

**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, November 9, 2010.

**Members Present:**

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

**Member Not Present:**

Legislator Daniel Losquadro - Excused Absence

**Also In Attendance:**

George Nolan - Counsel to the Legislature  
Jason Richberg - Aide to Legislator Gregory  
Renee Ortiz - 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  
Lynne Bizzarro - County Attorney's Office  
Justin Littell - Aide to Legislator D'Amaro  
Dot Kerrigan - AME  
All Other Interested Parties

**Minutes Taken By:**

Donna Catalano - Court Stenographer

(\*THE MEETING WAS CALLED TO ORDER AT 10:06 A.M.\*)

**CHAIRMAN GREGORY:**

Good morning, everyone. We are going to get started. We will start off with the Pledge of Allegiance led by Legislator Schneiderman.

**SALUTATION**

Welcome to this morning's Budget and Finance Committee Meeting. We don't have any cards, but is there anyone in the audience who would like to speak, please come forward? No? Okay.

Going to the agenda, Tabled Resolution **1922, Amending the 2010 Operating Budget and transferring funds within the Police Department to fund additional surveillance cameras in the Town of Huntington. (Cooper)**

**LEG. D'AMARO:**

Motion to approve.

**CHAIRMAN GREGORY:**

Motion to approve by Legislator D'Amaro, seconded by myself. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1; Not Present - Legis. Losquadro).**

**INTRODUCTORY RESOLUTIONS**

**1984, To readjust, compromise, and grant refunds and chargebacks on correction or errors / County Treasurer by: County Legislature No. 345. (Co. Exec.)**

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

**LEG. D'AMARO:**

Second.

**CHAIRMAN GREGORY:**

Seconded by Legislator D'Amaro. All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1; Not present - Legis. Losquadro).**

**1985, To readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature (Control No. 838-2010). (Co. Exec.)**

Same motion, same second, same vote. **APPROVED** and placed on the **CONSENT CALENDAR (VOTE: 4-0-0-1; Not present - Legis. Losquadro)**

**2027, Amending the 2010 Operating Budget and appropriating funds in connection with bonding a settlement for a General Liability Case. (Co. Exec.)**

**LEG. D'AMARO:**

Motion to approve. This was approved by the Ways and Means Committee in Executive Session as well.

**CHAIRMAN GREGORY:**

Great. Motion by Legislator D'Amaro, seconded by myself.

**LEG. SCHNEIDERMAN:**

Which case is this? Is this the bus liability?

**CHAIRMAN GREGORY:**

Lynne. Excuse me, Lynne Bizzarro. This case, do you have -- Legislator Schneiderman had wanted some more information about this.

**LEG. SCHNEIDERMAN:**

Whatever you can say in open session.

**MS. BIZZARRO:**

I think I heard something about a bus. No, this is not a bus case. This is a general liability case involving some Police Officers.

**LEG. SCHNEIDERMAN:**

What is the amount of the settlement?

**MS. BIZZARRO:**

I believe it's \$396,000 and change.

**LEG. SCHNEIDERMAN:**

It's within Suffolk County PD or it was outside the PD?

**MS. BIZZARRO:**

Suffolk County PD.

**CHAIRMAN GREGORY:**

Legislator Romaine.

**LEG. ROMAINE:**

Without getting into details, this case involves -- this isn't a car accident or something like this. This involves actions by Police Officers that were challenged in court?

**MS. BIZZARRO:**

Correct.

**LEG. ROMAINE:**

Okay. How many Police Officers were involved in this challenge?

**MS. BIZZARRO:**

Two or three, I believe.

**LEG. ROMAINE:**

Two or three. And it had to do with the outcome of their -- of their actions. We are not going to litigate this. Obviously, there's someone litigating this. We prefer to settle this and that's what this is about; is that correct?

**MS. BIZZARRO:**

Correct.

**LEG. ROMAINE:**

And as part of this settlement, is there a confidentiality agreement?

**MS. BIZZARRO:**

I don't believe so.

**LEG. ROMAINE:**

So once the settlement is made, this would be public record?

**MS. BIZZARRO:**

Whatever is in the courthouse.

**LEG. ROMAINE:**

Whatever is at the County Court?

**MS. BIZZARRO:**

At the courthouse, correct, would be considered a public record.

**LEG. ROMAINE:**

Right. Obviously. It's a County Court. The Clerk of Suffolk County is the Clerk of the County Court. That record would be filed in the County Clerk's Office. Okay.

So the settlement -- when we -- if this approved by this committee and then eventually by the Legislature as a whole next week, I assume the settlement will take place thereafter. It requires the approval of the County Executive. How soon will those records be -- how soon will this settlement be concluded if everyone agrees, roughly within a frame -- timeframe?

**MS. BIZZARRO:**

You mean how quickly will the money be paid?

**LEG. ROMAINE:**

How quickly will the money be paid, and how quickly will the record be available for the press to examine?

**MS. BIZZARRO:**

I don't know.

**LEG. ROMAINE:**

Okay.

**LEG. SCHNEIDERMAN:**

Can you tell me the nature of the grievance?

**MS. BIZZARRO:**

I'd rather not. I'd like to go into Executive Session if you'd like to discuss this in any further detail. I'll be happy to give you all the details of the case.

**LEG. SCHNEIDERMAN:**

Whatever is on public record, because there must have been a claim filed at some point.

**MS. BIZZARRO:**

Complaint filed, correct.

**LEG. SCHNEIDERMAN:**

And that you can't tell, in open session, the nature of that complaint?

**MS. BIZZARRO:**

I'd rather not discuss the case at all right now in light of the fact that we're still waiting to see if the bonding resolution gets approved, so.

**LEG. SCHNEIDERMAN:**

Can I ask if the officers are still serving that are involved?

**MS. BIZZARRO:**

I don't know all the particulars about the officers now, and I would not be able to even tell you that in Executive Session. Someone would have to get back to you on that.

**LEG. SCHNEIDERMAN:**

Okay.

**CHAIRMAN GREGORY:**

Okay. So we have a motion and a second. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1; Not Present - Legis. Losquadro).**

Okay. I'd also like to state on the record that Legislator Losquadro has an excused absence. We have no further business.

**LEG. ROMAINE:**

Motion to adjourn.

**CHAIRMAN GREGORY:**

No further business, we are adjourned. Thank you.

(\*THE MEETING WAS ADJOURNED AT 10:12 A.M.\*)