that I worry about.

So I think more transparency is better than none. And Legislator Losquadro had a very telling point. If you think that this information is on scrap paper or Post'ems (sic) posted all over the Budget Office, they have all these justifications in the system. They have all of this. This is a simple matter of simply transposing this and presenting us with a report so that when we sit down as a committee to close out a capital project, most of the time, okay, no problem. But there's going to be that 5% of the time where we are going to have issues and we are going to raise questions and we are going to have better control over finances of this County.

To think that the finances of this County should be entrusted to one branch, to me, that's not transparency. We're not acting transparently. We're not acting openly. Because let me tell you, how many people sit in on the County Executive when he makes these decisions with his budget officials? Now, ask how many people sit in on ours including the press. This is an opportunity where these budget issues can be vetted in a public forum before the public, before the press, before the media, and we can have adequate discussions of the finances in Suffolk County. This is taking it behind the closed doors where budget decisions are made by the Executive and his staff without the input of this Legislature or the media or the public knowledge.

This is the transparency -- this is not going to get articles, it's not going to be famous for anything, but it is going to give us, if we adopt this, the ability to act like a Legislature, to work with our Budget Review Office, to make intelligent decisions and be an equal partner in this government. Thank you.

MR. ZWIRN:

Amen.

LEG. D'AMARO:

I don't think enacting this bill is going to -- I want to make two points. I don't think enacting this bill is going to change how the County Executive or the Executive Branch makes their decisions on whether or not to close out a project, number one. And second of all, after hearing your explanation, you're convincing me that passing this bill will probably just lead to a lot more questions and detailed explanations. And that puts us right back where we started from.

You know, the point I was trying to make is that if these explanations were provided upfront, perhaps, perhaps we would be getting the information we need to make an informed judgment on whether or not to close out the projects. But it seems to me that what you're arguing is that we're not going to get the information even if we pass the bill and we're going to have that whole debate and discussion anyway. So I really think that you are justifying tabling the bill.

LEG. ROMAINE:

I'm not. And if I may, Mr. Chairman. Legislator D'Amaro, next to you in the Legislature sits Legislator Stern. He always has to remind us when money is being taken from a road project that it is being taken because Federal funding is going to supplement it. You know what road project I'm talking about. And that's the type of explanation that if we got we would say okay.

As I said, 95% of the explanations are going to justify no further inquiry. Five percent or less may justify a quick question, and of those, maybe one or two will generate some heat because all of a sudden, the Legislature said, "Wait a second. We want that project. We'd like that project to go forward. The explanation is not sufficient to justify closing it out."

So quite the contrary, I think a detailed explanation, even if it's a sentence, and I'm saying this for the record, because I think that's what it's going to be, by the way. But even if it's a sentence, will clarify almost all issues except maybe three or four or five in a long list that we can ask quick questions about and either dispose or decide not to dispose of. So quite frankly, I think this -- this gives us an opportunity to go forward. You are going to see very few issues -- in fact, in Riverhead, when they had to -- we had to table this in Riverhead, if you recall, pass over it, and we had to send for Carmine to come from Hauppauge to Riverhead to try to explain some of this. I don't know, he's probably home eating dinner.

LEG. D'AMARO:

But that's going to happen anyway.

LEG. ROMAINE:

What?

LEG. D'AMARO:

That's going to happen anyway is what you're telling me. That's happening anyway.

LEG. ROMAINE:

But guess what?

LEG. D'AMARO:

So why not just get the detailed information when the bill is presented. If we have questions, we're going to go through that anyway.

LEG. ROMAINE:

That happened on the floor. If I had got that or any other member had got that in our packet two-three weeks before the meeting, that's a quick question to either Budget Review of the Budget Office that would resolve it or say, oops, this is a problem or no, it's not a problem. So I think just a basic explanation. And it probably will be one sentence, believe me, the way they will interpret the law. That would be enough for us to do a lot of work not at this body, not at this committee, but in

our office by either contacting Budget Review of Budget Office. So that gives us kind of a head's up.

Look, most of things we see when I get my packet, the 16s, Local Law, I just go through it, I ignore those, because those are pro forma. Even some of the 13s, I just check the size of the property, but those are all automatically (sic). So you know as a Legislator which ones to focus in on and which ones not to focus in on. And I'm telling you, I think even at that debate in June, I had maybe four or five projects, which if they had provided some explanation probably would have been cut down to one or two, and I would have read it in my office as part of the packet. So I definitely think that this resolution would resolve a lot of problems, save a lot of debate. And the few issues that we did have, we could publically vet them.

CHAIRMAN GREGORY:

Okay. We gottcha. We have Legislator Schneiderman.

LEG. SCHNEIDERMAN:

It seems like this debate is over this word "detailed." And, you know, Allen is already saying he's willing to do a column, you're willing to accept a sentence, which you're probably going to get. A sentence like -- Ed, let me finish. A sentence like, "this project was never initiated," is a column that says "never initiated." So we're basically saying the same things right now. So we might just have to change the language a little bit or define what you mean by detailed.

We all seem to be agreeing. Allen is going to get back to us and say if they can do that. Maybe look at some of the other concerns in terms of, you know, the fiscal impacts, which may be just a straight formula, it may be very easy. And I think, you know, amend the bill slightly to clean up the details. And let's wait one cycle so we can get the information from Allen whether they can do that.

MR. ZWIRN:

Mr. Chairman, if I just might make one correction. Legislator Romaine said all this stuff is done behind closed doors. This all has to be done before the Legislature, before the public, a vote is taken on this. Any questions that the Legislature has on any of these closeouts, they ask those questions. You do your job. There is due diligence with respect to this. And there are programs that sometimes these projects are taken off the list and are not closed out. So with all due respect and in all fairness, this stuff is not done behind closed doors. The decisions are made at the County Executive's Office, then they come back to the Legislature for approval or disapproval.

CHAIRMAN GREGORY:

Okay. All right. We have a motion to table. We also have a motion to approve, but no second.

LEG. LOSQUADRO:

I'll second the motion to approve.

CHAIRMAN GREGORY:

The tabling motion goes first. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Opposed.

LEG. LOSQUADRO:

Opposed.

LEG. SCHNEIDERMAN:

I'm for tabling for one cycle so that Allen can come back and say whether he can do that or not.

CHAIRMAN GREGORY:

Okay. All right. The tabling motion passes. **TABLED (VOTE: 3-2-0-0 - Opposed - Legis. Romaine and Losquadro).**

1049, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 817-2010).

Motion to approve and place 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).**

1051, Adopting Local Law No. -2010, A Local Law to regulate the distribution of mortgage tax revenues to towns and villages. (Schneiderman)

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

We are adjourned. Thank you.

(*THE MEETING WAS ADJOURNED AT 11:26 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY